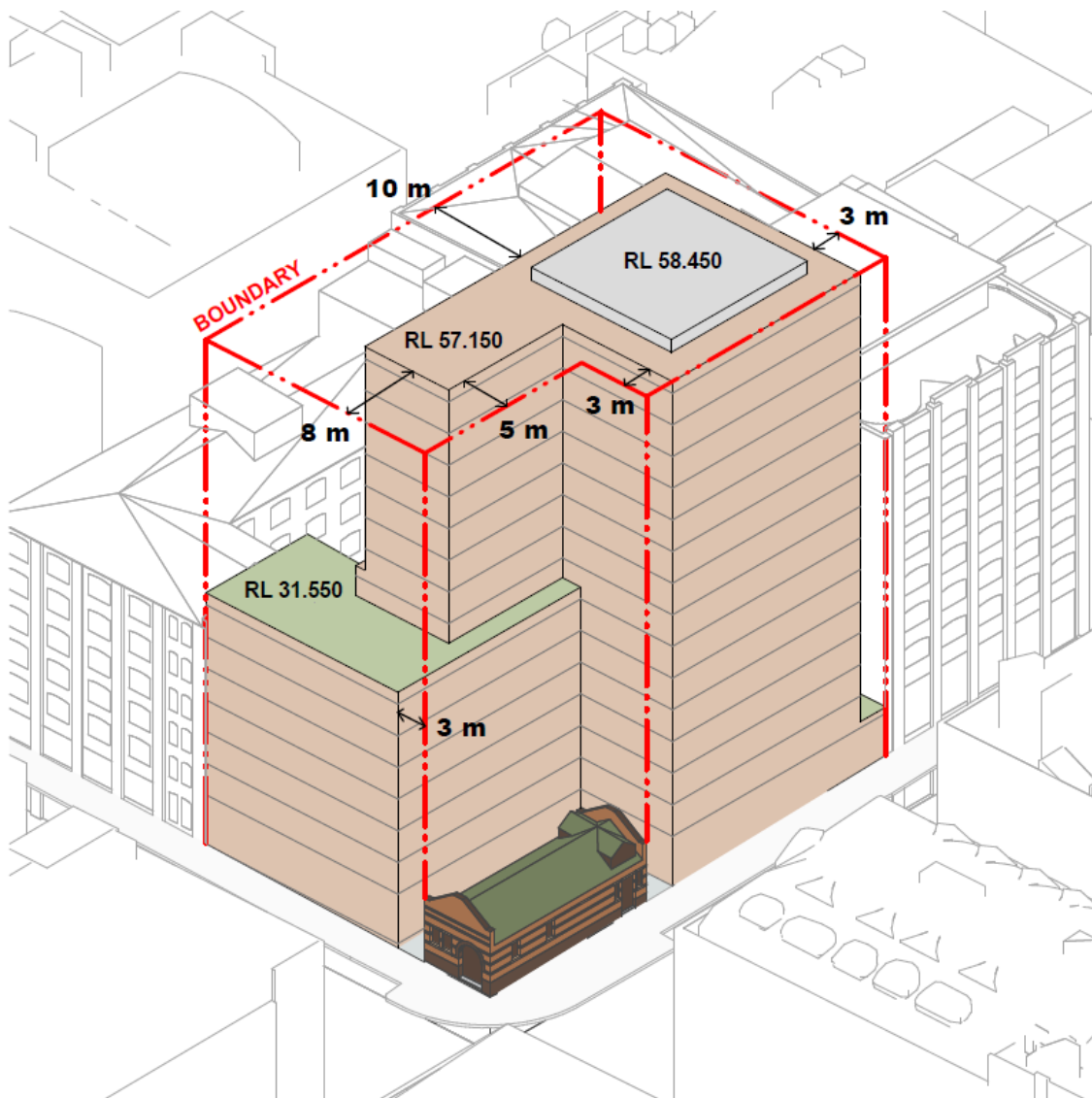


Attachment D

**Design Excellence Strategy - 41-49
Mountain Street, Ultimo**

Design Excellence Strategy – 41-49 Mountain Street, Ultimo



Introduction

This Design Excellence Strategy relates to the planning proposal prepared for 41-49 Mountain Street, Ultimo following a request by the proponent, Apt.residential, to amend the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012 as they apply to the site.

Future development using the controls proposed under this planning proposal will be subject to a competitive design process under Clause 6.21D of the Sydney LEP 2012, which currently requires a competitive design process for buildings greater than 25m on this site, or 35 metres in accordance with the amendment to the LEP adopted by Council on 23 June 2025.

This document is to be read in conjunction with draft Planning Proposal: 41-49 Mountain Street, Ultimo dated February 2026 and draft Development Control Plan: 41-49 Mountain Street, Ultimo dated February 2026.

The site

The site consists of two lots, known as Lot 21 DP 5567 and Lot 1 DP 191928. It is a corner site with frontages to Mountain Street to the east and Small Street to the north. The site has a combined total area of 1,452.6m².

Existing development on the site consists of a single storey State heritage listed former electrical substation located on Lot 1 DP 191928 in the north-eastern corner of the site. The remainder of site is generally vacant, with the exception of some single storey ancillary sheds, with buildings demolished in 2007 for a commercial development that did not proceed.

The site is located within the Mountain Street heritage conservation area. Surrounding development consists of a large number of former warehouses, as well as more recent buildings used for a mixture of residential, commercial, retail and educational uses.



Figure 1. Site location

Concurrent process

The planning proposal under consideration is to allow a new development for build-to-rent housing in accordance with Chapter 3, Part 4 of the Housing SEPP, and for affordable housing consistent with the City's affordable housing program. The maximum height is approximately 52m above ground level.

The City is using this project to trial a process where the planning proposal and development application can be exhibited concurrently. This approach is permitted under the Environmental Planning and Assessment Act 1979 and may reduce housing delivery times where appropriate.

Under this compressed timeline, the design competition is brought forward and carried out prior to the planning controls being finalised at the developer's sole risk. At this time only the planning proposal has been lodged, although work on the design competition brief is progressed. This design excellence strategy has been prepared as a standalone item so it can be approved in principle to allow for the commencement of the competitive design process ahead of the finalisation of the planning controls.

The trial process is being undertaken at the request of the proponent. There remains the risk for the proponent of completing the design competition and lodging a DA before the planning proposal has been finalised, however the proponent understands this and is willing to fully accept this risk.

Key controls

- (1) A competitive design process for the entire site is to be undertaken in accordance with clause 6.21D of the Sydney LEP 2012 and the City of Sydney Competitive Design Policy.
- (2) The competitive design process is to include:
 - (a) no less than three (3) competitors invited to participate;
 - (b) include a range of emerging and established architectural firms;
 - (c) minimum of 50% of Australian based architects; and
 - (d) competitors with demonstrated capabilities in design excellence by being the recipient of an Australian Institute of Architects (AIA) award or commendation, or in the case of overseas competitors the same with their equivalent professional association.
- (3) The jury is to comprise a total of four (4) members comprised of:
 - (a) two (2) jurors with architecture and urban design expertise nominated by the proponent including one independent member (a person who has no pecuniary interest, nor is a pending or contracted employee or consultant to the proponent);
 - (b) two (2) jurors nominated by the City of Sydney, who have no pecuniary interests in the development proposal or involvement in approval processes; and
 - (c) at least one of the above members is to have heritage expertise.
- (4) Any additional floor space pursued for a building demonstrating design excellence under clause 6.21D of the Sydney LEP 2012 is to be accommodated within the maximum floor space ratio permitted for the site and be within the maximum building envelope under section 6.3.X.1 of the draft DCP for the site.
- (5) No additional building height under clause 6.21D(3)(a) is to be awarded as a result of the competitive design process.

