

# **Attachment D**

**Submissions**

**From:** Sarah Gilbert [REDACTED]  
**Sent on:** Friday, August 15, 2025 12:48:12 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Re: Support for Proposed Changes to the Development Consent at Yirranma Place (262 Liverpool Street, Darlinghurst)  
**Attachments:** Letter of Support for Yirranma Place DA\_Sarah Gilbert.pdf (47.41 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To all at City of Sydney - please see my attached letter of support.

Thanks and kind regards

Sarah.

Dr Sarah Gilbert  
Executive Producer, UTS Impact Studios

15 Broadway  
Ultimo 2007  
Building 11, level 3, room 401

[REDACTED]  
[REDACTED]

Out now from MUP: [Unconventional Women: The story of the last Blessed Sacrament Sisters in Australia](#)

[The Darlinghurst Public History Project](#) - The Australian Centre for Public History and Impact Studios

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**City of Sydney Local Planning Panel**

**GPO Box 1591**

**Sydney NSW 2001**

5 August 2025

To the Chair and Members of the City of Sydney Local Planning Panel,

**Re: Support for Proposed Changes to the Development Consent at Yirranma Place  
(262 Liverpool Street, Darlinghurst)**

As a local resident, parent at Darlinghurst Public School, and a staff member at the University of Technology Sydney, I am writing to express my support for the proposed amendments to the Development Consent for Yirranma Place.

Yirranma Place is a unique precinct that brings together social purpose, community activation and inclusive design in the heart of our city. The proposed changes strike an appropriate balance between enabling community use and maintaining neighbourhood amenity.

In particular, I strongly support the proposal to:

1. Broaden the definition of eligible users of the Blue Gum Hall to include for-purpose and local community organisations. This would allow institutions like UTS to host educational forums, roundtables or impact-driven events in a setting that shares our values — something that is currently constrained by the existing consent conditions.
2. Extend the number of after-hours catered events from two to twelve per month. The events I've attended at Yirranma Place have been discreet, quiet respectful and well managed — often concluding well before the 10pm cut-off. It's clear that PRF and the team take their responsibilities seriously, and I have confidence that an increased number of events will not lead to increased disruption. The crowd these events typically attract is a very orderly one!
3. Permit café seating on the portico, which is not only essential to improving the experience for patrons (including members of the local community), but also expands real-time training opportunities for the women participating in Two Good Co.'s employment program — enhancing both their learning and the customer experience.
4. Allow low-level background music in specific outdoor spaces. Provided this is managed responsibly — and I have every reason to believe PRF has invested

significant effort in doing so — this amenity would add greatly to the vibrancy and appeal of the space without affecting nearby residents. It is reasonable and fitting for a civic and philanthropic precinct of this calibre to offer a calm, welcoming atmosphere that encourages community interaction.

I commend the team behind Yirranma Place for their continued transparency, proactive engagement, and willingness to listen to local input. This is a thoughtful proposal that supports social good while protecting the interests of the neighbourhood.

Yours sincerely,



Sarah Gilbert

208 Barcom Ave, Darlinghurst

Ph 



**From:** Ronan Sulich [REDACTED]

**Sent on:** Tuesday, August 19, 2025 9:25:20 AM

**To:** council@cityofsydney.nsw.gov.au

**Subject:** RE: DA/2025/707 OBJECTION

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Councillors,

As a long time resident of the inner city and at my current address since 1996, I would like to voice my **strong objection** to the proposed changes to the **original consent** of the City of Sydney Council to the Paul Ramsay Foundation at Yirranma Place.

Yirranma Place is entirely surrounded by residential properties, with the exception of the Robin Gibson Gallery next door. The proposed changes will adversely affect all the local residents.

In your original consent determination from 2021 I read:

**USE OF ENTRY HALL**

(a) The Entry Hall (also known as the Great Hall) shall only be used as an *information and education facility* as defined by the *Sydney Local Environmental Plan 2012* in association with the charitable foundation use of the site.

(b) The entry hall must not be operated as a function space for third party users that are not tenants of the site.

(c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar

Therefore the proposal to allow external groups to use the cafe and spaces is clearly against your original approval.

**(9) EXTERNAL SEATING**

No approval is granted for external seating associated with the café use.

The request for external seating (on a sloping and relatively narrow and very busy stretch of footpath on Liverpool Street) is counter to your original approval.

**(13) NO SPEAKERS OR MUSIC OUTSIDE**

Speakers and/or noise amplification equipment must not be installed, and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

The request for “low level music” from the proposed external groups is against your original approval.

It would be more than hypocritical for the Council to go against its own stipulations and approve this requested changes and therefore I hope that you will not approve this DA.

Sincerely,

Ronan Sulich

RONAN SULICH

6 Thomson Street, DARLINGHURST 2010

AUSTRALIA  
[REDACTED]

**From:** [REDACTED]

**Sent on:** Wednesday, August 20, 2025 12:36:53 PM

**To:** council@cityofsydney.nsw.gov.au

**Subject:** D/2025/707 262 Liverpool St Darlinghurst NSW 2010

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney

Please keep private our names and our address.

We strongly object to the proposed new cafe seating area and associated music, as it will lead to further commercial activity in a designated residential area. Greater commercial success of the on-site cafe goes well beyond the purpose of the Paul Ramsey Foundation and would be an additional serious noise, artificial light and congestion encroachment on local residents.

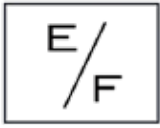
We also strongly object to cafe deliveries from 5am. The cafe is located in the heart of a residential area and 5am deliveries to either the Liverpool St or Forbes St entrances will inevitably involve additional commercial vehicle movements, with the associated reversing "beeping" and headlight intrusion, at a time when adjoining residents are trying to sleep. Convenience for the cafe operator should not come at the expense of cherished urban amenity.

Yours sincerely

**From:** erin fairs [REDACTED]  
**Sent on:** Thursday, August 21, 2025 11:24:33 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** D/2025/707  
**Attachments:** Letter to council.pdf (45.23 KB), Screenshot 2025-08-21 at 11.22.48 am.png (5.79 MB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

[REDACTED]



**ERIN FAIRS**  
STYLIST

[REDACTED]  
[REDACTED]



- As a resident, both myself and my husband park our cars in the street given the already hard to find spots due to SCEGGS the NAS and various builders and construction as well as people who work at the PRF the claim of zero additional car parking demand from the development in the evenings is unrealistic and ridiculous..
- the proposed function centre uses are not permitted in the residential zone. And no information has been provided in the DA submission to support or justify the change of use
- The previous planning panel meeting in 2021 chose to impose multiple conditions on the site (in particular condition 4 and condition 6) to protect the amenity of surrounding residents and nothing has changed in the area that removes the need for these conditions. The church itself as a heritage building never consisted of external spaces especially not a rooftop party area for commercial use. The idea that the PRF foundation a charity wants to turn the space into a hired party area is obscene. I have attached a picture of my current view of the horrendous additions to the building that I now have to look at. I can no longer open my windows as people look in from the external walkways and from the rooftop. I can hear them as they stand and chat on their phones and take pictures and when the cleaners wheel their buckets at night across our open air carpark so the decibel measure is ludicrous.
- The noise impact assessment of proposed activities such as outdoor music and 5 am deliveries is based on outdated background noise assessments and should be rejected as invalid.

I would further like to add that the consultation process engaged with by PRF/Two Good/Ethos Urban was a sham and was based on an initial invited meeting with a hand picked group of local residents who the developer knew were not going to make significant objections to the proposal and 200 Forbes street was not included in the newsletter drop advising of subsequent meetings. In fact, as one of the most adversely affected apartments from the build i had no idea that a proposal had even been put forward despite having a handful of people come through my apartment when they tried to tack another horrendous lift shaft externally onto the building to take people directly to their rooftop which was rejected.



**From:** Melinda Fatcher [REDACTED] on behalf of Planning Systems Admin  
<planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin  
<planningsystemsadmin@cityofsydney.nsw.gov.au>>  
**Sent on:** Friday, August 22, 2025 12:44:24 PM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/ Yirranma Place

-----Original Message-----

From: ankano [REDACTED]  
Sent: Friday, 22 August 2025 11:45 AM  
To: allegra.spender.MP@ph.gov.au  
Cc: City of Sydney <council@cityofsydney.nsw.gov.au>; MP - NSW Member of the Legislative Assembly  
<sydney@parliament.nsw.gov.au>; DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>; [REDACTED]  
[REDACTED]  
[REDACTED]; Clover Moore <cmoore@cityofsydney.nsw.gov.au>;  
Monica Barone <mbarone@cityofsydney.nsw.gov.au>; [REDACTED]  
Subject: Re: DA/2025/707/ Yirranma Place

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.  
Dear Allegra,

As a local resident and good neighbour of Yirranma Place I fully endorse and concur with Suellen Dainty's concerns and objections (see letter below) with regards to the proposed amendments to their DA/2025/707/ Yirranma Place.

Your attention to this is greatly appreciated.

Yours Sincerely,

Angus Robertson  
2 / 280 Liverpool St,  
Darlinghurst, NSW, 2010

Dear Allegra,

As our elected Federal MP, I hope you'll listen to my objections to the above Development Application. While I acknowledge the Paul Ramsay Foundation's philanthropic aims and activities, this DA, if approved, would severely damage residential amenity and directly contravene existing zoning laws put in place to protect the public interest and environmental amenity.

This DA is similar in scope to the one defeated in April 2021. Then, as now, residents strongly objected to the proposals, for the same reasons; loss of residential and environmental amenity, not in the public interest and unacceptable change of use. The LPP was abundantly clear then in stating its reasons to impose significant conditions on DA approval. It is difficult to see any circumstances in which it should now reverse its previous decision.

I and many of my nearby neighbours in Liverpool Street, Darley Street and Forbes Street strongly object to this proposed development for the following reasons:

Loss of Residential Amenity:

The proposed development would allow up to 12 events per calendar month inside Yirranma Place, and on its rooftop terrace and Level 2 terrace by third party organisations, which would cause an enormous loss of amenity and privacy to the surrounding residential properties. The existing permission states clearly and with good reason (Condition 6) that the separately approved roof terraces must not be utilised by patrons of either the café or exhibitions in the entry hall (which are the only type of events that are actually approved to occur at

the site currently with a maximum of two events per month permitted after 6 pm where food and/or drinks are served). The only people allowed to access the rooftops are workers or staff at the site.

The rooftop terrace and Level 2 terrace are approximately 20m from the balconies and bedrooms of residents of 280 Liverpool Street, 278 Liverpool Street, the residents of Stoneleigh in Darley Street and also the townhouses at 1B Darley Street. The terraces also have clear sound transmission pathways to many residents in the houses in Forbes and Thomson Streets and all the south facing apartments in Beaufort Court (200 Forbes Street). Yirranma's own acoustic consultants have estimated the decibel level of people speaking 'with raised vocal effort' at 75db, which is significantly louder than the sound of a busy street at the kerbside close to moving traffic. This noise level, whether or not accompanied by live or recorded music, is unacceptable in a residential area.

Also unacceptable is the proposal to allow food and bread deliveries from 5am to the Liverpool Street entrance of Yirranma. The sound of trollies being loaded and unloaded, idling motors and slamming doors would disturb nearby residents at an unconscionably early hour. Deliveries can easily take place after 7 am, which is the legal hour for most construction work and other potential noise generating works to begin.

#### Change of Use:

The proposed development is in effect a proposal for a change of use of the nominated areas of the site from a commercial office/information and education facility, which is a building or place used for providing information and education to visitors, to a function centre, which is a use specifically prohibited in the RI, the general residential zone which applies to this site.

The proposed new use, hiring spaces to third parties for events or functions, including the rooftop area is a use that would require making material changes to Condition 4 and Condition 6 of the existing development approval, which are conditions imposed for the very purpose of ensuring the site's use has minimal adverse environmental and acoustic amenity impact to the surrounding residential area by limiting any events at the site to either information or education purposes and nothing else.

The existing development approval, as described in Condition 4 (a), states clearly that the Entry Hall must not be operated as a function space for third party users that are not tenants of the site or partner organisations of the charitable foundation. The existing LPP approval, determined on 28 April 2021, has imposed this existing condition because "unrestricted consent may effect the environmental amenity of the area and would not be in the public interest."

The fact that this new proposal places some limitations on third parties who may hire the Entry Hall space does not derogate from the fact that the proposed use intends to hire the space to third parties for functions up to 12 times a month. Again, this is inconsistent with the use of the space as an information and education facility. It is the activity of a function centre and, as such, is prohibited.

Allegra, I appreciate that you're busy and that your time is precious. However, anything you could do to help in this matter would be greatly appreciated.

Kind regards,

Suellen Dainty  
3/280 Liverpool Street  
Darlinghurst 2010

**From:** Rachael Haines [REDACTED]  
**Sent on:** Friday, August 22, 2025 10:11:08 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Bill MacKay,

Thank you for your letter regarding the proposed development at 262 Liverpool Street, Darlinghurst, NSW 2010.

While reviewing the plans, I noticed the inclusion of background music in the new outdoor café area. This raises some concerns for me and many of my neighbours at Mont Clare (347 Liverpool Street). Over the past few years, we have endured significant noise and disruption from the demolition of the adjacent building, and we are now facing another two years of construction noise from the new block of flats. Understandably, this has created an ongoing strain on our day-to-day lives.

On a more personal note, I would like to share that, as someone with ADHD, background music can be particularly challenging. What might be pleasant for some can make it difficult for me to relax or even hold a conversation, as it can become overwhelming and distracting. I mention this not only on my own behalf but also to highlight the impact such features may have on other neurodivergent residents and visitors who may share a similar experience.

Thank you very much for considering this perspective as part of the planning process.

Kind regards,

Rachael Haines

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Monday, August 25, 2025 1:35:47 PM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

Please log as an objection to D/2025/707

Thanks  
Sally

---

**From:** Suellen Dainty [REDACTED]  
**Sent:** Saturday, 23 August 2025 12:32 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

I wish to object to the above application.

While I acknowledge the Paul Ramsay Foundation's philanthropic aims and activities, this DA, if approved, would severely damage residential amenity and directly contravene existing zoning laws put in place to protect the public interest and environmental amenity.

This DA is similar in scope to the one defeated in April 2021. Then, as now, residents strongly objected to the proposals, for the same reasons; loss of residential and environmental amenity, not in the public interest and unacceptable change of use. The LPP was abundantly clear then in stating its reasons to impose significant conditions on DA approval. It is difficult to see any circumstances in which it should now reverse its previous decision.

I and many of my nearby neighbours in Liverpool Street, Darley Street and Forbes Street strongly object to this proposed development for the following reasons:

### **Loss of Residential Amenity:**

The proposed development would allow up to 12 events per calendar month inside Yirranma Place and on its rooftop terrace and Level 2 terrace by third party organisations, which would cause an enormous loss of amenity and privacy to the surrounding residential properties. The existing permission states clearly and with good reason (Condition 6) that the separately approved roof terraces must not be utilised by patrons of either the café or exhibitions in the entry hall (which are the only type of events that are

actually approved to occur at the site, currently with a maximum of two events per month permitted after 6 pm where food and/or drinks are served). The only people allowed to access the rooftops are workers or staff at the site.

The rooftop terrace and Level 2 terrace are approximately 20m from the balconies and bedrooms of residents of 280 Liverpool Street, 278 Liverpool Street, the residents of Stoneleigh in Darley Street and also the townhouses at 1B Darley Street. The terraces also have clear sound transmission pathways to many residents in the houses in Forbes and Thomson Streets and all the south facing apartments in Beaufort Court (200 Forbes Street).

Yirranma's own acoustic consultants have estimated the decibel level of people speaking 'with raised vocal effort' at 75db, which is significantly louder than the sound of a busy street at the kerbside close to moving traffic. This noise level, whether or not accompanied by live or recorded music, is unacceptable in a residential area.

Also unacceptable is the proposal to allow food and bread deliveries from 5am to the Liverpool Street entrance of Yirranma. The sound of trollies being loaded and unloaded, idling motors and slamming doors would disturb nearby residents at an unconscionably early hour. Deliveries can easily take place after 7 am, which is the legal hour for most construction work and other potential noise generating works to begin.

### **Change of Use:**

The proposed development is in effect a proposal for a change of use of the nominated areas of the site from a commercial office/information and education facility, which is a building or place used for providing information and education to visitors, to a function centre, which is a use specifically prohibited in the RI, the general residential zone which applies to this site.

The proposed new use, hiring spaces to third parties for events or functions, including the rooftop area is a use that would require making material changes to Condition 4 and Condition 6 of the existing development approval, which are conditions imposed for the very purpose of ensuring the site's use has minimal adverse environmental and acoustic amenity impact to the surrounding residential area by limiting any events at the site to either information or education purposes and nothing else.

The existing development approval, as described in Condition 4 (a), states clearly that the Entry Hall must not be operated as a function space for third party users that are not tenants of the site or partner organisations of the

charitable foundation. The existing LPP approval, determined on 28 April 2021, has imposed this existing condition because “unrestricted consent may effect the environmental amenity of the area and would not be in the public interest.”

The fact that this new proposal places some limitations on third parties who may hire the Entry Hall space does not derogate from the fact that the proposed use intends to hire the space to third parties for functions up to 12 times a month. Again, this is inconsistent with the use of the space as an information and education facility. It is the activity of a function centre and as such, is prohibited.

I hope you will consider my objections when deliberating on this application.

Kind regards,

Suellen Dainty  
3/280 Liverpool Street  
Darlinghurst 2010

**From:** [REDACTED]

**Sent on:** Monday, August 25, 2025 2:19:37 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au

**CC:** cmoore@cityofsydney.nsw.gov.au; mbarone@cityofsydney.nsw.gov.au

**Subject:** My objection to DA 2025/707 at Yirranma Place - 262 Liverpool Street

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney (please copy to Sally Shepherd)

I have been a resident of the Forbes Street area of Darlinghurst for approximately 13 years and I live at number 251 Forbes Street, which is located opposite the North Western Corner of the site of this proposed DA (262 Liverpool Street).

This property is one of approximately 40 residential properties (including houses, townhouses and apartments) that are located directly opposite to or adjacent to the rear and side boundaries of the Yirranma Place building in either Liverpool Street, Forbes Street or Darley Street.

This total includes the residential apartment building at 349 Liverpool street which has recently been demolished but is now being rebuilt with a similar or larger number of apartments. Ironically it is probably a highly opportunistic time for Yirranma place to submit this DA which the site opposite at 349 Liverpool Street is vacant and unoccupied, but maybe the new potential owners of the apartments there have been notified somehow. That is a digression perhaps.

Also many of my direct neighbours in Forbes street are unaware of the specific details of the proposed DA changes to the development in terms of what activities/uses are proposed for specific areas of the site, at what frequency per month and what is actually proposed in terms of music allowed in various areas of the what decibel levels at what times of the day. For that reason I am finding it difficult to object to specific aspects of the proposed development in terms of the impacts on residential properties adjoining or opposite the site.

So the key focus of my objection is that for the 40 residential properties most directly affected by adverse noise impacts from this DA, the two most critical conditions in the existing 2021 DA consent, which were imposed by the Council at that time, specifically for the purpose of protecting the existing environmental amenity of the surrounding residential properties must be maintained, namely:

**(4) Use of Entry Hall**

(a) The Entry Hall (also known as the Great Hall) shall **only be used as an *information and education facility*** as defined by the *Sydney Local Environment Plan 2012* **in association with the charitable foundation use of the site.**

(b) The Entry Hall must **not be operated as a function space for third party users** that are not tenants of the site.

(c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.

**(6) Use of Roof Terraces**

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

Also in relation to any potential future activities/uses at the site that may constitute operating all or parts of the site as a function centre. The land is zoned R1 General Residential under the Sydney LEP 2012.

Under that zoning, prohibited uses include Function Centres. The Dictionary in the Sydney LEP 2012 states (emphasis added):

- *function centre* means a building or place used for the **holding of events, functions**, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

Perhaps, given the significant confusion now about what future uses are actually proposed for different areas of the site and what are the proposed limits on any uses. This latest DA should be refused outright by the Council as if the two above mentioned consent conditions are maintained, ~~that~~ it will probably disallow most of the proposed changes to

uses and activities at the site anyway.

Also I think the acoustic report submitted by the applicant for the site is inaccurate and should not be accepted by the Council for the following reasons.

- Because the Baseline noise monitoring was done in November 2019, it is out of date and no longer valid, new current baseline noise measurements have to be undertaken.
- The four locations where baseline noise monitoring was done in 2019 were all on the footpath close to the traffic in either Liverpool street or Forbes Street, so are not representative of the noise levels at any residential property.
- There was no background noise monitoring for the two most affected residential properties to the rear or sides of the site at 278 Liverpool street and 1B Darley street, so the existing noise levels at these properties cannot be claimed to have been defined
- Also at all surveyed locations in 2019 the background noise levels were reported as affected by construction noise, which also makes these baseline noise levels inaccurate
- Finally with the assessment of the noise impacts of 5 am van deliveries, they say this will be ok if the van driver switches off their engine (as if this is ever likely to happen).

Also, in the SEE/Planning report

- The applicant also reports some site visitor car parking survey results at the premises which claim zero percent car drivers parking on the street for site visitors, but this is highly unlikely to accurate for any evening or night time events at the site and is not corroborated by any independent person.
- Also the SEE/Planning report claims the on street car parking around the site is all 1 hour parking and is regularly enforced by the Council, but this is not correct in the evenings and night time, and the car parking at the actual site frontages is primarily Unrestricted in Liverpool Street and has a 2 hr limit in Forbes Street so these statements in the report are clearly inaccurate. Any events at the site in the evenings/night times after 6 pm on weekdays or weekends are inevitable going to generate some additional on street parking usage which will make it harder for nearby residents to find vacant parking spaces on the street in either Forbes street or Liverpool Street, during the critical 5-6 pm evening period when many residents will typically be returning to their homes, either from work or other daytime activities.

In my personal and professional opinion which is based effectively on 35-40 years of working experience in the “planning and development” industries in NSW for a wide range of government and private sector clients, these are all significant reasons why this DA as currently proposed should be rejected by the Council or at the very least, the two above mentioned conditions of the existing development consent from 2021 (Condition 4 and Condition 6) should be retained in all future development approvals for the site.

Yours Sincerely

**Tim Brooker**

Transport Planner



T:

**From:** Robin Gibson [REDACTED]

**Sent on:** Tuesday, August 26, 2025 3:35:13 PM

**To:** DAsubmissions <dasubmissions@cityofsydney.nsw.gov.au>; council@cityofsydney.nsw.gov.au; Clover Moore <cmoore@cityofsydney.nsw.gov.au>; Monica Barone <mbarone@cityofsydney.nsw.gov.au>

**Subject:** correction ..... DA@262 Liverpool street Darlinghurst

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney

I have been a resident of Liverpool Street Darlinghurst for approximately 43 years and I live at number 278, which is located next door the site of this proposed DA (262 Liverpool Street).

This property is one of approximately 40 residential properties (including houses, townhouses and apartments) that are located directly opposite to or adjacent to the rear and side boundaries of the Yirranma Place building in either Liverpool Street, Forbes Street or Darley Street.

This total includes the residential apartment building at 349 Liverpool street which has recently been demolished but is now being rebuilt with a similar or larger number of apartments. Ironically it is probably a highly opportunistic time for Yirranma place to submit this DA which the site opposite at 349 Liverpool Street is vacant and unoccupied, but maybe the new potential owners of the apartments there have been notified somehow.

Also many of my direct neighbours are unaware of the specific details of the proposed DA changes to the development in terms of what activities/uses are proposed for specific areas of the site, at what frequency per month and what is actually proposed in terms of music allowed in various areas of the what decibel levels at what times of the day. For that reason I am finding it difficult to object to specific aspects of the proposed development in terms of the impacts on residential properties adjoining or opposite the site.

So the key focus of my objection is that for the 40 residential properties most directly affected by adverse noise impacts from this DA, the two most critical conditions in the existing 2021 DA consent, which were imposed by the Council at that time, specifically for the purpose of protecting the existing environmental amenity of the surrounding residential properties must be maintained, namely:

**(4) Use of Entry Hall**

(a) The Entry Hall (also known as the Great Hall) shall **only be used as an *information and education facility*** as defined by the *Sydney Local Environment Plan 2012* **in association with the charitable foundation use of the site.**

(b) The Entry Hall must **not be operated as a function space for third party users** that are not tenants of the site.

(c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a

maximum of two (2) per calendar month.

**(6) Use of Roof Terraces**

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

Also in relation to any potential future activities/uses at the site that may constitute operating all or parts of the site as a function centre. The land is zoned R1 General Residential under the Sydney LEP 2012.

Under that zoning, prohibited uses include Function Centres. The Dictionary in the Sydney LEP 2012 states (emphasis added):

- *function centre* means a building or place used for the **holding of events, functions**, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

Perhaps, given the significant confusion now about what future uses are actually proposed for different areas of the site and what are the proposed limits on any uses. This latest DA should be refused outright by the Council as if the two above mentioned consent conditions are maintained, that will probably disallow most of the proposed changes to uses and activities at the site.

Also I think the acoustic report submitted by the applicant for the site is inaccurate and should not be accepted by the Council for the following reasons.

- Because the Baseline noise monitoring was done in November 2019, it is out of date and no longer valid, new current baseline noise measurements have to be undertaken.
- The four locations where baseline noise monitoring was done in 2019 were all on the footpath close to the traffic in either Liverpool street or Forbes Street, so are not representative of the noise levels at any residential property.
- There was no background noise monitoring for the two most affected residential properties to the rear or sides of the site at 278 Liverpool street and 1B Darley street, so the existing noise levels at these properties cannot be claimed to have been defined
- Also at all surveyed locations in 2019 the background noise levels were reported as affected by construction noise, which also makes these baseline noise levels inaccurate
- Finally with the assessment of the noise impacts of 5 am van deliveries, they say this will be ok if the van driver switches off their engine (as if this is ever likely to happen).

Also, in the SEE/Planning report

- The applicant also reports some site visitor car parking survey results at the premises which claim zero percent car drivers parking on the street for site visitors, but this is highly unlikely to be accurate for any evening or night time events at the site and is not corroborated by any independent person.
- Also the SEE/Planning report claims the on street car parking around the site is all 1 hour parking and is regularly enforced by the Council, but this is not correct in the evenings and night time, and the car parking at the actual site frontages is primarily Unrestricted in Liverpool Street and has a 2 hr limit in Forbes Street so these statements in the report are clearly inaccurate. Any events at the site in the evenings/night times after 6 pm on weekdays or weekends are inevitable going to generate some additional on street parking usage which will make it harder for nearby residents to find vacant parking spaces on the street in either Forbes street or Liverpool Street, during the critical 5-6 pm evening period when many residents will typically be returning to their homes, either from work or other daytime activities.

This DA as currently proposed should be rejected by the Council or at the very least, the two above mentioned conditions of the existing development consent from 2021 (Condition 4 and Condition 6) should be retained in all future development approvals for the site.

Yours Sincerely

Robin Gibson

278 Liverpool St Darlinghurst Sydney NSW Australia 2010 [www.robingibson.net](http://www.robingibson.net) 11am-6pm Wed-Sat

**From:** John Lam-Po-Tang <[REDACTED]>

**Sent on:** Wednesday, August 27, 2025 3:08:02 PM

**To:** council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

**CC:** sydney@parliament.nsw.gov.au

**Subject:** DA/2025/707/ Yirranma Place, 262 Liverpool St, Darlinghurst - Objection

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom It May Concern,

I have been a resident of Forbes St for 25 years, and a Darlinghurst resident for 34 years.

I wish to lodge my objection to the proposed Development Application in place for the Yirranma Place, on Liverpool St, Darlinghurst. The proposed Development Application represents a significant change in use of the property, especially during the evenings, nights, and weekends, resulting in a loss of amenity for the residents of Forbes St, Darley St and Liverpool St, as well as neighbouring streets.

The proposal to host up to 12 functions a month - that is, 144 per year - poses an unacceptable change to the use of the property on 262 Liverpool St. The neighbourhood is overwhelmingly residential. Prior to the development of Yirranma Place, there was no commercial activity on the site, as it was a church. The use of the space for events will create increased noise prior to, during and after the hours of the proposed events, as well as increased traffic. There is already limited parking for local residents, and the proposal will create intolerable parking issues up to 144 times per year. Additionally, the proposal to permit deliveries to the site from as early as 5 AM is unacceptable, exposing local residents to increased noise on the affected days, from 5 AM until midnight, up to 144 times per year.

Additionally, I wish to raise my concern that the acoustic report submitted as part of the DA dates from 2019, and is thus out of date.

The proposal to use Yirranma Place as a commercial function centre has already been put to the City of Sydney, and previously rejected, and I request that the current proposal be rejected again, for the same reasons as in 2021.

Yours,

John Lam-Po-Tang  
237 Forbes St  
Darlinghurst NSW 2010

**From:** Rosemary Feil [REDACTED]  
[REDACTED]

**Sent on:** Wednesday, August 27, 2025 2:13:54 PM

**To:** City of Sydney <council@cityofsydney.nsw.gov.au>

**Subject:** D/2025/707

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Re: 262 Liverpool Street, DARLINGHURST. NSW 2010

Dear Mr MacKay,

I was unable to navigate to my objections on this proposal so am emailing you my comments.

As I mentioned to the Paul Ramsey Foundation Ltd delegates at their event to show their proposal, my main concern is about the level of noise affecting my apartment in Mont Clair, 347 Liverpool Street, Darlinghurst, caused by their community events '12 times per calendar month'.

The delegate told me that these would occur once a month, which I thought was reasonable.

He was surprised to learn about how loud the noise carried over and into Mont Clair's courtyard into my apartment 16, earlier this year. I thought it was caused by a party on our rooftop, but they are never as loud. I looked to see where it was coming from and was surprised that it was from their rooftop with a crowd of people at 262 Liverpool Street. It continued from day into night and I was unable to keep working, which I need to do.

As it was summer and we have no air conditioning, it is also necessary to keep our only courtyard windows open.

It is totally unreasonable for them to propose community outdoor or an indoor event with open doors to the outdoors, more than once a month and 'up to 12 times per calendar month'.

I don't think the acoustic report addresses this important issue.

There is also a concern for increasing traffic in narrow, but busy Liverpool Street, as it also gets daily traffic queues from SCEGSS School, Forbes Street, Darlinghurst, causing potential hazards.

Thank you for your consideration of nearby residents and owners.

Kind regards,

Rosemary Feil  
16/347 Liverpool Street  
Darlinghurst NSW 2010

Ph. [REDACTED]

Sent from my iPad

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, August 28, 2025 10:10:21 AM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

Please log as an objection to D/2025/707

Thanks  
Sally

---

**From:** James Colquhoun [REDACTED]  
**Sent:** Wednesday, 27 August 2025 3:36 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms Shepard,

As an owner of 1A Darley Street, Darlinghurst, Stoneleigh, I wish to object to the above application. I am aware of Suellen Dainty's letter to you and her well made points detailing the reasons for her objection; I very much agree with her.

I would like to add this brief point. Much is made of The Paul Ramsay Foundation's philanthropic status in their application however they are also a multi billion dollar organisation that seem to believe that they have social licence and the money to do as they please. The Paul Ramsay Foundation do not live in the area as we do. The proposed changes to the Yirranma Place existing conditions of use will result in a significant loss of fellow residents and our residential amenity. The proposed changes as outlined in The Paul Ramsay Foundation submission seems to be all about providing amenity to organisations who are located outside of this residential area.

We have a strong expectation that City of Sydney will act to ensure no loss of our residential amenity in our residential area.

Your sincerely

James Colquhoun

JESC

James Colquhoun  
JESC Group

[REDACTED]

**From:** Nick Kidd [REDACTED]  
**Sent on:** Thursday, August 28, 2025 4:19:42 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd  
**Attachments:** 262 Liverpool St - submission 28 August 2025.pdf (299.89 KB), Notice of Determination Approval - D 2020 1397.pdf (419.11 KB), Local Planning Panel - Recommendation 28 April 2021.pdf (2.65 MB), Local Planning Panel - Additional Information 28 April 2021.pdf (1.47 MB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Please see Submission attached.

Regards

Nick Kidd  
225 Forbes Street, Darlinghurst, NSW, 2010

**Submission in relation to Development Application:**

**Site: 262 Liverpool Street, Darlinghurst**

**D.A. number: D/2025/707**

I oppose the proposed development for the following four reasons:

1. First, the proposed development amounts to a proposal for a new use of the land, namely use as a function centre, which is prohibited under the applicable R1 General Residential zoning prescribed by the Sydney LEP 2012;
2. Secondly, the proposed development would require making material changes to Condition 4 of the existing development approval determined by the Local Planning Panel on 28 April 2021 (D/2020/1397) (**Existing LPP approval**), which was a condition imposed for the very purpose of ensuring the site was not used for the prohibited use;
3. Thirdly, the proposed development would contravene Condition 6 of the Existing LPP approval; and the documents submitted by the proponent indicate that the owner appears to have been contravening Condition 6 since 2022.
4. Fourthly, the proposed development will result in unreasonable loss of amenity for the neighbouring residents, with up to **144 functions per year (an average of one function every 2½ days)** likely to result in virtually constant lack of available on-street car parking for residents.

**The proposal involves prohibited use of the land**

5. The land is zoned R1 General Residential under the Sydney LEP 2012.
6. Under that zoning, prohibited uses include Function Centres. The Dictionary in the Sydney LEP 2012 states:

*function centre* means a building or place used for the **holding of events, functions**, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

7. The uses which the zoning permits with consent include Information and Education Facilities, which is defined to mean:

a building or place used for **providing information or education to visitors**, and the **exhibition or display of items**, and includes an art gallery, museum, library, visitor information centre and the like.

8. The Existing LPP approval was determined by the Local Planning Panel (**LPP**) on 28 April 2021 ( D/2020/1397). The LPP imposed conditions on the approval for the stated reason that “*unrestricted consent may affect the environmental amenity of the area and would not be in the public interest*” [see page 1 of the Notice of Determination].
9. The conditions imposed in the Existing LPP approval include the following:

**(4) Use of Entry Hall**

- (a) The Entry Hall (also known as the Great Hall) shall **only be used as an information and education facility** as defined by the *Sydney Local Environment Plan 2012 in association with the charitable foundation use of the site*.
- (b) The Entry Hall must **not be operated as a function space for third party users** that are not tenants of the site.
- (c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.

**(6) Use of Roof Terraces**

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

10. The rationale underpinning those conditions is revealed in documents on the website <https://meetings.cityofsydney.nsw.gov.au/ieListDocuments.aspx?CIId=186&MIId=3866&Ver=4> which include the Summary and Recommendation document written by senior staff (the Executive Manager Planning Development and the Area Coordinator) dated 28 April 2021 (**LPP Recommendation**) (copy attached). That LPP Recommendation states:

“12. The application seeks consent for the following:

- The fit out and use of the site as an office premises as approved under D/2018/1526. It is proposed that the site be occupied by a single tenant, Ramsay Health Care, and its associated charity the Paul Ramsay Foundation. The use of the building will be for administrative purposes only with no health care services provided on site.
- Use of the entry hall as an exhibition and breakout space. It is proposed to operate the exhibition space between 7.00am and 10.00pm, Monday to Sunday and accommodate a maximum of 79 Patrons. **The use of the exhibition space would be solely related to the Paul Ramsay Foundation and will not operate as a for-hire function space.**
- The fit out and use of a food and drink premises (café) on the ground floor. The proposed hours are 7.00am, Monday to Sunday.”

11. The LPP Recommendation further stated:

**“Use of the Entry Hall for Exhibitions**

36. The use of the entry hall for a exhibitions allowing for up to 79 patrons is not anticipated to result in significant amenity impacts on the surrounding properties due to the low-impact nature of the use, **it being wholly contained within the subject building and the exhibitions relating to the charitable foundation on the site.**

37. It should be noted that **Function Centres are prohibited** within the R1 – General Residential zoning that applies to the site. The **use of the entry hall for exhibitions** is considered to fall under the definition of an information and education facility under the Sydney LEP which means:

*“a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre”.*

38. It is recommended that a condition of consent be imposed clarifying the nature of the entry hall use....

40. While the application is clear about the exhibition space being operated in association with the proposed office premises use, to remove any doubt a condition consent is recommended to be imposed **to ensure the exhibition use is ancillary to the office use and prohibit any third party hiring or use of the space.**”

12. The documents available on the LPP website also include a document “Relevant Information for Local Planning Panel” prepared by senior staff dated 28 April 2021 (**Additional LPP Document**) (copy attached). That document indicates that the Paul Ramsay Foundation made a submission to amend Condition 4 so as to allow the Foundation to use the entry hall in conjunction with third party “partner organisations”. In particular, the Additional LPP Document includes a letter written by the COO of the Paul Ramsay Foundation dated 23 April 2021 addressing Condition 4 Use of Entry Hall, which stated (emphasis added):

“In relation to the above, the Paul Ramsay Foundation would like to propose a minor amendment to the wording of this condition to ensure that the site can be utilised for its intended use, which is **to use the Entry Hall for its own purpose and which may include hosting events in conjunction with partner organisations** that it supports as part of its charitable mission. The proposed amendment is as follows:

- (a) *“The Entry Hall (also known as the Great Hall) shall only be used as an information and education facility as defined in the Sydney Local Environment Plan 2012 in association with the use of the site by the charitable foundation **and which use may include hosting events in conjunction with partner organisations that it supports as part of its charitable mission.**”*
- (b) *The Entry Hall must not be operated as a function space for third party users that are not tenants of the site **or partner organisations of the charitable foundation as described in Condition 4(a).***

The above intends to provide Council and the Community with the comfort that the use of the Entry Hall will be for events which are in the public interest, **and not functions for unrelated third parties**, whilst providing the user of the site with the clarity to move forward with their intended vision for the space.”

13. The Additional LPP Document contains the recommendation of the senior staff in relation to that proposed amendment, as follows:

“The modification proposed by the applicant is not supported. No detail has been provided regarding the nature of these events. Concern is raised that amendment of the condition as proposed would be **inconsistent with the information and education facility use**. Amendment of the condition would reduce certainty for the City and the community. Additionally it should be noted **that function centres are prohibited** in the R1 – General Residential zone which applies to the site.”
14. As is evident from Condition 4 that was imposed, the LPP did not accept the modifications proposed by the Paul Ramsay Foundation.
15. This material shows that Paul Ramsay Foundation made it clear that it intended to use the entry hall space for its own purposes and not for functions for third parties, and that the LPP was careful to ensure that Condition 4 prohibited any third party hiring of the entry hall space, because any such activity would amount to prohibited use of the site, namely use as a function centre. Even events hosted by Paul Ramsay Foundation in conjunction with partner organisations was not permitted, for the same reason.
16. The Paul Ramsay Foundation had rights to appeal the LPP’s decision, but no such appeal was lodged.
17. Now the current application seeks development consent to enable the use of the Entry Hall space by third parties for functions (for up to 12 events per month, which amounts to 144 functions per annum). Contrary to the statement in section 4.0 of the SEE (which states that the proposed changes do not alter the approved use or intensity of the site), that plainly is a proposal that alters the approved use and intensity of use of the site.
18. Moreover, the proposed new use – namely, hiring the space to third parties for events or functions - is a use that is prohibited under the applicable zoning control.
19. The LPP has already refused a more modest request by the Paul Ramsay Foundation in April 2021 that the foundation be permitted to co-host events with partner organisations. The evident reasons for that refusal – that such use is use as a function

centre which is prohibited – remain applicable, indeed apply with even greater force given that Paul Ransay does not even proposed to co-host the functions and proposes to hire the space for up to 12 functions each month.

20. This application should also be refused. It seeks to use the site as a function centre, a prohibited use, by hiring the Entry Hall space to third parties (who are not the owner or tenant of the site) to hold events or functions up to 12 times each calendar month, that is up to **144 functions per year** which is an average of **one function every 2½ days**. That activity is the essence of a function centre and is inconsistent with the use of the space as an information and education facility.
21. The fact that the proposal places some limitations on the third party entities who may hire the Entry Hall space does not derogate from the fact that the proposed use is to hire the space to third parties for functions up to 12 times for month (144 times per year). Regular hiring of the site to third parties is plainly using the site as a function centre. A proposition which was apparently accepted by the LPP, the Executive Manager Planning Development and the Area Coordinator in April 2021.
22. The application should be refused. Condition 4 of the Existing LPP approval should not be altered.

### **Music on the roof-top and L2 outdoor terrace spaces**

23. The proposal to play amplified music on the roof-top and L2 outdoor terrace spaces should also be refused, because it would contravene Condition 6 of the Existing LPP approval.
24. As mentioned above, Condition 6 states that the separately approved roof terraces must **not be utilised by patrons of** either the cafe or **exhibitions in the entry hall**.
25. It is evident from the Plan of Management lodged with the application that the proponent appears to have been contravening this condition, and that the proposal to play amplified music on the roof-top and Level 2 outdoor terrace spaces will facilitate further such contraventions. In particular, the Plan of Management states:

## “Event Noise Management

Since opening in 2022, the landlord and building operations have not received complaints about event noise management. The following measures **are currently applied** in managing noise **relating to events** on the premises...

- Additionally, the landlord imposes the following building rules:

The **rooftop** may be accessed by tenants **or event attendees** during daylight hours (i.e. sunup to sundown).

- In exceptional circumstances, and after satisfying the landlord’s requirement for little-to-no-impact on neighbouring properties, some **activity may occur on the rooftop after sundown.**”

26. Pausing there, it thus seems clear that since 2022, attendees at events have been permitted to access the rooftop during the day-time, and occasionally during night-time events. However, Condition 6 prohibits patrons at events in the entry hall from utilising the rooftops **at all**. The only people allowed to use the rooftops are workers in the office space or staff of the café. Patrons of the café and events in the entry hall are not permitted on the rooftop spaces.

27. Moreover, as regards the proposed amplification of music, the Plan of Management states:

## “Low-Level Music Noise Management

The following measures are applied in managing noise relating to the low-level background music on the premises:

- Low level music will be permitted in the following spaces: ...
  - Level 2 outdoor terrace – **only when the space is booked** and music has been specifically requested;
  - Rooftop – **only when the space is booked** and has specifically requested music.

28. Thus, it is plain that music is only proposed to be amplified on the rooftop spaces “when the space is booked”. That is, when the space is booked **for an event**. However, patrons at events are not permitted to access the rooftop, by force of Condition 6. So, the proposal to play amplified music on the rooftop spaces is a proposal to amplify music at **an unlawful use of the rooftop spaces**.
29. The proposal to amplify music on the rooftop spaces (which includes the Level 2 outdoor terrace) is a proposal to further an unlawful use of those spaces and should be refused.

### **Loss of Amenity**

30. The proposed development to hold events or functions up to 12 times each calendar month, that is up to **144 functions per year** which is an average of **one function every 2½ days**, will significantly adversely affect the amenity of neighbouring residents.
31. The neighbouring properties include numerous terrace houses built in the 1800’s without any on-site car parking. For that reason, residents have to park their cars on the street. As a result, on-street car-parking for residents is extremely tight and residents commonly have to circle around the nearby streets looking for an available car park. That situation is exacerbated by the fact that a large school (SCEGGS) is located in the same block as the subject site; the school generates significant demand for on-street car parking particularly during the regular on-campus functions with the school hosts attended by parents and families of the school.
32. The addition of up to 144 functions each year hosted at the subject site (which has only minimal on-site parking) will result in a virtually constant lack of available on-street car parking for residents. Even if only a small percentage of attendees at those 144 functions drive to the event and seek to park in the streets surrounding the site, that increase in demand for on-street car parking will have a very substantial adverse effect on the amenity of the neighbouring residents, in terms of virtual constant lack of available on-street car parking for residents.
33. Presumably, that is one of the reasons why function centres are prohibited in this residential area.

34. For these reasons, I submit the development application should be refused.

**Nick Kidd**



225 Forbes Street, Darlinghurst NSW 2010

E: 

28 August 2025

5 May 2021

PAUL RAMSAY FOUNDATION LIMITED  
Church of Christ  
262 Liverpool St  
DARLINGHURST NSW 2010

NOTICE OF DETERMINATION - APPROVAL  
APPLICATION NO: D/2020/1397

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Dear Sir/Madam

Please find enclosed the Notice of Determination and advisory notes relating to your development application for 262 Liverpool Street, DARLINGHURST NSW 2010.

A copy of the planning report by the Council officer, who assessed the proposal is available on Council's website

[www.cityofsydney.nsw.gov.au/Council/MeetingsAndCommittees/SearchMeetings.asp](http://www.cityofsydney.nsw.gov.au/Council/MeetingsAndCommittees/SearchMeetings.asp).

When the search screen appears via the link, type in address and chose the Minutes or Committee agenda for the reports.

If further information is required, please contact **Patrick Quinn ph. 02 9265 9024, email [pquinn@cityofsydney.nsw.gov.au](mailto:pquinn@cityofsydney.nsw.gov.au).**

Yours faithfully



**STAN FITZROY-MENDIS**  
Area Planning Manager

**Notice of Determination - Approval** issued under Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979

<b>Development Application No.</b>	D/2020/1397
<b>Applicant</b>	PAUL RAMSAY FOUNDATION LIMITED
<b>Land to be developed</b>	262 LIVERPOOL STREET, DARLINGHURST NSW 2010  LOT 1 DP 174206
<b>Approved development</b>	PAN-57031 Internal fit-out for an office premises, new mechanical exhaust and use of part of the ground floor for a food and drink premises (cafe) and exhibition/breakout space
<b>Cost of development</b>	\$1,147,186
<b>Determination</b>	The application was determined by the Local Planning Panel and was granted consent <b>subject to the conditions</b> in Schedules 1 and 2.
<b>Other Approvals</b>	Before commencing <i>building work</i> or <i>subdivision work</i> , a relevant Construction Certificate must be obtained from Council or an Accredited Certifier. Council must be appointed the Principal Certifier for any <i>subdivision work</i> under the Act.
<b>Consent is to operate from</b>	28 April 2021
<b>Consent will lapse on</b>	28 April 2026

**Reasons for conditions**

Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

**Reasons for Approval**

- (A) The Panel is satisfied that the provisions of clause 5.10(10) of Sydney Local Environmental Plan 2012 have been met by the proposal.
- (B) While office premises are not permitted within the R1 - General Residential zoning that applies to the site, the application is recommended for approval under clause 5.10.10 of the Sydney LEP 2012 as a positive heritage outcome is achieved.
- (C) The proposed works are generally compatible with the heritage significance of the site, the exception being the proposed lift installation which is recommended to be addressed by conditions of consent.
- (D) The proposed uses are capable of being carried out on the site without resulting in significant adverse impacts on the surrounding properties.
- (E) With the exception of the kitchen exhaust all of the proposed works are internal to the existing building meaning that there are no additional bulk, overshadowing or

streetscape impacts. Having regard to the matters listed in 6.21(4) of the LEP it is considered that the development (subject to conditions) exhibits design excellence.

- (F) Approval of the application is in the public interest.
- (G) Conditions 2 and 3 were amended to allow the fit out works already well advanced to continue.
- (H) Condition 2(b) was added to mitigate the appearance of the kitchen exhaust riser, to be more sympathetic to the building.
- (I) Condition 3(iv) was amended to maximise awareness of ceiling space.
- (J) Condition 4(c) was added to preserve amenity for local residents.
- (K) Condition 5 was added to prevent vehicles associated with food delivery services crowding adjacent roadways and footpaths.
- (L) Condition 29 was amended to minimise any potential for unnecessary heritage impacts.

### **Community Consultation**

41 submissions were received. Issues raised in all submissions have been taken into account in the report, and where appropriate conditions of consent have been included in the Notice of Determination to address these issues.

### **Right of appeal**

If you are dissatisfied with this decision, Section 8.7 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months of the date of this notification.

Division 8.2 of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination.

Division 8.2 does not apply to complying development, designated development, integrated development or a determination made by Council under Division 4.2 in respect of Crown applications. For further information please contact **Patrick Quinn on ph. 02 9265 9024**.



per  
**GRAHAM JAHN AM**  
Director - City Planning, Development & Transport

**CONDITIONS OF CONSENT**

**SCHEDULE 1A**

**APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION**

**Note:** Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

**Note:** Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

**(1) APPROVED DEVELOPMENT**

- (a) Development must be in accordance with Development Application No. D/2020/1397 dated 22 December 2020 and the following drawings prepared by:

Drawing Number	Drawing Name	Dated
DA-0202	Floor Plan Ground (Rev.7)	18 February 2021
DA-0203	Floor Plan Level 1 (Rev.6)	11 December 2020
DA-0204	Floor Plan Level 2 (Rev.6)	11 December 2020
DA-0255	Meeting Room Sections (Rev.6)	11 December 2020
DA-0256	Art Services Wall Details (Rev.6)	11 December 2020
DA-0501	Elevation South and East (Rev.6)	11 December 2020
DA-0502	Elevation North and West (Rev.6)	11 December 2020
DA-0601	Section A & B (Rev.6)	11 December 2020
DA-0602	Section C (Rev.6)	11 December 2020
DA-0915	Mezzanine Lift Plans and Sections (Rev.6)	11 December 2020
DA-0916	Mezzanine Bridge Plans and Sections (Rev.6)	11 December 2020
DA-1015	Steel Doors (Rev.6)	11 December 2020
DA-4119	Café (Rev.6)	11 December 2020
DA-120	Commercial Amenities (Rev 6)	11 December 2020

Drawing Number	Drawing Name	Dated
DA-120	Commercial Amenities Sections (Rev. 6)	11 December 2020

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

**(2) DESIGN MODIFICATIONS**

The following design modifications are to be submitted to, and are to be approved by, Council's Area Planning Manager prior to a Construction Certificate for these works being issued:

- (a) The whole of the proposed lift assembly including the lift shaft, doors, connecting bridges, and handrails, proposed to the interior of the auditorium in the current form is not approved. The design of the lift structure is to be amended to ensure the lift assembly, car and bridges are as transparent as possible so as to minimise its impact on the significance of the interior space. In this regard:
  - (i) Within the auditorium space, the revised design for the lift assembly and connecting bridges is to be as transparent as possible, utilising clear glazing for the shaft, the lift car and lift doors, and the balustrades. Glazing should be frameless with the supporting structure, handrails and handrail supports located internal to the glazing.
  - (ii) The width of the bridges should be as minimal as feasible. The bridge floors should be glazed, with non-slip and obscure glazing as required. The suspended ceilings under the bridges are to be deleted. The main structural members could be inset so that the edges of the bridges are able to be as fine as possible. Consideration is to be given to glass beams.
  - (iii) The design of the structural members supporting the shaft and the bridges is to ensure the members are of a minimal cross-sectional size and that the profile of the members should be open rather than rectangular hollow sections. The glazing should be external to all structure and be frameless.
  - (iv) The handrails are to be designed to be as minimal as feasible and set behind frameless glazing, whilst complying with BCA and the Australian Standards. The material of the handrails is to be patinated bronze or an approved alternative.

The applicant is to explore a design to conceal the kitchen exhaust riser through the use of materials more sympathetic to the building.

**(3) DESIGN DETAILS**

The following design details are to be submitted to, and are to be approved by, Council's Area Planning Manager prior to a Construction Certificate for these works being issued:

- (i) The proposed wall panel installation in the auditorium.
- (ii) The proposed operable curtain system dividing the entry hall.
- (iii) The three pairs of double doors located within existing openings on the western side of the entry hall providing access to the auditorium and the northern stair lobby.
- (iv) The commercial office partitions in the upper mezzanine which are limited to a maximum height of 1.5 metres from the finished floor level.

**(4) USE OF ENTRY HALL**

- (a) The Entry Hall (also known as the Great Hall) shall only be used as an *information and education facility* as defined by the *Sydney Local Environmental Plan 2012* in association with the charitable foundation use of the site.
- (b) The entry hall must not be operated as a function space for third party users that are not tenants of the site.
- (c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.

**(5) USE OF ENTRY HALL KITCHEN**

The commercial kitchen located in the north-eastern corner of the site adjacent to the Entry Hall shall only be used in association with the operation of the site and must not be utilised to produce food for home delivery services.

**(6) USE OF ROOF TERRACES**

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

**(7) COMPLIANCE WITH PREVIOUS APPROVALS FOR THE SITE**

Unless explicitly approved by this consent, the operation and construction of the site must be in accordance with all previous approvals for the site, namely D/2018/1526 (as amended).

**(8) HOURS OF OPERATION**

- (a) The hours of operation of the office premises are restricted to between

7:00am and 10:00pm, Mondays to Sundays inclusive.

- (b) The hours of operation of the exhibition space are restricted to between 7:00am and 10:00pm, Mondays to Sundays inclusive.
- (c) The hours of operation of the ground floor cafe are restricted to between 7:00am and 7:00pm, Mondays to Sundays inclusive.

**(9) EXTERNAL SEATING**

No approval is granted for external seating associated with the café use.

**(10) COMPLETION OF CONSERVATION WORKS**

The Essential Conservation Works outlined in the Fabric Survey and Conservation Schedule of works prepared by GBA dated June 2011 is to be carried out prior to the issue of any Occupation Certificate, including any interim Occupation Certificate. This is to include works to:

- (a) The Liverpool Street Portico;
- (b) The Eastern Elevation of the building;
- (c) Areas of the Northern Elevation east of the projecting cornice element;
- (d) Corners of the two tower parapet structures where there is Structural cracking; and
- (e) The stormwater system which requires repair and upgrading.

All conservation works are to be in accordance with the Articles of the Australia ICOMOS Burra Charter 2013.

**(11) HERITAGE INTERPRETATION STRATEGY**

Prior to occupation certificate being issued the recommendations of the approved heritage interpretation strategy prepared by NBRS dated 19 November 2018 must be implemented to the satisfaction of Council's Director City Planning for approval.

**(12) DELIVERY VEHICLES**

Deliveries associated with the site that involve the movement of vehicles, must only occur between the hours of 7.00am and 7.00pm.

**(13) NO SPEAKERS OR MUSIC OUTSIDE**

Speakers and/or noise amplification equipment must not be installed, and music must not be played in any of the outdoor areas associated with the premises including the public domain. Speakers located within the premises must not be placed so as to direct the playing of music towards the outdoor areas associated with the premises.

**(14) NO SPRUICKING NOISE**

No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruicking are to be located on Council owned property. Furthermore, the sound level of any spruicking generated within privately owned land must not be audible on any adjacent property with a shared boundary.

**(15) NOISE FROM GLASS REMOVAL**

Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred inside of the building on the premises and removed in containers.

**(16) PLAN OF MANAGEMENT**

The use must always be operated / managed in accordance with the Plan of Management, prepared by Management prepared by Tomasy Planning Pty Ltd, and dated 16 December 2020 (Council ref: TRIM ref: 2020/580956) that has been approved by Council. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management

**(17) ACOUSTIC ASSESSMENT PRIOR TO OCCUPATION CERTIFICATE**

A statement is required to be submitted to the Certifying Authority prior to Occupation Certificate being issued that certifies the development or proposed use is capable of, complying with the design criteria and operating without causing a nuisance.

**(18) COMPLIANCE WITH ACOUSTIC REPORT**

All recommendations contained in the acoustic report prepared by ADP Consulting, dated 1 October 2020, must be implemented during construction and use of the premises.

**(19) NOISE – COMMERCIAL PLANT / INDUSTRIAL DEVELOPMENT**

- (a) Noise from commercial plant and industrial development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA [Noise Policy for Industry 2017 \(NPfl\)](#) unless agreed to by the City's Area Planning Manager. Further:
  - (i) Background noise monitoring must be carried out in accordance with the long-term methodology in [Fact Sheet B](#) of the NPfl unless otherwise agreed by the City's Area Planning Manager.
  - (ii) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.
- (b) An  $L_{Aeq,15 \text{ minute}}$  (noise level) emitted from the development must not exceed the  $L_{A90, 15 \text{ minute}}$  (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:

- (i) The noise level and the background noise level shall both be measured with all external doors and windows of the affected residence closed.
- (ii) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.
- (c) Corrections in [Fact Sheet C](#) of the NPfl are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

**(20) USE OF INTRUSIVE APPLIANCES – NOT APPROVED**

This development consent does not extend to the use of appliances which emit noise of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992”.

A separate Section 4.55 application must be submitted to the Council for the use of any equipment of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992*.

**(21) ASBESTOS REMOVAL WORKS**

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence shall be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2011* and the NSW Government and Work Cover document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW) December 2011* and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site

and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.

- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 - 1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.
- (l) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

## **(22) CONSTRUCTION AND FITOUT OF FOOD PREMISES**

The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the *Food Act 2003* and AS 4674 – 2004 Design, Construction and Fitout of Food Premises.

Note: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website [www.standards.com.au](http://www.standards.com.au).

Copies of the Food Standards Code (Australia) may be obtained by contacting the Food Standards Australia and New Zealand Authority on telephone (02) 6271 2222, email [info@foodstandards.gov.au](mailto:info@foodstandards.gov.au) or by visiting the website [www.foodstandards.gov.au](http://www.foodstandards.gov.au).

## **(23) COOLROOMS**

Coolrooms, refrigerated chambers and strong-rooms must be constructed in accordance with G 1.2 of the *Building Code of Australia*, and:

- (a) The floor of the coolroom must be graded to the door and a floor trapped waste outlet must be located outside the coolroom as near as possible to the door opening.
- (b) All proposed shelving in the coolroom must be free-standing, constructed of galvanised steel angle section or other approved material with the lowest shelf at least 150mm clear of the floor. The floor of the coolroom must be constructed of impermeable concrete or coated, topped or otherwise finished with an impervious material to a smooth even surface and coved at the intersections with the walls to a minimum radius of 25mm.
- (c) Must be fitted with a door that can be opened at all times from inside without a key.
- (d) An approved audible alarm device must be located outside the coolroom(s) but controllable only from within the coolroom(s) and must be able to achieve a sound pressure level outside the chamber or coolroom(s) of 90 dB(A) when measured 3 metres from a sounding device.

**(24) FOOD PREMISES – DETAILED PLANS**

- (a) Detailed and scaled plans of all kitchen, bar, food preparation, waste and storage areas, food handler toilets and all areas associated with the food business must be prepared in accordance with the *Australia New Zealand Food Standards Code – 3.2.3 – Food Premises and Equipment* under the *Food Act 2003* and *AS 4674 - Design, Construction and Fit-out of Food Premises*.
- (b) Prior to the issue of a Construction Certificate the plans required by (a) of this condition must be submitted to and approved in writing by the Accredited Certifier.

**(25) GREASE AND LIQUID WASTE TRAPS**

- (a) A grease trap if required by Sydney Water must be installed in accordance with Sydney Water requirements and:
  - (i) must be installed by a suitably qualified and licensed plumber in accordance with the *Plumbing Code of Australia*;
  - (ii) the grease trap must not be located in any kitchen, food preparation or food storage area;
  - (iii) be suitably constructed and installed in a location which allows it to be easily and effectively cleaned and emptied; and
  - (iv) be suitably constructed and located as not to encourage the harbourage of pests and be effectively pest proofed.
- (b) In-sink and in-floor waste bucket traps must be installed in all sinks and floor wastes in all commercial kitchens and food preparation areas and must be carried out by a suitably qualified and licensed plumber in

accordance with the *Plumbing Code of Australia*.

**(26) HOT WATER SERVICE**

The capacity of the hot water service must ensure that a constant supply of hot water is provided to the premises at all times for all sinks and basins including hand wash basin/s. The temperature of the hot water provided to the

sinks must be in accordance with *AS4674 – Design, Construction and Fit-out of Food Premises* and the *Australia New Zealand Food Standards Code 3.2.2 - Food Safety Practices* and general requirements.

**(27) NOTIFICATION OF CONDUCT OF FOOD BUSINESS**

(a) The use shall not commence until the food business has notified Council with their food business details in accordance with the Food Act 2003 and The Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements, Clause 4.

(b) An Occupation Certificate must not be issued until such notification has been received by Council in accordance with Clause (a) of this condition.

Note: Registration forms are available on Council's website [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au).

**(28) PERSONAL LOCKERS**

Clothing lockers or change rooms for male and female staff must be provided in the premises or a dedicated, separate and isolated space for personal items must be provided in a separate location to the food handling and storage areas, in accordance with *AS4674 - Design, Construction and Fit out of Food Premises*.

**(29) SANITARY FACILITIES – FOOD PREMISES**

The sanitary facilities must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the *Building Code of Australia*, Part F 3.1, 4.8 and 4.9.

**(30) TOILETS FOR FOOD HANDLERS**

(a) Adequate toilet facilities must be available for food handlers working for the food business. Toilets and associated facilities must be provided in accordance with *AS4674 – Design, Construction and Fit-out of Food Premises* and the *Australia New Zealand Food Standards Code, 3.2.3 - Food Premises and Equipment*.

(b) Details of the location of toilets which are provided exclusively for the use of food handlers and staff working at the business must be submitted for the approval of the Accredited Certifier prior to the issue of a Construction Certificate.

(c) The toilet(s) must be provided with a hand wash basin, with hot and cold running water mixed through a common spout, hand wash soap, hygienic hand drying facilities and hands-free taps.

**(31) WASTE STORAGE AREA**

- (a) To ensure the adequate storage and collection of waste from the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with *AS4674 – Design, Construction and Fit-out of Food Premises, Australia New Zealand Food Standards Code 3.2.3 – Food Premises and Equipment* and comply with the *Council Policy for Waste Minimisation in New Developments*, and must be:
- (i) Provided with a hose tap connected to the water supply.
  - (ii) Paved with impervious floor materials.
  - (iii) Coved at the intersection of the floor and walls.
  - (iv) Graded and drained to a waste disposal system in accordance with the requirements of the relevant regulatory authority (Sydney Water).
  - (v) Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour or air pollution as defined by the Protection of the Environment Operations Act 1997 or a nuisance.
  - (vi) Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.
  - (vii) Provided with the appropriate number and size of bins adequate for the storage of waste generated by the business, including recycling.
  - (viii) Appropriately managed so that it does not attract pests or create litter.
- (b) Detailed plans and specifications for the construction of the waste storage area must be submitted to and approved by the Accredited Certifier prior to the issue of the Construction Certificate and must be constructed in accordance with such plans and specifications prior to the issuance of any Occupation Certificate.

**(32) MECHANICAL VENTILATION**

- (a) The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1 and 2 - 2012. The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1 and 2 – 2012 The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, to the satisfaction of the Principal Certifier prior to the issue of a Construction Certificate.

- (c) Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2 (a) (iii) of the Building Code of Australia, must be submitted to the Principal Certifier.

**(33) WASTE/RECYCLING COLLECTION**

- (a) The collection of waste and recycling must only occur during the designated zone collection times as outlined in the City's Waste Policy – Local Approvals Policy for Managing Waste in Public Places 2017.
- (b) Garbage and recycling must not be placed on the street for collection more than half an hour before the scheduled collection time. Bins and containers are to be removed from the street within half an hour of collection.

**(34) GENERAL HERITAGE**

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (d) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (f) The new windows and doors on the existing building must match the original material, which is steel-framed windows and timber doors.
- (g) The face brickwork/stone/tiles must not be rendered, painted or coated.
- (h) Where internal partitions meet external walls they must abut window mullions,

**(35) MATERIALS FOR MAKING GOOD**

New materials for making good and repairs, are to match the existing if original or match original in terms of colours, finishes, sizes, profile and properties.

**(36) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MINOR WORKS)**

- (a) Prior to a Construction Certificate being issued, an archival photographic recording of the subject heritage item is to be prepared to satisfaction of

Council's Heritage and Urban Design Manager. The recording is to be in digital form, or a combination of both, prepared in accordance with the NSW Heritage Division of the Department of Environment and Heritage guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives. [For items on the State Heritage Register of NSW include the following: This copy to be lodged with Council is in addition to that required by the Heritage Division of the Department of Environment and Heritage of NSW under the terms of the Conditions of Consent in Schedule 3.]

- (b) The form of the recording is to be as follows:
  - (a) The Development Application number must be noted on the submitted information.
  - (b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
  - (c) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
  - (d) The report is to be submitted on a USB, CD or DVD, in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each: DOS title, image subject/description and data photograph was taken.
  - (e) The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images.

**(37) SALVAGE, REUSE AND RECYCLING OF TRADITIONAL BUILDING MATERIALS**

Stone, bricks, roof tiles, joinery and decorative architectural elements to be demolished, which include stairs, windows and doors, tiles and ceiling components must be salvaged and where possible reused on the project.

Salvaged building materials surplus to the project must either be stored on site for future reuse or transferred to an established second building material dealer for recycling.

**(38) USE OF HERITAGE CONSULTANT - MAJOR DEVELOPMENT**

- (a) An experienced heritage consultant is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation architect is to be involved in the resolution of all matters where existing

significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

- (b) Evidence and details of the above commission on the above terms are to be provided to Council prior to the issue of the Construction Certificate or commencement of work on site whichever is the earlier.
- (c) Upon completion of the works, the final report is to be submitted for approval by Council's Urban Design and Heritage Manager prior to the issue of an Occupation Certificate or the commencement of the use, whichever is the earlier.

**(39) BUILDING WORKS TO COMPLY WITH BCA – HERITAGE BUILDINGS OR BUILDINGS WITHIN CONSERVATION AREA**

Any building works required to ensure compliance with the BCA or new building standards not specified in the submitted/approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be submitted and approved by Council's Urban Design and Heritage Manager prior to issue of any Construction Certificate.

**(40) MAXIMUM CAPACITY OF PERSONS FOR EXHIBITIONS**

- (a) The maximum number of persons permitted in the Entry Hall for exhibitions at any one time is 79 persons.
- (b) The manager/licensee is responsible for ensuring the number of persons in the premises does not exceed that specified above.

**(41) REMOVAL OF GLASS**

Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises (except from any approved bottle shop area) or approved outdoor dining area included in the boundaries of the licensed premises.

**(42) NEIGHBOURHOOD AMENITY**

- (a) Signs must be placed in clearly visible positions within the premises requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area. The signage shall be in bold letters not less than 25mm in height on a contrasting background.
- (b) The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.

**SCHEDULE 1B**

**PRIOR TO CONSTRUCTION CERTIFICATE/COMMENCEMENT OF WORK/HEALTH AND BUILDING**

**(43) CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

**(44) WASTE AND RECYCLING MANAGEMENT - MINOR**

The proposal must comply with the relevant provisions of Council's *Guidelines for Waste Management in New Developments 2018* which requires facilities to minimise and manage waste and recycling generated by the proposal.

**(45) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD**

- (a) Where a hoarding and/or scaffolding (temporary structures) are proposed to be installed on or above a road reservation (footway and/or roadway), a separate application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* is to be made to Council for such structures.
- (b) Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding*; and the conditions of approval (Permit) granted including:
  - (i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;
  - (ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);
  - (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);
  - (iv) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);
  - (v) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);
  - (vi) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);

- (vii) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);
- (viii) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and
- (ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).

If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* must be made to Council to obtain approval.

**Note:** 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2017*).

**(46) TEMPORARY STRUCTURES (HOARDINGS, SCAFFOLDING AND OTHER STRUCTURES) INSTALLED ON PUBLIC ROADS THAT REQUIRE DEVELOPMENT CONSENT**

The following forms of temporary structures (hoardings, scaffolding and other structures) proposed for installation on or above public roads and in connection with the construction of the approved development require Council approval (development consent):

- (a) Type B hoardings that span over roads such as laneways;
- (b) Type B hoardings that propose more than a single storey of site sheds installed on a hoarding deck;
- (c) Type A and Type B hoardings with or without scaffolding that project beyond the side boundaries of adjoining properties;
- (d) fenced work compounds at roadway/footway level;
- (e) hoardings/scaffolding associated with works on heritage-listed buildings;  
or
- (f) any other large and/or potentially high environmental impact temporary structures, as determined by Council.

A separate development application must be submitted and approved by Council prior to the installation of any temporary structure listed above.

**(47) WORKS REQUIRING USE OF A PUBLIC PLACE**

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the *Roads Act 1993* is to be

## **NOTICE OF DETERMINATION - APPROVAL D/2020/1397**

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obtained from Council prior to the commencement of work. Details of any barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

**SCHEDULE 1C**

**DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION**

**(48) HOURS OF WORK AND NOISE – OUTSIDE CBD**

The hours of construction and work on the development must be as follows:

- (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Unit, prior to works proceeding

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

**(49) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS**

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;

- (d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.
- (f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

**(50) COVERING OF LOADS**

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

**(51) NO OBSTRUCTION OF PUBLIC WAY**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

**(52) USE OF MOBILE CRANES**

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) The use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of approved hours of construction can occur, subject to a permit being issued by Council under Section 68 of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993.

**(53) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 and Section 138 of the Roads Act 1993 must be obtained.

**SCHEDULE 2  
PRESCRIBED CONDITIONS**

**The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* apply:**

- Clause 98 Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*
- Clause 98A Erection of signs
- Clause 98B Notification of *Home Building Act 1989* requirements
- Clause 98C Conditions relating to entertainment venues
- Clause 98D Conditions relating to maximum capacity signage
- Clause 98E Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 8A of the *Environmental Planning and Assessment Regulation 2000*. This can be accessed at: <http://www.legislation.nsw.gov.au>

## IMPORTANT ADDITIONAL INFORMATION

### Advisory notes:

1. It is advised that the City of Sydney Neighbourhood Parking Policy may apply to this development. Eligibility for parking permits for residents or users of the development will be determined by the terms of this policy or subsequent future policies.
2. The State Government has commenced planning for the construction of the CBD South East Light Rail (CSELR). You may need to consider the potential impacts of this project in programming your development. The CSELR route includes Alfred St, George St, Rawson Place, Eddy Ave, Chalmers St, and Devonshire St. For construction and programming information contact the Transport for NSW Infoline on 1800 684 490 or [www.transport.nsw.gov.au/projects](http://www.transport.nsw.gov.au/projects).

### The Environmental Planning and Assessment Act 1979 requires you to:

1. Obtain a **Construction Certificate** prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a Construction Certificate. An accredited certifier **must obtain Council's approval** to certain conditions of this development consent, where indicated before issuing the Construction Certificate.
2. **Note: it is compulsory to lodge digital copies of applications, including plans and documentation if lodging an application with Council. Please refer to the link below for any further information about digital requirements and electronic files.**  
**<http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/digital-requirements>.**
3. Nominate a **Principal Certifier** which may be either Council or an accredited certifier and notify Council of that appointment. You **cannot lawfully** commence works without complying with this requirement.
4. Give Council at least two days notice of your intention to commence the erection of a building **before** commencing construction works. You cannot lawfully commence works without complying with this requirement.
5. Obtain an **Occupation Certificate** before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

### You may also need to:

6. Obtain approval through the lodgement of an application under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* for an activity which is proposed to be undertaken in, on or above a road reservation (including footways). Such activities include:
  - (a) installation of hoardings/scaffolding;
  - (b) installation and/or alterations to advertising/business signs and street awnings;
  - (c) crane operation and other hoisting activities;
  - (d) temporary works (e.g.: barricading, road openings, mobile hoisting devices);
  - (e) works zone (for loading and unloading from the roadway); and
  - (f) temporary ground anchoring and shoring to support a roadway when excavating.Application forms are available on the City's website.
7. Lodge an **Application for Subdivision** to obtain a **Subdivision Certificate** if a land (including stratum) subdivision is proposed and an Application for Subdivision to obtain **Strata Title Subdivision** under the relevant Strata Titles Act, if strata title of the development is proposed.
8. Comply with the Food Act 2003, the Australia New Zealand Food Standards Code, Australian Standard 4674 – 2004, and register the business with Council if the premises is used for the manufacture, preparation, packing, storing, conveying or delivering of food or beverage for sale.
9. Contact Sydney Water regarding the water and sewerage services to this development. For further information go to [www.sydneywater.com.au](http://www.sydneywater.com.au).
10. Carry out critical stage inspections in accordance with Section 6.5 of the EP&A Act 1979 and clauses 162A, 162B and 163 of the EP&A Regulation 2000.

### Applications and submissions referred to in this consent may be lodged at:

CBD Level 2, Town Hall House, 456 Kent St, Sydney.

**KINGS CROSS** 50-52 Darlinghurst Rd, Kings Cross.

**If you have any enquiries on any aspect of this consent, contact Patrick Quinn ph. 02 9265 9024, email [pquinn@cityofsydney.nsw.gov.au](mailto:pquinn@cityofsydney.nsw.gov.au).**



**Item 3.****Development Application: 262 Liverpool Street, Darlinghurst - D/2020/1397****File No.: D/2020/1397****Summary**

<b>Date of Submission:</b>	22 December 2020, amended plans received 19 February 2021
<b>Applicant:</b>	Paul Ramsay Foundation Limited
<b>Architect/Designer:</b>	SJB
<b>Developer:</b>	Paul Ramsay Foundation Limited
<b>Owner:</b>	Paul Ramsay Foundation Limited
<b>Planning Consultant:</b>	Tomasy Planning
<b>Heritage Consultant:</b>	NBRS Architecture
<b>Cost of Works:</b>	\$1,147,186
<b>Zoning:</b>	R1 General Residential zone. Office premises are generally prohibited within a R1 General Residential zone. However, the proposal is permissible under Clause 5.10.10 of Sydney Local Environmental Plan 2012.
<b>Proposal Summary:</b>	<p>The proposal seeks consent for the fit out and use of an office premises, food and drink premises and the use of the entry hall as an exhibition space.</p> <p>The proposed works include: construction of a new platform within the auditorium, including stairs, joinery and partitions to accommodate open-plan office space and meeting rooms; a new internal lift; new kitchen facilities with mechanical exhaust; construction of a cafe facility; and, the installation of new gallery walls within the entry hall.</p> <p>The site is a locally listed heritage item and is currently undergoing extensive works which were previously approved.</p>

A total of 41 submissions were received during the notification period. The issues raised in submissions include cumulative impact of applications on the site, lack of detail, noise, traffic, amenity and heritage impacts.

The application is being reported to the LPP due to the number of public submissions received.

**Summary Recommendation:** The development application is recommended for approval, subject to conditions.

**Development Controls:**

- (i) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended)
- (ii) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended)

**Attachments:**

- A. Recommended Conditions of Consent
- B. Submitted Drawings
- C. D/2018/1526/F - Approved plans
- D. D/2018/1526/F - Notice of Determination

**Recommendation**

It is resolved that consent be granted to Development Application No. D/2020/1397 subject to the conditions set out in Attachment A to the subject report.

**Reasons for Recommendation**

The application is recommended for approval for the following reasons:

- (A) While office premises are not permitted within the R1 - General Residential zoning that applies to the site, the application is recommended for approval under clause 5.10.10 of the Sydney LEP 2012 as a positive heritage outcome is achieved.
- (B) The proposed works are generally compatible with the heritage significance of the site, the exception being the proposed lift installation which is recommended to be addressed by conditions of consent.
- (C) The proposed uses are capable of being carried out on the site without resulting in significant adverse impacts on the surrounding properties.
- (D) With the exception of the kitchen exhaust all of the proposed works are internal to the existing building meaning that there are no additional bulk, overshadowing or streetscape impacts. Having regard to the matters listed in 6.21(4) of the LEP it is considered that the development (subject to conditions) exhibits design excellence.
- (E) Approval of the application is in the public interest.

## Background

### The Site and Surrounding Development

1. The site has a legal description of Lot 1 DP 174206, known as 262 Liverpool Street Darlinghurst. The site is square shaped, with an area of approximately 1,548sqm. It has a primary street frontage to Liverpool Street and a secondary frontage to Forbes Street to the west. A part one, part two storey sandstone Victorian building including mezzanine is contained within the site, with a lower ground floor addressing the Forbes Street frontage.
2. The site has two notable internal areas on the Liverpool Street level: the entry hall and the auditorium. The entry hall (also referred to as the grand hall in the submitted documentation) is the first internal space encountered when entering the site from the main Liverpool Street entry and has an area of approximately 252 sqm. The second space is the auditorium which was the main congregation space during the site's use as a church. The space is notable for its substantial floor to ceiling height (more than 9m at some points) and size (more than 670sqm).
3. The site was originally constructed as a church hall and has previously been used as a single dwelling. The site is currently undergoing extensive construction works which were previously approved.
4. Surrounding land uses are predominantly residential. A five storey brick residential flat building neighbours the site to the immediate north, with a three storey terrace to the immediate east. Two storey Victorian dwellings with sandstone facades occupy sites to the west across Forbes Street, with the exception of a three storey Victorian terrace having its primary frontage on Liverpool Street presenting a broad exposed brick facade to Forbes Street.
5. A row of two storey Victorian terraces and a multi storey art deco residential flat building occupy sites to the immediate south across Liverpool Street.
6. The site is a local heritage item known as I357, "First Church of Christian Scientist including interior", and is located within the Oxford Street and Victoria Street Conservation Area (C12).
7. A site visit was carried out on 5 March 2021. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds



Figure 2: Site, prior to works commencing, viewed from Liverpool Street



Figure 3: Existing internal entry hall



Figure 4: Revised location of proposed cafe



Figure 5: Looking south within the auditorium



Figure 6: Looking east within auditorium, location of retained stage and organ



**Figure 7:** Looking north within auditorium, location of proposed lift between centre and right window

## History Relevant to the Development Application

### Development Applications

8. The following applications are relevant to the current proposal:

- **D/2018/1526** was approved on 15 May 2019 by the Local Planning Panel for the adaptive reuse of the former First Church of Christ Scientist as office premises. Alterations and additions including two storey addition to the eastern wing, new roof top terrace/breakout space, new attic area, basement car parking containing nine spaces and associated site works.

A compiled set of drawings incorporating the original plans and the subsequent amendments is provided in Attachment C.

- **D/2018/1526/A** was approved on 6 April 2020 for the relocation of the lift from the north/east turret to an external location, repositioning of the end of trip facilities throughout the tenancies, reconfiguring of garbage room, and retention of the northern boundary wall and eastern wall.
- **D/2018/1526/B** was approved on 13 November 2019 to modify the terms of Condition 19(b) to allow measured drawings for the existing saw tooth roof, rainwater heads, pavement light wells, ceilings, and ceiling cornices to be

submitted after the issue of a construction certificate and prior to the issue of an occupation certificate.

- **D/2018/1526/C** was approved on 20 January 2020 to amend Condition 18 (Traffic Works) to change the timing of approval for any works affecting the public road, traffic and parking arrangements.
- **D/2018/1526/D** was approved on 25 May 2020 to amend Condition 41 – Public Art to change the timing for the submission of the final Public Art Plan.
- **D/2018/1526/E** was approved on 18 June 2020 to amend the fire system which results in minor internal reconfigurations and external changes including relocation of fire hydrant booster to Forbes Street.
- **D/2018/1526/F** was approved on 14 December 2020 to amend various internal and external details including: reconfiguring the lower ground floor toilet and end of trip facilities; relocating ground level entry gates and bicycle parking; amending the configuration of the internal layout of Levels 1 and 2; amending the arrangement of roof top plant; and reducing the internal ceiling height of the 2 storey addition in the eastern part of the site.
- **D/2021/169** was lodged on 25 February 2021 to extend the previously approved lift between the ground and first floor up to the roof level. The lift would allow access to a previously approved roof terrace. The terrace as approved was only accessible by stairs. This application is currently under assessment.

### Compliance History

9. The site is not currently subject to any on-going compliance investigations. In 2021, 6 complaints have been received in relation to the property. These complaints related to illegal parking issues which were investigated and resolved by the City's Rangers.

### Amendments

10. On 19 February 2021 the applicant requested the following amendments to the proposal:
  - Relocation of the cafe from the entry hall to a space adjacent to the building entry. The application originally located the proposed cafe within the entry hall, the applicant requested to amend the proposal so that the cafe was relocated to a space adjacent to the entry hall and building entry. The applicant stated that they considered this a better heritage and operational outcome.
  - Reinstatement of the previously approved glass entry door. Under D/2018/1526/E approval was granted for the installation of sliding glass doors to create a small lobby (when required) between the building entry and the entry hall. D/2018/1526/F removed these sliding doors and instead proposed to glass doors in the internal threshold of the existing entry doors. The applicant requested to amend the proposal to reinstate the arrangement previously approved under D/2018/1526/E. The applicant stated that they considered this an improved heritage and operational outcome.
  - Resulting from the second amendment above, the applicant has proposed to reinstate an internal entry door between the entry hall and the lift lobby to the

upper floor. This is to control access to the upper floors and a similar arrangement was approved under D/2018/1526/E.

11. While not requested from the applicant the proposed amendments to the proposal are not considered to result in any additional environmental impacts in comparison to the application as originally submitted and notified. As such it was not considered necessary to renotify the proposal. The amendments have been incorporated into the proposal and have been considered as part of this assessment.

## **Proposed Development**

12. The application seeks consent for the following:

- The fit out and use of the site as an office premises as approved under D/2018/1526. It is proposed that the site be occupied by a single tenant, Ramsay Health Care, and its associated charity the Paul Ramsay Foundation. The use of the building will be for administrative purposes only with no health care services provided on site.
- Use of the entry hall as an exhibition and breakout space. It is proposed to operate the exhibition space between 7.00am and 10.00pm, Monday to Sunday and accommodate a maximum of 79 patrons. The use of the exhibition space would be solely related to the Paul Ramsay Foundation and will not operate as a for-hire function space.
- The fit out and use of a food and drink premises (cafe) on the ground floor. The proposed hours are 7.00am to 7.00pm, Monday to Sunday.

13. The proposal includes the following works:

### ***Auditorium (Ground Floor)***

- Construction of a new platform within the auditorium, including stairs, joinery and partitions to accommodate open-plan office space and meeting rooms. A floor platform and associated stairs and ramps in this location were approved under development consent D/2018/1526; the subject proposal seeks to amend the layout of the space.
- Construction of a new internal lift within the auditorium space, on the northern side, to connect the ground floor of the auditorium to the new mezzanine level.
- Kitchen facilities on the southern side of the auditorium for the office premises.
- New wall panels in the auditorium.
- Acoustic curtains on the eastern wall of the auditorium, including a curtain to create a small office north of the organ.
- Alterations to the existing floorboards in the south-east corner of the auditorium and along the southern wall, in order to re-grade them to meet required compliance.

***Auditorium (Mezzanine)***

- New joinery units and tea point on the approved mezzanine level within the auditorium.
- New bridge on the northern side of the approved mezzanine level to connect the mezzanine to the proposed internal lift.
- Mezzanine balustrading around its perimeter, comprising steel posts and glass infill.

***Entry Hall and Eastern Rooms (Ground Floor)***

- New gallery walls for hanging artwork on the eastern and western walls of the hall.
- Installation of glass sliding doors adjacent to entry.
- Installation of rails to the underside of the reconstructed ceiling to allow curtains to divide the space.
- Relocation of opening between the bike stores to the east of the entry hall.
- Kitchen exhaust within the previously approved kitchen space.

***Level Two (within auditorium roof space)***

- Reconfiguration to the approved kitchen and breakout space on the northern side of the building to allow for a larger dining area.
- New curtains to the approved meeting spaces on the eastern side of the auditorium roof space.

***Level Two (approved new level above the Entry Hall)***

- New storage room and office space on the eastern side, to the north of the approved stair.
- New joinery, tea point and sliding pinboard panels within the office space.
- New sliding door and wall between the approved 'glass box' office space above the portico and the main office space on this level.
- New door connecting the northern stairwell to the outdoor terrace on the northern side of the building, including the modification of the approved new window opening to accommodate the door.

14. Plans and elevations of the proposed development are provided below.



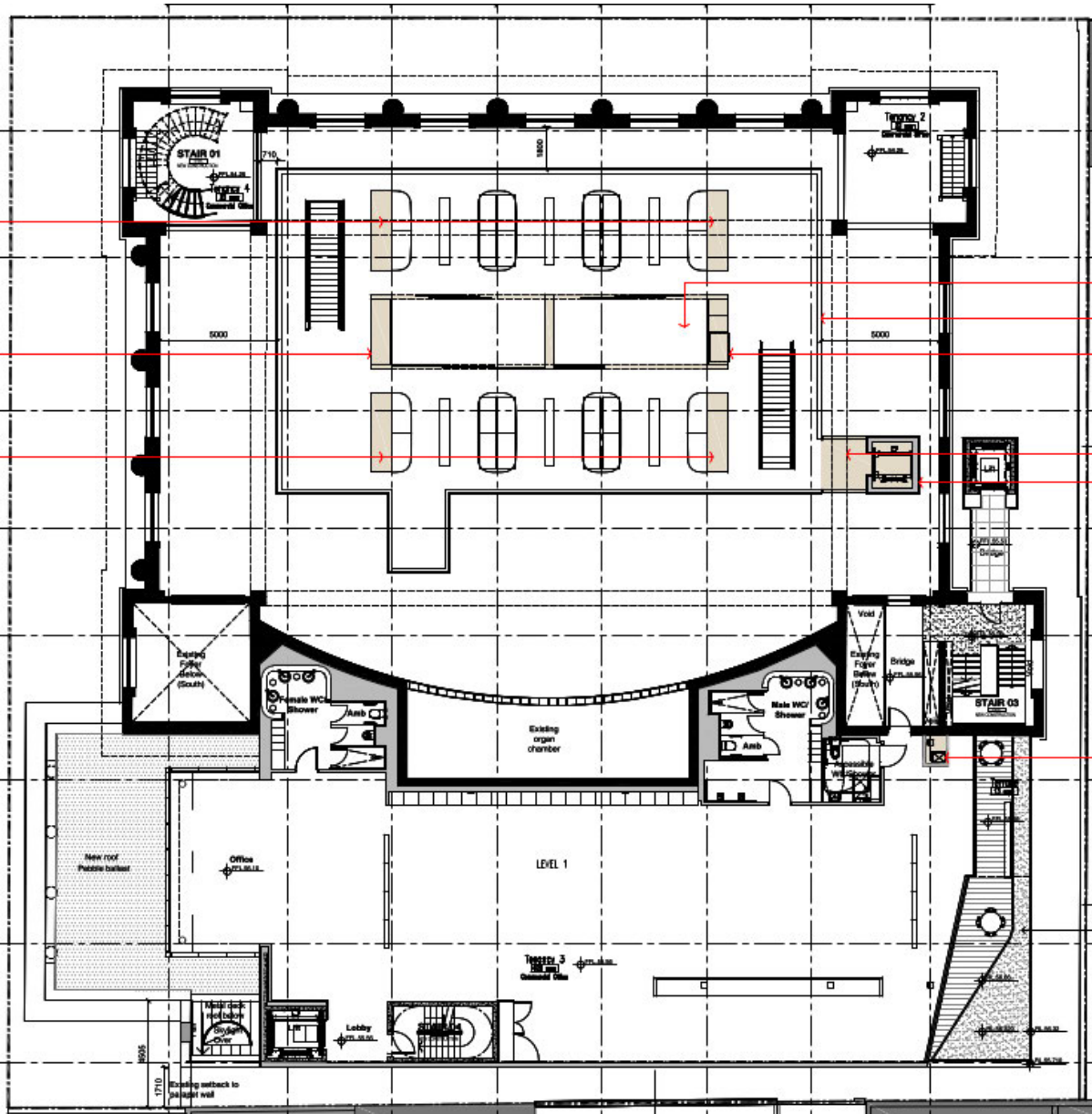


Figure 9: Proposed Level 1 floorplan

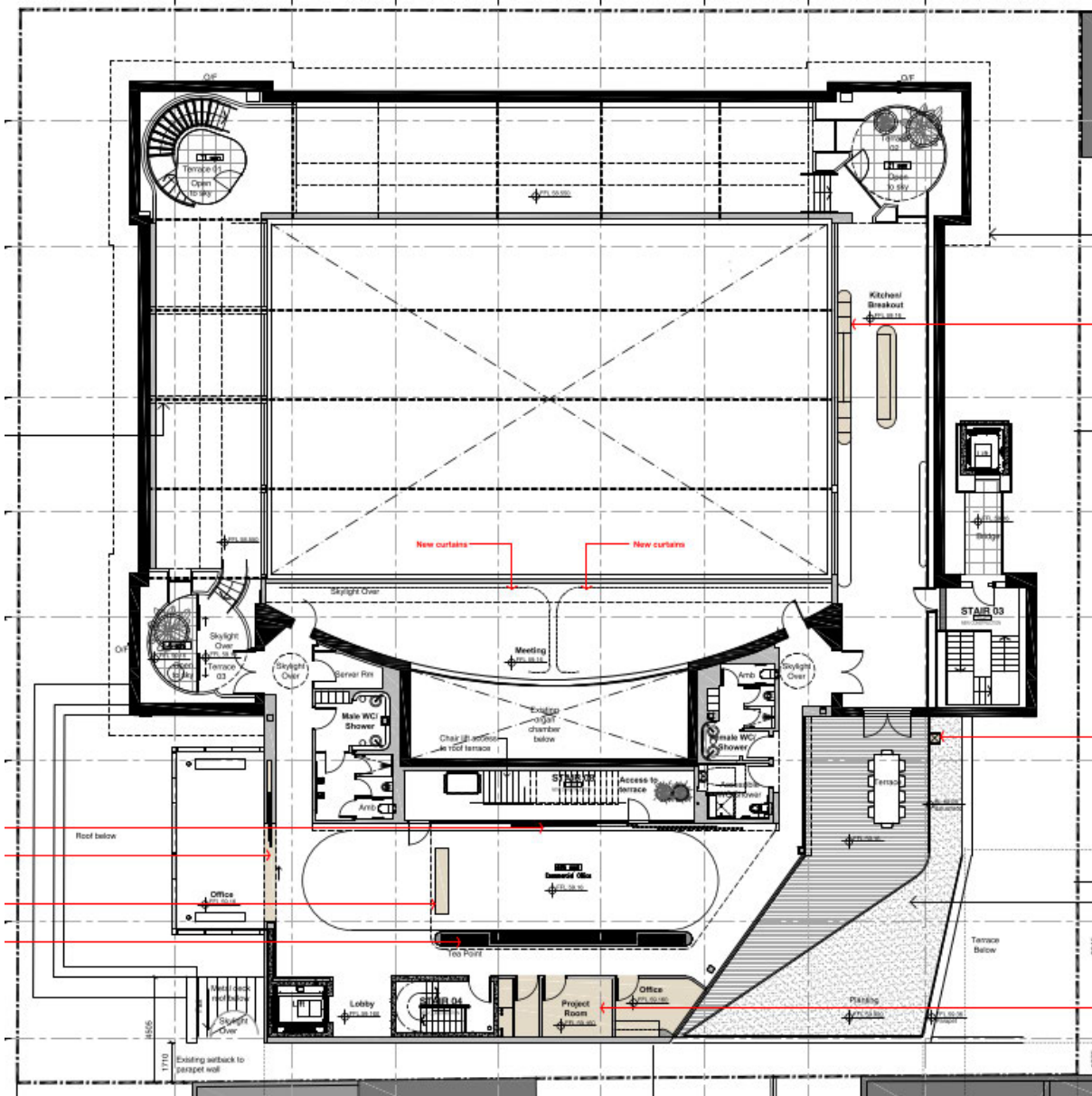


Figure 10: Proposed Level 2 floorplan

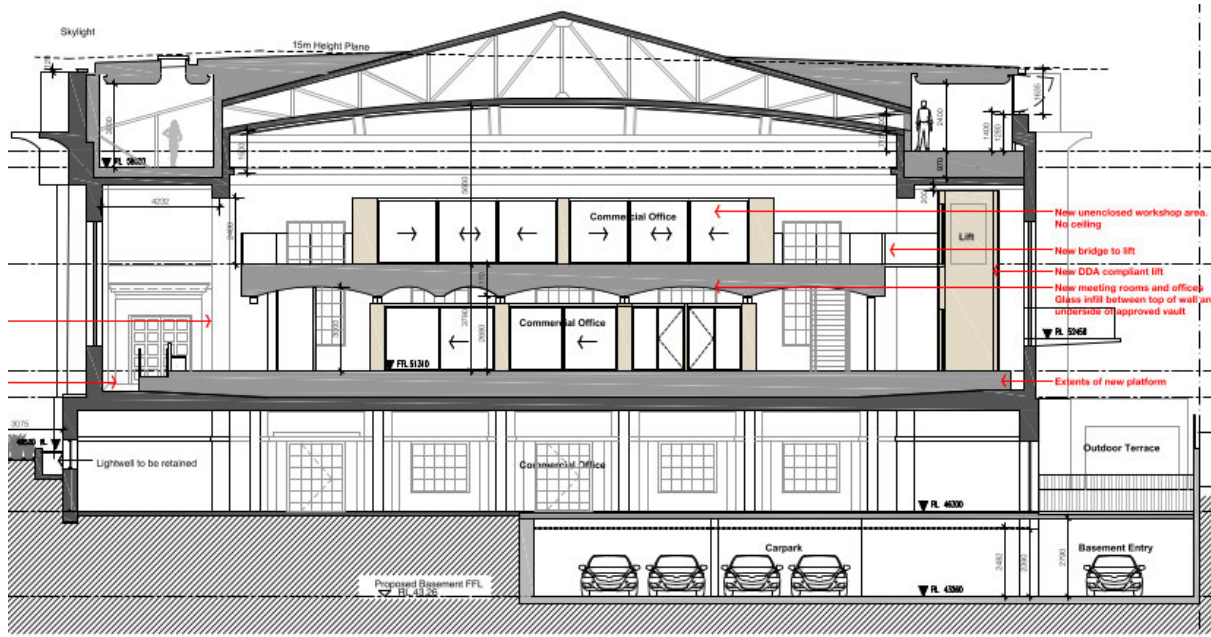


Figure 11: Section through auditorium illustrating platform with mezzanine and proposed lift

## Assessment

- The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

## State Environmental Planning Policies

### Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

- The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP. The SREP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.
- The site is within the Sydney Harbour Catchment and eventually drains into Sydney Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained within the deemed SEPP.

### Sydney Local Environmental Plan 2012

- An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

**Part 2 Permitted or prohibited development**

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Partial compliance	<p>The site is located within the R1 General Residential zone. Office Premises are generally prohibited within the R1 zone; however, the proposal is permissible under Clause 5.10.10 of Sydney Local Environmental Plan 2012 providing that certain conservation matters are met.</p> <p>The remaining proposed uses of food and drink premises; and, information and education facility are permitted with consent within the zone.</p> <p>See discussion under the heading Issues.</p>

**Part 4 Principal development standards**

Provision	Compliance	Comment
4.3 Height of buildings	Yes	<p>A maximum building height of 15m is permitted.</p> <p>The proposed works are all internal to the existing building.</p> <p>The previously approved works have a maximum height of 13.68m.</p>
4.4 Floor space ratio	Yes	<p>A maximum floor space ratio of 1.75:1 or 3,636sqm is permitted.</p> <p>A floor space ratio of 1.58:1 or 3,286sqm is proposed.</p> <p>The proposed development complies with the maximum floor space ratio development standard.</p>
5.10 Heritage Conservation	Yes	<p>The subject site is a heritage item and is located within a heritage conservation area.</p> <p>The propose works are generally compatible with the significance of the item.</p> <p>The proposal includes a use prohibited in the R1 General Residential zone. The proposal is permissible under 5.10.10 as it supports the retention of the item and its ongoing management.</p>

Provision	Compliance	Comment
		See discussion under the heading Issues.
Division 4 Design excellence		
6.21 Design excellence	Yes	<p>The proposed development results in a generally acceptable heritage impact, with the exception of the proposed internal lift which is recommended to resolved via conditions of consent.</p> <p>While office premises are not permitted within the R1 zone the development results in the retention and restoration of a significant heritage item. Despite not being permissible with the zone the proposed office premises land use and the associated exhibition space are considered appropriate uses for the site that are compatible with the locality.</p> <p>With the exception of the kitchen exhaust all of the proposed works are internal to the existing building meaning that there are no additional bulk, overshadowing or streetscape impacts.</p> <p>Having regard to the matters listed in 6.21(4) of the LEP it is considered that the development (subject to conditions) exhibits design excellence.</p>

#### Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.6 Office premises and business premises	Yes	<p>A maximum of 41 car parking spaces are permitted.</p> <p>The proposal does not seek to alter the number of car parking spaces provided on the site. Nine car parking spaces were previously approved on the site under the 2018 consent.</p>

## Development Control Plans

### Sydney Development Control Plan 2012

19. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

#### Section 2 – Locality Statements

20. The site is located within the East Sydney locality. The proposed development is in keeping with the unique character and the design principles of the East Sydney locality by complements to the heritage item on the site.

#### Section 3 – General Provisions

Provision	Compliance	Comment
3.9 Heritage	Yes	The propose works are generally compatible with the significance of the item.  See discussion under the heading Issues.
3.12 Accessible Design	Yes	The proposal will provide an appropriate level of access, greater than what was approved on the site previously.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	A condition has been recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.
3.15 Late Night Trading Management	Yes	Both the proposed cafe and use of the entry hall for exhibitions is capable of complying with the late night trading provisions of the DCP.  See discussion under the heading Issues.

## Discussion

### Office Premises within the R1 Zone

21. The proposal includes the fit out use of the building as an office premises. The site is within the R1 General Residential zone, in which the Office Premises are prohibited.

22. The previous approval for the site, D/2018/1526, included works and the use of the site as an office premises. This office premises use was approved under the provisions of clause 5.10.10 of the Sydney LEP 2012 which allows for land uses which are prohibited within the land use that applies to the item if positive heritage outcomes are achieved.
23. The use of the site as an office premises has already been approved on the site by D/2018/1526. However, as additional works are proposed and the exact nature of the office premises use has been further defined on the site, the provisions of clause 5.10.10 should be addressed.
24. This clause states that: the consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:
  - (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
  - (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
  - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
  - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
  - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area."
25. The following is an assessment of the proposal against these requirements:
  - (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent.

**Comment:** Development consent D/2018/1526 included the adoption of a conservation management plan (CMP), a schedule on conservation works and heritage interpretation for the site. Approval of the subject application will allow the use of the site as intended under the previous consent and will therefore facilitate the use of the conservation of the item.

- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority.

**Comment:** The adopted CMP included a number of policy directions for the ongoing use of and works to the item. In relation to the subject application the most relevant policies are Policy 93 and Policy 94 which are addressed below.

***Policy 93 Internal Additions*** - Internal additions should limit the physical and visual impact on the building externally. To achieve this, all internal

additions should be located away from windows, including the addition of a mezzanine floor in the auditorium should this be required.

Comment: From the exterior of the site the internal works proposed will not impact on the windows as they are set back from them.

**Policy 94 Internal Additions** - The design of internal additions should be aimed at recognising and retaining the existing character and quality of significance spaces and should be developed in consultation with a heritage consultant.

Comment: The internal works are generally minor in scale. The installation of the lift within the auditorium has the potential to negatively impact on the character of the space. As discussed later in this report alternate materials are recommended to be used for the construction of the lift to reduce this impact.

The proposed works (as recommended to be approved) are in accordance with the adopted CMP for the site.

- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out.

**Comment:** Conditions of consent are recommended to require that the schedule of conservation works and heritage interpretation strategy approved under D/2018/1526 be completed prior to the issue of an occupation certificate under the subject application. This is not an unreasonable requirement given that the subject application is dependent on the completion of the works approved under D/2018/1526 to operate.

- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance.

**Comment:** Subject to conditions, the proposal is not considered to adversely affect the heritage significance of the heritage item or its setting.

- (e) The proposed development would not have any significant adverse effect on the amenity of the surrounding area.

**Comment:** The proposed office premises will not result in adverse amenity impacts on the surrounding area due to the use being wholly contained within the subject building. The proposal does not result in amenity arising from the built form (such as overshadowing) as the development does not alter the previously approved building envelope.

- 26. As per the discussion above, it is considered that the development (subject to conditions) satisfies the provisions of 5.10.10 and should be approved.

### Heritage

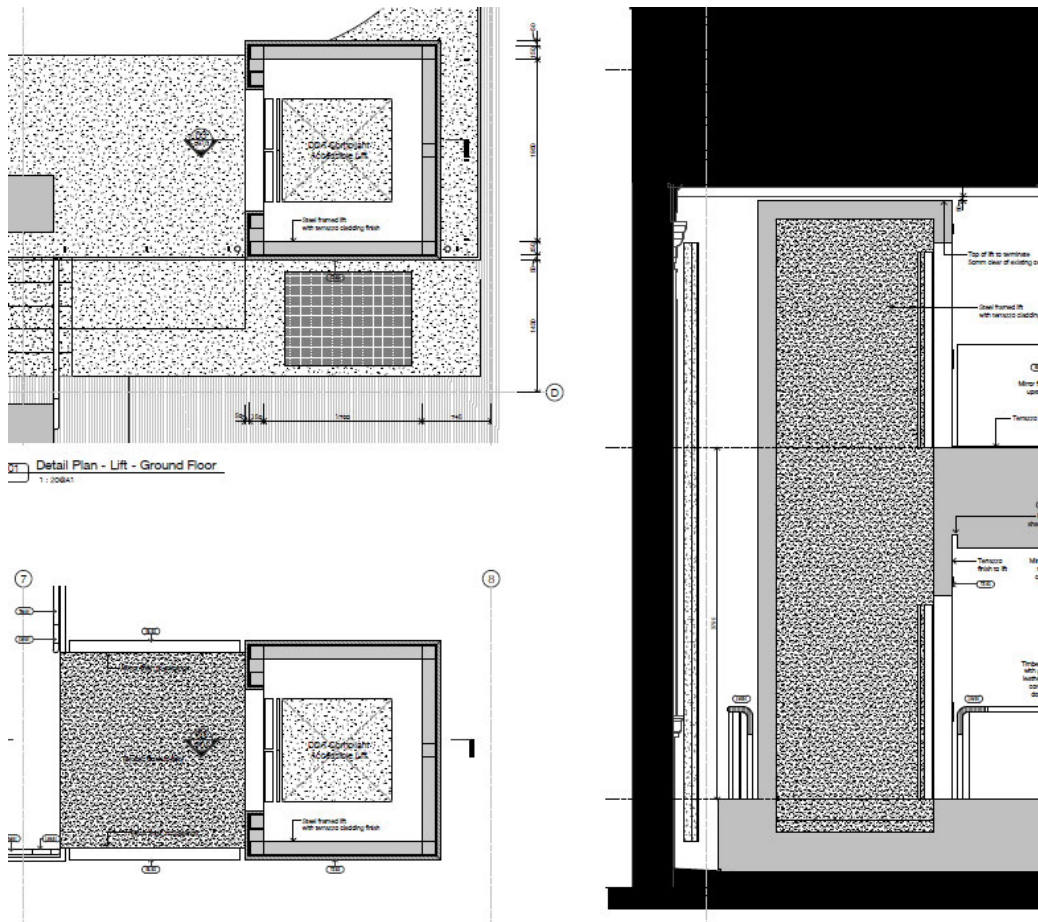
- 27. The proposed works have a generally acceptable heritage impact with specific aspects of the proposal addressed below.

***New lift within Auditorium***

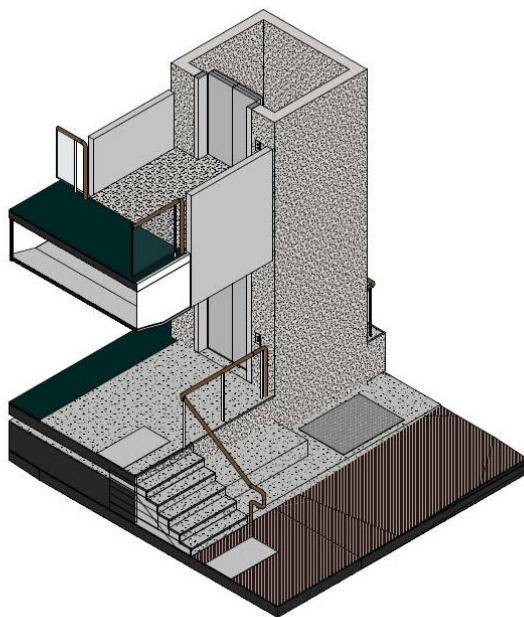
28. The proposal seeks to install a lift within the auditorium to provide access to the upper level mezzanine. The lift is steel framed and is proposed to be clad in terrazzo.
29. It should be noted that the mezzanine level was approved under D/2018/1526 with the only access being stairs.
30. The proposed lift is located with an offset from the northern wall below the existing auditorium ceiling and on the new floor platform and between two windows with the intent that the windows remain visible internally. The proposed lift does not touch the fabric of the walls and ceiling, including plaster ceiling coffers.
31. The proposed location of the lift and plan extracts are provided in figure 7 above and 12, 13 and 14 below:



**Figure 12:** Northern wall of auditorium with the approximate location of the proposed lift marked



**Figure 13:** Lift detail showing the floor plan lower level (top left), floor plan of mezzanine level bridge (bottom left) and section through auditorium (right)



3D View - Mezzanine Bridge

**Figure 14:** 3D image of proposed internal lift

32. The introduction of the visually solid lift structure will detract from the significance of the auditorium by diminishing the ability to appreciate the large windows on its exterior. This would be particularly notable when entering the space from the entry hall as the lift would obscure much (if not all) of the central window.
33. To reduce this impact it is recommended that a condition be imposed requiring that the lift and connecting bridge be constructed primarily of glass.

### ***Works within Entry Hall***

34. The proposed use of the entry hall for exhibitions includes the installation of wall panels in the auditorium. These are intended to provide a secondary surface for both hanging artwork and mitigating noise. This is appropriate as a solution which minimises physical impact to the existing walls and rendered surfaces in allowing art works to be hung on the panel rather than the existing wall.
35. It is recommended that a conditions of consent require details to be submitted prior to works commencement to ensure fixings into significant fabric are minimised and to ensure the installation has a reversible impact.

### **Use of the Entry Hall for Exhibitions**

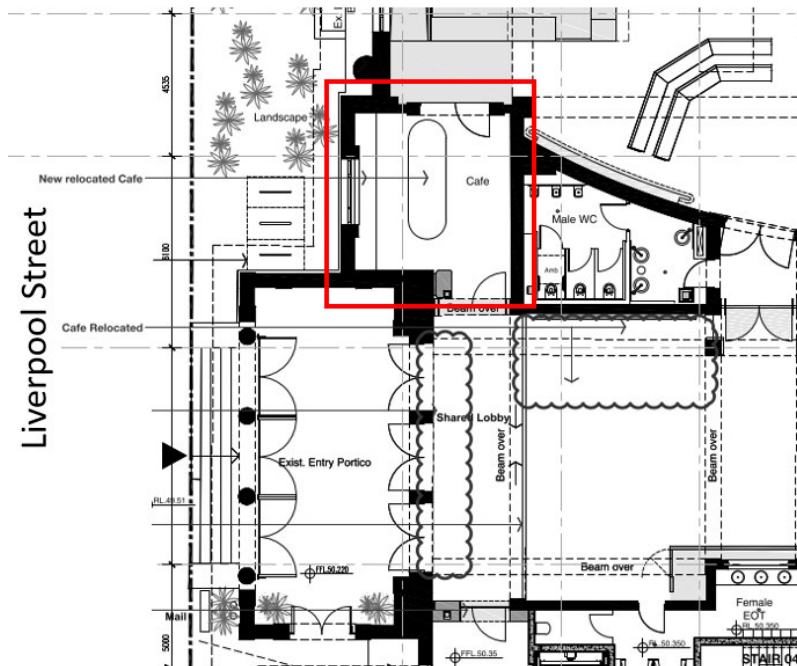
36. The use of the entry hall for exhibitions allowing for up to 79 patrons is not anticipated to result in significant amenity impacts on the surrounding properties due to the low-impact nature of the use, it being wholly contained within the subject building and the exhibitions relating to the charitable foundation on the site.
37. It should be noted that Function Centres are prohibited within the R1 - General Residential zoning that applies to the site. The use of the entry hall for exhibitions is considered to fall under the definition of an information and education facility under the Sydney LEP which means:

"a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like."
38. It is recommended that a condition of consent be imposed clarifying the nature of the entry hall use.
39. Under the late night trading provisions of section 3.15 of the Sydney DCP 2012 the site is not located within any of the identified late night trading precincts and the use of the entry hall for exhibitions is considered to be a low impact category B premises. In such a situation the DCP prescribes maximum permanent hours of 7.00am to 10.00pm with extended trial hours up to midnight.
40. The proposed hours are consistent with the 'base' permanent hours permitted by the DCP and are supported.

While the application is clear about the exhibition space being operated in association with the proposed office premises use, to remove any doubt a condition of consent is recommended to be imposed to ensure the exhibition use is ancillary to the office use and prohibit any third party hiring or use of the space.

### Use of the Cafe

41. As noted previously, since the lodgement of the application the proposed café has been relocated along the southern side of the ground floor, adjacent to the building's Liverpool Street entry. The figure below is an extract of the amended ground floor plan identifying the location of the proposed cafe adjacent to the building entry.



**Figure 15:** Location of proposed ground floor cafe adjacent to building entry

42. In this revised location the cafe occupies an area of approximately 25 sqm and is proposed to operate between 7.00am and 7.00pm, 7 days.
43. As noted previously, under the late night trading provisions of section 3.15 of the Sydney DCP 2012 the site is not located within any of the identified late night trading precincts. the cafe use is considered to be a low impact category B premises. In such a situation the DCP prescribes maximum permanent hours of 7.00am to 10.00pm with extended trial hours up to midnight.
44. The proposed trading hours of 7.00am to 7.00pm are well with the prescribed hours of the DCP and are supported. The proposed cafe use is small in scale, low impact in nature and contained wholly within the subject building.

## Consultation

### Internal Referrals

45. The application was discussed with Council's Environmental Health Unit, Licensed Premises Unit, and Heritage and Urban Design Unit who advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

### Advertising and Notification

46. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 21 days between 25 January 2021 and 16 April 2021. A total of 574 properties were notified and 41 submissions were received.

47. The submissions raised the following issues:

- (a) **Issue:** The application was not correctly notified to the surrounding properties.

**Response:** The application was notified in accordance with the City's Public Participation Plan.

- (b) **Issue:** Site notices were not posted on the site.

**Response:** Site notices were placed on both the Forbes Street and Liverpool Street frontages.

- (c) **Issue:** The proposal will result in increased traffic and parking impacts.

**Response:** The site is in close proximity to a number of public transport options include bus and rail services. Given the limited number of spaces and the time restricted nature of the street parking in the vicinity it is unlikely that a significant number of staff or patrons would be travelling to the site by private vehicle. While there is the potential for brief periods of congestion at the end of ancillary exhibition events due to patrons opting to utilise taxi or ride share services such periods are anticipated to be brief given the relatively small number (79) of patrons proposed for the exhibition space.

- (d) **Issue:** There are already many food and drink premises which will be adversely impacted by the proposed café.

**Response:** Food and Drink premises are permitted within the zone and the one proposed as part of this application is considered acceptable. The impact of the proposed café on existing food and drink premises in the locality is not a relevant planning consideration.

- (e) **Issue:** The proposed kitchen exhaust will result in odour and noise impacts.

**Response:** The proposed kitchen exhaust was reviewed by the City's Environmental Health unit and considered to be acceptable with regard to noise and odour impacts. Conditions of consent are recommended to ensure compliance with the relevant standards.

- (f) **Issue:** The proposal cannot amend a cafe which has not been previously been approved.

**Response:** The plans and statement of environmental effects that were publicly notified both identified that the proposed cafe was new to the site.

- (g) **Issue:** The roof terrace should not be used as part of the cafe or exhibition spaces.

**Response:** This is not proposed and will be prevented by conditions of consent.

- (h) **Issue:** The proposal is inconsistent with the residential character of the area.

**Response:** The proposed uses are wholly located within the subject building and considered to be low-impact in nature. The site is located within the R1 General Residential zone. Office Premises are generally prohibited within the R1 zone; however, the proposal is permissible under Clause 5.10.10 of Sydney Local Environmental Plan 2012 providing that certain conservation matters are met. The other proposed uses of food and drink premises; and, information and education facility are permitted with consent within the zone.

- (i) **Issue:** The submitted plan of management ignores the use of the organ, D/2018/1526 required that the auditorium was to be made available for public organ and chamber music recitals.

**Response:** Conditions of consent related to the use of the site and the organ remain in force even if the subject application is approved. Nothing in this application prevents the use of the organ as required under D/2018/1526.

- (j) **Issue:** The proposal will adversely impact the heritage significance of the site.

**Response:** The proposal has been reviewed by the City's heritage specialist and the potential heritage impact of the proposal is considered to be acceptable subject to conditions, most notably related to the materials of the proposed lift.

- (k) **Issue:** The submitted SEE includes images of seating outside of the building.

**Response:** The image used is photomontage from the previous application for the site and is for reference only. No external seating is proposed as part of the subject application. A condition of consent is recommended to provide certainty.

- (l) **Issue:** The application does not adequately separate the café and exhibition uses.

**Response:** Since being notified the application has been amended to relocate the café to a different space that is physically separated from the exhibition space.

- (m) **Issue:** The cafe is a commercial premises which is prohibited in the R1 zone.

**Response:** The cafe is defined as a food and drink premises which is permitted with consent in the R1 zone.

- (n) **Issue:** Waste collection and deliveries should occur at a reasonable time.

**Response:** A condition of consent will limit deliveries and waste collection to standard business hours.

- (o) **Issue:** The proposed hours for the cafe are inappropriate.

**Response:** As discussed in the report the proposed hours for the café are consistent with the provisions of the DCP.

- (p) **Issue:** The proposed hours of the exhibition space are inappropriate.

**Response:** As discussed in the report the proposed hours for the exhibition space are consistent with the provisions of the DCP.

- (q) **Issue:** The nature of the cafe is unclear.

**Response:** The applicant has confirmed that the café will be publicly accessible. Additionally, the applicant envisaged that the cafe will be able to provide training opportunities for the community.

- (r) **Issue:** If this application is approved it will result in the organ not being used due to the likely conflict between the organ being played and the office space be used at the same time.

**Response:** The access to the organ as required by D/2018/1526 will continue to be required.

- (s) **Issue:** The previously approved roof terrace should be deleted from the development.

**Response:** The previously approved roof level terraces do not form part of the subject application and are not proposed to be utilised as part of the exhibition or café uses proposed. To provide certainty conditions of consent are recommended to make it clear that cafe or exhibition patrons must not utilise the roof terraces.

- (t) **Issue:** The site has undergone too many development applications which has intensified the use of the site.

**Response:** The site has been the subject of a number of development of applications and modifications in recent years. The City cannot prevent a land owner/developer from lodging multiple applications for the same site. While each application is assessed on its own merits consideration is also given to how the current proposal relates to the previous approvals for the site. In this case the subject works and uses are compatible with the previous approvals.

## Financial Contributions

### Contribution under Section 7.11 of the EP&A Act 1979

48. The development is not subject to a Section 7.11 development contribution as it is a type of development listed in Table 2 of the City of Sydney Development Contributions Plan 2015 and is excluded from the need to pay a contribution. Development contributions

were paid prior to the works commencing on D/20181/526. That consent included the office premises use of the site in the calculation of the contributions.

**Conclusion**

- 49. The proposal supports the ongoing retention and conservation of the heritage item.
- 50. Subject to conditions, the proposed works have an acceptable impact on the heritage significance of the site.
- 51. The proposed uses are capable of occupying the site without resulting in significant adverse amenity impacts.

**ANDREW THOMAS**

Executive Manager Planning and Development

Patrick Quinn, Area Coordinator

## Relevant Information for Local Planning Panel

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**FILE:** D/2020/1397 **DATE:** 28 April 2021

**TO:** Local Planning Panel Members

**FROM:** Andrew Thomas, Executive Manager Planning and Development

**SUBJECT:** Information Relevant To Item 3 – Development Application: 262 Liverpool Street, Darlinghurst - D/2020/1397

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### Alternative Recommendation

It is resolved that consent be granted to Development Application No D/2021/1397, subject to the conditions detailed in Attachment A to the subject report, subject to the following amendments (additions shown in **bold italics**, deletions shown in ~~strike through~~):

#### (2) DESIGN MODIFICATIONS

The following design modifications are to be submitted to, and are to be approved by, Council's Area Planning Manager prior to a Construction Certificate **for these works** being issued:

- (a) The whole of the proposed lift assembly including the lift shaft, doors, connecting bridges, and handrails, proposed to the interior to the auditorium in the current form is not approved. The lift structure is to be amended to ensure the lift assembly, car and bridges are as transparent and minimal including as follows:
  - (i) Within the auditorium space, the revised design for the lift assembly and connecting bridges is to be as transparent as possible, utilising clear glazing for the shaft, the lift car and lift doors, and the balustrades. Glazing should be frameless with the supporting structure, handrails and handrail supports located internal to the glazing.

- (ii) The width of the bridges should be as minimal as feasible. The bridge floors should be glazed, with non-slip and obscure glazing as required. The suspended ceilings under the bridges are to be deleted. The main structural members could be inset so that the edges of the bridges are able to be as fine as possible. Consideration is to be given to glass beams.
- (iii) The design of the structural members supporting the shaft and the bridges is to ensure the members are of a minimal cross-sectional size and that the profile of the members should be open rather than rectangular hollow sections. The glazing should be external to all structure and be frameless.
- (iv) The handrails are to be designed to be as minimal as feasible and set behind frameless glazing, whilst complying with BCA and the Australian Standards. The material of the handrails is to be patinated bronze or an approved alternative.

### **(3) DESIGN DETAILS**

The following design details are to be submitted to, and are to be approved by, Council's Area Planning Manager prior to a Construction Certificate **for these works** being issued:

- (i) The proposed wall panel installation in the auditorium.
- (ii) The proposed operable curtain system dividing the entry hall.
- (iii) The three pairs of double doors located within existing openings on the western side of the entry hall providing access to the auditorium and the northern stair lobby.
- (iv) The commercial office partitions within the main auditorium which are to be as transparent as feasible.

### **(29) TOILETS FOR FOOD HANDLERS**

- (a) Adequate toilet facilities must be available for food handlers working for the food business. Toilets and associated facilities must be provided in accordance with AS4674 – Design, Construction and Fit-out of Food Premises and the Australia New Zealand Food Standards Code, 3.2.3 - Food Premises and Equipment.
- (b) Details of the location of toilets which are provided ~~exclusively~~ for the use of food handlers and staff working at the business must be submitted for the approval of the Accredited Certifier prior to the issue of a Construction Certificate.
- (c) The toilet(s) must be provided with a hand wash basin, with hot and cold running water mixed through a common spout, hand wash soap, hygienic hand drying facilities and hands-free taps.

## Background

Additional submissions have been received following the publication of the subject LPP report on the City's website. These submissions are from both surrounding residents and the applicant.

### *Additional Submissions*

At total of four additional submissions have been received. Generally, these raised matters which were addressed as part of the LPP report. Those matters which were not specifically covered by the LPP report are addressed below.

**Issue:** The proposed office partitions within the main hall will detract from the acoustic quality of the space and therefore the significance of the organ.

**Response:** As originally approved under D/2018/1526, the platform and mezzanine within the main hall were provided with a predominately open plan arrangement with two separate meeting rooms on the upper level, these drawings can be found in Attachment C of the LPP report.

The proposed arrangement of the fit out of the office premises is typical of an office premises to support its function. Within the main hall the fit out consists of the installation of partitions on the lower and upper levels of the previously approved mezzanine structure.

The partitions are approximately 2.4m in height and sit below the underside of the mezzanine and well below the ceiling of the hall. The proposed fit out works within the platform and mezzanine structure are entirely reversible.

The proposed partitions are setback from the organ and the curtains adjacent to the organ can be partially retracted to minimise the impact on the acoustic quality of the organ.

As noted in the LPP report nothing in the current proposal prohibits the use and access to the organ as required by the existing consent on the site (D/2018/1526). The adopted organ management plan under this previous consent includes a commitment from the site owner to hold two public events to witness the use of the organ.

**Issue:** The organ should be relocated to another property due to the detracting impact of the proposal.

**Response:** Relocation of the organ is substantially different from the proposal being considered by the Panel and would conflict with the current consent D/2018/1526. For the organ's removal to be considered an updated heritage impact assessment is needed as well as a clear plan and commitment from relevant parties. For example, the party who is to receive the organ detailing the proposed location, management arrangements and updated heritage impact assessment. Removal of the organ is inconsistent with the current heritage management approach.

## ***Applicant Submission***

A submission received from the applicant's representative seeks amendments to four of the recommended conditions (the full submission can be found in Attachment A). The conditions the applicant is seeking to have amended are:

- Condition 2 - Design Modifications
- Condition 3 - Design Details
- Condition 4 - Use of Entry Hall
- Condition 29 - Toilets for Food Handlers

The requested alterations to the conditions are discussed below.

### **Condition 2 – Design Modifications and Condition 3 – Design Details**

The applicant is seeking to have conditions 2 and 3 amended to require the submission of the necessary drawings/details prior to the issue of a Construction Certificate for the works under the conditions. The applicant submits that the amendments are required to allow the already well-advanced fit out works to continue on the site.

Condition 2 relates to the installation of the lift within the main hall while Condition 3 relates to various design details associated with the office premises and exhibition space fit out.

The proposed modification of the conditions is supported in this instance as it will allow the works to continue and design details can be resolved between the City and the applicant with reduced time pressures.

The amendment of the conditions is recommended to be supported as outlined above.

### **Condition 4 – Use of Entry Hall**

The applicant submits that the Paul Ramsay Foundation would like to amend the wording of this condition to allow the use for hosting events in conjunction with partner organisations that it supports as part of its charitable mission. The applicant submits that the use of the Entry Hall will be for events which are in the public interest. The proposed modification of the condition is shown below with amendments in ***bold italics***.

#### **(4) USE OF ENTRY HALL**

- (a) The Entry Hall (also known as the Great Hall) shall only be used as an *information and education facility* as defined by the Sydney Local Environmental Plan 2012 ***with the use of the site by the charitable foundation and which use may include hosting events in conjunction with partner organisations that it supports as part of its charitable mission.***
- (b) The entry hall must not be operated as a function space for third party users that are not tenants of the site.

The modification proposed by the applicant is not supported. No detail has been provided regarding the nature of these events. Concern is raised that amendment of the condition as proposed would be inconsistent with the *information and education facility* use. Amendment of the condition would reduce certainty for the City and the community. Additionally it should be noted that *function centres* are prohibited in the R1 – General Residential zone which applies to the site.

Condition 29 – Toilets for Food Handlers

The applicant submits that given the heritage constraints of the building and the small-scale nature of the proposed food and drink premises, the provision of an exclusive bathroom for the use of the food handlers will be challenging for the project.

The applicant's submission is supported and the requirement for the provision of exclusive toilet facilities has the potential for unnecessary heritage impacts. The condition will still require toilets to be available for staff of the food and drink premises.

The amendment of the condition is recommended to be supported as outlined above.

Prepared by: Patrick Quinn, Area Coordinator

**Attachments**

**Attachment A.** Additional Submissions

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Approved



**ANDREW THOMAS**

Executive Manager Planning and  
Development

# **Attachment A**

**Additional Submissions**

**Dr Kelvin Hastie OAM**

PhD (Syd), MPhil, MA, DipEd

**Pipe Organ Consultant**

PO Box 505 Miranda NSW 1490

23 April 2021

**FURTHER RESPONSE – FORMAL OBJECTION:  
D/2020/1397 – 262 Liverpool Street, Darlinghurst, 2010  
Former First Church Christ Scientist, Darlinghurst**

secretariat@cityofsydney.nsw.gov.au

**1. DISCLOSURE STATEMENT**

I am a contractor for Sydney City Council in the provision of consulting services for the 1886-89 Hill & Son Grand Organ in the Centennial Hall (Sydney Town Hall).

Since 2009 I have provided the Sydney City Council with a Condition Audit for the Grand Organ, developed job plans for work on the organ, issued numerous progress reports on completed work and in 2015 developed a Conservation Management Plan which complies with *NSW Heritage: Pipe Organ Conservation and Maintenance Guide* (NSW Heritage Office and Organ Historical Trust of Australia, 1998), itself based on the principles of the *Illustrated Burra Charter* (Australia ICOMOS, Sydney, 1992 version).

**2. FORMAL OBJECTION TO D/2020/1526**

On 15 February 2021 I submitted a Formal Objection to D/2020/1526 based on the failure of the proposals to comply with the principles of the *Australia ICOMOS Burra Charter, 2013*, notably in terms of Articles 7 and 8 which relate to setting, place and – importantly – compatible use.

One of my recommendations was that a new home for the organ be found, in consultation with the Organ Historical Trust of Australia, as the building alterations already completed, together with those proposed, do not provide an environment that is compatible with the organ's reasonable use as a musical instrument.

I am concerned that the objections I raised have not been fully addressed, or even understood.

### 3. FURTHER RESPONSE

The Council, in notes for the LPP, has responded to objections to D/2020/1526 related to the organ as Issue 47, items (i) and (r). The Council claims that nothing in the application prevents the organ from being used (page 26) and that access to the organ is required by D/2018/1526 (page 27).

While the response of the Council may be true in bureaucratic terms, it is not a reasonable response in terms of a realistic acoustical and musical future for this notable organ.

I need to stress again the importance of acoustical environment to the sound of the organ. Everything from the application of wind pressures, the number of stops, the design of the pipes, the materials used, and the voicing, regulating and positioning of the pipes, was calculated with the acoustics of a large open building and its acoustical environment fully taken into account.

It is not acceptable to trivialise the importance of the space on the conservation of the organ, especially in terms of *The Burra Charter*. Furthermore, it is not acceptable for a series of development applications to be made to the Council, each one representing a further erosion of the environment into which this significant heritage organ speaks.

Neither the Council, nor those firms engaged by the developers, have provided any evidence that they have sought or received advice from professional organ consultants, organists or acousticians with specialist knowledge of sound environments, professionals who could provide valid advice on the impact of closing off so much of the interior of the Auditorium on the sound of the organ. There is, for example, an Australian Acoustical Society that has expertise in the field of musical acoustics and can access best-practice at an international level, such advice relying on a depth of knowledge based on training, research, technology and – above all – experience.

While the Council applied conditions (2f, 33 and 34) to D/2018/1526, related to an organ management plan, retention of the organ chamber and maintenance, such conditions are worthless if the organ cannot be reasonably used as a musical instrument.

### 4. RECOMMENDATION

While it is always preferable for an organ to be preserved and used in its original home, there comes a point where this is no longer realistic or reasonable. If the present DA is approved, this point will have been reached, unless the Council or the firms employed by the developers can provide evidence to the contrary, based on the advice of professional organ consultants, organists or acousticians with expertise in music.

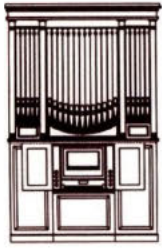
The cost of relocating the organ would be substantial – far more than keeping the organ *in situ*. As mentioned in my submission of 15 February 2021, relocating the organ should be done in

conjunction with the Organ Historical Trust of Australia and after a suitable new home is found, such as a large church, civic hall or school performing arts facility, etc. Such a move would need to be carefully managed so that the organ's immense heritage value is retained.

Yours sincerely,

A solid black rectangular box used to redact the signature of Kelvin Hastie.

Kelvin Hastie



**ORGAN  
HISTORICAL  
TRUST OF  
AUSTRALIA**  
ACN 005 443 372

PO Box 204  
Wahroonga NSW 2076

23 April 2021

DA Submissions  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001  
([dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au))

**D/2020/1397 - 262 Liverpool St, Darlinghurst**  
(Former First Church of Christ Scientist)

Our organisation submitted an objection to this proposal on 24 February 2021, concerning the maintenance and use of the heritage pipe organ.

The Council has responded as follows, in the notes prepared for the forthcoming meeting of the Local Planning Panel.

**Item (i)**

Issue: The submitted plan of management ignores the use of the organ.  
D/2018/1526 required that the auditorium was to be made available for public organ and chamber music recitals.

Response: Conditions of consent related to the use of the site and the organ remain in force even if the subject application is approved. Nothing in this application prevents the use of the organ as required under D/2018/1526.

**Item (r)**

Issue: If this application is approved it will result in the organ not being used due to the likely conflict between the organ being played and the office space be used at the same time.

Response: The access to the organ as required by D/2018/1526 will continue to be required.

It is pleasing that these conditions have been confirmed. However, our submission went on to comment on the unfavourable acoustic environment for the organ, due to the addition of

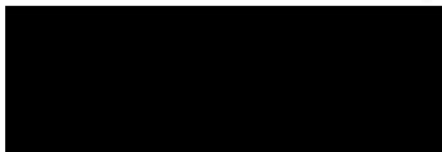
sound absorbent materials, especially in the enclosed office spaces which are to have 2.4 m high partitions, instead of the open plan arrangement previously approved. The organ was designed with power to fill the original large auditorium, whereas the emphasis in the new DA is on reduction of noise. If the acoustics of the space for music are to be further compromised, the effort and expense entailed in the Organ Management and Organ Maintenance Plans could be wasted. It would be better to consider transfer of the pipe organ to another more suitable space, such as a church, school or civic hall. However, the expense of moving, storage and re-erection would be considerable.

It is therefore suggested that amendments be made to the development conditions, such as:-

1. The effect of the alterations and additions on the acoustics of the auditorium on the sound of the heritage pipe organ is to be examined.
2. If a satisfactory compromise cannot not achieved, consideration should be given to the transfer of the organ to another location, as approved by the Organ Historical Trust of Australia.

As previously mentioned, The Organ Historical Trust of Australia (OHTA) may be able to assist in the relocation of redundant organs, as we provide a listing on our website to enable churches to contact owners or custodians. A co-ordinator arranges listing with details of the instrument and the person to contact. In recent years there have been a number of successful cases of instruments being relocated. (Please refer to [www.ohata.org.au](http://www.ohata.org.au) under 'redundant organs').

Yours faithfully



Director

23 April 2021

The Secretariat  
Local Planning Panel  
Email: secretariat@cityofsydney.nsw.gov.au

**Re: Dev Application: D/2020/1397, 262 Liverpool Street, Darlinghurst:**

*PAN-57031 Internal fit-out for an office premises, new mechanical exhaust and use of part of the ground floor for a food and drink premises (cafe).*

I wish to make the following written submission in relation to the above Development Application being heard by the LPP on Wednesday 28 April 2021.

**BACKGROUND:**

I note that in the papers prepared by Council for consideration by the LPP, Council recommends approval of D/2020/1397, subject to conditions set out in Attachment A.

Assessment Item 49, pg 28, states: *"The proposal supports the ongoing retention and conservation of the heritage item."*

Assessment Item 50, pg 28, states: *"Subject to conditions, the proposed works have an acceptable impact on the heritage significance of the site."*

Council's Reason (B), pg 3, for its recommended approval is that:

"(B) The proposed works are generally compatible with the heritage significance of the site, the exception being the proposed lift installation which is recommended to be addressed by conditions of consent."

**COMMENT:**

**Based on the objection I previously lodged to D/2020/1397 on 09 February 2021, I wish to make the following additional comments on Council's assessment, particularly in relation to its review of the impact of the latest fitout proposal on the heritage organ:**

1. The approved D/2018/1526 fitout scheme, for both the ground floor and the mezzanine, indicated open plan workstations without screens, which minimised the visual and acoustic intrusion of the mezzanine. This allowed organ and other music recitals to continue to be appreciated within the space that was designed for them.
2. Council's assessment of D/2020/1397 all but ignores the detrimental impact that the revised fitout – 2.4m high screened cubicles, enclosed offices, acoustic curtains, wall panels, and full height joinery units – will have on the already compromised acoustic of the heritage auditorium and its critical relationship to the heritage organ.
3. In its discussion paper prepared for the LPP, Council dismisses the objections raised about the lack of objective assessment of the diminished capacity of the auditorium to allow the tonal qualities of the heritage organ to be fully appreciated. (See below.)

**DETAILS to support the above comments:**

Under 'Heritage', Items 27-51, pgs 20 to 28 of its discussion paper, Council notes:

- Issue 47 (i) (pg 26): *The submitted plan of management ignores the use of the organ; D/2018/1526 required that the auditorium was to be made available for public organ and chamber music recitals.*

Council Responds: *Conditions of consent related to the use of the site and the organ remain in force even if the subject application is approved. Nothing in this application prevents the use of the organ as required under D/2018/1526.*

- Issue 47 (r) (pg 27): *If this application is approved it will result in the organ not being used due to the likely conflict between the organ being played and the office space be used at the same time.*

Council Responds: *The access to the organ as required by D/2018/1526 will continue to be required.*

I note the following Conditions of D/2018/1526:

- Condition (2)(f) requires: *An Organ Management Plan, including a commitment to hold a number of public events to witness the use of the organ, is to be submitted following consultation with the Organ Historical Trust of Australia.*
- Condition (33) requires: *RETENTION OF ORGAN CHAMBER: The organ chamber is to be retained in full and must be adequately protected to ensure its retention during construction works.*
- Condition (34) requires: *ORGAN AND ORGAN CHAMBER MAINTENANCE: The approved Maintenance Plan is to be amended to include details on the maintenance of the existing pipe organ and associated chamber. This amendment is to be approved by Council's Area Planning Coordinator/ Area Planning Manager prior to issue of a Construction Certificate.*

I wish to point out that, although Council continues to require compliance with Conditions 2(f), 33, and 34 of D/2018/1526, it fails to acknowledge that the organ, even if properly retained and maintained, can no longer be appreciated in an auditorium space that has been compromised by an insensitive office fitout.

## **SUBMISSION**

**I propose the following AMENDMENTS to the proposed Conditions of Consent:**

1. That Condition (15), PLAN OF MANAGEMENT, be amended by adding the following:  
The Tomasy Plan of Management 16 Dec 2020 is to also acknowledge and reference:
  - (a) the Organ Management Plan required as a Condition 2(f) of D/2018/1526; and
  - (b) the Organ Maintenance Plan required as a Condition 34 of D/2018/1526.
2. That Condition (17), ACOUSTIC REPORT, be amended by adding the following:  
The ADP Consulting Report dated 1 October 2020 is to also:
  - (a) determine the minimum acoustic requirements of the auditorium as a space suitable for the tonal qualities of the heritage organ; and
  - (b) assess the impact of the proposed fitout on the requirements determined in (a) and make recommendations to achieve compliance.

(ADP's Acoustic Report 1 October 2020 currently makes no mention of the acoustic requirements of an auditorium as a place suitable for organ recitals.)

Regards

[Redacted Signature]

23 April 2021

Patrick Quinn  
Area Coordinator  
City of Sydney

Via email: [pquinn@cityofsydney.nsw.gov.au](mailto:pquinn@cityofsydney.nsw.gov.au)

Dear Patrick

**RE: 262 LIVERPOOL STREET, DARLINGHURST NSW 2010  
DEVELOPMENT APPLICATION NO: D/2020/1397**

The purpose of this letter is to express concerns around the current wording of the Recommended Conditions of Consent which are currently proposed for the subject development application D/2020/1397 which is set for the agenda of the Local Planning Panel (LPP) meeting on the 28<sup>th</sup> of April 2021. We respectfully request further consideration as set out below.

There are four recommended conditions of consent which we would like to express concerns with as follows:

- **Condition 2 - Design Modifications**
- **Condition 3 - Design Details**
- **Condition 4 - Use of Entry Hall**
- **Condition 29 - Toilets for Food Handlers**

The applicant has provided a detailed response to each of these conditions as well as proposed modifications to the wording of these conditions within the content of this letter.

#### **Condition 2 Design Modifications**

An extract of the current wording of this condition is provided for ease of reference:

*“The following design modifications are to be submitted to, and are to be approved by, Council’s Area Planning Manager prior to a Construction Certificate being issued:*

*(a) The whole of the proposed lift assembly including the lift shaft, doors, connecting bridges, and handrails, proposed to the interior to the auditorium in the current form is not approved. The design of the lift structure is to be amended to ensure the lift assembly, car and bridges are as transparent as possible so as to minimise its impact on the significance of the interior space. In this regard:*

*(i) Within the auditorium space, the revised design for the lift assembly and connecting bridges is to be as transparent as possible, utilising clear glazing for the shaft, the lift car and lift doors, and the balustrades. Glazing should be frameless with the supporting structure, handrails and handrail supports located internal to the glazing.*

*(ii) The width of the bridges should be as minimal as feasible. The bridge floors should be glazed, with non-slip and obscure glazing as required. The suspended ceilings under the bridges are to be deleted. The main structural members could be inset so that the edges of the bridges are able to be as fine as possible. Consideration is to be given to glass beams.*

*(iii) The design of the structural members supporting the shaft and the bridges is to ensure the members are of a minimal cross-sectional size and that the profile of the members should be open rather than rectangular hollow sections. The glazing should be external to all structure and be frameless.*

*(iv) The handrails are to be designed to be as minimal as feasible and set behind frameless glazing, whilst complying with BCA and the Australian Standards. The material of the handrails is to be patinated bronze or an approved alternative.”*

Given the timing constraints of this project, which has a base building package under construction that requires integration works, it is proposed that Council consider rewording the DA condition as follows:

*“The following design modifications are to be submitted to, and ~~are~~ be approved by, Council’s Area Planning Manager prior to a Construction Certificate **for these works** being issued:*

The above amended wording should provide Council with the comfort that these works will need to be resubmitted for approval by Council before proceeding but will not hold up the remainder of the project from progressing to Construction Certificate stage while the updated design is being documented and resolved with Council.

In addition to the above, we provide the following additional considerations for Council before the wording of the condition is finalised.

- It is our understanding that under the wording of the current condition, if the DA were to be approved, the Area Planning Manager may not have the authority to approve the current design in the event that it is deemed to be a satisfactory outcome following a review of more detailed information to be submitted by the applicant under this condition. The wording as follows; “...in the current form is not approved. The design of the lift structure is to be amended...” should be reconsidered to provide Council with the scope to provide approval of the lift in a design which is close to its current form.
- We note that detailed investigations into the mezzanine lift were completed both prior to, and in parallel with, the subject development application. The current form of the lift has been developed with particular consideration of the following:
  - o From an architectural perspective, the following key issues were identified and have been responded to in the current design:
    - A glass lift would introduce a new ‘glossy’ object to the heritage space which has the potential to detract from the existing fabric. A glass lift would become a focal point for the space rather than forming something which sits in the background.
    - The solid lift enclosure is intended to be a canvas for a new commissioned art piece by the Paul Ramsay Foundation as part of their ongoing art acquisition program.
  - o The construction of a glass lift presents buildability issues with the lifting and handling of large glass panels within the existing space presenting a significant challenge for the project.

- The structural requirements of a lift shaft which does not have the opportunity to be tied into substantial adjoining structures as the lift is set out from the existing wall for heritage reasons and does not tie into the roof above, must be considered. The reduced opportunity for tie in with the surrounding structure impacts upon the strength and therefore type materials required for construction.
- There are important acoustic requirements of a lift which is located within an office space. A glazed lift car and shaft may have difficulty reaching the same level of acoustic performance as a lift in the currently proposed form.
- The height and depth of the lift pit and shaft has been determined based upon the current form and materiality. A change in materials has the potential to impact on the ability for the lift to fit within the existing heritage site constraints.
- Given the small scale of this lift, the density of the electrical and mechanical components is such that it still will not read as a pure glass prism.
- The location of the lift between 2 north facing windows (to avoid obstruction of light into the space where possible) presents the potential for head load issues within the lift which could result in discomfort for occupants.
- The heritage architect has supported the lift in its current form owing to its reversibility and its setback from the existing heritage fabric.

We are hopeful that a change in the wording of this condition can be accommodated so that the best outcome for the mezzanine lift can be investigated in parallel with a construction certificate being issued for the balance of the works.

### Condition 3 Design Details

An extract of the current wording of this condition is provided for ease of reference:

*“The following design details are to be submitted to, and are to be approved by, Council’s Area Planning Manager prior to a Construction Certificate being issued:*

- i. The proposed wall panel installation in the auditorium.*
- ii. The proposed operable curtain system dividing the entry hall.*
- iii. The three pairs of double doors located within existing openings on the western side of the entry hall providing access to the auditorium and the northern stair lobby.*
- iv. The commercial office partitions within the main auditorium which are to be as transparent as feasible.*

Given the timing constraints of this project we would like to propose that the Council consider rewording the DA condition as follows:

*“The following design details are to be submitted to, and ~~are~~ to be approved by, Council’s Area Planning Manager prior to a Construction Certificate **for these works** being issued:*

Again, the above amended wording should provide Council with the comfort that these works will need to be resubmitted for approval before proceeding but will not hold up the remainder of the project from progressing to Construction Certificate stage while the detailed design is being documented and resolved with Council to their satisfaction.

#### Condition 4 Use of Entry Hall

An extract of the current wording of this condition is provided for ease of reference:

- (a) *“The Entry Hall (also known as the Great Hall) shall only be used as an information and education facility as defined by the Sydney Local Environmental Plan 2012 in association with the charitable foundation use of the site.*
- (b) *The entry hall must not be operated as a function space for third party users that are not tenants of the site.”*

In relation to the above, the Paul Ramsay Foundation would like to propose a minor amendment to the wording of this condition to ensure that the site can be utilised for its intended use, which is to use the Entry Hall for its own purpose and which may include hosting events in conjunction with partner organisations that it supports as part of its charitable mission. The proposed amendment is as follows:

- (c) *“The Entry Hall (also known as the Great Hall) shall only be used as an information and education facility as defined by the Sydney Local Environmental Plan 2012 in association **with the use of the site by the charitable foundation and which use may include hosting events in conjunction with partner organisations that it supports as part of its charitable mission.**”*
- (d) *The Entry Hall must not be operated as a function space for third party users that are not tenants of the site or partner organisations of the charitable foundation as described in Condition 4(a).*

The above intends to provide Council and the Community with the comfort that the use of the Entry Hall will be for events which are in the public interest, and not functions for unrelated third parties, whilst providing the user of the site with the clarity to move forward with their intended vision for the space.

#### Condition 29 Toilets for Food Handlers

An extract of the current wording of this condition is provided for ease of reference:

- a) *“Adequate toilet facilities must be available for food handlers working for the food business. Toilets and associated facilities must be provided in accordance with AS4674 – Design, Construction and Fit-out of Food Premises and the Australia New Zealand Food Standards Code, 3.2.3 - Food Premises and Equipment.*
- b) *Details of the location of toilets which are provided exclusively for the use of food handlers and staff working at the business must be submitted for the approval of the Accredited Certifier prior to the issue of a Construction Certificate.*
- c) *The toilet(s) must be provided with a hand wash basin, with hot and cold running water mixed through a common spout, hand wash soap, hygienic hand drying facilities and hands-free taps.”*

Given the heritage constraints of the building and the small-scale nature of the proposed food premises, the provision of an exclusive bathroom for the use of the food handlers will be challenging for the project.

In addition to the above, previous advice from our BCA consultant on another application identifies the following issues with the wording of this condition:

- *“AS 4674 – Design, Construction and Fitout of Food Premises is not a requirement of the Building Code of Australia (2016). Clause F2.3 (d) of the Building Code permits employees and patrons to share sanitary facilities in class 6 buildings.*
- *The Australian and New Zealand Food Standards Code states that AS 4674 – Design, Construction and Fitout of Food Premises was designed to provide guidance on how to achieve compliance with the Australia Food Code therefore meaning the standard is not absolute for achieving compliance with this Code and is considered to be a guidance document.*
- *Although AS 4674 – Design, Construction and Fitout of Food Premises is not considered a*

*performance-based document like many other standards the provision for separate sanitary facilities for staff is written in such a way that it is a recommendation rather than a requirement.*

- **Clause 5.2.1 of the standard states that separate toilet facilities should be provided suggesting that the requirement is not mandatory.** Generally, words such as “shall” and “must” are used to require mandatory compliance with requirements in Australian Standards and the Building code of Australia.
- *In addition, the Australian and New Zealand Food Standards Code does not require separate sanitary facilities to be provided exclusively for staff members.”*


Based upon the above, we request the following amendment to the recommended wording of Condition 29:

*“(b) Details of the location of toilets which are provided **exclusively** for the use of food handlers and staff working at the business must be submitted for the approval of the Accredited Certifier prior to the issue of a Construction Certificate.”*

Should you require any further information with respect to this application please do not hesitate to contact the applicant.

Yours sincerely,



  
**Chief Operating Officer**  
**Paul Ramsay Foundation**

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Monday, September 1, 2025 2:34:53 PM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707Yirranma/the paul ramsey foundagion

Hi

Please could you log this as a submission (objection) to D/2025/707?

Thanks  
Sally

---

**From:** Daryl Feil [REDACTED]  
**Sent:** Monday, 1 September 2025 2:32 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** Fwd: DA/2025/707Yirranma/the paul ramsey foundagion

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Sent from my iPhone

Begin forwarded message:

**From:** Daryl Feil [REDACTED]  
**Date:** 1 September 2025 at 2:19:19 pm AEST  
**To:** [SShepherd1@cityofsydney.nsw.gov.au](mailto:SShepherd1@cityofsydney.nsw.gov.au)  
**Subject:** DA/2025/707Yirranma/the paul ramsey foundagion

I am a resident of 347 Liverpool st Darlinghurst 2011. I object to the above application due to closeness of our balconied, sound in a residential area and lack of parking with increased patronage. Please register my opposition. Yours faithfully, Prof D K Feil  
Sent from my iPhone

**From:** Matthew Sherb [REDACTED]  
[REDACTED]

**Sent on:** Monday, September 1, 2025 2:47:59 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Yirranma Place Development DA 2025/707

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hello

I write regarding Yirranma Place Development DA 2025/707.

I note that the Paul Ramsay Foundation has submitted a DA to Sydney City Council to allow up to twelve events per calendar month inside Yirranma Place and on its rooftop terraces by third party organisations.

While I respect the Paul Ramsay Foundation's philanthropic objectives, I object to the allowance of twelve events per month (or 3 events per week) - this will cause a loss of amenity and privacy to surrounding residents (including noise and vehicular traffic). A compromise could be to permit 6 events per month, and see how that goes. If it is satisfactory, the applicant could in the future apply for an increase.

Thank you.

Matthew Sherb  
40 Thomson Street  
Darlinghurst NSW 2010

**From:** Andrew Conway [REDACTED]  
[REDACTED]

**Sent on:** Monday, September 1, 2025 5:04:11 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally

I wish to raise an objection on the grounds of noise that will be created by allowing deliveries at 5am.

Trucks delivering goods create excessive early morning noise because of loud reversing beeps, vehicle doors and roller shutters opening and closing.

262 Liverpool Street Darlinghurst is a residential area not a commercial area. The noise impact in our residential area will affect hundreds of residents if a 5am delivery time is allowed.

7am is a more appropriate time of day to commence deliveries.

Regards

Andrew Conway

55/347 Liverpool street

Darlinghurst

Sent from my iPhone

**From:** Stuart Rattray [REDACTED]  
**Sent on:** Tuesday, September 2, 2025 7:45:41 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**CC:** [REDACTED]  
**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Ms Shepherd

I write to object to application D/2025/707 at 262 Liverpool Street, Darlinghurst, currently on exhibition with the City of Sydney.

While I admire the goals of the Paul Ramsay Foundation, as I understand them, and Yirranma Place is an innovative use of a landmark building, the further use of the building as requested in the DA is not suited to the location and context of the building and our neighborhood. The building is in a residential area - expanding the use of the building to host large, frequent social events with guests eating and drinking until 10pm on at least 2 external areas is akin to a non-residential environment such as a nightlife precinct.

Yirranma Place is surrounded by residential buildings. The roof terrace and second floor terrace both face into many apartments and town houses. I estimate they are within 30 to 40 meters of our balcony and rear facing windows in our apartment (one of 8 in our building similarly affected). And our neighbors are even closer to the area in question.

My specific concerns are

- 1) When the level 2 terrace of Yirranma Place is used under the current set of guidelines, it has on occasion been disruptive with significant noise impact to our apartment. We hear groups of people socializing loudly. This happens infrequently and is accepted as being part of community living as it is balanced, in my view. Significantly increasing the frequency of these events and opening the roof terrace will throw that balance out and it will be like living next door to the busy open terrace (up to 50 people?) of a boisterous pub. This effect will be amplified if the proposal to allow music on all outdoor spaces until 10PM is taken into account.
- 2) There are no barriers to sound traveling between the outdoor spaces of Yirranma Place and our apartment (along with others in our building). The back lane behind Liverpool street and Yirranma place acts like an echo chamber and sound reverberates between the high brick walls of 280 Liverpool street and 1 Darley Street. The sound level estimates in the Accoustic report attached to the DA are confronting for those of us who are neighbors to Yirranma Place. (I have read the Accoustic Report attached to the DA, and I'm not sure it takes into account these Accoustic characteristics of the buildings and lane behind Yirranma Place and Liverpool street, it was a fairly technical document so it's possible I missed it.)
- 3) As well as being a residential neighborhood, our area of Darlinghurst is home to many heritage and established dwellings. These are older structures and may not have the latest sound proofing in place, so are susceptible to neighboring noise. I know from our building, we hear the occasional party or gathering from neighbors in neighboring streets. As a community, these occasional disturbances are accepted as they are occasional and we know we can always reach out to neighbors to discuss any concerns in a neighborly fashion. If a corporation is allowed to disturb the neighborhood frequently with large social gatherings (as requested) our community will lose that ability to hold a balance and the fabric of that community will be changed significantly.

In summary, I object to this DA as it is not fitting, from an accoustic perspective, with the neighborhood in which it is requested.

I am happy to discuss any aspect of this submission.

Regards

Stuart Rattray  
Unit 11  
280 Liverpool Street  
Darlinghurst

**From:** Rodney Hanratty [REDACTED]  
**Sent on:** Tuesday, September 2, 2025 3:23:43 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**CC:** council@cityofsydney.nsw.gov.au; John Lam-Po-Tang <jlpt@mac.com>; sydney@parliament.nsw.gov.au  
**Subject:** STRONG OBJECTION: DA/2025/707/ Yirranma Place, 262 Liverpool St, Darlinghurst - Objection

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom It May Concern,

I have been a resident of Forbes St for 25 years, and have had to deal with a consistent flow of DA or modifications from 262 Liverpool St over that time.

The Ramsay Foundation purchased the property with the consents in place that protected the local amenity of its residential neighbours but has shown that it relentlessly tries to turn the building into a de facto function centre which it is ill suited due to the residential neighbourhood in which it stands.

I wish to lodge my strong objection to the proposed Development Application in place for the Yirranma Place, on Liverpool St, Darlinghurst. The proposed Development Application represents a significant change in use of the property, especially during the evenings, nights, and weekends, resulting in a loss of amenity for the residents of Forbes St, Darley St and Liverpool St, as well as neighbouring streets.

The proposal to host up to 12 functions a month - that is, 144 per year - poses an unacceptable change to the use of the property on 262 Liverpool St. The neighbourhood is overwhelmingly residential. Prior to the development of Yirranma Place, there was no commercial activity on the site, as it was a church. The use of the space for events will create increased noise prior to, during and after the hours of the proposed events, as well as increased traffic. There is already limited parking for local residents, and the proposal will create intolerable parking issues up to 144 times per year.

Additionally, the proposal to permit deliveries to the site from as early as 5 AM is unacceptable, exposing local residents to increased noise on the affected days, from 5 AM until midnight, up to 144 times per year. We already have had numerous examples of rubbish or delivery trucks blocking the foot path on Forbes St.

The Foundation has not been responsive to these breaches of their current consent & we have had only one direct meeting with Cindy Penrose when she was CEO in 2022 so this proposal for a community liaison group is laughable & they have no attempt to connect with their immediate neighbours until yet another DA has been thrust on us - they need to live within the limits of their existing conditions & no inflict this war of DA attrition on their neighbours.

The proposal to use Yirranma Place as a commercial function centre has already been put to the City of Sydney, and previously rejected, and I request that the current proposal be rejected again, for the same reasons as in 2021.

Yours sincerely,

**Rodney Hanratty**  
Forbes Street Darlinghurst  
e: [REDACTED]  
m: [REDACTED]



**From:** Shelter Admin [REDACTED]  
**Sent on:** Tuesday, September 2, 2025 2:48:36 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Letter of Support – Yirranma Place Development Application D/2025/707  
**Attachments:** Shelter NSW Letter of Support Yirranma Place.pdf (82.45 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi team,

Please find attached letter of support on Yirranma Place Development Application on behalf of Shelter NSW. Please let me know if you require anything further from our end.

Thank you,  
Matilda Sutherland (she/her)  
Program Coordinator | Shelter NSW  
Level 1, Yirranma Place, 262 Liverpool Street, Darlinghurst NSW 2010  
[www.sheltersnsw.org.au](http://www.sheltersnsw.org.au) | [Facebook](#) | [Twitter](#)  
Get Shelter NSW housing news and analysis by [subscribing to our newsletter](#)



*Shelter NSW acknowledges the traditional custodians of this land. We acknowledge the deep and lasting connection of Aboriginal and Torres Strait Islander Australians as the custodians of our Country. We pay our respects to the Gadigal People of the Eora Nation, past and present, on whose traditional land we work. Always was, always will be, Aboriginal land.*

262 Liverpool Street  
Darlinghurst NSW 2010

02/09/2025

**City of Sydney Local Planning Panel**

GPO Box 1591  
Sydney NSW 2001

By email: [dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au)

**To the Chair and Members of the City of Sydney Local Planning Panel**

**Re: Letter of Support – Yirranma Place Development Application D/2025/707**

I am writing to express my support for the proposed amendments to the Development Consent for Yirranma Place, 262 Liverpool Street, Darlinghurst on behalf of Shelter NSW. Shelter NSW is an independent, non-profit, member-driven organisation that has been advocating for better housing outcomes since 1975. We represent the broad interests of a diverse network of members, partners and aligned industry stakeholders who share our vision of a secure home for all NSW residents.

I understand the proposed changes include:

1. Broadening access to the Blue Gum Hall so that third-party for-purpose and community-focused organisations can use the space.
2. Increasing the number of permitted after-hours events where food and beverage is served from two to twelve per month.
3. Allowing the Two Good Co. café to provide outdoor seating within the portico during operating hours.
4. Permitting early morning café deliveries from 5 a.m. (on Liverpool Street only).
5. Allowing controlled, low-level background music in select outdoor spaces during daylight hours.

Shelter NSW believes these changes will enhance Yirranma Place's role as a community asset and how it creates more opportunities for local and purpose-led organisations to convene, collaborate and deliver benefit to the broader community.

In particular:

- Expanding access to the Blue Gum Hall will allow more charities, community groups and mission-aligned organisations to use an inclusive, high-quality venue in a central location.

- Increasing after-hours events will ensure more initiatives can proceed that might otherwise be hindered by the current restrictions — and I understand these are typically small, well-managed and conclude before the 10 p.m. limit.
- Outdoor seating will improve the patron experience at the café and extend the valuable training opportunities for women participating in the Work Work program run by Two Good Co.
- Early morning deliveries will improve café operations and reduce inefficiencies, allowing staff to focus on training participants and serving customers well.
- Low-level background music, thoughtfully managed, will enhance the atmosphere for visitors while maintaining respect for the surrounding neighbourhood.

From my perspective, the Yirranma Place team has demonstrated a commitment to responsible and considerate management of the precinct, and I trust they will continue to ensure these changes are implemented in a way that safeguards local amenity while strengthening community access.

I therefore support the proposed amendments and encourage their approval.

Kind regards,



John Engeler  
Shelter NSW  
admin@sheltersnsw.org.au

**From:** Tariq Scherer [REDACTED]

**Sent on:** Wednesday, September 3, 2025 7:10:23 AM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Objection to DA D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Tariq Scherer

Unit 28/200 Forbes Street

Darlinghurst NSW 2010

3rd of September 2025

Attention Sally Shepherd

Planning Assessment Team

City of Sydney Council

GPO Box 1591

Sydney NSW 2001

**Subject:** Objection to DA D/2025/707 – 262 Liverpool Street, Darlinghurst

Dear Sir/Madam,

I am a neighbouring resident and write to object to DA D/2025/707 for 262 Liverpool Street, lodged by the Paul Ramsay Foundation Limited. This application seeks variations to the existing approval (D/2020/1397 and D/2020/1397/A) that materially alter the impact of the use on surrounding residents. My concerns are set out below, with specific reference to the proposed variations.

---

**1. Early Morning Deliveries (Condition 12 Variation)**

- **Current approval:** Deliveries permitted **7:00 am–7:00 pm** only.
- **New proposal:** Deliveries from **5:00 am**, restricted to Liverpool Street.

**Objection:**

Deliveries at 5:00 am will generate unacceptable noise impacts, including reversing beepers, truck engines, and unloading activities, in a mixed residential neighbourhood where residents reasonably expect quiet during night-time and early morning hours. The City's own **Development Control Plan (Noise and Pollution controls)** emphasises protection of residential amenity during sensitive early hours. This variation undermines that intent and should be refused.

---

## 2. Outdoor Café Seating (New Approval Sought)

- **Current approval:** No outdoor seating permitted.
- **New proposal:** External seating for up to **24 patrons**.

### Objection:

Outdoor seating will introduce continuous spill-out noise (conversations, table movement, service noise) directly onto Liverpool Street. Unlike indoor café use, this cannot be acoustically contained. The SEE does not demonstrate how 24 seats can operate without significant adverse impact on residents, particularly in evenings. Furthermore, Darlinghurst's narrow footpaths raise issues of pedestrian obstruction and safety. The outdoor seating request should be refused or, at minimum, conditioned with strict limits (hours, patron numbers, and no alcohol service outdoors).

---

## 3. Frequency of Third-Party Events (Condition 11 Variation)

- **Current approval:** Max **2 after-hours events per month** (serving food/drink after 6 pm).
- **New proposal:** Up to **12 events per month** (generally Tue–Thu; weekend events only 7 am–5 pm).

### Objection:

Expanding from **2 to 12 events per month** represents a six-fold increase in after-hours activity. This will result in:

- More frequent evening traffic movements and drop-offs;
- Higher levels of amplified speech/noise associated with functions;
- Greater cumulative impact on local residential amenity.

The **cumulative intensity** is excessive for a residentially proximate site and inconsistent with the balance struck in the current consent. There is no reasonable basis for a change in the current proposed number of events as neither the residential nature of the neighbourhood nor the purpose of the function areas have changed since the last DA was discussed and approved. The six-fold increase is clearly an attempt to undermine the previous DA conditions and is **excessive and unwarranted**.

---

## 4. External Background Music (Condition 13 Variation)

- **Current approval:** No music permitted in outdoor areas.
- **New proposal:** Low-level background music in **portico, rooftop, and Level 2 terrace** (daytime only).

### Objection:

Allowing outdoor amplified music, even “background,” introduces a precedent that was deliberately prohibited under the existing consent. Music transmission outdoors is difficult to regulate and enforce, and “ levels are often exceeded in practice. With nearby residences overlooking these areas, noise intrusion will be unavoidable and contrary to the protective intent of Condition 13. This variation should be refused.

---

## Conclusion

Each of the proposed changes—**early morning deliveries, outdoor seating, increased event frequency, and outdoor music**—represents a significant departure from the balance achieved in the existing consent. Collectively, they risk **substantially eroding residential amenity** in Darlinghurst through noise, traffic, and loss of quiet enjoyment.

For these reasons, I respectfully request that DAD/2025/707 be **refused** in its current form, or that the variations be significantly scaled back and conditioned to protect the neighbourhood's amenity.

Yours sincerely,

Tariq E. Scherer

**From:** Rodney Hanratty [REDACTED]  
**Sent on:** Tuesday, September 2, 2025 3:23:43 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**CC:** council@cityofsydney.nsw.gov.au; John Lam-Po-Tang <jlpt@mac.com>; sydney@parliament.nsw.gov.au  
**Subject:** STRONG OBJECTION: DA/2025/707/ Yirranma Place, 262 Liverpool St, Darlinghurst - Objection

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom It May Concern,

I have been a resident of Forbes St for 25 years, and have had to deal with a consistent flow of DA or modifications from 262 Liverpool St over that time.

The Ramsay Foundation purchased the property with the consents in place that protected the local amenity of its residential neighbours but has shown that it relentlessly tries to turn the building into a de facto function centre which it is ill suited due to the residential neighbourhood in which it stands.

I wish to lodge my strong objection to the proposed Development Application in place for the Yirranma Place, on Liverpool St, Darlinghurst. The proposed Development Application represents a significant change in use of the property, especially during the evenings, nights, and weekends, resulting in a loss of amenity for the residents of Forbes St, Darley St and Liverpool St, as well as neighbouring streets.

The proposal to host up to 12 functions a month - that is, 144 per year - poses an unacceptable change to the use of the property on 262 Liverpool St. The neighbourhood is overwhelmingly residential. Prior to the development of Yirranma Place, there was no commercial activity on the site, as it was a church. The use of the space for events will create increased noise prior to, during and after the hours of the proposed events, as well as increased traffic. There is already limited parking for local residents, and the proposal will create intolerable parking issues up to 144 times per year.

Additionally, the proposal to permit deliveries to the site from as early as 5 AM is unacceptable, exposing local residents to increased noise on the affected days, from 5 AM until midnight, up to 144 times per year. We already have had numerous examples of rubbish or delivery trucks blocking the foot path on Forbes St.

The Foundation has not been responsive to these breaches of their current consent & we have had only one direct meeting with Cindy Penrose when she was CEO in 2022 so this proposal for a community liaison group is laughable & they have no attempt to connect with their immediate neighbours until yet another DA has been thrust on us - they need to live within the limits of their existing conditions & no inflict this war of DA attrition on their neighbours.

The proposal to use Yirranma Place as a commercial function centre has already been put to the City of Sydney, and previously rejected, and I request that the current proposal be rejected again, for the same reasons as in 2021.

Yours sincerely,

**Rodney Hanratty**  
Forbes Street Darlinghurst  
e: [REDACTED]  
m: [REDACTED]



**From:** Della Stanley [REDACTED]  
[REDACTED]

**Sent on:** Wednesday, September 3, 2025 11:05:56 AM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam

I am a resident living at 227 Forbes Street in Darlinghurst. I have lived here in this residential area of Darlinghurst for over 20 years. I oppose the development application for the following reasons:

1. The application is seeking approval to hold up to 12 “events” per calendar month in a residential area. This is 144 events each year, approximately 3 events every week. The parking situation in Forbes Street and Liverpool Street (as well as surrounding streets) is already extremely difficult for residents. Very few houses have garages as they are old terrace houses. This means every resident who has a car must find street parking. There is a private school at the end of Forbes Street and the many visitors to the school also compete with residents for parking. As a resident of Forbes Street who has a car, it is not uncommon for me to spend 15 to 20 minutes driving around the streets close to my house looking for a park when I arrive home. I have a resident’s permit but it is only valid for Area 17 which means that I need to park in the streets closest to my home or risk a fine. The Ramsay Centre has limited parking spots which means that anyone attending an event will be parking in the surrounding streets. Even if only 4 or 5 people attending each even arrive by car that will be enough to make the parking situation for residents worse than it already is. There is no way for Ramsay to stop people arriving by car. Even if they try to encourage people to catch public transport, this will not appeal to some attendees.
2. The already dire parking situation is not well understood by Ramsay. At an evening I attended where the developments were discussed I was assured that “not many” patrons would arrive by car to attend events. This shows me that the person I was speaking to does not appreciate just how difficult is already is to park a car in our area. All it will take is a few extra cars to make the parking situation even worse. When I raised the fact that there is already a large school at one end of the street I was told that it was “down the other end of the street”. This showed me that the person I was speaking to had absolutely no idea how bad the parking situation was as the school, even though it is at the other end of the street, makes an impact on parking for many blocks around the school. I was told that parking officers would enforce one hour limits. On rare occasions parking fines are issued to those outstaying the one and two hour limits but this will have no impact on future visitors to events. It only has an impact if someone is attending the street on a regular basis. I was also told that most functions would be held during the week and not on the weekend so I should not worry. Parking is at its worst during the week, mainly because of the school which is Monday to Friday.
3. This is a residential part of Darlinghurst. This is not an area where regular functions should be held. Residents might have a party or an event and other residents understand this. However there is no resident who has 3 parties or events every week or 144 events every year. As a resident in Darlinghurst we are already accustomed to difficult parking and to some degree of noise as this is a built up area. We should not have to be subjected to the parking problems and noise associated with a function centre. My understanding when the Centre opened was that they were permitted to hold “exhibitions” – 2 per month. It seems to be that this latest application is an attempt to go much further that the terms on which the Centre was originally approved.
4. The application is also proposing 5am deliveries. Many residents live in extremely close proximity to the Centre and is highly likely that they will be subjected to engine noise and other car noises at 5am, as well as the noise from workers if this goes ahead. Any other noise proposed in a residential

area (such as heavy machinery, public works etc) is scheduled to occur after 7am and the deliveries to the Centre which is in a residential area should also occur after 7am.

5. Background music is also proposed on the outside terraces of the Centre. Why should residents who bought or rented their properties in a residential part of Darlinghurst have to be subjected to this music for clients of the Centre on a regular basis? This is not the place for a function centre – right in the middle of a crowded residential area.
6. I have not been impressed with the Centre's "community consultation". At the event I attended a person attempted to persuade me that even though the application was for up to 12 functions a month, the reality would be that there would be less. This kind of verbal assurance means nothing if the application to hold up to 12 functions a month is granted. I was also told that my concerns regarding parking were unfounded as "not many" people would drive to events. Again this just showed me the lack of understanding for how tight the parking situation is in the area.

The application should not succeed. If it is allowed to succeed it is showing others the way to get around zoning laws, which is to keep seeking more that was originally permitted by the terms of the original DA.

Regards

Della Stanley  
227 Forbes Street  
Darlinghurst  
NSW 2010



**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, September 4, 2025 10:04:55 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: Objection to Development Application DA/2025/707 – Yirranma / The Paul Ramsay Foundation

Hi

Please lodge as an objection to D/2025/707

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**From:** Rachel Anker [REDACTED]  
**Sent:** Tuesday, 2 September 2025 8:35 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** Objection to Development Application DA/2025/707 – Yirranma / The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Rachel A  
5/1b Darley Street, Darlinghurst NSW 2011

Attention of Sally Shepherd  
City of Sydney Council

**Re: Objection to Development Application DA/2025/707 – Yirranma / The Paul Ramsay Foundation**

Dear Sally,

I wish to respectfully lodge an objection to Development Application DA/2025/707/ Yirranma / The Paul Ramsay Foundation.

I want to acknowledge the important contribution of the Paul Ramsay Foundation to the community and note that my objection is not to the organisation itself, but to the significant **noise impacts** that would arise from events at this location and the negative impact they would have on my family.

My home is directly behind the venue, with both my bedroom and my children's bedroom facing the site (Less than 10 meters from the rooftop). Evening noise is of particular concern to us. After **7:00pm**, young families like ours and our neighbours are relaxing and preparing for sleep, or if we are lucky our young children are already asleep. Even moderate levels of amplified noise or large gatherings at that time would cause unacceptable disturbance, particularly for children.

For this reason, I strongly request that **no events be permitted after 7:00pm**, in order to protect the health, wellbeing and residential amenity of neighbouring households. If the DA cannot be amended to include this condition, I believe it should be refused.

Thank you for considering my objection.

Yours faithfully,  
Rachel Anker

[REDACTED]

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, September 4, 2025 10:08:24 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: Objection to DA/2025/707 – Yirranma/The Paul Ramsay Foundation

Please log as an objection to D/2025/707

Thanks  
Sally

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**From:** Nadine Blackie [REDACTED]  
**Sent:** Tuesday, 2 September 2025 10:06 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** Objection to DA/2025/707 – Yirranma/The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

I am writing to object to DA/2025/707 from the Paul Ramsay Foundation regarding Yirranma Place. While I respect the Foundation's work, this proposal would have a serious negative impact on our family and many other residents in the area.

The rooftop terraces are less than 30 metres from nearby balconies and our bedrooms. Noise from events has been estimated at up to 75dB, which is louder than kerbside traffic and completely unsuitable in a residential setting. This level of disruption would significantly reduce the amenity and privacy of our homes.

In addition, parking in the area is already under heavy pressure from existing building uses. Hosting up to twelve events per month would further strain parking availability and extend the disruption well into the evenings.

For these reasons, I strongly urge the council to reject this Development Application to preserve the amenity, privacy, and liveability of the neighbourhood.

Sincerely,

Nadine Blackie

Resident of 1/1b Darley Street, Darlinghurst  
Mobile | [REDACTED]

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, September 4, 2025 10:09:31 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: Objection to Development Application DA/2025/707-Yirranma/ The Paul Ramsay Foundation.

Please log as an objection to D/2025/707

-----Original Message-----

From: Michael Anker [REDACTED]  
Sent: Wednesday, 3 September 2025 2:40 PM  
To: Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
Subject: Objection to Development Application DA/2025/707-Yirranma/ The Paul Ramsay Foundation.

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

We write as long term residents of Potts Point to respectfully object to Development Application DA/2025/707- Yirranma/ The Paul Ramsay Foundation.

While we value the Foundation's contribution to the community, we are deeply concerned about the very real impacts this DA would have on the neighbourhood, particularly for elderly residents and families.

Parking in this area is already scarce and difficult for those of us who are older and less mobile. The frequency of events proposed per calendar month would place further pressure on local streets, making day to day life unnecessarily stressful.

We are also grandparents who regularly babysit our grandchildren in the area. The proposed rooftop events, particularly on the evenings, raise serious concerns about noise disturbance. Children require quiet evenings to rest, and repeated events with amplified noise would disrupt not only them but also the peace and amenity of the wider community.

For these reasons, we strongly object to the DA in its current form and urge Council to either refuse it outright or impose strict conditions, including limiting the number of events per month to 1 and banning rooftop events after 7:00pm.

Thank you for considering our submission.

Yours sincerely,

Michael and Marlee Anker.  
Sent from my iPhone

**From:** Sandy Bresic [REDACTED]

**Sent on:** Thursday, September 4, 2025 11:41:34 AM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To Whom It May Concern,

Re: **D/2025/707**

I wish to lodge my strong objection to the proposed Development Application in place for the Yirranma Place, on Liverpool St, Darlinghurst. The proposed Development Application represents a significant change in use of the property, especially during the evenings, nights, and weekends, resulting in a loss of amenity for the residents of Darley, Forbes, and Liverpool Street, as well as neighbouring streets.

The proposal to host up to 12 functions a month - that is, 144 per year - poses an unacceptable change to the use of the property on [262 Liverpool St](#). The neighbourhood is overwhelmingly residential. Prior to the development of Yirranma Place, there was no commercial activity on the site, as it was a church. The use of the space for events will create increased noise prior to, during and after the hours of the proposed events, as well as increased traffic. There is already limited parking for local residents, and the proposal will create intolerable parking issues up to 144 times per year.

Additionally, the proposal to permit deliveries to the site from as early as 5 AM is unacceptable, exposing local residents to increased noise on the affected days, from 5 AM until midnight, up to 144 times per year. We already have had numerous examples of catering & furniture hire delivery trucks blocking the road and foot path on Darley Street.

The proposal to use Yirranma Place as a commercial function centre has already been put to the City of Sydney, and previously rejected, and I request that the current proposal be rejected again, for the same reasons as in 2021.

Yours sincerely,  
Sandy Bresic  
Unit 13/2A Darley Street  
Darlinghurst 2010

[REDACTED]  
Sent from my iPhone

**From:** [REDACTED]  
**Sent on:** Thursday, September 4, 2025 4:41:25 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au  
**CC:** SShepherd1@cityofsydney.nsw.gov.au  
**Subject:** DA/2025/707 - 262 Liverpool Street Darlinghurst  
**Attachments:** 262 Liverpool - Operational Changes .pdf (136.9 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Our response to the subject Development Application is attached.

Regards,  
Andrew & Rosemary Sadowskyj

Andrew and Rosemary Sadowskyj  
343 Liverpool Street  
Darlinghurst  
NSW 2010  
Contact: [REDACTED]

4 September 2025

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

[dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au)  
[council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: **Manager Planning Assessment**

**Development Proposal**

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**Reference Number D/2025/707**

Applicant Name	Paul Ramsay Foundation
Property Address	262 Liverpool Street, Darlinghurst NSW 2010
Proposal	Use of Entry Hall for third party groups 12 times per month New external seating for café Permit deliveries from 5am Permit music playing within outdoor areas

Exhibition Period	Closing 5 September 2025
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Dear Sir/Madam,

We are owners and residents of a terrace house located at 343 Liverpool Street Darlinghurst, which is opposite the Applicant's property address.

Our comments on the proposed development application follow: -

**Proposed Change 1**

Enable the use of the Blue Gum Hall by third-party community, or for-purpose organisations and groups with a focus on social and community purpose (not for private or commercial client events or parties).

***Response:***

*The Hall should only be used as an information and education facility in association with the charitable foundation of the site. No other purposes should be allowed.*

**Proposed Change 2**

The proposed number of events held in the Blue Gum Hall is up to 12 events per calendar month where food and beverage are served.

***Response:***

*The current approved number of events is 2 per month  
An average of 3 events per week is excessive and considered an ambit claim.  
Given the residential context of the facility and provided the Hall is only used for information and education purposes, perhaps 3 events per month could be tolerated.*

**Proposed Change 3**

External seating for café usage during opening hours for 24 seats.

***Response:***

*There is no objection to the proposed change.*

**Proposed Change 4**

Deliveries permitted from 5am, prior to the opening of the café.

***Response:***

*We strongly object to this proposal.*

*Allowing 5:00AM deliveries is particularly disrespectful to local residents and causes unacceptable impacts to residents.*

*The assessors of this proposed application should appreciate that this area is highly populated. Residents do not want to be woken up at 5:00AM by manoeuvring delivery vehicles.*

*It is noted that the nearby loading zone for 2 spaces operates from 8:30AM to 5:15PM M-F. They are prized spaces for residents returning from work after 5:15PM and are unrestricted until 8:30AM the following working day.*

*The Applicant has not taken into account that these spaces will nearly always be occupied when their deliveries are proposed. The Applicant has not provided any alternative delivery strategy in case the loading spaces are occupied. Double parking is not a safe option.*

*If per chance a loading zone space is available, the delivery vehicle will need to reverse into the space activating its reverse alarm causing serious disruption to resident trying to get some sleep.*

*Noise impacts will also be generated from the driver exiting the vehicle, opening the vehicle doors/shutters and securing the goods at the café and then the reverse process of returning to the vehicle and departing.*

**Proposed Change 5**

Background music to be permitted in external spaces during daytime hours

***Response:***

*We strongly object to this proposal.*

*Our precinct is already heavily polluted from various noise emissions.*

*There is no public interest in this proposal nor any benefit for the operator or its patrons.*

Please do not hesitate to contact us should you wish to further discuss the matters raised.

Yours sincerely,



Andrew and Rosemary Sadowskyj

**From:** [REDACTED]

**Sent on:** Thursday, September 4, 2025 2:46:59 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** objection/comments Ref.No D/2025/707 Site 262 Liverpool street Darlinghurst NSW 2010

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam,

I am resident of 200 Forbes Street, Darlinghurst 2010 for more than 24 years, share with site 262 Liverpool street, their back wall and Forbes street, bought my unit more than 24 years ago, in residential area, if I was aware that non-residential activities will start close to me I will not financially and personally invest in this area. Activities in Entry Hall are increasing slowly, and they did not declare them when recently they changed the function of Entry Hall.

My Comments

The increase in proposed activities will case damages to me and neighbours, obvious damages are as follows.

- 1, Finacial, loss of value, the area is losing its place as mainly residential area. This by increasing the non-residential activities near it.
- 2, noise, the proposed additional activities will increase the amount of noises at additional hours, and After that during approved hours.
3. Traffic, cars or people will increase during the proposed additional activities and after that.
4. Parking, Increase our parking problems, to residents and their visitors.
5. Security, The increase in activities, traffic, people, working or customers and at early hours will bring many unknown people to the residential area.

Best regards

Mustafa Alkhatib  
7/200 Forbes Street  
Darlinghurst  
NSW 2010  
Mobile [REDACTED]

**From:** [REDACTED]

**Sent on:** Thursday, September 4, 2025 5:09:35 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**CC:** cmoore@cityofsydney.nsw.gov.au

**Subject:** DA2025/707 at Yirranma Place, 262 Liverpool St Darlinghurst

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney and Mayor Clover Moore,

Greetings! I enjoy living in this wonderful area Darlinghurst but I am concerned about the impacts on our local community from this DA which I sincerely hope you will not approve.

I am concerned about the pressure this will put on our already difficult parking situation in Forbes, Thomson and Liverpool Streets. As you are of course aware we pay for the ability/ right to park in our area and unfortunately it is growing more and more difficult. I am in my mid-sixties and still work three days a week in a rehabilitation hospital. I also visit my elderly childless aunt, who has dementia, on a daily basis. Tying to find parking at most times of day around here is like looking for the pot of gold at the end of the rainbow.

Any additional car parking demands due to the proposed evening events, both for staff and for visitors will be dreadful. Often there are evening events at SCEGGS and NAS, sometimes on the same evening and it is incredibly difficult. This is supposed to be a residential area but it seems that the influence of the Ramsay Foundation is eroding that DA by DA. I recommend that you listen to the objections of my neighbours and myself, and decline to approve this DA.

Yours sincerely,

Michelle Hall

**From:** Simon Stone [REDACTED]

**Sent on:** Thursday, September 4, 2025 10:07:18 PM

**To:** council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au

**Subject:** D/2025/707

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney

I'm getting in touch to object to the latest DA by Ramsay Foundation for Yirranma Place (262 Liverpool St)  
Please remove personal identifiers if you need to publish this submission.

My family and I live directly across Forbes St from Yirranama Place. My partner and I have 2 young boys aged 2 & 4. We bought our terrace almost 5 years ago (Nov 2021) with the intent to stay for a long time- there is a lovely residential nature to this part of Darlinghurst which will help us raise our family while being accessible to work in the city. Unfortunately within a month or so of buying we became aware of Ramsay's application to run Yirranma as a function centre with the ability to have functions of up to 398 people and events until midnight. We thought we had made a terrible decision to move in with a family and were concerned property values would plummet and we'd lose a lot of money. Fortunately the local community rallied and Ramsay's application was defeated.

Given this background we were very surprised when earlier this year Ramsay expressed the intent to submit another DA which would again turn Yirranma Place in to a function centre in all but name. We are aware that many of our neighbours have submitted objections and we support their perspective - Yirranma Place is not the right area to host any more functions than it does currently. The parking situation is very bad and the area is not appropriate for events, loud music and 5AM afe deliveries.

We would like to add further perspective as to why this latest DA should be declined

Firstly, in good faith we spent a lot of time and effort engaging Ramsay and providing feedback. We attended a drop in session and had email exchanges with both Ramsay and their consultants several times. We feel our feedback has been totally ignored and in fact note that Ramsay organised a special morning tea to which only a few people were invited (not ourselves) despite our efforts to engage them constructively. The Ramsay submission makes a big deal about their community engagement but the reality is they have barely changed their submission despite a groundswell of objections from the local community. This suggests their community consultation was token and not in good faith

Secondly, despite the huge lobbying efforts the only entities to provide letters of support for the DA are 5 organisations not located in the neighbourhood. Their submissions are very similar which suggests they were given the content to submit. From what we can tell not a single local resident has submitted in support of the DA. This is telling

Finally, Ramsay has not helped remedy the major parking issues despite being able to. During the consultation it was confirmed that Yirranma's underground car parking is allocated solely to Ramsay senior management and is only shared with other staff ad hoc. This is very disappointing given how dire the carparking issue is. The least that Ramsay could do is to maximise the use of their off street parking. The DA proposal to allow an additional 12 events a month will only make a terrible car parking situation much worse. As the parents of young children the reality is that we need a car to transport our kids around extra curricular activities after daycare / school. Additional events at Ramsay will mean that we will spend lots of time circling the neighbourhood waiting for Ramsay guests to vacate carparks. We simply do not believe Ramsay's assertion that attendees and staff do not drive to Yirrana. There are many alternative venues for functions which have parking and are not located in the middle of a residential area. There is no need for Yirranma to host more events and to be turned in to a de facto function centre

Thanks for seeking feedback and for your time in considering this submission  
We'd love the opportunity to convey our feedback in person<sup>189</sup>

Thanks and Regards  
Simon Stone



**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, September 4, 2025 2:29:01 PM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: Objection to DA/2025/707/ Yirranma/The Paul Ramsay Foundation.

Hi

Please log as an objection to D/2025/707

Thanks  
Sally

---

**From:** Olivia Simpson [REDACTED]  
**Sent:** Wednesday, 3 September 2025 6:58 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** Objection to DA/2025/707/ Yirranma/The Paul Ramsay Foundation.

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hello!

My name is Olivia Simpson, I'm the owner and resident of 2/1b darley street Darlinghurst.

My neighbours have expressed their concern about the proposed DA for the Paul Ramsay foundations proposed events, in solidarity I would also like to object, however- I do respect the work of the Paul Ramsay foundation and was wondering if you have anymore information.

I have a 3 year old so I do feel that 3 events a month would cause a disruption, but if they end kinda early/are during the day I wouldn't mind.

Let me know if you can provide anymore information about the nature of these events?

Thanks heaps and speak soon :) Liv

Liv Simpson <3 <3  
Costume Designer  
M [REDACTED]  
W [REDACTED]

**From:** [REDACTED]  
**Sent on:** Thursday, September 4, 2025 2:27:44 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au  
**CC:** SShepherd1@cityofsydney.nsw.gov.au; alanfagan2010@gmail.com  
**Subject:** DA/2025/707 - 262 Liverpool Street Darlinghurst  
**Attachments:** Alan Fagan - 262 Liverpool Street Operational Changes.pdf (557.57 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Please find attached response to DA/2025/707 submission relating to Yirranma Place at 262 Liverpool Street Darlinghurst.

Please contact me should you require any further information,

Alan Fagan  
[REDACTED]

Alan Fagan  
51/347 Liverpool Street  
Darlinghurst  
NSW 2010  
Contact: [REDACTED]

4 September 2025

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

[dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au)  
[council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: **Manager Planning Assessment**

**Development Proposal**

---

<b>Reference Number</b>	<b>D/2025/707</b>
Applicant Name	Paul Ramsay Foundation
Property Address	262 Liverpool Street, Darlinghurst NSW 2010
Proposal	Use of Entry Hall for third party groups 12 times per month New external seating for café Permit deliveries from 5am Permit music playing within outdoor areas
Exhibition Period	Closing 5 September 2025

---

Dear Sir/Madam,

I am an owner and resident in Mont Clair Apartments – directly opposite 262 Liverpool Street Darlinghurst.

My objections to the proposal follow: -

**Proposed Change 1**

Enable the use of the Blue Gum Hall by third-party community, or for-purpose organisations and groups with a focus on social and community purpose (not for private or commercial client events or parties).

***Response:***

Use of the Hall should as per the current consent condition.

**Proposed Change 2**

The proposed number of events held in the Blue Gum Hall is up to 12 events per calendar month where food and beverage are served.

***Response:***

*12 events per calendar month is an overreach and would result in significant impacts to surrounding residents.  
Increasing the frequency of events is not encouraged.*

**Proposed Change 3**

External seating for café usage during opening hours for 24 seats.

***Response:***

*Provided the number of patrons is strictly limited to 24 patrons, there is no objection to this proposal*

**Proposed Change 4**

Deliveries permitted from 5am, prior to the opening of the café.

***Response:***

*The existing facility already has an underground carpark and loading facility off Forbes Street. It is incomprehensible that the operator wishes to undertake deliveries in Liverpool Street when a perfectly appropriate fit for purpose option is available within the existing building.*

*It is totally unacceptable that the Applicant also wishes to undertake deliveries from 5:00AM. Deliveries at this time in the morning will cause major noise impacts to the residents within the Liverpool Street area – most are still trying to get some sleep.*

*This is an ill-thought-out proposal that should be rejected by Council.*

**Proposed Change 5**

Background music to be permitted in external spaces during daytime hours

***Response:***

*The local area is predominantly residential in -not an entertainment precinct.  
The proposal is inappropriate and should be rejected.*

Yours faithfully,  
Alan Fagan

**From:**

[REDACTED]

**Sent on:** Thursday, September 4, 2025 3:07:15 PM

**To:** council@cityofsydney.nsw.gov.au

**Subject:** Objection to D/2025/707

**Attachments:** D2025707 submission L Monson final.docx (25.19 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hello

Please find my objection attached, noting that I prefer my personal details to be withheld from public view.

Thank you

[REDACTED]

## SUBMISSION TO CITY OF SYDNEY RE DEVELOPMENT PROPOSAL

REFERENCE NUMBER: **D/2025/707**

SITE ADDRESS: **262 LIVERPOOL ST, DARLINGHURST NSW 2010**

Objection by [REDACTED], Darlinghurst [REDACTED]  
[REDACTED]

***All contact details above to be withheld from public view.***

I live at [REDACTED] Forbes St, the next large building to the corner of Forbes and Liverpool Streets. Half of the 28 units in my building face south towards 262 Liverpool St and the two buildings share a common boundary.

**I call on City of Sydney to reject the application in full.**

**This Development Application claims it takes measures to maintain existing amenity. The claims are inadequate for the following reasons:**

### **1. Light pollution**

At present there are substantial areas of darkness to the north of 262 Liverpool St, as its boundary and position are adjacent to the vegetation and carpark of 198-200 Forbes St.

Increased events both inside and outside 262 Liverpool St will result in more use of electric lighting with consequent light pollution either directly or through the large windows, affecting the quiet residential amenity as well as habitat for wildlife provided by the vegetation and darkness.

Additional electric lighting here will impact both residents and the native fauna eg. ringtail possums and roosting birds.

Residents on the southern side of 198-200 Forbes St, directly opposite 262 Liverpool St, know that Paul Ramsay Foundation has a poor track record in managing light pollution. The eastern part of 262 Liverpool St was ablaze with lights left on 24 hours a day from 23<sup>rd</sup> December 2023 to 8<sup>th</sup> January 2024. Further, residents were unable to contact PRF by website or email and also unable to contact appropriate staff at City of Sydney to alert them to this situation until 7<sup>th</sup> January. This is not consistent with the claim in D/2025/707 that PRF will be available and able to respond to residents' concerns should there be transgression of conditions if this current DA is successful.

### **2. Noise**

#### **2.1 Acoustic report**

Adoption of the report included in the application is unreasonable as the data was collected under different circumstances:

- Baseline noise monitoring of November 2019 is out of date and new current measurements should be taken.

- The four baseline noise monitoring locations were all on the footpath close to traffic in either Liverpool street or Forbes Street. They do not represent noise levels at residential properties.
- For example, the area between the buildings 262 Liverpool St and residential 198-200 Forbes St is the carpark of 198-200 Forbes St with a perimeter garden. The carpark acts like an amphitheatre in respect of noise eg. conversation in the carpark can be clearly heard by residents inside the southern units of 198-200 Forbes St. In the same way, noise generated at 262 Liverpool St carries to 198-200 Forbes St. The additional events proposed by the DA threaten the acoustic amenity of quietness in this residential area.
- The surveyed locations report the background noise levels as affected by construction noise, which also makes them now inaccurate.
- Additionally, there will be noise impacts of 5 am van deliveries and it's most unlikely that the drivers will adhere to switching off engines and not idling. It's also unlikely PRF staff will be there at 5am or even 7am to enforce the undertaking quoted in the DA.

## 2.2 Conditions of the existing 2021 DA consent

D/2025/707 seeks to add the noise of events and associated music, generated by both indoor and outdoor functions, that contradict the current consent. Ie:

### (4) Use of Entry Hall

- a) The Entry Hall (also known as the Great Hall) shall **only be used as an information and education facility** as defined by the *Sydney Local Environment Plan 2012 in association with the charitable foundation use of the site.*
- b) The Entry Hall must **not be operated as a function space for third party users** that are not tenants of the site.
- c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.

### (6) Use of Roof Terraces

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

### Overall

The land is zoned R1 General Residential under the Sydney LEP 2012.

## 3. Traffic

Notwithstanding surveys done, evening or weekend events are still likely to generate street parking by attendees, creating pressure for residents' parking. Convenience is not the only issue as personal safety can be compromised in the wider area at night if a resident needs to walk a longer distance to get home.

## 4. Community consultation

was not adequate as information did not reach everyone, including myself. There is no guarantee it will be adequate in future.

The development application makes numerous references to Paul Ramsay Foundation's community consultation process. I am an immediate neighbour and I did not receive a community newsletter or invitation to their community drop-in session nor any report from them afterwards. I only learnt about the detail via the Development Application upon receipt of council notification of same, and knew nothing of PRF's other communication practice eg that they had posted information about the DA on one of their websites. As an individual I was prevented from responding because I had not received information.

PRF states they could not access my building, but if so they could have simply posted the newsletter to me or indeed emailed me – they have my email address from our prior contact.

If this development application is approved, as a neighbour I have no faith in PRF maintaining communication channels and being 'open to conversations' as they claim. I also note that individual neighbours need to have guaranteed access to any such communication channels and not have to rely on information reaching them via third parties, eg. strata management or committees. I also note that lots in strata buildings can be affected in different ways and to different degrees to other lots in the same building – some neighbours will be more impacted than others.

Regarding the claims about 'landlord commitment', if that commitment is to be enduring, it needs to be stated as an enforceable condition of the DA, so it travels with the property in the event of a change of ownership and hence a change of landlord.

## **Conclusion**

*For all the above reasons I urge City of Sydney to reject D/2025/707.*

**From:** [REDACTED]

**Sent on:** Thursday, September 4, 2025 10:15:08 PM

**To:** City of Sydney <council@cityofsydney.nsw.gov.au>

**CC:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

**Subject:** D/2025/707

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney councillors,

I would like to submit my firm objection to the proposed changes put forward by the Paul Ramsay Foundation (PRF) in yet another development application put forward to the community.

My husband [REDACTED] and I attended an open evening they held in June/July to invite the community to provide their feedback on the proposed changes. It appears none of the feedback we gave has been addressed or taken on board as the same changes remain in their proposal. It appears that was a tokenistic opportunity they provided for the community to provide feedback which they have not listened to yet again.

Unlike PRF, we do hope you will listen to our concerns and feedback after inviting us to provide this. Otherwise what is the point of these opportunities given to us to provide feedback?

My husband [REDACTED] and I moved to our home very close to Yirranma Place in 2021. We have a 4 year old son and a 2 year old son. We object to the proposed changes for two main reasons:

1. with no off street parking we are already very limited in finding a park close to our home when we need to. We object to PRF wanting to host up to 12 events per month which could be three events per week - when attendees are likely to drive to the area and put further pressure on the very limited number of parks available for people who actually live here. I'm not sure if you've had a 2 year old and a 4 year old in the car when they are hungry and tired and you are driving around looking for a park that is not miles from your home to cart shopping and two young children, but it isn't easy.

We are fully supportive of the social impact initiatives that PRF supports, however this area is residential and it is really not a suitable area to try to host yet further events in an area that is already bursting at the seams for residents. PRF seems to think attendees will be unlikely to drive to their events. Some may not but I think many do and would - particularly any wealthy older attendees with philanthropic commitments who wish to drive to and from some of these events they are supporting. Only one or two additional cars puts pressure on the parking available.

2. Allowing the cafe to have delivery access from 5am - again anyone who has gotten a baby to sleep in the early hours - or anyone asleep at that time for that matter - does not appreciate the bright lights and the noisy truck door opening sounds of deliveries being made. It is a small cafe / catering provision at Yirranma Place (where I have bought coffee on a daily basis). I think they can manage with deliveries arriving at a later time, that is not in the wee hours of the morning, waking the residents in the homes surrounding the building.

Please, we ask you, please listen to our feedback. And please adjust the requests put forward by PRF, to lessen the impact of these yet further changes they wish to make. Sadly, they have lost the trust of the community around them because over many years they have pushed and pushed the limits of what they are asking the community to support, when actually if they respected, engaged and looked after the surrounding community, imagine what support they could receive in turn, to help support the societal causes they are looking to improve.

PRF has not listened to our feedback, but we do hope you will, in your capacity of serving the local community.

Yours sincerely,

[REDACTED]  
Mobile: [REDACTED]  
Darlinghurst resident

Sent from my iPhone

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Friday, September 5, 2025 9:20:50 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/Yirranma/The Paul Ramsay Foundation

Please log as an objection to D/2025/707

Thanks  
Sally

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**From:** Sam and Jenna Kidd [REDACTED]  
**Sent:** Thursday, 4 September 2025 8:13 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** DA/2025/707/Yirranma/The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

I wish to formally lodge my objection to Development Application DA/2025/707 for Yirranma, lodged by the Paul Ramsay Foundation.

At the outset, I want to acknowledge the Paul Ramsay Foundation's valuable contribution to the community. My objection is not to the organisation itself, but to the likely impacts of events proposed under this development, particularly the unacceptable noise levels and resulting loss of residential amenity for neighbouring families.

My home is located directly behind the site, with both my bedroom and my children's bedrooms facing the rooftop area—less than fifteen metres away. This proximity makes us highly vulnerable to noise disturbance. Evening noise is of particular concern. After 7:00pm, young families like ours, and many of our neighbours, are winding down, putting children to bed, and seeking a quiet environment for rest. Even moderate amplified sound or the presence of large gatherings at this time would cause significant and ongoing disruption, particularly to children's sleep and wellbeing.

For this reason, I strongly request that the application be amended to include a condition that no events be permitted after 7:00pm. Without such a condition, the proposal would unreasonably compromise the health, wellbeing, and residential amenity of neighbouring households. Should the DA not be amended to address this issue, I believe it should be refused.

Thank you for your consideration of my objection.

Yours faithfully,

Sam and Jenna Kidd

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd  
<SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Friday, September 5, 2025 9:19:48 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/Yirranma/The Paul Ramsay Foundation

Please log as an objection to D/2025/707

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**From:** Fraser McEwin [REDACTED]  
**Sent:** Thursday, 4 September 2025 9:40 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** DA/2025/707/Yirranma/The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Sally

I'm writing in regards to the Development Application **DA/2025/707/Yirranma/The Paul Ramsay Foundation**

I am a nearby neighbour at 1B Darley St, with our balconies and bedrooms just ~10 metres from the rooftop terrace of the Yirranma building.

The Development Application is quite unclear as to the proposed use of the Rooftop Terraces for after hours events.

However, a neighbour informs me that the DA is intended to allow up to twelve events per calendar month inside Yirranma Place and on its rooftop terraces.

If true - the use of the outdoor Rooftop terrace for up to twelve events per month seems manifestly excessive for an office building in a residential area.

As the SEE notes, the surrounding area is residential in nature, and the site is bounded by residential properties to the north and east. Many of these have clear sound transmission from the rooftop terrace. I have no problem with the indoor spaces being used, but I'm highly concerned that use of the outdoor rooftop terrace for frequent events - with the associated noise of crowds and proposed amplified music - would impact on the amenity of our residence.

I request that the rooftop terrace be excluded from any proposed changes.

I would have welcomed the opportunity to engage with Yirranma Place earlier to outline my concerns. I note that (despite the considerable engagement outlined in the Consultation Summary Report) the first I have heard of this proposal was this week, when informed by a neighbour.

Regards  
Fraser

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Friday, September 5, 2025 8:51:02 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

Please log as an objection to D/2025/707

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**From:** Alissa Wunder [REDACTED]  
**Sent:** Thursday, 4 September 2025 7:01 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

I wish to object to the above application. While I acknowledge the Paul Ramsay Foundation's philanthropic aims and activities, this DA, if approved, would severely damage residential amenity and directly contravene existing zoning laws put in place to protect the public interest and environmental amenity.

This DA is similar in scope to the one defeated in April 2021. Then, as now, residents strongly objected to the proposals, for the same reasons; loss of residential and environmental amenity, not in the public interest and unacceptable change of use. The LPP was abundantly clear then in stating its reasons to impose significant conditions on DA approval. It is difficult to see any circumstances in which it should now reverse its previous decision.

I and many of my nearby neighbours in Liverpool Street, Darley Street and Forbes Street strongly object to this proposed development for the following reasons:

**Loss of Residential Amenity:**

The proposed development would allow up to 12 events per calendar month inside Yirranma Place and on its rooftop terrace and Level 2 terrace by third party organisations, which would cause an enormous loss of amenity and

privacy to the surrounding residential properties. The existing permission states clearly and with good reason (Condition 6) that the separately approved roof terraces must not be utilised by patrons of either the café or exhibitions in the entry hall (which are the only type of events that are actually approved to occur at the site, currently with a maximum of two events per month permitted after 6 pm where food and/or drinks are served). The only people allowed to access the rooftops are workers or staff at the site. The rooftop terrace and Level 2 terrace are approximately 20m from the balconies and bedrooms of residents of 280 Liverpool Street, 278 Liverpool Street, the residents of Stoneleigh in Darley Street and also the townhouses at 1B Darley Street. The terraces also have clear sound transmission pathways to many residents in the houses in Forbes and Thomson Streets and all the south facing apartments in Beaufort Court (200 Forbes Street). Yirranma's own acoustic consultants have estimated the decibel level of people speaking 'with raised vocal effort' at 75db, which is significantly louder than the sound of a busy street at the kerbside close to moving traffic. This noise level, whether or not accompanied by live or recorded music, is unacceptable in a residential area. Also unacceptable is the proposal to allow food and bread deliveries from 5am to the Liverpool Street entrance of Yirranma. The sound of trollies being loaded and unloaded, idling motors and slamming doors would disturb nearby residents at an unconscionably early hour. Deliveries can easily take place after 7 am, which is the legal hour for most construction work and other potential noise generating works to begin.

### **Change of Use:**

The proposed development is in effect a proposal for a change of use of the nominated areas of the site from a commercial office/information and education facility, which is a building or place used for providing information and education to visitors, to a function centre, which is a use specifically prohibited in the RI, the general residential zone

which applies to this site.

The proposed new use, hiring spaces to third parties for events or functions, including the rooftop area is a use that would require making material changes to Condition 4 and Condition 6 of the existing development approval, which are conditions imposed for the very purpose of ensuring the site's use has minimal adverse environmental and acoustic amenity impact to the surrounding residential area by limiting any events at the site to either information or education purposes and nothing else.

The existing development approval, as described in Condition 4 (a), states clearly that the Entry Hall must not be operated as a function space for third party users that are not tenants of the site or partner organisations of the charitable foundation. The existing LPP approval, determined on 28 April 2021, has imposed this existing condition because “unrestricted consent may effect the environmental amenity of the area and would not be in the public interest.”

The fact that this new proposal places some limitations on third parties who may hire the Entry Hall space does not derogate from the fact that the proposed use intends to hire the space to third parties for functions up to 12 times a month. Again, this is inconsistent with the use of the space as an information and education facility. It is the activity of a function centre and as such, is prohibited.

I hope you will consider my objections when deliberating on this application.

Kind Regards,

Alissa Wunder  
Sent from iPhone

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Friday, September 5, 2025 8:50:40 AM  
**To:** DAsubmissions <DAsubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

Please log as an objection to D/20205/707

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**From:** L LAUREL [REDACTED]  
**Sent:** Thursday, 4 September 2025 6:32 PM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** DA/2025/707/ Yirranma Place/ The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

I wish to object to the above application.

While I acknowledge the Paul Ramsay Foundation's philanthropic aims and activities, this DA, if approved, would severely damage residential amenity and directly contravene existing zoning laws put in place to protect the public interest and environmental amenity. This DA is similar in scope to the one defeated in April 2021. Then, as now, residents strongly objected to the proposals, for the same reasons; loss of residential and environmental amenity, not in the public interest and unacceptable change of use. The LPP was abundantly clear then in stating its reasons to impose significant conditions on DA approval. It is difficult to see any circumstances in which it should now reverse its previous decision.

I and many of my nearby neighbours in Liverpool Street, Darley Street and Forbes Street strongly object to this proposed development for the following reasons:

**Loss of Residential Amenity:**

The proposed development would allow up to 12 events per calendar month inside Yirranma Place and on its rooftop terrace and Level 2 terrace by third party organisations, which would cause an enormous loss of amenity and privacy to the surrounding residential properties. The existing permission states clearly and with good reason (Condition 6) that the separately approved roof terraces must not be utilised by patrons of either ~~the~~ café or exhibitions in the

entry hall (which are the only type of events that are actually approved to occur at the site, currently with a maximum of two events per month permitted after 6 pm where food and/or drinks are served). The only people allowed to access the rooftops are workers or staff at the site.

The rooftop terrace and Level 2 terrace are approximately 20m from the balconies and bedrooms of residents of 280 Liverpool Street, 278 Liverpool Street, the residents of Stoneleigh in Darley Street and also the townhouses at 1B Darley Street. The terraces also have clear sound transmission pathways to many residents in the houses in Forbes and Thomson Streets and all the south facing apartments in Beaufort Court (200 Forbes Street). Yirranma's own acoustic consultants have estimated the decibel level of people speaking 'with raised vocal effort' at 75db, which is significantly louder than the sound of a busy street at the kerbside close to moving traffic. This noise level, whether or not accompanied by live or recorded music, is unacceptable in a residential area.

Also unacceptable is the proposal to allow food and bread deliveries from 5am to the Liverpool Street entrance of Yirranma. The sound of trollies being loaded and unloaded, idling motors and slamming doors would disturb nearby residents at an unconscionably early hour. Deliveries can easily take place after 7 am, which is the legal hour for most construction work and other potential noise generating works to begin.

### **Change of Use:**

The proposed development is in effect a proposal for a change of use of the nominated areas of the site from a commercial office/information and education facility, which is a building or place used for providing information and education to visitors, to a function centre, which is a use specifically prohibited in the RI, the general residential zone which applies to this site.

The proposed new use, hiring spaces to third parties for events or functions, including the rooftop area is a use that would require making material changes to Condition 4 and Condition 6 of the existing development approval, which are conditions imposed for the very purpose of ensuring the site's use has minimal adverse environmental and acoustic amenity impact to the surrounding residential area by limiting any events at the site to either

information or education purposes and nothing else.

The existing development approval, as described in Condition 4 (a), states clearly that the Entry Hall must not be operated as a function space for third party users that are not tenants of the site or partner organisations of the charitable foundation. The existing LPP approval, determined on 28 April 2021, has imposed this existing condition because “unrestricted consent may effect the environmental amenity of the area and would not be in the public interest.”

The fact that this new proposal places some limitations on third parties who may hire the Entry Hall space does not derogate from the fact that the proposed use intends to hire the space to third parties for functions up to 12 times a month. Again, this is inconsistent with the use of the space as an information and education facility. It is the activity of a function centre and as such, is prohibited.

I hope you will consider my objections when deliberating on this application.

Kind regards,

Lisette Laurel  
6/1 Darley Street  
Darlinghurst 2010

**From:** Michael Minogue [REDACTED]  
**Sent on:** Friday, September 5, 2025 10:59:47 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Paul Ramsay Foundation Reference: D/2025/707  
**Attachments:** 20250905104308600.pdf (50.23 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam,  
Please find our objection to the above DA.

We would like to have a written response please.

Take care

Kind regards,

Michael Minogue  
Principal & Licensed Real Estate Agent, JK Agency



[REDACTED] [REDACTED]  
[www.jkagency.com.au](http://www.jkagency.com.au) [My Profile](#) [Free Suburb Report](#)  
[Suite 9, Level 1, 1 Moncur Street NSW Woollahra 2025 PO BOX 1337 DOUBLE BAY NSW 1360](#)

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The General Manager  
City of Sydney Council  
GPO Box 1591  
Sydney NSW 2001

**Re: Objection to Development Application – Paul Ramsey Foundation, Liverpool Street, Darlinghurst**

Dear Sir/Madam,

I am the owner of **2/337 Liverpool Street, Darlinghurst**, directly opposite the premises for which the Paul Ramsey Foundation has applied to extend trading conditions, including allowing deliveries from 5:00 am and extending café seating.

I wish to lodge my strong objection to this proposal.

**1. Noise and Amenity Impact**

Deliveries from 5:00 am are completely inappropriate in a residential neighbourhood. Residents will be subjected to significant disruption from delivery trucks, unloading, and associated activity at an unreasonable hour, well before acceptable business operating times.

**2. Traffic and Safety Concerns**

Liverpool Street is already a narrow, busy street with limited parking and frequent congestion. Introducing additional deliveries and extended service hours will worsen traffic flow and create further safety risks for pedestrians and residents.

**3. Overdevelopment and Loss of Residential Amenity**

The proposed extension of café seating will increase noise, foot traffic, and waste, further eroding the residential character and amenity of the area. The neighbourhood already experiences high levels of activity, and this proposal will unreasonably intensify the impact on those who live here.

For these reasons, I strongly object to any approval of deliveries commencing at 5:00 am, and I also strongly object to any extension of café seating at this site.

I request that Council reject this application in full.

You  
Pete  
Owr  
Darlinghurst NSW 2010



**From:** Richard Moore [REDACTED]  
[REDACTED]  
**Sent on:** Friday, September 5, 2025 11:47:18 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd  
**Attachments:** Comments on DA D2025707.docx (18.54 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Richard Moore  
339 Liverpool St  
Darlinghurst  
Sydney 2010

4 September, 2025

Local Planning Panel  
City of Sydney  
Town Hall Sydney  
456 Kent St  
Sydney NSW 2000

**Development Application D/2025/707**  
**Paul Ramsay Foundation, Ltd: 262 Liverpool St, Darlinghurst, NSW, 2010**

I write to comment on and object to, the current scale and nature of the above development application. I note that the Ramsay Foundation is a philanthropic body and as such it has an interest in raising funds to support its operations. I am not, in principle, opposed to the use of its premises to that end, where this is consistent with city zoning; the predominantly residential character of the area; and the health, safety and well-being of residents – as is currently the case.

My principal concern with the proposal is that at the scale envisaged, it will negatively impact on each of the above considerations. In particular, it will alter the nature of the activities conducted at the premises from modest, unobtrusive, infrequent events, to expanded, commercially-oriented and highly visible, recurring functions.

The applicant claims that the expansion of access for not-for-profit groups means the proposal is fully consistent with existing planning regulations. I disagree. While it is claimed that only ‘for purpose’ organisations will be accommodated, that is largely irrelevant, even if it can be diligently applied and policed. The expansion is, in itself, fully commercial – i.e. its aim is to raise considerable additional revenue through greatly increasing the number of fee-paying customers and organisations. The permission sought for events up to 12 times a month, including authorization of external speakers and music, effectively translates into one audible, visible major function every couple of days. This is unacceptable as it would convert the space into a constantly operating functions venue, regardless of who the attendees are. This in turn would change the character of the local area to the detriment of residents in terms of noise, congestion and safety.

Access and parking are already significant issues that are very poorly addressed in the application. Visitors to the centre already frequently block Liverpool Street as they are dropped off and collected outside the entrance. This is a very busy point, on a very busy, single-lane road, near to a roundabout, which quite often becomes gridlocked. The lack of parking and pull-in space already creates major safety and noise issues, with irate drivers sounding horns and swerving around stationary vehicles. With only nine car spots in the centre car park and no additional parking available, the proposed major expansion of functions and a doubling of café capacity, would put considerable additional pressure on roadside parking for residences and guests. It would also create serious additional risks of car and pedestrian accidents. The dismissive

statements in the application that there are negligible traffic implications of the development undermine its credibility.

The proposal to double café operations and allow external seating, presumably on the narrow and busy footpath, underlines the proposed major change in use of the facilities. Widening the café's operating and delivery time frames and expanding its capacity, especially via outside seating, inevitably means more noise, more footpath congestion and more customers trying to park or get dropped off, exacerbating safety issues. The proposed 5am goods delivery time is of particular concern and should be rejected under any scenario.

I am not implacably opposed to a more modest proposal that scales back the commercialisation of the venue and deals effectively with transport safety issues and noise. However, in its current form, the proposal is inconsistent with maintenance of the health, safety and wellbeing of the local community.

Richard Moore

**From:** Tom Ferguson [REDACTED]

**Sent on:** Friday, September 5, 2025 12:39:04 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally

I am writing to state my objection to the proposed development at 262 Liverpool St, being "*Use of the Entry Hall for events for third-party for-purpose organisations and local community groups up to 12 times per calendar month, new external seating area for the approved café and permission for deliveries to the cafe from 5.00am*"

I live at 200 Forbes St, next door to the subject site, and have done since 2013. 262 Liverpool St is located in the middle of a quiet residential neighbourhood, and the impacts on residents of the intensified use, if approved, will be unacceptable.

In my opinion

- The proposal seeks to intensify the use of the site in a way that is prohibited in the R1 General Residential zone. This was a primary reason for refusal of a previous application D/2021/169.
- The proposal is not consistent with condition 4 of approved application D/2020/1397 which states
  - *The Entry Hall (also known as the Great Hall) shall only be used as an information and education facility as defined by the Sydney Local Environmental Plan 2012 in association with the charitable foundation use of the site.*
  - *The entry hall must not be operated as a function space for third party users that are not tenants of the site.*
  - *Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.*
- The description of the development in the notification letter is deficient, as it fails to mention intensified use of the roof top terrace, including use of amplified music. Use of the rooftop terrace has a much greater impact on many more surrounding residents than the entry hall, and if the proposed intensification has not been notified properly it may result in a fewer number of submissions.
- The noise measurements used to prepare the acoustic report were gathered in 2019, and should therefore not be permitted to be relied upon 6 years later. They were also taken on the busiest corner of the site, not in areas where impact of noise and use will be greater, ie 200 Forbes St, 1B Darley St, 278 Liverpool St (rear)
- The proposed 5am deliveries for the cafe are unacceptable in the middle of a quiet residential neighbour. The proposal states that the driver will turn their engine off, which is a condition that would be impossible to police.
- The proposed use of the entry hall as a function space will cause unacceptable noise impacts, particularly with respect to the portico which amplifies noise being comprised solely of hard surfaces. If this space is used in conjunction with the internal spaces for events, the noise impacts will be significant. Even if the space is not used during events, the noise impacts from patrons leaving the venue after 10pm will be significant and unacceptable in the residential neighbourhood.
- There will be unacceptable impacts due to increased vehicle movements and loss of on street parking for

residents as a result of the proposed use.

For all these reasons the proposal is not in the public interest and should be refused. The building was approved for use as low impact office space, not a function centre, and Council should be diligent in maintaining this decision.

Regards

Tom Ferguson  
200 Forbes St

TFAD Pty Ltd  
Architecture & Interior Design  
Web: [www.tfad.com.au](http://www.tfad.com.au)  
Web: [www.tomferguson.com.au](http://www.tomferguson.com.au)  
Insta: [REDACTED]  
Ph [REDACTED]

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**From:** poweraustralia [REDACTED]  
**Sent on:** Friday, September 5, 2025 1:59:42 PM  
**To:** council@cityofsydney.nsw.gov.au; dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Objection to the Development Application: D/2025/707 - 262 Liverpool Street, Darlinghurst, NSW  
**Attachments:** Letter to City Syd Council re DA 2025 707 - 262 Liverpool Street - Objection Patrick Power 2025 0904.docx (20.12 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Madam/Sir,

I am attaching my objection to the Development Application: D/2025/707. If you need a signed copy of this document, please don't hesitate to let me know.

Please can you also forward a copy of this email to Ms Sally Shepherd at the Council.

I appreciate your help.


Kind regards,

Patrick Power

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I acknowledge and pay respect to the Gadigal people, owners of the land on which I live and work. I pay respect to Elders past and present, recognising their strength, wisdom and creativity. Sovereignty was never ceded. Always was, always will be.

**257 Forbes Street  
Darlinghurst, NSW 2010**



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4 September 2025

**Mr Bill MacKay  
Manager Planning Assessment  
City of Sydney  
GPO Box 1591  
Sydney NSW 2001**

By email: [dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au);  
[council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

**Attention: Ms Sally Shepherd**

Dear Mr MacKay,

**Re: 262 Liverpool Street, Darlinghurst NSW 2010 (“the property”)  
Objection to the Development Application: D/2025/707**

I have been a resident of Forbes Street area of Darlinghurst for approximately 40 years and I live at 257 Forbes Street, which is located on the south-western corner directly opposite 262 Liverpool Street. I also own the next-door property at 259 Forbes Street.

My objection to the current DA is based on a number of factors:

**1. The DA proposal Breaches the Zoning Restrictions**

As the Council would be well aware, the property is situated in a ‘*Heritage Residential Zone*’. There are well established restrictions which apply to such areas, some of which can be permitted with Council consent. However, some activities are *expressly prohibited*. Prohibited activities include, for example: “Entertainment facilities; ... Function centres; [and]... Recreation facilities (outdoor)”.

The clear underlying basis for these and the other prohibited activities is to protect all those living in a General Residential Zone from intrusive noise, traffic and other disturbance.

The current DA seeks to disregard these rules. I find it deeply disturbing that a organisation presenting itself as a community-minded body seeks to bend long-established protections. Already, the property enjoys approval for a limited number

of internal after-hours functions. The current request to use the exhibition space as well as the rooftop ‘break-out’ space up to 12 times per month is not a modest variation, but an **extraordinary escalation**. It would permit **up to 144 rooftop functions annually**, inevitably bringing noise, traffic, and waste-management impacts to all surrounding properties.

Permitting ‘function use’ of the roof-top area as part of the ‘function facilities’ will also have all the usual ‘flow-on’ effects, such as more waste needing to be removed from Forbes Street. As it stands, due to height limitations, I understand garbage trucks are not able to retrieve garbage from within the site, so there will also be all the additional associated noise for nearby residents from the Forbes Street level garbage collection flowing from the sought after expanded function use.

## **2. The Inevitable Acoustic Impact of the Proposed DA changes**

I strongly oppose any approval for amplified music to be played in any external areas.

The Acoustic report upon which the applicant seeks to rely is completely outdated. It was prepared based on data collected in November, 2019<sup>1</sup>. Since then there has been a significant reduction in traffic noise in the area, especially at night, as a result of the permanent blockage of Liverpool Street at Whitlam Square because of the new cycle path in Oxford Street. In addition, pedestrian usage at night also appears to have declined. I can only assume that the applicant is aware of this overall ambient noise reduction in the general area and hence chose to rely on the outdated report, rather than update that data set.

Furthermore, the four locations where baseline noise monitoring was done in 2019 were all on the footpath level close to the traffic in either Liverpool Street or Forbes Street. They are in no way an accurate measure of the ambient noise levels at neighbouring residential properties, especially those in close proximity or abutting 262 Liverpool Street.

I also note that the rooftop terraces on the property are less than about 30m from many of the balconies and bedrooms in adjacent homes. Mr Tim Brooker, a Transport Planner and local neighbour has advised me that “[t]he terraces also have clear sound transmission pathways to many residents in Forbes and Thomson Streets and all the south-facing apartments in *Beaufort Court* (200 Forbes Street). Yirranma’s own acoustic consultants have estimated the decibel level of people speaking ‘with raised vocal effort’ at 75db, which is significantly louder than the sound of a busy street at the kerbside close to moving traffic”. I completely agree with Mr Brooker’s assessment that “this noise level, whether or not accompanied by live or recorded music, is unacceptable in a residential area”.

From time to time, the East Village Hotel, which is situated approximately 160 metres from my home on the corner of Liverpool and Palmer Streets has functions, apparently on the rooftop of that venue. Because the surrounding street area near 262 Liverpool Street is so quiet at night, the music from these very occasional events at the Hotel is clearly audible at my home. I accept that occasional noise from such

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<sup>1</sup> See the Acoustic Report, Sections 2.2 and 2.3, page 5-6.

functions is a fact of life, but the thought of permission being granted for this type of potential noise transmission to occur almost three times a week is outlandish and would be devastating to residential amenity!

In addition, the noise impact of the proposal to permit 5.00am deliveries to the site has not been realistically addressed. This is perhaps one of the quietest times of the day in the general area with there being virtually no traffic or other background noise. The inevitable impact of noise associated with vehicle deliveries at this time in the day should not be ignored or brushed away by saying the van delivery drivers will be asked to switch off their engines. I assume that the applicant will also ask the van drivers to 'tip-toe and gently close the van doors! To suggest that drivers will simply "switch off engines" or "close doors quietly" is fanciful. A realistic appraisal of the impact of such vehicular traffic and deliveries at this time in the morning will speak for itself.

### **3. The Inevitable Parking Impact of the Proposed DA changes, especially at night**

If the current DA application is approved, it will inevitably result in a further substantial loss of amenity for the local residents because of even further pressure on the limited parking places available for their cars and their guests and those of tradespersons they need to employ. According to the applicants own survey, 13% of attendees at functions drive to events. Although this might at first glance appear a good result, it is not clear how many people were surveyed. If this figure was applied to the current possible function numbers that would mean 8-9 people would potentially be seeking parking places in adjacent streets for every function. This would seriously impact the parking availability for residents and their guests at night.

Many of the local residents are aged over sixty and have ongoing health concerns. It is pleasing to see that many residents nowadays are content to rely upon one of the various car-share schemes, but those schemes do not cater for the needs of visiting guests or the inevitable visits by tradespersons. And obviously a substantial percentage of local residents require a car for work reasons where public transport options are not feasible.

The friends and visitors of local residents are often of a similar age and are naturally somewhat reluctant to take public transport, especially at night, because of mobility and health concerns. It is not unreasonable to allow for the parking needs of residents and their guests, particularly in the evenings, and yet absolutely no consideration in the current DA application has been given to the inevitable parking impact on the local residents if functions are to be permitted 12 days a month.

The former owner of 262 Liverpool Street had large functions in the evenings about twice a year, using the foyer area. When these receptions were held there was resulting chaos on Liverpool Street, Forbes Street and the other surrounding streets as cars double parked, blocking residents from their own cars and impacting the safe and quiet use of the area. To allow rooftop events 12 times per month would be untenable and directly contrary to the planning guidelines that function centres are prohibited in a residential zone.

Furthermore, it is not only that some of the residents require cars and parking spaces. A very large percentage of the homes in the area adjacent to the site are well over 100 years old and inevitably require ongoing maintenance. In the last month alone I have needed a plumber to attend my properties twice and builder is currently undertaking ongoing repair work. Despite the availability of visitors' daily parking permits which can be purchased from the Council, these are only valid for Area 17. Often my tradespersons have had to park over 200+ metres from my properties. In the past, parking was not under such high demand. Whilst parking has always been limited in the local area, the parking impact on local residents of functions up to every three days at the property cannot and should not be ignored.

#### **4. Proposed Changes to the Café Seating**

I do not oppose the use of outdoor seating for the café during pre-existing café opening hours.

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#### **Conclusion**

For all the reasons above, I urge the Council to reject this DA in its entirety, except for the limited café seating modification.

Yours faithfully,

Patrick Power

**From:** annabel butler [REDACTED]  
[REDACTED]

**Sent on:** Friday, September 5, 2025 10:45:35 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

I object to this DA as the proposed changes will adversely affect all the local residents who live in close vicinity of Yirranma Place.

The increase from 2 to 12 events per calendar month will put extra stress on parking in an already limited availability area. There are already multiple events at the nearby neighbouring National Art School and SCEGGS Darlinghurst. Residents are unable to park anywhere near their own homes when these events occur. To add even more events is very inconsiderate to the local residents.

To change of deliveries to a 5am start will also adversely impact on the neighbouring residents. We are already impacted by the early morning backing truck noises.

The additional external seating is also objectionable as this is a busy and quite narrow footpath. There simply is NOT room for seating.

Thank you.

Annabel Butler

**From:** Phillip Keen [REDACTED]  
**Sent on:** Friday, September 5, 2025 3:20:45 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**CC:** Phillip Keen [REDACTED]  
**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Phillip Keen  
6/339 Liverpool St  
Darlinghurst 2010

City of Sydney Council – Planning Department

### **Objection to DA 2025-707 – 262 Liverpool Street, Darlinghurst (Yirranma Place)**

**5 September 2025**

Dear Ms Shepherd,

I am writing to formally object to aspects of the proposed development outlined in DA 2025-707 for 262 Liverpool Street, Darlinghurst, known as Yirranma Place. As a resident living directly opposite the site, I am concerned that the proposed changes will negatively impact the amenity of the surrounding residential area in the following ways:

#### **1. Noise Disturbance from Early Morning Deliveries**

The proposal allows café deliveries from **5:00am**, which is well before typical residential quiet hours end. Despite proposed mitigation measures, the presence of delivery vehicles and associated activity at this hour is likely to cause sleep disruption and reduce residential amenity.

#### **2. Event Frequency and Patron Noise**

The proposal permits up to **12 events per month** in the Blue Gum Hall, with operating hours extending to **10:00pm daily**. While the events are described as community-focused, the cumulative impact of frequent evening gatherings—including guest arrival and departure noise—will likely disturb the quiet enjoyment of nearby homes.

#### **3. Outdoor Music and Rooftop Use**

Low-level background music is proposed in outdoor areas including the rooftop terrace, portico, and level 2 terrace. Even at regulated volumes, music in outdoor spaces can be intrusive, especially in a quiet residential street. The rooftop terrace may host up to **50 people during the day** and **30 at night**, which risks creating elevated noise levels and visual disturbance.

#### **4. Traffic and Parking Pressure**

The increase in events will likely result in more traffic and demand for parking on Liverpool Street. While the applicant encourages public transport use, there is no guarantee that attendees will comply, and the area already suffers from limited parking availability.

## 5. Waste and Odour Management

The increase in events and café activity may lead to more frequent waste handling. Although the Plan of Management outlines procedures, any lapse in waste containment or removal could result in odour and hygiene issues affecting nearby residents.

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## 6. Lack of Binding Enforcement Mechanisms

While the Plan of Management outlines various mitigation strategies, many rely on voluntary compliance or internal oversight. There is insufficient detail on how breaches will be monitored or enforced, and how residents can escalate unresolved issues.

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### Request for Conditions or Modifications:

- Restrict deliveries to **after 7:00am** to protect residential quiet hours.
- Limit the number of events to **six per month** and restrict to 50% having a clear community or public benefit.
- Require independent monitoring of noise and waste impacts.
- Establish a formal complaints process with Council oversight.

I appreciate the social purpose of Yirranma Place and its contribution to the community. Yirranma Place has been a good neighbour since its establishment. However, these proposed changes must be balanced against the rights of residents to enjoy peace, privacy, and safety in their homes.

Thank you for considering my concerns.

Sincerely,

Phillip Keen

**From:** Jess Wong [REDACTED]

**Sent on:** Friday, September 5, 2025 4:17:41 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Good afternoon Sally,

I hope this message finds you well.

We have reviewed the proposal for 262 Liverpool Street, Darlinghurst, and wish to raise several concerns.

We appreciate the information provided by Paul Ramsay Foundation Limited, including the acoustic report. However, we consider that further studies are required. Our development at 349 Liverpool Street comprises seven levels of residential apartments, yet the report appears to measure noise levels only at ground level, where elevated background noise is to be expected.

Our specific concerns are outlined below:

### 1. Noise Impacts

- Increased noise from higher volumes of occupants entering and exiting the function hall.
- Increased noise generated by activity within the external café area.
- Elevated background music from open space areas, including the roof terrace.
- Offensive noise from extended delivery hours proposed between 5:00am and 7:00am.
- Offensive noise associated with occupants leaving the premises after 10:00pm.

### 2. Traffic Impacts

- Additional traffic congestion arising from the proposed increase in the number of monthly events.
- Further congestion due to the increased café occupancy, rising from 19 to 43 patrons.
- Reduction in on-street parking available to residents, as spaces may be occupied by café and event users.

I trust that these concerns will be given due consideration as part of the assessment process.

Kind regards,

**Jess Wong**

SENIOR DEVELOPMENT MANAGER

**M** [REDACTED]  
**P** [REDACTED]  
**E** [REDACTED]

Plaza Building Australia Square  
Level 5, 95 Pitt Street, Sydney NSW 2000  
PO BOX R562, Royal Exchange NSW 1225

# ABADEEN

[Linkedin](#) . [Instagram](#)

**From:** Stephen Kuhn [REDACTED]  
**Sent on:** Thursday, September 4, 2025 4:26:29 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; Stephen [REDACTED]  
**Subject:** Submission - D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd - Objection

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi

I refer to the above DA and confirm that I **object** to the proposed development. The proposed number of events being 12 per month is excessive and would be a total of 144 per annum or approximately 3 per week. The nature and detail of these events is not clear and will result in significant traffic flow and other noise increases. Even if people are not driving their own vehicles many as I have witnessed coming and going from the venue are using ride share (which it is not clear if this is classed as "public transport") The next result is increased traffic flow anyway and congestion from people either being dropped off and or picked up.

Please send correspondence to my home email Cc'd above.

Regards

**Stephen Kuhn**

(he/him)

Campus Manager Sutherland

University of Wollongong

1 Pitt Street, Loftus

T: [REDACTED]

M: [REDACTED]

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UNIVERSITY  
OF WOLLONGONG  
AUSTRALIA

**On the lands and waters that we study, we walk, and we live, we acknowledge and respect the Traditional Custodians and cultural knowledge holders of these lands.**

This email is intended for the addressee name and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. UOW CRICOS: 00102E | TEQSA Provider ID: PRV12062 | ABN: 61 060 567 686

I acknowledge and pay respect to the Traditional Dharawal Owners and Custodians of the Land I work on as the first people of this country.

**From:** [REDACTED]  
**Sent on:** Monday, September 22, 2025 7:57:52 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au  
**CC:** cmoore@cityofsydney.nsw.gov.au; mbarone@cityofsydney.nsw.gov.au; [REDACTED]  
**Subject:** RE: DA 2025/707 at Yirranma Place - 262 Liverpool Street - My further observations regarding another truck delivery to the site at 2.48 am this morning

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney (please copy to Sally Shepherd)

There was another occurrence of a night time truck delivery to this site, this time at 2.48 am this morning.

I was wakened by the sound of the truck reversing into Forbes Street from the Liverpool Street direction and the truck then parked at the same location as previously, on the street in Forbes Street near the roundabout, and proceeded to unload various items at the south west corner of the site.

Also in relation to garbage truck collections at the site, I believe the on-site garbage storage at the site is only adequate for the current approved commercial office use with a small café and if there is any increase in food supply/catering activities at the site, this will result in an increased likelihood of kerbside garbage collections being required which will also lead to an increase in adverse noise and other amenity impacts from the site for the surrounding residents if any change in the site uses/activities is approved.

Please also consider these issues when the council is assessing this DA.

Yours Sincerely

**Tim Brooker**

Transport Planner



---

**From:** [REDACTED]  
**Sent:** Wednesday, 17 September 2025 10:25 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au  
**Cc:** cmoore@cityofsydney.nsw.gov.au; mbarone@cityofsydney.nsw.gov.au; [REDACTED]  
**Subject:** RE: DA 2025/707 at Yirranma Place - 262 Liverpool Street - My further observations regarding a truck delivery to the site at 3.43 am this morning

Dear City of Sydney (please copy to Sally Shepherd)

I was wakened by the sound of a truck driving slowly past my house in Forbes Street at 3.43 am This morning.

The truck then parked for approx. 5-10 minutes at the roundabout directly at the entry point from Forbes Street into Liverpool Street. This is not a normal delivery point for trucks making deliveries to the site

The truck driver then proceeded to unload approx. 10-15 cases of food/drink items which were left inside the low wall at this corner of the site, see my attached photo, which I took at approx. 6.40 am this morning after it was light.

I could not see any markings on the truck which would definitely identify the owner or operator, but the driver was wearing a black uniform with white writing on the upper body, similar to the Two Good uniforms.

Needless to say the truck driver did not switch off the engine when making the delivery. This is a clear breach of the current site DA consent conditions for deliveries.

It is further evidence to me that the latest DA for "modification" of the site's current consent conditions must be refused by the Council because the site operator cannot control its deliveries to the site to comply with any consent conditions.

Yours Sincerely

**Tim Brooker**

Transport Planner



---

**From:** [REDACTED]  
**Sent:** Monday, 25 August 2025 2:20 PM  
**To:** [dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au); [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)  
**Cc:** [cmoore@cityofsydney.nsw.gov.au](mailto:cmoore@cityofsydney.nsw.gov.au); [mbarone@cityofsydney.nsw.gov.au](mailto:mbarone@cityofsydney.nsw.gov.au)  
**Subject:** My objection to DA 2025/707 at Yirranma Place - 262 Liverpool Street

Dear City of Sydney (please copy to Sally Shepherd)

I have been a resident of the Forbes Street area of Darlinghurst for approximately 13 years and I live at number 251 Forbes Street, which is located opposite the North Western Corner of the site of this proposed DA (262 Liverpool Street).

This property is one of approximately 40 residential properties (including houses, townhouses and apartments) that are located directly opposite to or adjacent to the rear and side boundaries of the Yirranma Place building in either Liverpool Street, Forbes Street or Darley Street.

This total includes the residential apartment building at 349 Liverpool street which has recently been demolished but is now being rebuilt with a similar or larger number of apartments. Ironically it is probably a highly opportunistic time for Yirranma place to submit this DA which the site opposite at 349 Liverpool Street is vacant and unoccupied, but maybe the new potential owners of the apartments there have been notified somehow. That is a digression perhaps.

Also many of my direct neighbours in Forbes street are unaware of the specific details of the proposed DA changes to the development in terms of what activities/uses are proposed for specific areas of the site, at what frequency per month and what is actually proposed in terms of music allowed in various areas of the what decibel levels at what times of the day. For that reason I am finding it difficult to object to specific aspects of the proposed development in terms of the impacts on residential properties adjoining or opposite the site.

So the key focus of my objection is that for the 40 residential properties most directly affected by adverse noise impacts from this DA, the two most critical conditions in the existing 2021 DA consent, which were imposed by the Council at that time, specifically for the purpose of protecting the existing environmental amenity of the surrounding residential properties must be maintained, namely:

**(4) Use of Entry Hall**

(a) The Entry Hall (also known as the Great Hall) shall **only be used as an *information and education facility*** as defined by the *Sydney Local Environment Plan 2012 in association with the charitable foundation use of the site.*

(b) The Entry Hall must **not be operated as a function space for third party users** that are not tenants of the site.

(c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.

**(6) Use of Roof Terraces**

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

Also in relation to any potential future activities/uses at the site that may constitute operating all or parts of the site as a function centre. The land is zoned R1 General Residential under the Sydney LEP 2012.

Under that zoning, prohibited uses include Function Centres. The Dictionary in the Sydney LEP 2012 states (emphasis added):

- *function centre* means a building or place used for the **holding of events, functions**, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

Perhaps, given the significant confusion now about what future uses are actually proposed for different areas of the site and what are the proposed limits on any uses. This latest DA should be refused outright by the Council as if the two above mentioned consent conditions are maintained, that will probably disallow most of the proposed changes to uses and activities at the site anyway.

Also I think the acoustic report submitted by the applicant for the site is inaccurate and should not be accepted by the Council for the following reasons.

- Because the Baseline noise monitoring was done in November 2019, it is out of date and no longer valid, new current baseline noise measurements have to be undertaken.
- The four locations where baseline noise monitoring was done in 2019 were all on the footpath close to the traffic in either Liverpool street or Forbes Street, so are not representative of the noise levels at any residential property.
- There was no background noise monitoring for the two most affected residential properties to the rear or sides of the site at 278 Liverpool street and 1B Darley street, so the existing noise levels at these properties cannot be claimed to have been defined
- Also at all surveyed locations in 2019 the background noise levels were reported as affected by construction noise, which also makes these baseline noise levels inaccurate
- Finally with the assessment of the noise impacts of 5 am van deliveries, they say this will be ok if the van driver switches off their engine (as if this is ever likely to happen).

Also, in the SEE/Planning report

- The applicant also reports some site visitor car parking survey results at the premises which claim zero percent car drivers parking on the street for site visitors, but this is highly unlikely to be accurate for any evening or night time events at the site and is not corroborated by any independent person.
- Also the SEE/Planning report claims the on street car parking around the site is all 1 hour parking and is regularly enforced by the Council, but this is not correct in the evenings and night time, and the car parking at the actual site frontages is primarily Unrestricted in Liverpool Street and has a 2 hr limit in Forbes Street so these statements in the report are clearly inaccurate. Any events at the site in the evenings/night times after 6 pm on weekdays or weekends are inevitable going to generate some additional on street parking usage which will make it harder for nearby residents to find vacant parking spaces on the street in either Forbes street or Liverpool Street, during the critical 5-6 pm evening period when many residents will typically be returning to their homes, either from work or other daytime activities.

In my personal and professional opinion which is based effectively on 35-40 years of working experience in the "planning and development" industries in NSW for a wide range of government and private sector clients, these are all significant reasons why this DA as currently proposed should be rejected by the Council or at the very least, the two above mentioned conditions of the existing development consent from 2021 (Condition 4 and Condition 6) should be retained in all future development approvals for the site.

Yours Sincerely

**Tim Brooker**

Transport Planner





**From:** [REDACTED]  
**Sent on:** Wednesday, September 17, 2025 10:24:56 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au  
**CC:** cmoore@cityofsydney.nsw.gov.au; mbarone@cityofsydney.nsw.gov.au; [REDACTED]  
[REDACTED]  
**Subject:** RE: DA 2025/707 at Yirranma Place - 262 Liverpool Street - My further observations regarding a truck delivery to the site at 3.43 am this morning  
**Attachments:** IMGA0453.JPG (5.86 MB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney (please copy to Sally Shepherd)

I was wakened by the sound of a truck driving slowly past my house in Forbes Street at 3.43 am This morning.

The truck then parked for approx. 5-10 minutes at the roundabout directly at the entry point from Forbes Street into Liverpool Street. This is not a normal delivery point for trucks making deliveries to the site

The truck driver then proceeded to unload approx. 10-15 cases of food/drink items which were left inside the low wall at this corner of the site, see my attached photo, which I took at approx. 6.40 am this morning after it was light.

I could not see any markings on the truck which would definitely identify the owner or operator, but the driver was wearing a black uniform with white writing on the upper body, similar to the Two Good uniforms.

Needless to say the truck driver did not switch off the engine when making the delivery. This is a clear breach of the current site DA consent conditions for deliveries.

It is further evidence to me that the latest DA for "modification" of the site's current consent conditions must be refused by the Council because the site operator cannot control its deliveries to the site to comply with any consent conditions.

Yours Sincerely

**Tim Brooker**

Transport Planner



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**From:** [REDACTED]  
**Sent:** Monday, 25 August 2025 2:20 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; council@cityofsydney.nsw.gov.au  
**Cc:** cmoore@cityofsydney.nsw.gov.au; mbarone@cityofsydney.nsw.gov.au  
**Subject:** My objection to DA 2025/707 at Yirranma Place - 262 Liverpool Street

Dear City of Sydney (please copy to Sally Shepherd)

I have been a resident of the Forbes Street area of Darlinghurst for approximately 13 years and I live at number 251 Forbes Street, which is located opposite the North Western Corner of the site of this proposed DA (262 Liverpool Street).

This property is one of approximately 40 residential properties (including houses, townhouses and apartments) that are located directly opposite to or adjacent to the rear and side boundaries of the Yirranma Place building in either Liverpool Street, Forbes Street or Darley Street.

This total includes the residential apartment building at 349 Liverpool street which has recently been demolished but is now being rebuilt with a similar or larger number of apartments. Ironically it is probably a highly opportunistic time for Yirranma place to submit this DA which the site opposite at 349 Liverpool Street is vacant and unoccupied, but maybe the new potential owners of the apartments there have been notified somehow. That is a digression perhaps.

Also many of my direct neighbours in Forbes street are unaware of the specific details of the proposed DA changes to the development in terms of what activities/uses are proposed for specific areas of the site, at what frequency per month and what is actually proposed in terms of music allowed in various areas of the what decibel levels at what times of the day. For that reason I am finding it difficult to object to specific aspects of the proposed development in terms of the impacts on residential properties adjoining or opposite the site.

So the key focus of my objection is that for the 40 residential properties most directly affected by adverse noise impacts from this DA, the two most critical conditions in the existing 2021 DA consent, which were imposed by the Council at that time, specifically for the purpose of protecting the existing environmental amenity of the surrounding residential properties must be maintained, namely:

**(4) Use of Entry Hall**

(a) The Entry Hall (also known as the Great Hall) shall **only be used as an *information and education facility*** as defined by the *Sydney Local Environment Plan 2012* **in association with the charitable foundation use of the site.**

(b) The Entry Hall must **not be operated as a function space for third party users** that are not tenants of the site.

(c) Any uses associated with (a) above after 6.00pm where food and drinks are available, shall be limited to a maximum of two (2) per calendar month.

**(6) Use of Roof Terraces**

The separately approved roof terraces must not be utilised by patrons of either the cafe or exhibitions in the entry hall.

Also in relation to any potential future activities/uses at the site that may constitute operating all or parts of the site as a function centre. The land is zoned R1 General Residential under the Sydney LEP 2012.

Under that zoning, prohibited uses include Function Centres. The Dictionary in the Sydney LEP 2012 states (emphasis added):

- *function centre* means a building or place used for the **holding of events, functions**, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

Perhaps, given the significant confusion now about what future uses are actually proposed for different areas of the site and what are the proposed limits on any uses. This latest DA should be refused outright by the Council as if the two above mentioned consent conditions are maintained, that will probably disallow most of the proposed changes to uses and activities at the site anyway.

Also I think the acoustic report submitted by the applicant for the site is inaccurate and should not be accepted by the Council for the following reasons.

- Because the Baseline noise monitoring was done in November 2019, it is out of date and no longer valid, new current baseline noise measurements have to be undertaken.
- The four locations where baseline noise monitoring was done in 2019 were all on the footpath close to the traffic in either Liverpool street or Forbes Street, so are not representative of the noise levels at any residential property.
- There was no background noise monitoring for the two most affected residential properties to the rear or sides of the site of the site at 278 Liverpool street and 1B Darley street, so the existing noise levels at these properties cannot be claimed to have been defined
- Also at all surveyed locations in 2019 the background noise levels were reported as affected by construction noise, which also makes these baseline noise levels inaccurate
- Finally with the assessment of the noise impacts of 5 am van deliveries, they say this will be ok if the van driver switches off their engine (as if this is ever likely to happen).

Also, in the SEE/Planning report

- The applicant also reports some site visitor car parking survey results at the premises which claim zero percent car drivers parking on the street for site visitors, but this is highly unlikely to be accurate for any evening or night time events at the site and is not corroborated by any independent person.
- Also the SEE/Planning report claims the on street car parking around the site is all 1 hour parking and is regularly enforced by the Council, but this is not correct in the evenings and night time, and the car parking at the actual site frontages is primarily Unrestricted in Liverpool Street and has a 2 hr limit in Forbes Street so these statements in the report are clearly inaccurate. Any events at the site in the evenings/night times after 6 pm on weekdays or weekends are inevitable going to generate some additional on street parking usage which will make it harder for nearby residents to find vacant parking spaces on the street in either Forbes street or Liverpool Street, during the critical 5-6 pm evening period when many residents will typically be returning to their homes, either from work or other daytime activities.

In my personal and professional opinion which is based effectively on 35-40 years of working experience in the “planning and development” industries in NSW for a wide range of government and private sector clients, these are all significant reasons why this DA as currently proposed should be rejected by the Council or at the very least, the two above mentioned conditions of the existing development consent from 2021 (Condition 4 and Condition 6) should be retained in all future development approvals for the site.

Yours Sincerely

**Tim Brooker**

Transport Planner





Sparkling Mineral Water  
**LENTINI**  
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Sparkling Mineral Water  
**LENTINI**  
24 x 330ml GLASS BOTTLES  
Bottled For: Eastcoast Beverages  
993 George Downes Drive

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12 x 750ml GLASS BOTTLES  
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Still Mineral Water  
**LENTINI**  
12 x 750ml GLASS BOTTLES  
ALISSE OWNED SINCE 1984

**From:** Noeleen Fitzmaurice [REDACTED]  
[REDACTED]

**Sent on:** Monday, September 15, 2025 8:36:03 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Objection to DA D/2025/707 - 262 Liverpool Street DARLINGHURST NSW 2010 - Attention Sally Shepherd

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sir/Madam

I have been overseas with no access to my emails, I realise this objection is late but am submitting it anyway.

I am a neighbouring resident and I wish to object to DA D/2025/707 for 262 Liverpool Street, lodged by the Paul Ramsay Foundation Limited. This application seeks variations to the existing approval (D/2020/1397 and D/2020/1397/A) that materially alter the impact of the use on surrounding residents. My concerns are set out below,

1. **Early morning deliveries:** Deliveries at 5:00 am will generate unacceptable noise impacts, including reversing beepers, truck engines, and unloading activities, in a mixed residential neighbourhood where residents reasonably expect quiet during night-time and early morning hours. The City's own **Development Control Plan (Noise and Pollution controls)** emphasises protection of residential amenity during sensitive early hours. This variation undermines that intent and should be refused.

2. **Outdoor Cafe Seating:** Outdoor seating will introduce continuous spill-out noise (conversations, table movement, service noise) directly onto Liverpool Street. Unlike indoor café use, this cannot be acoustically contained. The SEE does not demonstrate how 24 seats can operate without significant adverse impact on residents, particularly in evenings. Furthermore, Darlinghurst's narrow footpaths raise issues of pedestrian obstruction and safety. The outdoor seating request should be refused or, at minimum, conditioned with strict limits (hours, patron numbers, and no alcohol service outdoors).

3. **Frequency of 3rd Party Events:** Expanding from **2 to 12 events per month** represents a six-fold increase in after-hours activity. This will result in:

- **More frequent evening traffic movements and drop-offs;**
- **Higher levels of amplified speech/noise associated with functions;**
- **Greater cumulative impact on local residential amenity.**

**The cumulative intensity is excessive for a residentially proximate site and inconsistent with the balance struck in the current consent. There is no reasonable basis for a change in the current proposed number of events as neither the residential nature of the neighbourhood nor the purpose of the function areas have changed since the last DA was discussed and approved. The six-fold increase is clearly an attempt to undermine the previous DA conditions and is excessive and unwarranted.**

4. **External Background Music:** Allowing outdoor amplified music, even "background," introduces a precedent that was deliberately prohibited under the existing consent. Music transmission outdoors is difficult to regulate and enforce, and " levels are often exceeded in practice. With nearby residences

overlooking these areas, noise intrusion will be unavoidable and contrary to the protective intent of Condition 13. This variation should be refused.

For the above reasons, I request the DA D/2025/707 be **refused** in its current form and that the variations be significantly scaled back to protect the neighbourhood amenity.

Yours sincerely

Noeleen A Fitzmaruice

**From:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au> on behalf of Sally Shepherd  
<SShepherd1@cityofsydney.nsw.gov.au> <Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, September 11, 2025 8:11:08 AM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: Objection to DA/2025/707 – Yirranma/The Paul Ramsay Foundation

Please log as an objection to D/2025/707

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**From:** Christine Blackie [REDACTED]  
**Sent:** Wednesday, 10 September 2025 9:12 AM  
**To:** Sally Shepherd <SShepherd1@cityofsydney.nsw.gov.au>  
**Subject:** Objection to DA/2025/707 – Yirranma/The Paul Ramsay Foundation

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Sally,

I am writing to object to DA/2025/707 from the Paul Ramsay Foundation regarding Yirranma Place. While I respect the Foundation's work, this proposal would have a serious negative impact on our family and many other residents in the area.

The rooftop terraces are less than 30 metres from nearby balconies and our bedrooms. Noise from events has been estimated at up to 75dB, which is louder than kerbside traffic and completely unsuitable in a residential setting. This level of disruption would significantly reduce the amenity and privacy of our homes.

In addition, parking in the area is already under heavy pressure from existing building uses. Hosting up to twelve events per month would further strain parking availability and extend the disruption well into the evenings.

For these reasons, I strongly urge the council to reject this Development Application to preserve the amenity, privacy, and liveability of the neighbourhood.

Sincerely,

Christine Blackie

Resident of 1/1b Darley Street, Darlinghurst