

**Item 5.****Development Application: 93-101 Albion Street, Surry Hills - D/2025/894****File Number: D/2025/894****Summary****Date of Submission:** 17 September 2025**Applicant:** George Nehme**Architect/Designer:** NTARCH Achitects**Owner:** Edgecliff Terraces Pty Ltd and Edgecliff Enterprises Pty Ltd**Planning Consultant:** Pivotal Planning**Heritage Consultant:** Heritage 21**Cost of Works:** \$2,165,651.40**Zoning:** MU1 Mixed Use Zone

The 'sex services premises' use has an existing approval and is permissible with consent in the zone.

**Proposal Summary:** The application involves alterations and additions to an existing sex services premises for refurbishment of internal areas and minor external alterations, including a new equitable access front entry at 101 Albion Street, reinstatement of front awnings and repainting.

The terraces to which the application relate have development consent to operate as a sex services premises known as "Tiffany's Girls" and have been interconnected for many years.

The most recent development consent for the premises was granted in 1997 (U97/00589) and approved internal fit-out works. That consent included operational conditions specifying the approved hours of operation between 11:00 am and 5:00 am (the following day), while the application indicated a maximum of 12 sex workers on-site at any one time.

The current application is consistent with these operational details and does not propose any changes in this regard.

The premises are currently vacant and have been stripped internally. There is a concurrent Building Information Certificate (BIC) application lodged for unauthorised works involving partial demolition of internal fabric (BC/2025/122).

Notwithstanding the above, the layout of the premises remains generally consistent with the 1997 consent (U97/00589) with the exception of the amalgamation of three sex worker rooms on the first floor of 93 and 95 Albion and the amalgamation of two sex worker rooms on the first floor of 101 Albion Street.

The unauthorised works have also removed partition walls at the ground floor with the intention of creating a more open plan bar/lounge area with separate reception area off the 101 Albion Street entry, as well as a more open plan staff dressing room within the ground floor of 93 Albion Street.

The works are principally internal reconfigurations with minor external works and will not lead to intensification of the use, subject to recommended conditions of consent.

The application is reported to the Local Planning Panel for determination as it involves sensitive development, being development for the purposes of a sex services premises.

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

**Development Controls:**

- (i) Sydney Local Environmental Plan 2012 (Sydney LEP)
- (ii) Sydney Development Control Plan 2012 (Sydney DCP)

**Attachments:**

- A. Recommended Conditions of Consent
- B. Selected Drawings

**Recommendation**

It is resolved that consent be granted to Development Application Number D/2025/894 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) The development, subject to conditions, is consistent with the objectives of the MU1 Mixed Use Zone.
- (B) The operational details of the premises remain consistent with its approved use. Accordingly, the proposal will not result in any intensification of the use and will not unreasonably impact the amenity of neighbouring properties.
- (C) The development is compatible with the character of the Albion Estate heritage conservation area and will not adversely affect the character of the locality.
- (D) The proposal provides for equitable access in accordance with the provisions of Section 3.12 of the Sydney DCP.
- (E) The proposal exhibits design excellence pursuant to the provisions of Clause 6.21C of the Sydney LEP, as it provides a high standard of architectural design, materials and detailing appropriate to the building type and location, and has appropriately addressed heritage and streetscape considerations.
- (F) The development accords with objectives of relevant planning controls.

## Background

### The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the Local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category(s):
  - (a) Sensitive Development
2. The development application falls within the category of Sensitive Development as it involves development for the purposes of a sex services premises.

### The Site and Surrounding Development

3. The site has a legal description of Lot 1 in Deposited Plan 1320074, and is commonly known as 93-101 Albion Street, Surry Hills. It is rectangular in shape with an area of approximately 485 square metres. It has a primary street frontage of approximately 20 metres to Albion Street, a secondary street frontage of approximately 24.5 metres to Waterloo Street and a rear street frontage of approximately 20 metres to Albion Way. The site is located close to the intersection of Albion Street and Bellevue Street.
4. The site comprises a row of five two-storey attached and interconnected terraces constructed in the Victorian period. They are of masonry brick construction with verandahs on the ground floor featuring cast iron palisade fences along the front boundaries. The buildings have pitched roofs with prominent chimneys along the party walls.
5. Internally, the subject buildings have been extensively modified and do not retain the original internal layout. A large extent of original fabric has been removed under previously approved works dating back to 1979.
6. The surrounding locality is primarily characterised by a low-density residential environment, consisting of a mixture of attached terraces, and mixed-use developments. The properties within the immediate vicinity of the subject site consist of single and two storey detached and attached terraces along Albion Street.
7. The site is not a heritage item but is identified in the Sydney LEP as being located within the Albion Estate heritage conservation area (Map reference C58). The terraces are identified in the Sydney DCP as contributory buildings, and as being located within the Riley locality.
8. A site visit was carried out on 9 October 2025. Photographs of the subject site and its surroundings are reproduced in the figures provided below.



**Figure 1:** Aerial view of the subject site (shown shaded in red) and its surroundings



**Figure 2:** The front of the subject site viewed from Albion Street, looking west



**Figure 3:** The existing frontage of 101 Albion Street, proposed for equitable access



**Figure 4:** The rear of the subject site, viewed from Albion Way



**Figure 5:** The side of the subject site viewed along Waterloo Street, looking south



**Figure 6:** The existing hardstand covered parking area and rear entry to the premises



**Figure 7:** The current stripped and vacant condition of the interior of the premises (being the ground floor level of 101 Albion Street)



**Figure 8:** The current stripped and vacant condition of the interior of the premises, showing the retained original fireplace (being the first floor level of 95 Albion Street)

## History Relevant to the Development Application

### Development Applications

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

- (a) **U97/00589** – Development consent was granted by the former South Sydney Council on 15 October 1997 for alterations and additions to the existing brothel known as "Tiffany's".

The consent included operational conditions specifying the approved hours of operation between 11:00 am and 5:00 am (the following day), while the application indicated a maximum of 12 sex workers on-site at any one time.

Approval was granted to modify the above consent on 14 April 1998 to remove the requirement for each room to provide its own sanitary facilities including toilet, shower/bath and hand basin for the use of both sex workers and their clients.

The modification confirmed that each room is to provide a shower and not less than seven of the fourteen rooms will contain in addition to a shower, a toilet and a hand basin. Further, not less than three freestanding toilets with hand basins will be available, within the brothel, for use by clients and sex workers.

The current application is consistent with the operational details of the previous consent and provides sanitary facilities as specified in the modified consent.

**Compliance Action**

10. The site is subject to an ongoing compliance action in relation to the unauthorised works to the premises.
11. The premises are currently vacant and have been stripped internally, with a concurrent Building Information Certificate (BIC) application lodged for unauthorised works involving partial demolition of internal fabric (BC/2025/122).
12. Council has issued a stop work order on 17 June 2025 requiring all works on site to cease until development consent has been obtained (HBC/2025/248).

**Amendments**

13. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant regarding the design and configuration of the proposed equitable access entry to 101 Albion Street.
14. In response, the applicant has provided advice from their appointed access consultant demonstrating that all options for the provision of Disability Discrimination Act (DDA) compliant access have been thoroughly explored. The consultant advises that the proposed entry to 101 Albion Street is the only viable solution, given heritage constraints and the site's configuration, which includes narrow internal passageways unsuitable for DDA compliance and varying floor levels.
15. Further design refinement and detailing of the DDA entry has been requested to ensure the entry is sympathetic to the heritage streetscape and minimises impact upon the principal facade of the terrace.
16. The requested design amendments were submitted to Council on 25 November 2025 and have been reviewed by Council staff. The amended drawings do not adequately address the concerns raised and have not been accepted under Section 37 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation). Further assessment regarding this matter is provided below under the 'Discussion heading' of this report.

**Proposed Development**

17. The application seeks consent for alterations and additions to the existing sex services premises for refurbishment of internal areas and minor external alterations.
18. The proposed external works consist of the following:
  - (a) provision of a new equitable access front entry at 101 Albion Street, with associated changes to front verandah and balustrade to accommodate the change;
  - (b) installation of new front awnings to 95 and 99 Albion Street; and
  - (c) repainting of existing painted facade elements, chimneys, gutters and trims.
19. The selected architectural drawings of the proposal are provided at Attachment B.

## Assessment

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

## Local Environmental Plans

### Sydney Local Environmental Plan 2012

21. 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 | Yes        | <p>The site is located in the MU1 Mixed Use zone.</p> <p>The proposed development involves alterations and additions to an approved sex services premises and is permissible with consent in the zone.</p> <p>The proposal generally meets the objectives of the zone.</p> |

#### Part 4 Principal development standards

| Provision               | Compliance | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.3 Height of buildings | Yes        | The proposed development will have no impact upon the existing height of the building and complies.                                                                                                                                                                                                                                                                                                                                                  |
| 4.4 Floor space ratio   | Yes        | <p>The proposal seeks to provide enlarged BCA compliant staircases which will result in a marginal reduction in the gross floor area of the development.</p> <p>The site is permitted a maximum floor space ratio of 1.5:1, which equates to a permissible gross floor area of approximately 711sqm across the site.</p> <p>The proposed development has a floor space ratio of 0.95:1, which equates to 451.1sqm gross floor area and complies.</p> |

**Part 5 Miscellaneous provisions**

| Provision                  | Compliance | Comment                                                                                                                                                                                                                                                                                                                                       |
|----------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.10 Heritage conservation | Yes        | <p>The site is located within the Albion Estate heritage conservation area (C48).</p> <p>The proposed development will not have detrimental impact on the heritage significance of the heritage conservation area, subject to the recommended conditions.</p> <p>Refer to the further details provided in the 'Discussion' section below.</p> |
| 5.21 Flood planning        | Yes        | <p>The site is not identified as being within the flood planning area or the probable maximum flood level.</p> <p>The proposal is therefore acceptable regarding flood planning considerations.</p>                                                                                                                                           |

**Part 6 Local provisions – height and floor space**

| Provision                    | Compliance | Comment                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Division 4 Design excellence |            |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 6.21C Design excellence      | Yes        | <p>The proposed development is of a high standard and uses materials and detailing which are compatible with the existing development along the street and will contribute positively to the character of the area.</p> <p>The development has an acceptable environmental impact regarding the amenity of the surrounding area and future occupants.</p> <p>The development therefore exhibits design excellence.</p> |

**Part 7 Local provisions – general**

| Provision                              | Compliance | Comment                                                                                                                      |
|----------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------|
| 7.21 Location of sex services premises | Yes        | <p>The subject site has previously operated as a sex services premises under a development consent since the late 1990s.</p> |

| Provision | Compliance | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |            | <p>While it is noted that the site is located within the vicinity of two nearby sex services premises at 10-12 and 13 Bellevue Street respectively, the operation of the brothels has not resulted in any significant substantiated adverse environmental impacts or compliance issues.</p> <p>The subject proposal will not result in any significant additional impacts beyond that which previously existed, either in terms of the hours of operation, which remain as previously approved, or intensity of use, which is reduced from 14 rooms to 8.</p> <p>Council's Safe City Unit raises no objections to the proposal, subject to recommended conditions.</p> <p>The subject sex services premises is not located in the same building as a dwelling and complies with Clause 7.21(3). Overall, the continued operation of the premises is considered in keeping with the objectives of this clause.</p> |

## Development Control Plans

### Sydney Development Control Plan 2012

22. 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

23. The site is identified in Section 2.11.2 of the Sydney DCP as being located within the Riley locality.
24. The proposed development is in keeping with the unique character and the design principles of the Riley locality in that it complements the heritage character of Albion Street and generally preserves the intactness of the terrace row.

#### Section 3 – General Provisions

| Provision                                     | Compliance | Comment                                                                                                                 |
|-----------------------------------------------|------------|-------------------------------------------------------------------------------------------------------------------------|
| 3.2.2 Addressing the Street and Public Domain | Yes        | The proposal provides a legible and accessible entry from Albion Street and ties in with existing public domain levels. |

| Provision                                      | Compliance | Comment                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.2.4 Footpath awnings                         | Yes        | <p>The proposal involves the reinstatement of two awnings to the terraces at 95 and 99 Albion Street.</p> <p>The proposed awnings are not supported on heritage grounds, and a condition is recommended to require that they are deleted.</p> <p>Refer to the further details provided in the 'Discussion' section below.</p>                        |
| 3.5 Urban Ecology                              | Yes        | <p>The proposed development does not involve the removal of any trees and will not have an adverse impact on the local urban ecology.</p>                                                                                                                                                                                                            |
| 3.9 Heritage                                   | Yes        | <p>The site is located within the Albion Estate heritage conservation area (C48).</p> <p>The proposed development will not have detrimental impact on the significance of the heritage conservation area, subject to the recommended conditions.</p> <p>Refer to the further details provided in the 'Discussion' section below.</p>                 |
| 3.12 Accessible Design                         | Yes        | <p>The proposal provides a new accessible entry off Albion Street to provide equitable access to all visitors to the premises and complies.</p>                                                                                                                                                                                                      |
| 3.13 Social and Environmental Responsibilities | Yes        | <p>The proposed development includes appropriate controls for the operation of the premises in the plan of management submitted with the application, provides adequate passive surveillance, and is generally designed in accordance with the CPTED principles.</p> <p>Refer to the further details provided in the 'Discussion' section below.</p> |
| 3.14 Waste                                     | Yes        | <p>The plan of management submitted with the application refers to dedicated waste storage within the site, however this has not been identified on the architectural drawings submitted with the subject application.</p>                                                                                                                           |

| Provision                          | Compliance | Comment                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                    |            | An appropriate condition is 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        | <p>Section 3.15 of the Sydney DCP stipulates that Category A, B and C premises do not include sex service premises.</p> <p>The proposed trading hours are consistent with the existing consent for the premises, being between 11am and 5am, the following day.</p> <p>No additional hours are proposed beyond those currently approved and therefore the proposed hours are acceptable on this basis.</p> |

## Section 4 – Development Types

### 4.4 Other Development Types and Uses

#### 4.4.6 Sex industry premises and adult entertainment

| Provision                    | Compliance | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.4.6.1 Location of premises | Yes        | <p>The application relates to an existing approved sex services premises.</p> <p>The existing premises is not located in a building that contains a residential dwelling, but is located immediately adjacent and directly opposite land which has been developed for residential purposes, in addition to being within 75 metres of two existing approved sex industry premises.</p> <p>The Sydney DCP stipulates that exemptions may be given to works proposed to an existing sex industry premises where the consent authority considers those works to be of a minor nature.</p> <p>Given that the proposed development is relatively minor in scope and relates to a</p> |

| Provision                              | Compliance | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                        |            | lawful and permissible use, and reduces its intensity by reducing the number of rooms within the premises, it is acceptable with regard to the relevant objectives of the controls.                                                                                                                                                                                                                                                                                                                                                  |
| 4.4.6.2 Design of premises             | Yes        | <p>The premises is designed with appropriate entrances and exits to facilitate the privacy of staff and visitors without compromising personal safety.</p> <p>The external appearance of the premises is consistent with the character of the street.</p> <p>The premises does not present as a prominent feature in the street and does not involve the display of any material or services associated with the premises.</p>                                                                                                       |
| 4.4.6.3 Scale of sex services premises | Yes        | <p>The application involves a reduction in the number of sex worker rooms due to amalgamation of a number of rooms on the first floor.</p> <p>Development consent U97/00589 was approved with 14 sex worker rooms, whereas the current proposal involves 10 sex worker rooms.</p> <p>The maximum number of sex workers at the premises at any one time is to remain at 12 and a condition of consent is recommended to confirm this.</p> <p>Accordingly, the proposal will not increase the scale or intensification of the use.</p> |
| 4.4.6.4 Health, safety and security    | Yes        | <p>The premises provides appropriate separation of reception, waiting rooms, working rooms and staff areas.</p> <p>The submitted Plan of Management confirms security cameras will be located strategically in order to capture all areas of the premises and the perimeter entry/exits with the exception of bathroom and change areas.</p>                                                                                                                                                                                         |

| Provision                        | Compliance                | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                  |                           | Further requirements for the operation of the premises to secure the health, safety and security of workers and visitors are outlined below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4.4.6.6 Management of operations | Yes, subject to condition | <p>The applicant has provided a Plan of Management which generally describe how the ongoing operation of the premises will be managed and outlines appropriate measures to ensure the safety, cleanliness and security of the premises.</p> <p>Further updates to the Plan of Management are recommended by condition to address the requirements of the Sydney DCP as follows:</p> <p><b>Separation of Staff Spaces</b></p> <p>To confirm that spaces designated exclusively for sex workers—such as locker rooms, kitchens, and changing areas—must not be accessible to patrons. These areas should be secured using a lock or swipe card access system. Additionally, a dedicated toilet for staff and sex workers must be provided.</p> <p><b>Alarm Systems</b></p> <p>All working rooms and staff areas must be provided with intercoms or duress alarm systems linked to a central base and monitored at all times.</p> |

## Discussion

### Heritage

25. The application involves alterations and additions to five interconnected contributory terraces. Internally, the subject buildings have been extensively modified and do not retain the original internal layout with a large extent of original fabric removed under historic approved works dating back to 1979.
26. A separate BIC application has been lodged with Council regarding unauthorised works and stripping of the interiors of the property, however these works principally relate to non-original fabric and/or non-heritage significant partition walls.

27. Aside from opening up of the staff dressing room and lounge bar area on the ground floor, and the amalgamation of a number of worker rooms on the first floor; the layout of the premises is generally consistent with the most recent historic approval for the use (U97/00589).
28. It is noted that the works have retained the existing fireplaces, considered to be the last surviving extant interior fabric.
29. The provisions of Section 3.9.7 of the Sydney DCP and the principles of the Burra Charter require alterations and additions to contributory buildings are to minimise the extent of change required and retain significant fabric.
30. In this regard, it is recognised that the proposed changes to the front entry of 101 Albion Street to provide DDA access will alter the presentation of the building to the street.
31. Evidence provided by the applicant's DDA consultant demonstrates all options have been explored to provide alternative accessible entry, however this is the only suitable entry to provide access due to the site constraints and configuration of the premises.
32. Accordingly, a design modification condition is recommended requiring further design detailing and amendments to the door entry and verandah. The design detailing required will ensure that the proposal minimises the extent of change, reuses and reinstates original fabric, and clearly distinguishes between new works and original fabric in accordance with the provisions of the Burra Charter.
33. The recommended condition will ensure the design of the front entry is compatible with the streetscape and will not adversely impact on the character of the Albion Street Heritage Conservation Area.
34. Further, the application proposes to install new fabric awnings on the frontage of 95 and 99 Albion Street. The submitted architectural plans indicate that the proposed awnings will encroach over the Albion Street footway by approximately 650mm.
35. The terraces at 95 and 99 Albion Street each currently have fabric awnings of markedly different styles, however the submitted Heritage Impact Statement prepared by Heritage21 provides no indication that the awnings are original features of the terraces and it is unknown when they were installed.
36. The existing and proposed awnings do not significantly improve the visual presentation of the contributory terraces to the street and detract from the presentation of the five terraces as a consistent terrace group.
37. Accordingly, a design modification condition is recommended requiring that the awnings are removed and no approval is granted for a new awning with the fascia made good after any removal works.

## Consultation

### Internal Referrals

38. The application was discussed with Council's:
- (a) Building Compliance Unit
  - (b) Environmental Health Unit
  - (c) Heritage and Urban Design Unit
  - (d) Safe City Unit
  - (e) Waste Management Unit
39. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in Attachment A.

## Advertising and Notification

40. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 14 days between 8 October 2025 and 23 October 2025. A total of 154 properties were notified and no submissions were received.

## Financial Contributions

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

41. The City of Sydney Development Contributions Plan 2015 applies to the site. However, the development relates to alterations and additions to an existing sex services premises which will not increase the floorspace or intensify the use of the premises.
42. A contribution is therefore not applicable.

### Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

43. As the proposal is development for purposes other than residential accommodation that will result in the creation of less than 60 square metres of gross floor area, the development is excluded and is not subject to a Section 7.13 affordable housing contribution.

## Housing and Productivity Contribution

44. The development is not subject to a Housing and Productivity Contribution under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.

## Relevant Legislation

45. Environmental Planning and Assessment Act 1979.

**Conclusion**

46. The application involves alterations and additions to existing sex services premises for refurbishment of internal areas and minor external alterations, including a new disabled front entry at 101 Albion Street, reinstatement of front awnings and repainting.
47. The terraces to which the application relate have existing development consent to operate as a sex services premises and the proposal is consistent with the existing approved operational aspects of the development. Recommended conditions are included to ensure these operational aspects remain consistent.
48. The works are principally internal reconfigurations with minor external works and will not lead to intensification of the use, subject to recommended conditions of consent.
49. Conditions are recommended to ensure that the external works proposed will not adversely impact upon the character of the Albion Estate heritage conservation area and are compatible with the streetscape.
50. For the reasons outlined above, the proposal is considered acceptable and recommended for approval subject to the recommended conditions of consent.

**ANDREW THOMAS**

Executive Manager Planning and Development

Daniel Stanley, Senior Planner