

Item 4.**Development Application: 431 Glebe Point Road, Glebe - D/2025/1006****File Number:** D/2025/1006**Summary****Date of Submission:** 6 November 2025, amended plans 6 February 2026, 6 March 2026**Applicant:** The Trustee for Drivas Family Trust No. 2**Architect:** TKD Architects**Owner:** G & J Drivas Pty Ltd**Planning Consultant:** BBC Consulting Planners**Heritage Consultant:** John Oultran Heritage & Design**Cost of Works:** \$25,575,059.00**Zoning:** R1 General Residential, proposal permissible with consent

Proposal Summary: Alterations and additions to an existing commercial building for adaptive reuse as a residential flat building. The building is the locally listed heritage item Former industrial building "Sterling Pharmaceutical Co" and is located within the Glebe Point Road Heritage Conservation Area.

The application is referred to the Local Planning Panel for consideration as the proposal includes a requests to vary the height of buildings and floor space ratio development standards by more than 10% and is a sensitive development to which Chapter 4 of SEPP Housing 2021 applies.

The existing building currently exceeds both the SLEP 2012 height of buildings and floor space ratio development standards, and the proposed additions will increase the building height. The existing building is built to a height of 23.4m and additions are proposed to a height of 24.9m, which represents a variation of 107.5% to the height standard of 12m.

The existing building has an FSR of 2.51:1, and the proposal has an FSR of 2.46:1 representing a variation of 146%. The applicant has submitted requests to vary the standards pursuant to clause 4.6 of SLEP 2012. The variations are supported in the circumstances of the application.

The application was notified for 28 days between 10 November 2025 and 9 December 2025. 420 properties were notified and 10 submissions were received, 3 in support or comments, and 7 objecting to the proposal. The issues raised in submissions include objections to car parking and servicing, privacy, noise, dwelling mix, and construction impacts. The issues raised have been considered within the report.

The application was reviewed by the Design Advisory Panel Residential Subcommittee on 2 December 2025. The panel provided recommendations for improving the internal planning of the proposal. Council staff also requested amendments to improve the heritage impacts of the proposal.

The applicant responded to this feedback and requests with amended plans and further information on 6 February 2026 and 6 March 2026. The proposal as amended has addressed the raised items and is supported for approval.

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

Development Controls:

- (i) Sydney Local Environmental Plan 2012
- (ii) Sydney Development Control Plan 2012
- (iii) SEPP (Resilience and Hazards) 2021
- (iv) SEPP (Industry and Employment) 2021
- (v) SEPP (Transport and Infrastructure) 2021
- (vi) SEPP (Biodiversity and Conservation) 2021
- (vii) SEPP (Precincts – Eastern Harbour City) 2021

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Clause 4.6 Request - Height of Buildings
- D. Clause 4.6 Request - Floor Space Ratio

E. Submissions

Recommendation

It is resolved that:

- (A) the variation requested to Clause 4.3 Height of buildings development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld;
- (B) the variation requested to Clause 4.4 Floor space ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (C) consent be granted to Development Application Number D/2025/1006 subject to the reasons below and 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) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
 - (i) the applicant has demonstrated that compliance with the height of buildings development standard in Clause 4.3 of the Sydney Local Environmental Plan 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney Local Environmental Plan 2012.
 - (ii) the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney Local Environmental Plan 2012.
- (B) The proposal exhibits design excellence in accordance with the requirements contained in Clause 6.21C of Sydney Local Environmental Plan 2012.
- (C) The proposal retains the heritage significance of the site being a local heritage item.
- (D) The proposal retains the heritage significance of heritage items in proximity of the site and the Glebe Point Road Heritage conservation Area.
- (E) The proposal is generally consistent with the relevant objectives and provisions of Sydney Development Control Plan 2012.

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) Departure from Development Standards
 - (b) Sensitive Development
2. The development application falls within the category of Departure from Development Standard as the proposal includes a request to contravene the height of buildings development standard by more than 10%. The existing building is built to a height of 23.4m and additions are proposed to a height of 24.9m, which represents a variation of 107.5% to the height standard of 12m.
3. The existing building has an FSR of 2.51:1, and the proposal has an FSR of 2.46:1 which represents a variation of 146% to the FSR standard of 1:1.
4. The development application also falls within the category of Sensitive development being a development to which SEPP (Housing) 2021 Chapter 4 (Design of residential apartment development) applies.

The Site and Surrounding Development

5. The site is identified as Lot 2 in DP 181698 and is located at 431 Glebe Point Road, Glebe. The site is located on the southeastern side of the intersection of Glebe Point Road and Leichhardt Street. The site is irregular in shape. It has a primary frontage of 43m to Glebe Point Road, a combined side and rear frontage of 80.4m to Leichhardt Street and a site area of 2,415sqm. Levels on the site fall by approximately 1.1m from west to east.
6. The site contains two joined former industrial buildings: a part four storey Inter-War brick building at the rear built in 1927, and a six storey functionalist style building fronting Glebe Point Road built in 1948. The building includes a one level basement concurrently containing 40 car parking spaces. The site contains 28 trees around the building perimeter.
7. The surrounding area is characterised as residential. To the north of the site at 433 Glebe Point Road is a local heritage-listed terrace house "Gaza House". To the south, the site adjoins a terrace style dwelling at 429 Glebe Point Road, and a detached dwelling at 2 Leichhardt Street. To the east across Leichhardt Street is Stewart Street Glebe Reserve. To the west across Glebe Point Road is a residential flat building and large manor home.
8. The site is listed as local heritage item 'Former industrial building "Sterling Pharmaceutical Co" including interior, former tram shelter and front fence' (I773). The site is located within the Glebe Point Road Heritage Conservation Area (C29). The site is identified as a 'detracting' building within the conservation area.
9. The site is located within the Glebe Point locality and is not identified as being subject to flooding.
10. Photos of the site and surrounds are provided below.



Figure 1: Aerial view of site and surrounds

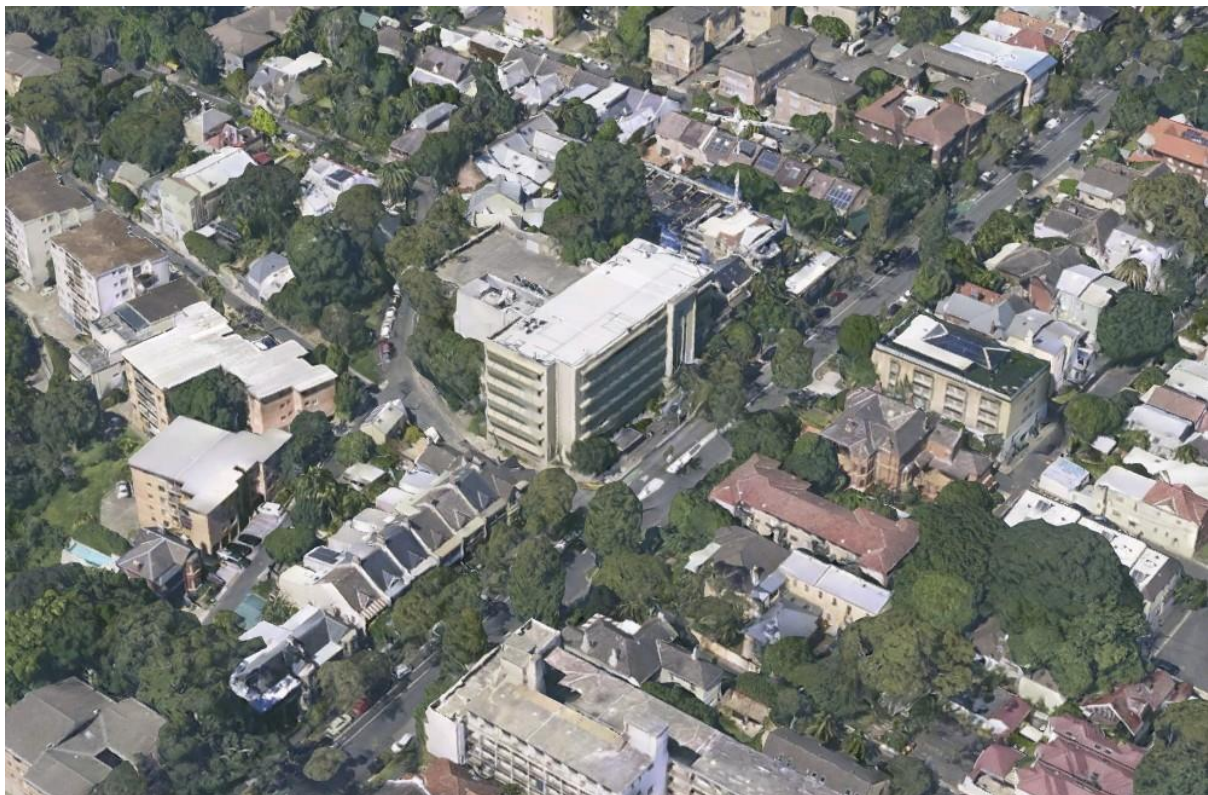


Figure 2: Aerial view of site



Figure 3: Site viewed from Glebe Point Road



Figure 4: Site viewed from Glebe Point Road



Figure 5: Site viewed from Leichhardt Street looking south



Figure 6: Site viewed from Leichhardt Street looking south



Figure 7: Site viewed from Stewart Street looking west



Figure 8: Site viewed from Leichhardt Street looking west



Figure 9: View along rear southern boundary



Figure 10: Internal view of strip out works



Figure 11: Mushroom column within basement

History Relevant to the Development Application

Development Applications

11. The following applications are relevant to the current proposal:
 - **D/2024/1011** – Development consent was granted on 18 December 2024 for Internal alterations to office premises (basement to level 6). This approval included the strip out of internal fixtures of the previous use of the site as a medical research centre.

Amendments

12. Following a preliminary assessment of the proposed development by Council Officers and the Design Advisory Subcommittee Residential, a request for additional information and amendments was sent to the applicant on 22 December 2025.
13. The applicant responded to the request on 6 February 2026 and 6 March 2026. See further discussion below on under the heading 'Discussion'.

Proposed Development

14. The application seeks consent for the following alterations and additions to the existing commercial building for the change of use to a residential flat building:
 - Alterations and partial internal and external demolition works.
 - Construction of thirty residential apartments including 1 x two bedroom apartment, 25 x three bedroom apartments, and 4 x four bedroom apartments.

- Alterations to basement including provision of 37 car parking spaces.
- New rooftop additions for private open space areas for apartments below.
- Conservation works to existing building.
- Removal of 11 trees, retention of 17 trees and planting of 4 new trees.

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

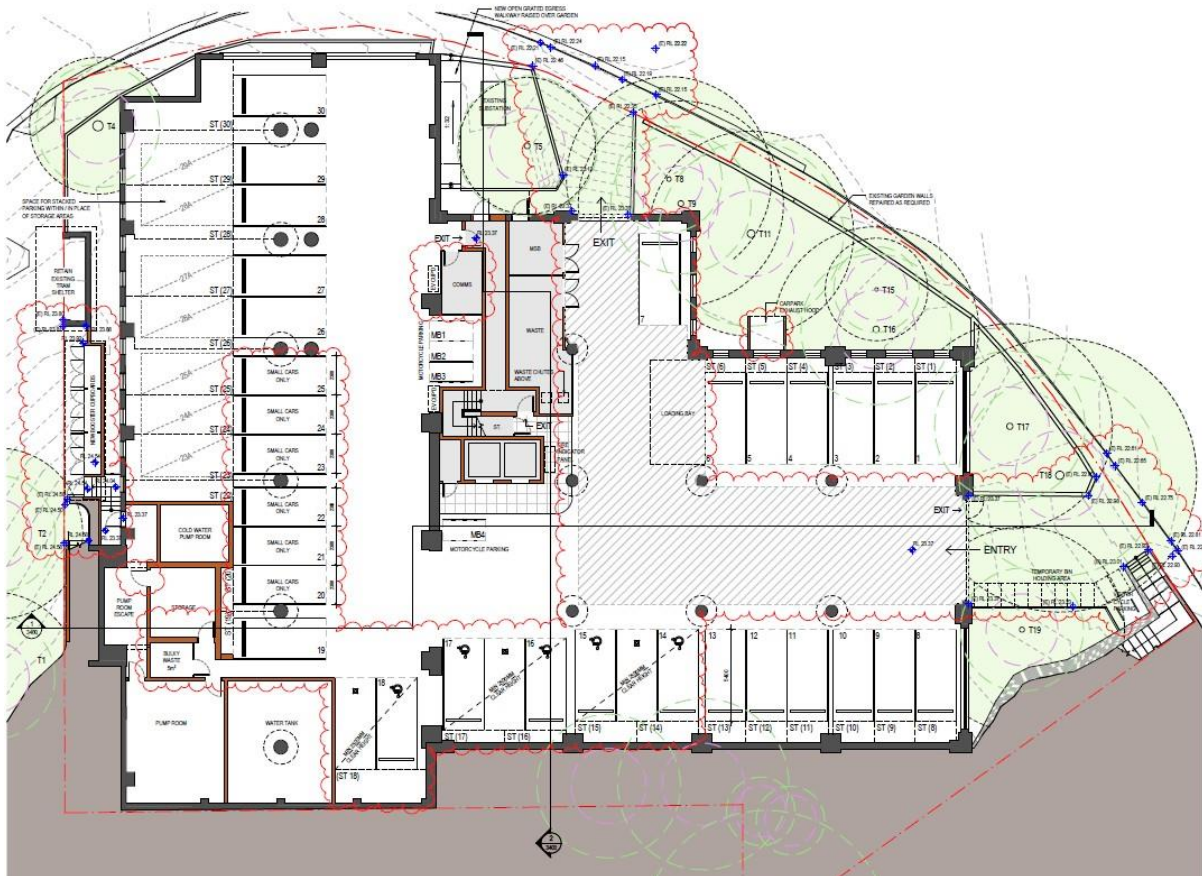


Figure 12: Basement plan



Figure 13: Ground level floorplan

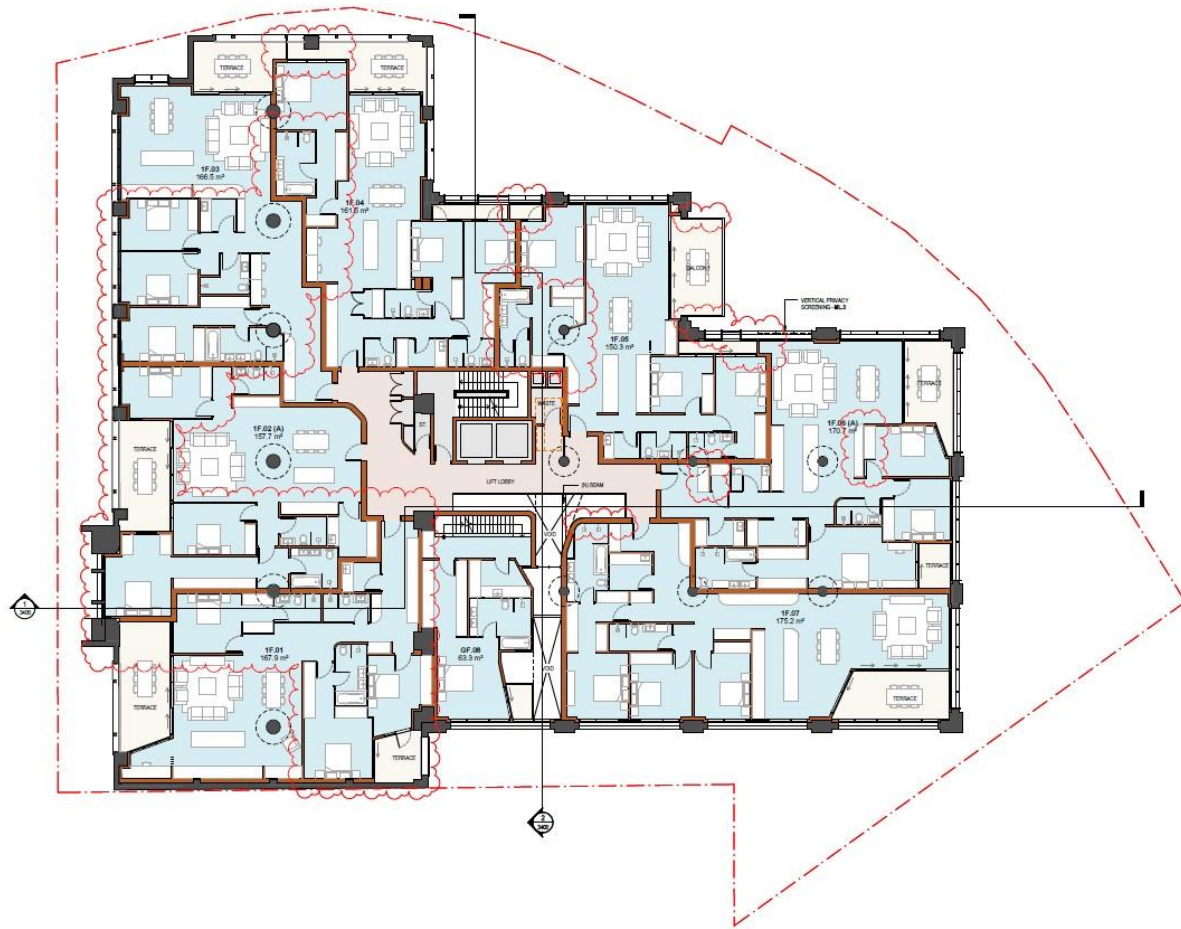


Figure 14: Level 1 floorplan

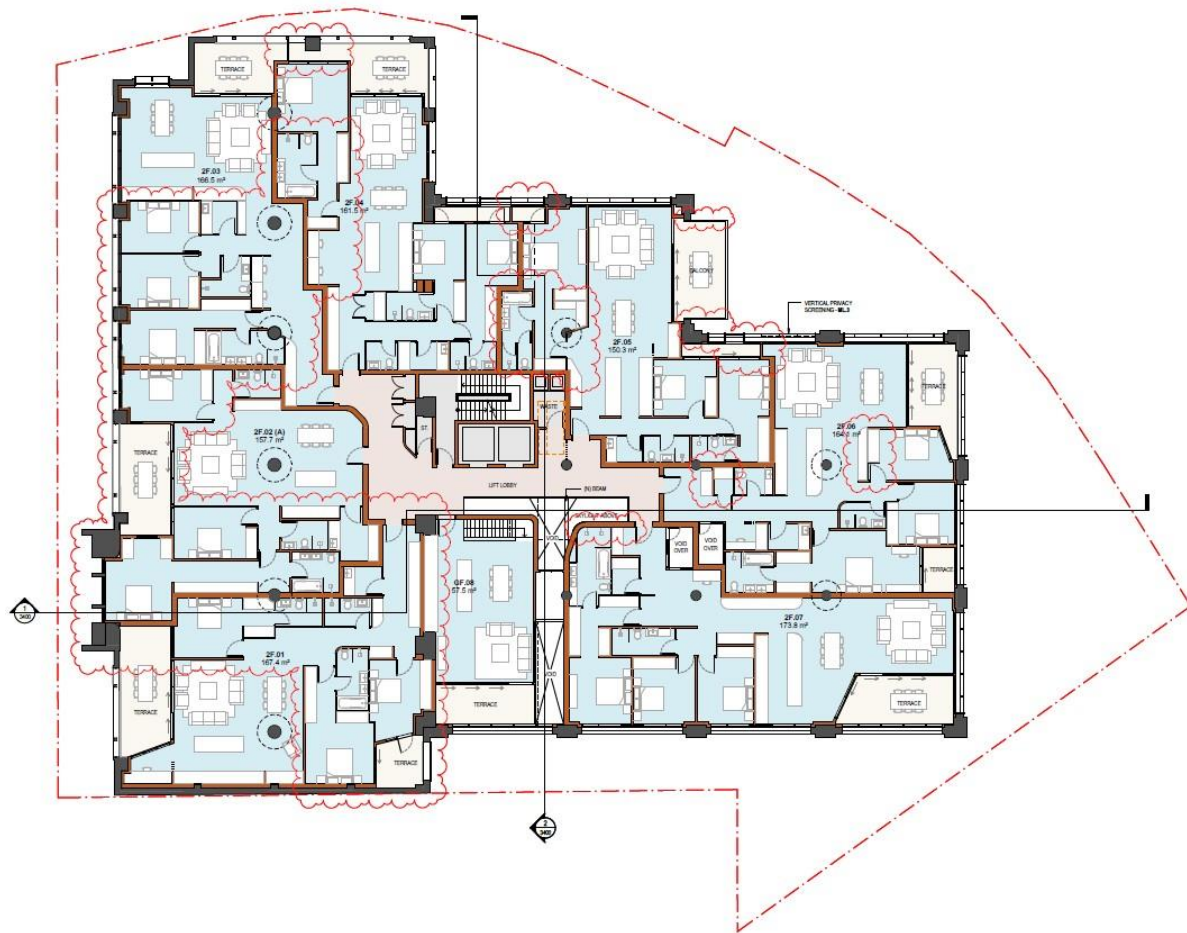


Figure 15: Level 2 floorplan

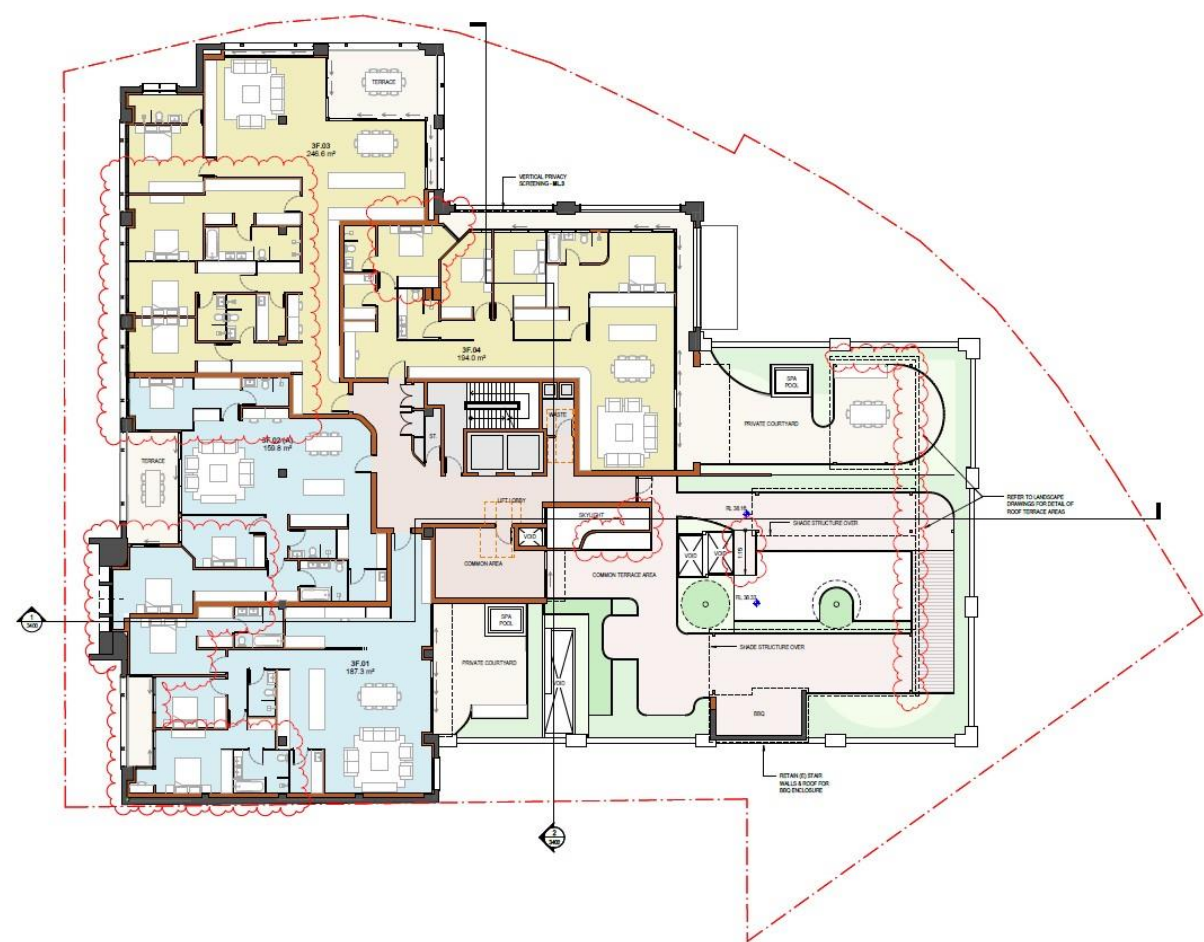


Figure 16: Level 3 floorplan

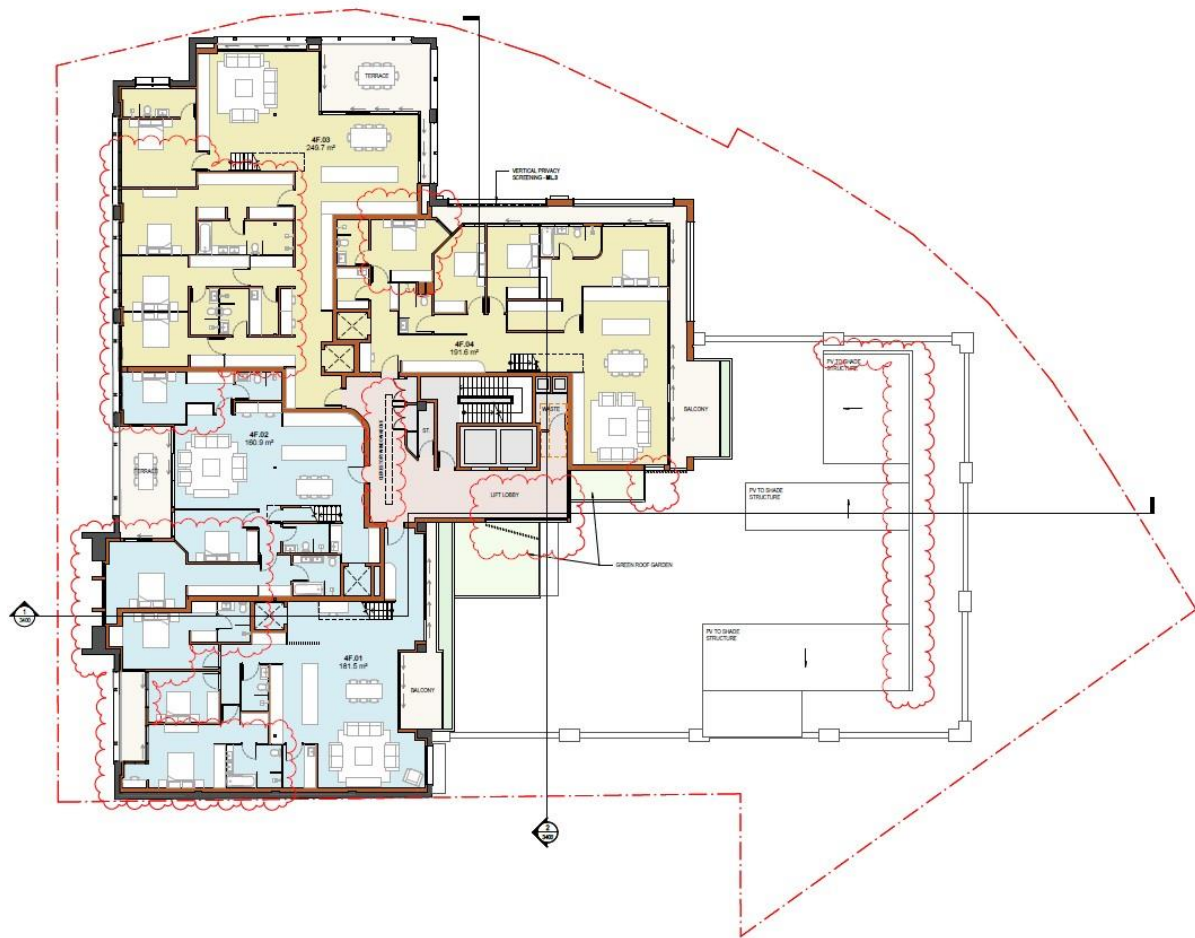


Figure 17: Level 4 floorplan

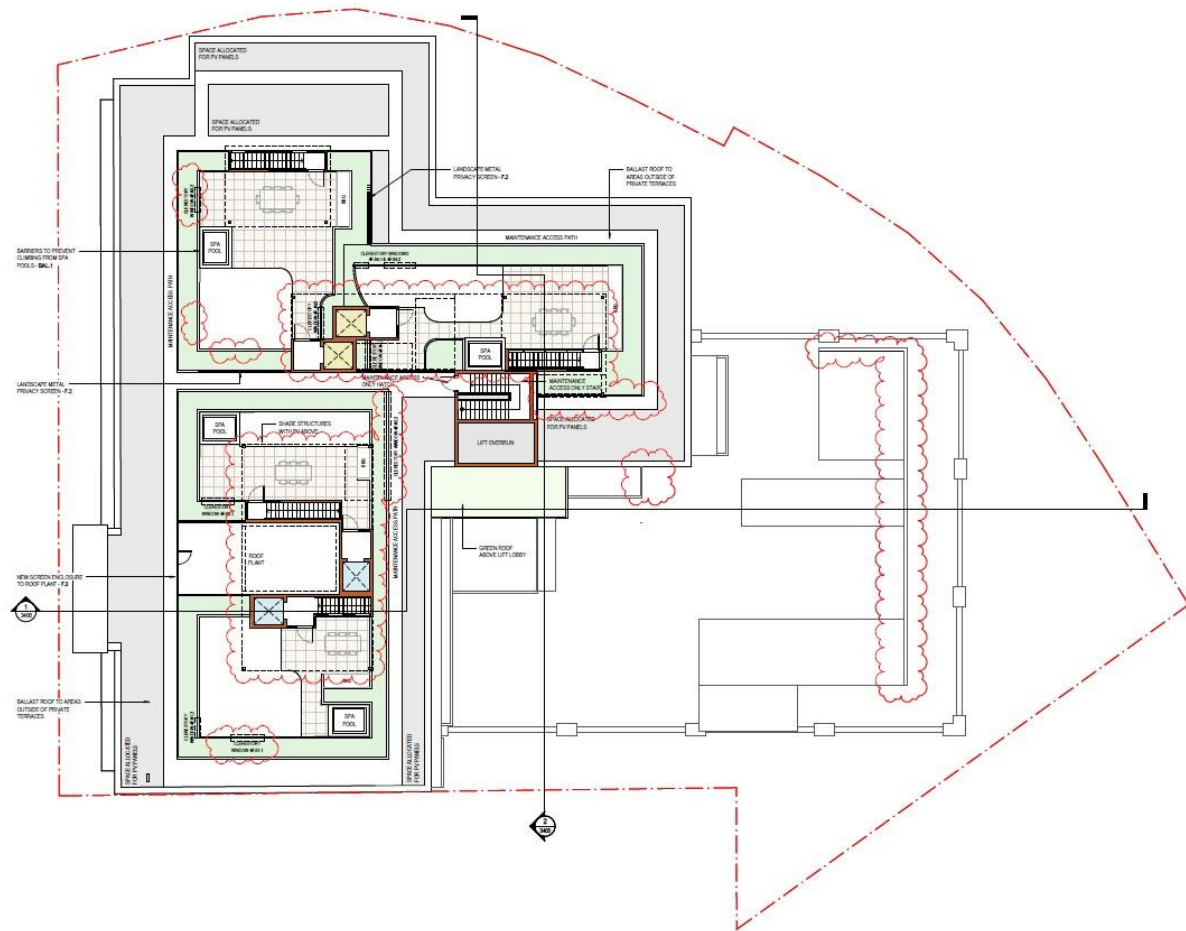


Figure 18: Roof top level floorplan

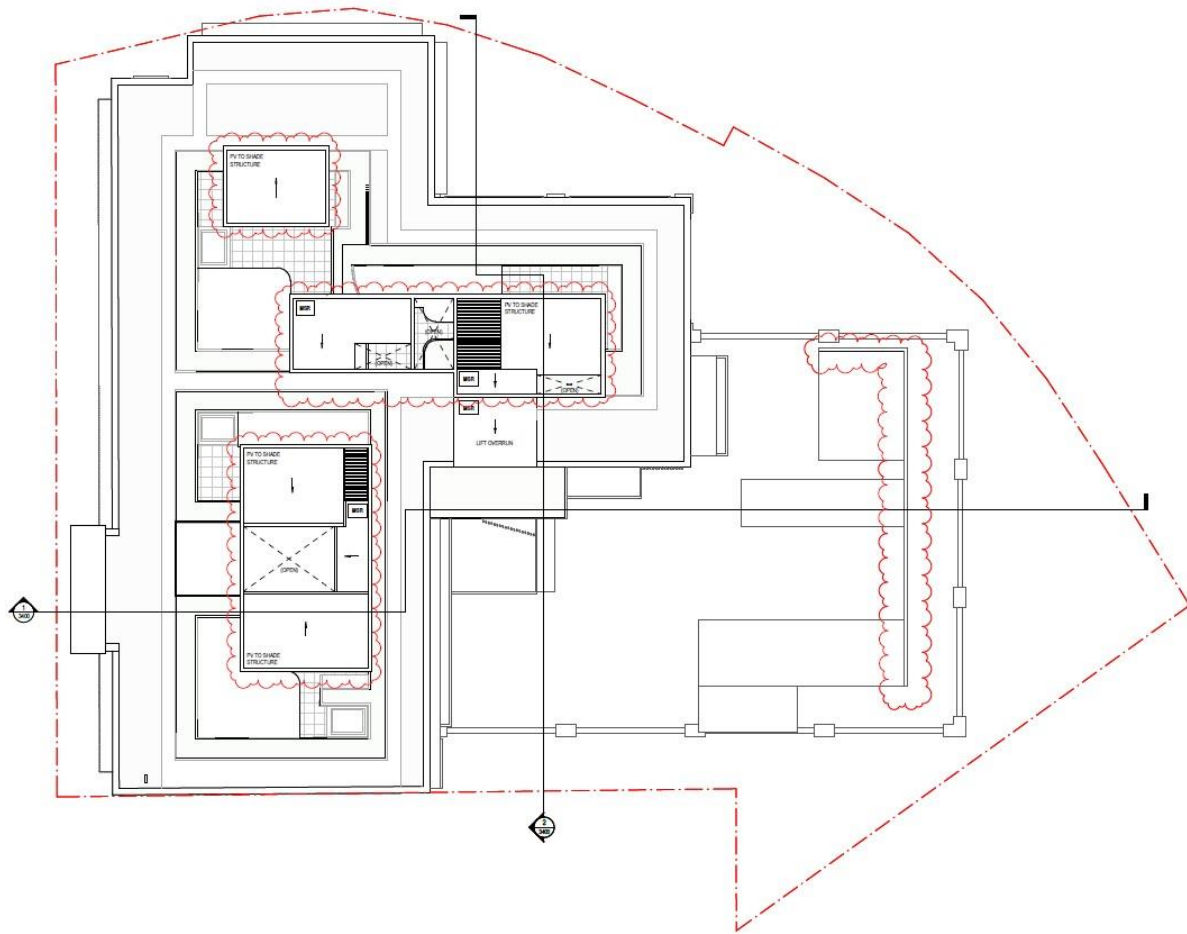


Figure 19: Roof level plan

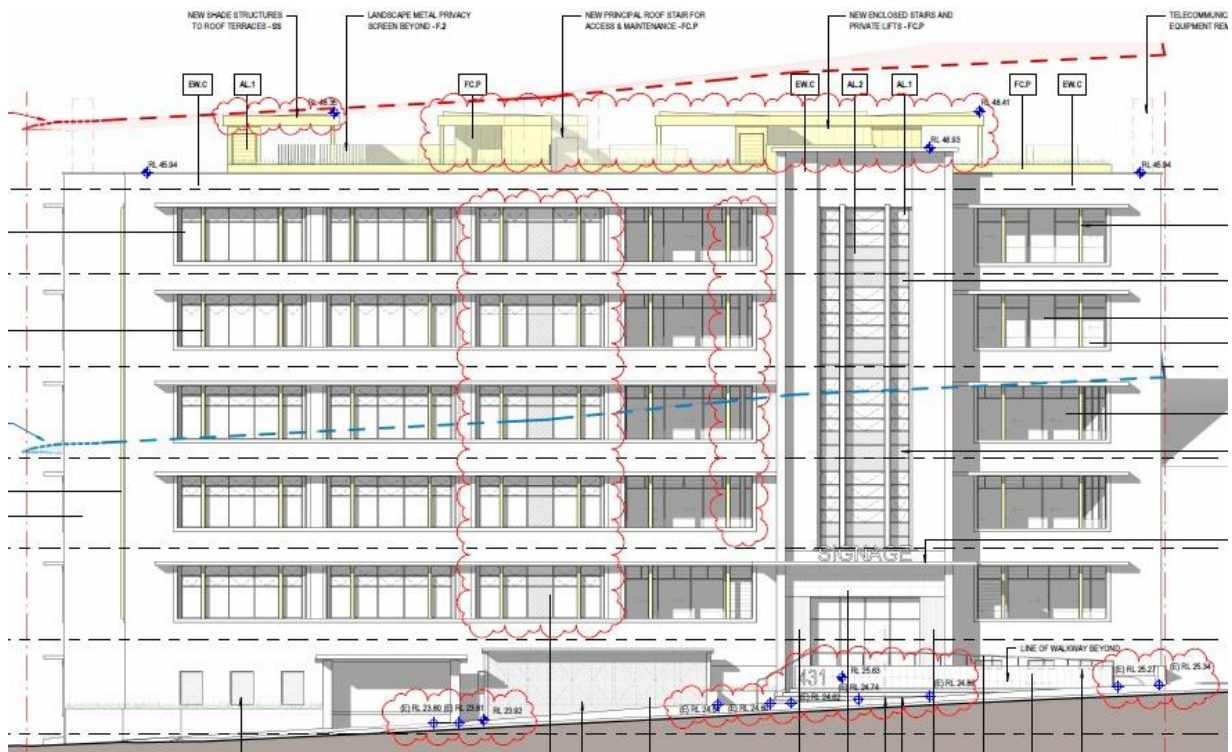


Figure 20: Glebe Point Road (west) elevation

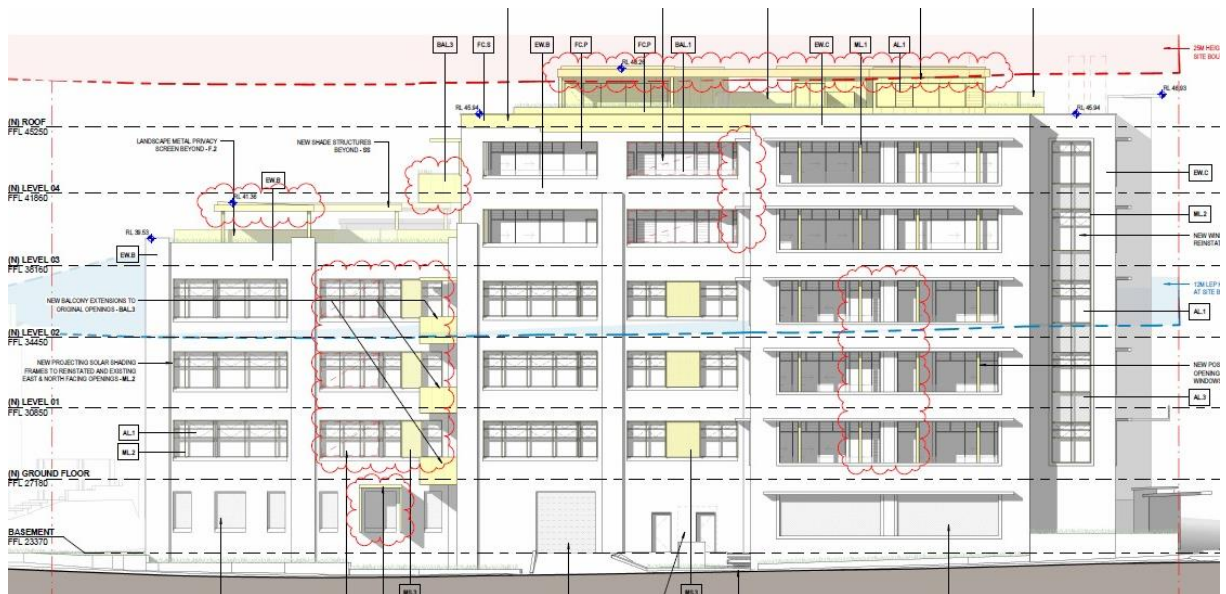


Figure 21: North elevation



Figure 22: East elevation

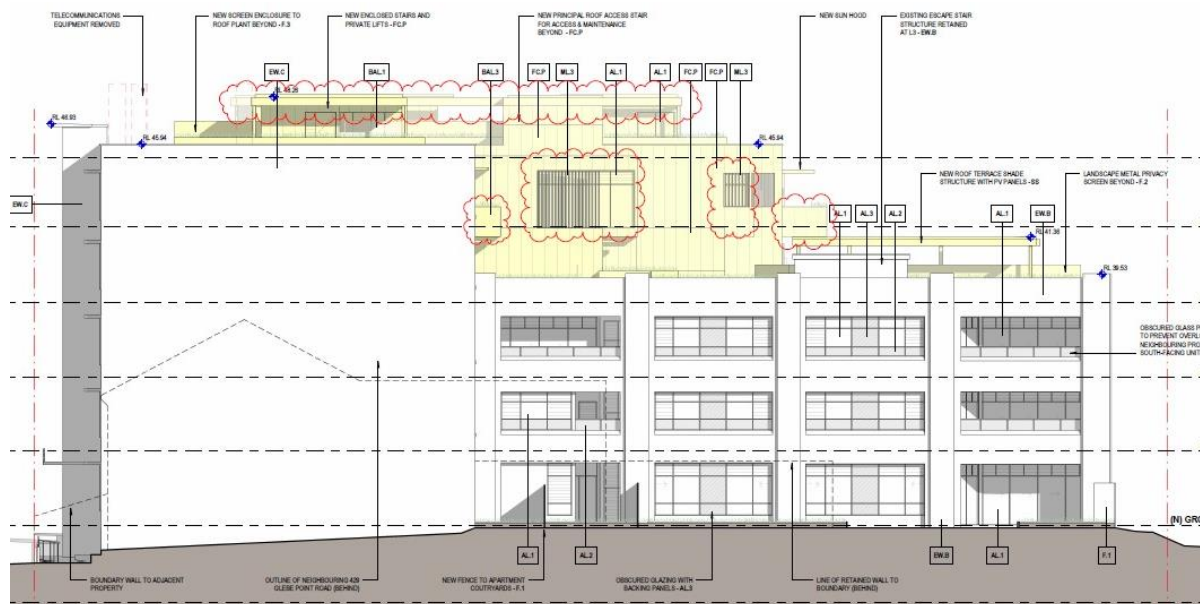


Figure 23: South elevation

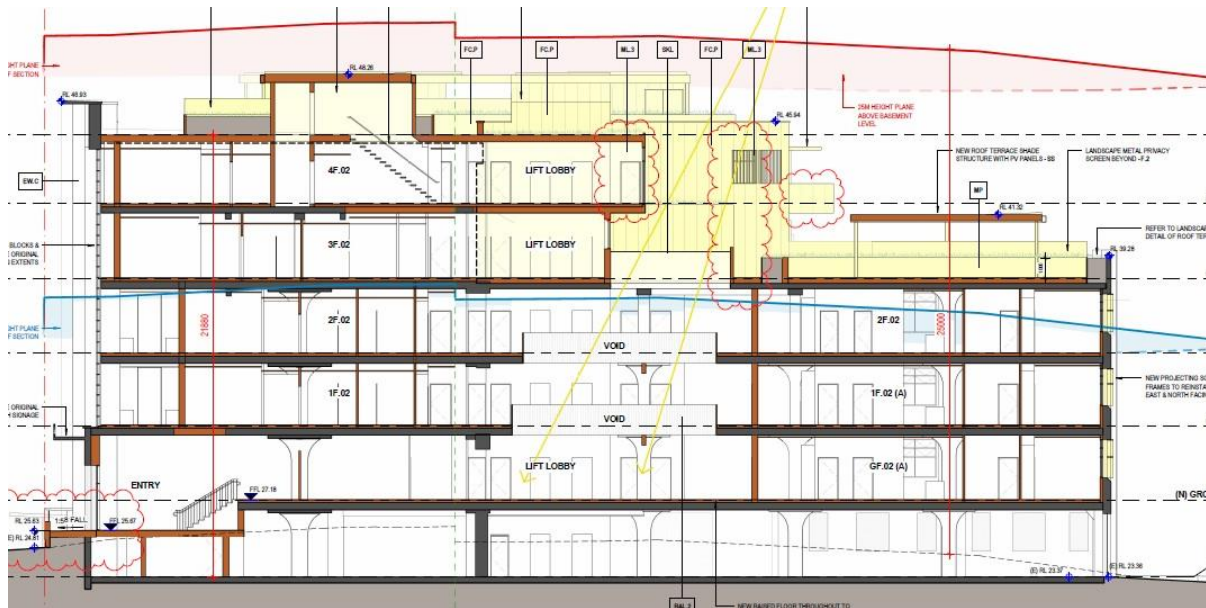


Figure 24: Section 1



Figure 25: Section 2



Figure 26: Perspective view from Glebe Point Road



Figure 27: Perspective view from Glebe Point Road

Assessment

16. 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

State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land

32. The aim of SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
33. The application included the submission of a preliminary site investigation (PSI) including laboratory analysis of samples. The conclusion and recommendations of the PSI are that the site is suitable in its current condition for the proposed residential use.
34. The submitted PSI was reviewed by Council's Health Unit and the conclusions and recommendations are endorsed.

State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3 Advertising and Signage

35. The aim of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage is to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.
36. The proposal includes an indicative location for building name signage at the front entry awning sized approximately 0.6m x 3.7m (2.2sqm).
37. The proposed signage has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 5 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area, subject to conditions.
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality or the Glebe Point Road Heritage Conservation Area, subject to conditions.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has

Provision	Compliance	Comment
		no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form and provides a positive contribution to the streetscape and setting of the area.
5. Site and building	Yes	The scale, proportion and positioning of the proposed signage is acceptable, subject to conditions.
6. Associated devices and logos	N/A	Not applicable.
7. Illumination	N/A	Not applicable
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

38. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

State Environmental Planning Policy (Housing) 2021

39. The aim of SEPP (Housing) 2021 is to provide a consistent planning regime for the provision and maintenance of affordable rental housing and to facilitate the delivery of new affordable rental housing.
40. Section 7.32 of the EP&A Act and states that where the consent authority is satisfied that the development meets certain criteria, and a Local Environmental Plan authorises an affordable housing condition to be imposed, such a condition should be imposed so that mixed and balanced communities are created.
41. Clause 7.13 (Contribution for purpose of affordable housing) of the Sydney Local Environmental Plan 2012 allows for circumstances where an affordable housing contribution may be levied for development of land.
42. This matter is discussed in further detail under the heading Financial Contributions below.

Chapter 4 - Design of Residential Apartment Development

43. The aim of Chapter 4 is to improve the design quality of residential apartment development in New South Wales.

44. When determining an application for a residential flat development of 3 or more floors and containing 4 or more apartments, the SEPP requires the consent authority take into consideration a number of matters relating to design quality, including the design quality principles as set out in Schedule 9.
45. The applicant has submitted a design verification statement and design report prepared by a registered architect with the application, addressing the design quality principles and the objectives of parts 3 and 4 of the Apartment Design Guide. The statement is deemed to satisfy Clause 29 of the Environmental Planning and Assessment Regulation 2021.
46. An assessment of the proposal against the design quality is provided as follows:
- (a) Principle 1: Context and Neighbourhood Character

The proposal which retains the existing heritage building and includes heritage restoration works will respond to the site and neighbourhood context.
 - (b) Principle 2: Built Form and Scale

The proposal retains the form and scale of the existing building, with minor alterations and additions that are appropriate to the proportions of the existing building and its context.
 - (c) Principle 3: Density

The proposal provides good amenity for residents in an area that is served by a range of transport options and services.
 - (d) Principle 4: Sustainability

The proposed adaptive reuse of the existing building demonstrates a sustainable outcome, with other relevant sustainability targets also achieved.
 - (e) Principle 5: Landscape

The proposal includes the retention of existing deep soil areas and retention of the majority of existing trees on site. Proposed upper level garden areas contribute additional landscaping to the site.
 - (f) Principle 6: Amenity

The proposal provides good amenity for residents with generous floor areas, private open space areas, and pleasant outlooks.
 - (g) Principle 7: Safety

The proposal provides good safety and security with secure entries and clearly defined public/private spaces.
 - (h) Principle 8: Housing Diversity and Social Interaction

The proposal provides for a range of apartment types with both private open spaces and a shared common open space terrace area.

(i) Principle 9: Aesthetics

The proposal includes the retention of the existing heritage item, with sensitive alterations and additions that include heritage restoration works.

47. The development is acceptable when assessed against the SEPP including the above stated principles and the associated Apartment Design Guide (ADG). These controls are generally replicated within the apartment design controls under the Sydney Development Control Plan 2012. Consequently compliance with the SEPP generally implies compliance with Council's own controls.
48. A detailed assessment of the proposal against the ADG is provided below.

2E Building Depth	Consistency	Comment
12-18m (glass to glass)	Partial	Within the existing building, 83% of apartments have a glass to glass depth not exceeding 18m.

2F Building Separation	Consistency	Comment
Up to 4 storeys (approximately 12 metres): 12m between habitable rooms / balconies 9m between habitable and non-habitable rooms 6m between non-habitable rooms	Partial	To the east, north and west the proposal provides adequate separation. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary. At the rear to the south, there is a separation of approximately 3.2m to the dwelling at No. 2 Leichhardt Street. See further discussion under privacy and solar access controls.
5 to 8 storeys (approximately 25 metres): 18m between habitable rooms / balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms	Partial	The fifth storey towards Glebe Point Road is adequately separated to the east, north and west. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary. See further discussion under privacy and solar access controls.

3D Communal and Public Open Space	Consistency	Comment
Communal open space has a minimum area equal to 25% of the site.	Yes	The proposal provides 25% site area as communal open space.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two (2) hours between 9am and 3pm on 21 June (midwinter).	Yes	Principle area at Level 3 garden terrace receives more than 2 hours of sunlight midwinter.

3E Deep Soil Zones	Consistency	Comment
Deep soil zones are to have a minimum area equivalent to 7% of the site and have a minimum dimension of 3m	Yes	11% of site area retained as deep soil with 3m dimension.

3F Visual Privacy	Consistency	Comment
Up to 4 storeys (12 metres): 6m between habitable rooms / balconies 3m between non-habitable rooms	Partial	To the east, north and west the proposal provides adequate separation. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary with a blank wall. At the rear to the south, there is a separation of approximately 3.2m to the dwelling at No. 2 Leichhardt Street. At the ground level the site is below the ground level of No. 2 Leichhardt Street. At levels 1 & 2 obscure glazing is positioned to direct views from corner apartments to the east away from No. 2 Leichhardt Street. The south facing terrace on Level 2 faces towards the side boundary wall of No. 429 Glebe Point Road.

3F Visual Privacy	Consistency	Comment
		The usable space of common terrace area on Level 3 is setback from the building façade with a landscape buffer.
5 to 8 storeys (25 metres): • 9m between habitable rooms / balconies • 4.5m between non-habitable rooms	Partial	The fifth storey towards Glebe Point Road is adequately separated to the east, north and west. To the south the site has a zero setback to the terrace at No. 429 Glebe Point Road, which is also built to boundary. The orientation of balconies and windows orientates views away from adjoining dwellings and does not result in unacceptable impacts. The more desirable views are orientated to the east of the site.

4A Solar and Daylight Access	Consistency	Comment
70% of units to receive a minimum of 2 hours of direct sunlight in midwinter to living rooms and private open spaces.	Yes	70% of apartments receive minimum of 2 hours sunlight midwinter.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	7% of apartments will not receive direct sunlight midwinter.

4B Natural Ventilation	Consistency	Comment
All habitable rooms are naturally ventilated.	Yes	All habitable rooms naturally ventilated.
Minimum 60% of apartments in the first 9 storeys of the building are naturally cross ventilated.	Yes	83% of apartments naturally cross ventilated.
Overall depth of a cross-over or cross-through apartment	Yes	Depths do not exceed 18m.

4B Natural Ventilation	Consistency	Comment
does not exceed 18m, measured glass line to glass line.		

4C Ceiling Heights	Consistency	Comment
Habitable rooms: 2.7m	Yes	Ceilings between 2.7m - 3m.
Non-habitable rooms: 2.4m	Yes	Ceilings minimum of 2.4m.

4D Apartment Size and Layout	Consistency	Comment
Minimum unit sizes: • Studio: 35sqm • 1 bed: 50sqm • 2 bed: 70sqm • 3 bed: 90sqm The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.	Yes	Apartments sized: 2 bed: 112.5sqm 3 bed: 150sqm - 187sqm 4 bed: 191sqm - 249.7sqm
Every habitable room is to have a window in an external wall with a minimum glass area of 10% of the floor area of the room.	Yes	Habitable rooms have window in external wall with minimum total glass area minimum of 10% of room floor area.
Habitable room depths are to be no more than 2.5 x the ceiling height.	Partial	Non-compliance for one apartment.

4D Apartment Size and Layout	Consistency	Comment
8m maximum depth for open plan layouts.	Partial	Non-compliance for 8 apartments. Most of the non-compliances with 3m ceiling heights are within the same allowable proportional depths for 2.7m ceilings and sufficient amenity is provided. On ground, Levels 1, 2 & 3 layouts are also positioned to maximise the preservation of mushroom columns.
Minimum area for bedrooms (excluding wardrobes): • master bedroom: 10sqm • all other bedrooms: 9sqm Minimum dimension of any bedroom is 3m (excluding wardrobes).	Yes	Master bedrooms at least 10sqm. Other bedrooms at least 9sqm.
Living and living/dining rooms minimum widths: • Studio and one-bedroom: 3.6m • 2-bedroom or more: 4m	Yes	All living/dining rooms have minimum width of 4m.
4m minimum width for cross over and cross through apartments.	Yes	Cross through apartments at least 4m wide.

4E Private Open Space and Balconies	Consistency	Comment
Studio apartments are to have a minimum balcony area of 4sqm with a minimum depth of 1m. One bed apartments are to have a minimum balcony area of 8sqm with a minimum depth of 2m.	Yes	Balconies sized: 2 bed: 12.6sqm 3 bed: 14.9sqm - 88sqm 4 bed: 29sqm - 115sqm

4E Private Open Space and Balconies	Consistency	Comment
2 bed apartments are to have a minimum balcony area of 10sqm with a minimum depth of 2m. 3 bed apartments are to have a minimum balcony area of 12sqm with a minimum depth of 2.4m.		

4F Common Circulation and Spaces	Consistency	Comment
The maximum number of apartments off a circulation core on a single level is 8.	Yes	The maximum number of apartments off lift is eight on the ground level.
Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.	Yes	Appropriate visual separation and privacy provided.
Daylight and natural ventilation are provided to all common circulation spaces.	Yes	Natural light and ventilation provided.

4G Storage	Consistency	Comment
Minimum storage provision facilities: • Studio: 4m³ • 1 bed: 6m³ • 2 bed: 8m³ • 3 bed: 10m³	Yes	Storage space provided within apartments and basement level.

4G Storage	Consistency	Comment
(Minimum 50% storage area located within unit)		

4J Noise and Pollution	Consistency	Comment
Have noise and pollution been adequately considered and addressed through careful siting and layout of buildings?	Yes	The submitted acoustic report demonstrates apartments will achieve relevant acoustic requirements.

State Environmental Planning Policy (Sustainable Buildings) 2022

49. The aims of this Policy are as follows—

- (a) to encourage the design and delivery of sustainable buildings,
- (b) to ensure consistent assessment of the sustainability of buildings,
- (c) to record accurate data about the sustainability of buildings, to enable improvements to be monitored,
- (d) to monitor the embodied emissions of materials used in construction of buildings,
- (e) to minimise the consumption of energy,
- (f) to reduce greenhouse gas emissions,
- (g) to minimise the consumption of mains-supplied potable water,
- (h) to ensure good thermal performance of buildings.

Chapter 2 Standards for residential development - BASIX

50. A BASIX Certificate has been submitted with the development application

51. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated in to the proposal. A condition of consent is recommended ensuring the measures detailed in the BASIX certificate are implemented.

State Environmental Planning Policy (Transport and Infrastructure) 2021

52. The provisions of SEPP (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

Division 5, Subdivision 2: Development likely to affect an electricity transmission or distribution network

Clause 2.48 Determination of development applications – other development

53. The application is subject to Clause 2.48 of the SEPP as the development will be carried out within 5m of an exposed overhead electricity power line.

54. As such, the application was referred to Ausgrid for a period of 21 days and no objection was raised.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 2 (Vegetation in Non Rural Areas) 2017

55. The proposal includes the clearing of vegetation in a non-rural area and as such is subject to this SEPP.
56. The SEPP states that the Council must not grant consent for the removal of vegetation within heritage sites or heritage conservation areas unless Council is satisfied that the activity is minor in nature and would not impact the heritage significance of the site.
57. The proposal includes the removal of 11 trees, the retention of 17 trees and planting of 4 new trees. The proposal has been reviewed by both Council's Heritage and Urban Design Unit and Tree Management Unit and the proposed tree removal and replacement plantings are supported as minor in nature and will not negatively impact upon the heritage significance of the site.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 6 Water Catchments

58. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The SEPP requires the Sydney Harbour Catchment Planning Principles to be considered in the carrying out of development within the catchment.
59. 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 SEPP are not applicable to the proposed development.
60. The development is considered to satisfy the relevant matters for consideration.

Local Environmental Plans

Sydney Local Environmental Plan 2012

61. 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	The site is located in the R1 General Residential zone. The proposed development is defined as a residential flat building and is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	No, cl 4.6 submitted	A maximum building height of 12m is permitted. A height of 24.9m is proposed (23.4m existing). A request to vary the height of buildings development standard in accordance with Clause 4.6 has been submitted. See further details in the 'Discussion' section below.
4.4 Floor space ratio	No, cl 4.6 submitted	A maximum floor space ratio of 1:1 is permitted. A floor space ratio of 2.46:1 is proposed (2.51:1 existing) A request to vary the floor space ratio development standard in accordance with Clause 4.6 has been submitted. See further details in the 'Discussion' section below.
4.6 Exceptions to development standards	Yes	The proposed development seeks to vary the development standards prescribed under Clause 4.3 Height of buildings and Clause 4.4 Floor space ratio. Clause 4.6 variation requests have been submitted with the application. See further details in the 'Discussion' section below.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	The site is listed as local heritage item 'Former industrial building "Sterling Pharmaceutical Co" including interior, former tram shelter and front fence' (1773). The site is located within the Glebe Point Road Heritage Conservation Area (C29). Subject to conditions, the proposed development will not have detrimental impact on the heritage significance of

Provision	Compliance	Comment
		the heritage conservation area and the heritage item. See further details in the 'Discussion' section below.
5.21 Flood planning	Yes	The site is not identified as being subject to flooding.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	Yes	The proposed development is of a high standard and uses materials and detailing which are compatible with the existing heritage listed building and its context within the heritage conservation area. The development achieves the principle of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
7.5 Residential flat buildings, dual occupancies and multi dwelling housing	Yes	A maximum of 42 car parking spaces are permitted. The proposed development includes 37 car parking spaces and complies with the relevant development standards.
Division 3 Affordable housing		
7.13 Contribution for purpose of affordable housing	Yes	A contribution is applicable. Refer to contributions discussion in this report below.
Division 4 Miscellaneous		

Provision	Compliance	Comment
7.14 Acid Sulfate Soils	Yes	The site is located on land with class 5 Acid Sulfate Soils. The application does not propose works requiring the preparation of an Acid Sulfate Soils Management Plan.

Development Control Plans

Sydney Development Control Plan 2012

62. 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

63. The site is located within the Glebe Point locality. The proposed development is in keeping with the unique character and the design principles of the locality. The proposal for an adaptive reuse of a heritage item responds to the heritage significance of the item and conservation area.

Section 3 – General Provisions

Provision	Compliance	Comment
3.2. Defining the Public Domain	Yes	The proposal includes the retention of the heritage listed tram shelter which forms part of the public domain. Accessible access is provided for the building lobby.
3.5 Urban Ecology	Yes	The proposed development includes the removal of 11 trees, retention of 17 trees and planting of 4 new trees. Council's Tree Management Unit has reviewed the proposed tree removal and is supportive of the proposal subject to conditions.
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies BASIX and environmental requirements. Refer to SEPP (Sustainable Buildings) and discussion section.
3.8 Subdivision, Strata Subdivision and Consolidation	N/A	Subdivision is not proposed as part of application.
3.9 Heritage	Yes	While the site is listed as a local heritage item, the existing building is noted as a detracting item within the conservation area.

Provision	Compliance	Comment
		Subject to conditions, the proposed development will not have detrimental impact on the heritage significance of the heritage conservation area and the heritage item. See further details in the 'Discussion' section below.
3.10 Significant Architectural Building Types	Yes	The proposal is for an adaptive reuse of a heritage listed former industrial building that is over 50 years old. As noted above, the alterations and additions will not have an adverse heritage impact on the item, subject to conditions.
3.11 Transport and Parking	Yes	Traffic Impact assessment included with application. Council's Transport Unit support proposal which includes retention of heritage item and basement car parking and access, noting some existing non-compliances and restrictions.
3.12 Accessible Design	Yes	The submitted access design report outlines compliance with relevant standards and legislation.
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	The proposed waste arrangements have been reviewed by the City's Waste Unit and are satisfactory subject to conditions taking into consideration the adaptive reuse of the heritage listed building.
3.16 Signage and Advertising	Yes	The proposal includes the location for one building name sign to the building lobby awning sized approximately 0.6m x 3.7m (2.2sqm). Subject to further details of the design, the proposed signage location is suitable.

Section 4 – Development Types

4.2 Residential Flat, Commercial and Mixed Use Developments

Provision	Compliance	Comment
4.2.1 Building height		
4.2.1.1 Height in storeys and street frontage height in storeys	No	A building height in storeys control of 3 storeys applies to the site. The existing building is up to five storeys in height with additional rooftop additions proposed. Consideration of the proposal's height is contained below under the request to vary the height of buildings standard.
4.2.1.2 Floor to ceiling heights and floor to floor heights	Yes	The existing building floor to floor heights allow for habitable floor to ceilings heights between 2.7m - 3m and non-habitable floor ceiling heights of minimum of 2.4m achieving the objectives of the control.
4.2.2 Building setbacks	Yes	The proposed development retains the existing setback pattern of the site.
4.2.3 Amenity		
4.2.3.1 Solar access	Yes	Proposal does not result in additional overshadowing to neighbouring dwellings (No. 429 Glebe Point Road) that do not receive 2 hours sunlight midwinter. Dwellings at No. 417 Glebe Point Road will continue to receive more than 2 hours sunlight midwinter.
4.2.3.2 Lightwells	Yes	Lightwells are utilised to provide natural light to lobby areas only.
4.2.3.3 Internal common areas	Yes	Common room are provided off the Level 3 terrace with access to light and outlook.
4.2.3.4 Design features to manage solar access	Yes	Shading devices and landscaping provided.

Provision	Compliance	Comment
4.2.3.5 Landscaping	Yes	A landscaping plan prepared by a landscape architect has been submitted. Subject to conditions, the proposal is supported by City's Landscaping Unit.
4.2.3.6 Deep Soil	Yes	11% of site provided as deep soil for landscaping.
4.2.3.7 Private open space and balconies	Yes	Private open space (POS) provided in accordance with both ADG and DCP.
4.2.3.8 Common open space	Yes	Common open space provided in accordance with ADG and DCP at ground and Level 3 terrace.
4.2.3.9 Ventilation	Yes	Cross ventilation provided in accordance with ADG. Natural ventilation provided for all apartments.
4.2.3.10 Outlook	Yes	Outlook available to all apartments.
4.2.3.11 Acoustic privacy	Yes	Submitted acoustic report demonstrates apartments will achieve acoustic requirements.
4.2.3.12 Flexible housing and dwelling mix	Yes	The proposal includes 1 x two bedroom apartment (3%), 25 x three bedroom apartments (83%), 4 x four bedroom apartments (13%).
4.2.3.14 Apartments with setback bedrooms	Yes	Amendments made in response to feedback, so bedrooms are not setback.
4.2.4 Fine grain, architectural diversity and articulation	Yes	The existing building has street frontage approximately 41.8m wide. Building retains the key points of articulation with restoration works proposed.
4.2.6 Waste and recycling Management	Yes	The proposed waste arrangements have been reviewed by the City's Waste Unit and are satisfactory subject to conditions taking into consideration the adaptive reuse of the heritage listed building.

Provision	Compliance	Comment
4.2.7 Heating and cooling infrastructure	Yes	Centralised location for mechanical plant on roof.
4.2.8 Letterboxes	Yes	The letterboxes are provided within the lobby of the building.

Discussion

Heritage and Design

64. As noted above, the site is listed as a local heritage item under the SLEP 2012 and is listed as a detracting building under the SDCP 2012. The proposal as lodged was reviewed by the Design Advisory Panel Subcommittee Residential (DAPRS) on 2 December 2025. Feedback provided by DAPRS and Council's Heritage and Urban Design Unit included the following items for amendments to the design:

- (a) Internal layout to better consider and integrate with the existing building structure.
- (b) Better reading and exposing of mushroom columns.
- (c) Further consideration of light and ventilation to common areas.
- (d) Consistency of treatment and depth of window openings, particularly to the Glebe Point Road frontage where multiple depths are proposed.
- (e) Impacts to the glazed stairwell window to Glebe Point Road with the sharing of individual 'sun room' areas.
- (f) Design of rooftop areas to be rationalised with a unified design that responds to the existing building architecture.
- (g) Privacy impacts of new balconies and windows to north of building to all dwellings within 433 Glebe Point Road to be assessed.
- (h) New balconies to 'punchout' from the dimensions of existing openings.
- (i) Form of minor additions to relate to the rectilinear nature of the building.

65. The applicant responded to this feedback with amended plans and further information on 6 February 2026 and 6 March 2026. Key changes with respect to the feedback provided include:

- (a) Amended internal layouts to expose the mushroom columns within the floorplan and better relate to the existing building features.
- (b) A consistent glazing line provided to Glebe Point Road with adjustments to wall and balcony positions.
- (c) Void to internal common areas increased.

- (d) Glazed stairwell window assigned to one unit only.
 - (e) Rooftop elements amended and rationalised.
 - (f) Balcony designs and proportions amended.
 - (g) Design of other minor additions amended to better relate to the building.
66. A comparison between part of the proposed Level 1 plan as lodged and as amended is shown below (similar changes repeated on other levels). These plans show:
- (a) the better exposure of mushroom column in apartment 1F.03
 - (b) the glazing line amended with amendments to the balcony designs in apartments 1F.03 and 1F.02
 - (c) adjustments to the wall and column intersections to the northern building elevation in apartments 1F.04 and 1F0.4, and
 - (d) and the glazed stairwell assigned to apartment 1F.02.



Figure 28: Level 1 plan as lodged



Figure 29: Level 1 plan amended

67. A comparison between a montage image of the proposal as lodged and a perspective view of the proposal as amended is shown below.
68. These images show the amendments to the glazing to Glebe Point Road with a more consistent glazing line in the amended design, which is a key feature of the existing building.



Figure 30: Montage image of proposal as lodged



Figure 31: Perspective drawing of proposal as amended

69. The design as amended has substantially addressed the items raised by DAPRS and Council's Heritage and Urban Design Unit and is supported subject to conditions.

Clause 4.6 Request to Vary a Development Standard - Height

70. The site is subject to a maximum height of buildings standard of 12m. The proposed development has a maximum height of 24.9m (existing building 23.4m). The proposed contravention represents a variation of 107.5% to the standard (existing variation 95%).

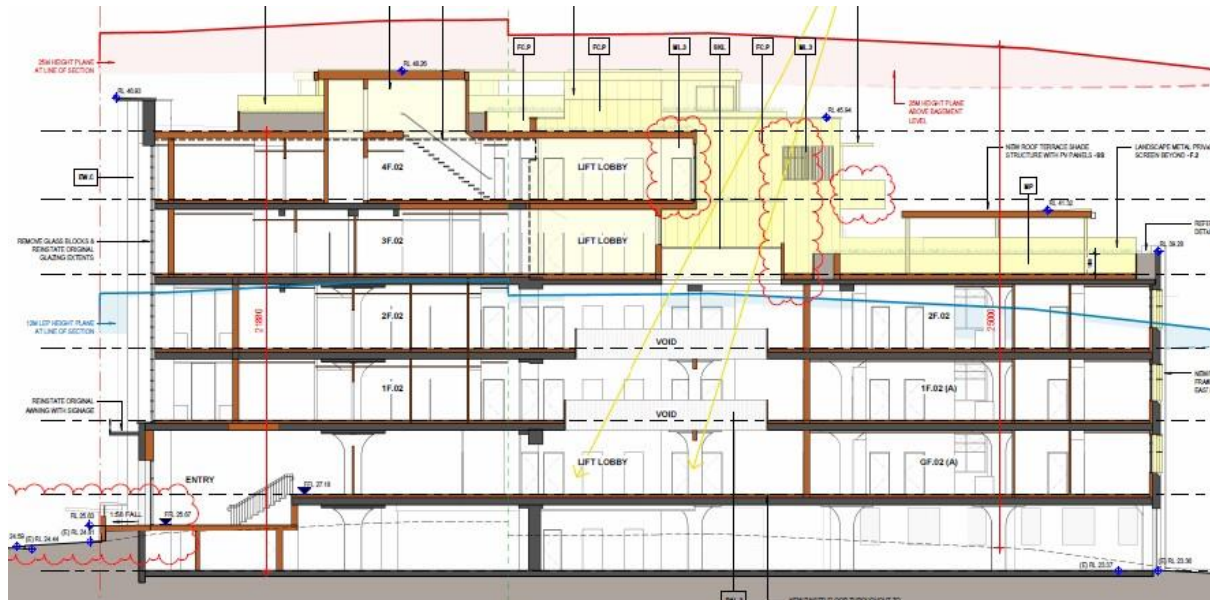


Figure 32: Section plan showing 12m height standard (blue line) in relation to existing building and proposed additions at roof level.

71. A request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating:
- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) That there are sufficient environmental planning grounds to justify contravening the standard;

Applicant's Request - Clause 4.6(3)(a) and (b)

72. The applicant seeks to justify the contravention of the height of buildings development standard on the following basis:
- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The objectives of the standard are achieved notwithstanding the non-compliance.
 - (ii) The proposed additional height additions relate to roof access and shade structures to enable roof top outdoor spaces to Levels 3 & 4. The additions are set back from the existing building parapet and site boundaries.

- (iii) The proposed additions are discrete and do not add additional bulk to the existing building form.
- (iv) The proposed additions are not apparent from the street view.
- (v) The proposed additions do not result in heritage impacts to the existing building or the heritage conservation area.
- (vi) The proposed additions do not result in loss of significant views.
- (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The existing building currently exceeds the height standard of 12m by 10.6m, the proposed additions are a modest increase to the overall scale of the building.
 - (ii) The proposed additions do not result in adverse amenity impacts.
 - (iii) The proposed additions are setback from the building elevations and do not result in unacceptable shadowing impacts.
 - (iv) The proposed additions are setback so as to not be visible from the public domain and will not add bulk and scale to the existing building form.
 - (v) The proposed additions do not result in unacceptable heritage impacts to the existing building.

Consideration of Applicant's Request - Clause 4.6 (3)

73. Development consent must not be granted unless the consent authority is satisfied that that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.

Does the request adequately address those issues at Clause 4.6(3) (a)?

74. The applicant has satisfactorily demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposal. The applicant has demonstrated that the objectives of the height of buildings development standard are achieved despite the non-compliance.
75. The relevant objectives of the height of buildings development standard are:
- (a) To ensure the height of development is appropriate to the condition for the site and its context.
 - (b) To ensure appropriate height between new development and heritage items and buildings in heritage conservation areas or special character areas.
 - (c) To promote the sharing of views outside Central Sydney.
 - (d) To ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas

76. The Applicant demonstrates that the height of the development is appropriate to the site and its context, having regard to the SLEP 2012 and SDCP 2012 built form controls. The building elements that exceed the control do not have adverse impacts with regard to the relevant controls.
77. The proposal promotes the sharing of views in the site context. The proposal does not adversely impact on views to nearby development or the public domain.
78. The proposed built form provides an appropriate transition from Central Sydney to adjoining areas.

Does the request adequately address those issues at clause 4.6(3)(b)?

79. The applicant has satisfactorily demonstrated that there are sufficient environmental planning grounds to justify contravening the standard.
80. The proposal represents an adaptive re-use of an existing heritage item that currently exceeds the height of buildings standard. The proposed additions that add height will improve the amenity for the residential use of the building without resulting in unreasonable impacts to the heritage item, heritage conservation area, or the amenity of surrounding neighbours.
81. The proposed rooftop private open space areas and structures are centrally located on the rooftop to minimise visibility and impacts to adjoining neighbours, with landscaping providing both greening and privacy.
82. The proposed Level 3 landscaped common open space and private open space areas provide space for landscaping that contributes to tree plantings and privacy measures.

Conclusion

83. For the reasons provided above the requested variation to the height of buildings standard is supported as the applicant's request has adequately addressed the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Clause 4.6 Request to Vary a Development Standard - Floor Space Ratio

84. The site is subject to a maximum floor space ratio (FSR) control of 1:1. The proposed development has a floor space ratio of 2.46:1 (existing building 2.51:1) which represents a variation of 146% to the control (existing variation 151%).
85. A request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating:
 - (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) That there are sufficient environmental planning grounds to justify contravening the standard;

Applicant's Request - Clause 4.6(3)(a) and (b)

86. The applicant seeks to justify the contravention of the floor space ratio development standard on the following basis:
- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case:
 - (i) The proposed development is consistent with the objectives of the FSR standard despite the non-compliance.
 - (ii) The proposed development decreases the gross floor area (GFA) of the building by 119sqm resulting in a decrease of FSR, resulting in a decrease in density of development.
 - (iii) The proposal largely retains the built of form and massing of the existing building.
 - (iv) The proposed change of use decreases the intensity of the use of the site from the existing commercial use in terms of building occupants.
 - (v) The proposed development will not have adverse impacts in terms of bulk and scale in the context having regard to the existing built form and setbacks. Additions are positioned to have limited impact and not be visible from the public domain.
 - (vi) The proposal does not result in the loss of significant views.
 - (vii) The proposal does not result in impacts in terms of loss of privacy.
 - (b) That there are sufficient environmental planning grounds to justify contravention of the standard:
 - (i) The existing building already exceeds the maximum FSR standard.
 - (ii) The proposal will result in a reduction in GFA and FSR as compared to the existing building.
 - (iii) The existing building built form is largely retained.
 - (iv) The proposal does not result in unacceptable amenity impacts.

Consideration of Applicant's Request - Clause 4.6 (3)

87. Development consent must not be granted unless the consent authority is satisfied that that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard.

Does the request adequately address those issues at Clause 4.6(3)(a)?

88. The applicant has satisfactorily demonstrated that compliance with the standard is unreasonable or unnecessary in the circumstances of the proposal. The applicant has demonstrated that the objectives of the floor space ratio development standard are achieved despite the non-compliance. The objectives of the floor space ratio development standard are as follows:

- (a) To provide sufficient floor space to meet anticipated development needs for the foreseeable future.
 - (b) To regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic.
 - (c) To provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure.
 - (d) To ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.
89. The proposal is an adaptive re-use of an existing heritage building that currently exceeds the FSR control, and the proposed adaptive re-use will result in a reduced FSR. The proposal is of an appropriate density for the location having regard to vehicle, pedestrian traffic generation and infrastructure. The proposal will reflect the desired character of the locality and heritage conservation area in which the site is located. The proposal will retain the heritage significance of the heritage listed building.

Does the request adequately address those issues at clause 4.6(3)(b)?

90. The application has demonstrated that there are sufficient environmental planning grounds to justify contravening the FSR development standard in the circumstances of the application.
91. The proposal results in a reduced building FSR as compared to the existing building. The proposed alterations to the building do not result in unacceptable heritage impacts to the heritage listed building, subject to conditions, and include heritage conservation works to the building façade include the restoration of windows to the building's northern elevation. The proposed adaptive reuse of the building for residential use is compatible with the character of the locality.

Conclusion

92. For the reasons provided above the requested variation to the floor space ratio development standard is supported as the applicant's request has adequately addressed the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012.

Consultation

Internal Referrals

93. The application was discussed with Council's:
- (a) Building Services Unit;
 - (b) Environmental Health Unit;
 - (c) Heritage and Urban Design Unit;
 - (d) Public Domain Unit;
 - (e) Transport and Access Unit;
 - (f) Landscape Unit;

- (g) Tree Management Unit; and
- (h) Waste Management Unit.

94. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

External Referrals

Ausgrid

95. Pursuant to Section 2.48 of the SEPP (Transport and Infrastructure) 2021, the application was referred to Ausgrid for comment.
96. A response was received raising no objections to the proposed development.

Advertising and Notification

97. The application was notified for 28 days between 10 November 2025 and 9 December 2025. A total of 420 properties were notified and 10 submissions were received, 3 in support or comments and 7 objecting to the proposal. The issues raised in submissions include:

Issue	Response
Provision of affordable housing	The proposal does not include the provision of affordable housing, but is subject to the consideration of affordable housing contributions.
Dwelling mix	The proposal complies with the dwelling mix controls contained within SDCP 2012.
Car parking impacts - over provision of car parking	The proposal provides parking in accordance with the maximum rates contained within SLEP 2012 and is an adaptive reuse of an existing car parking basement.
Car parking impacts - an under provision of car parking	The proposal provides parking in accordance with the maximum rates contained within SLEP 2012 and includes the adaptive reuse of an existing car parking basement.
Traffic impacts - safety	The proposed parking and traffic arrangements have been reviewed by the City's Transport Unit and are considered satisfactory subject to conditions.

Issue	Response
Overdevelopment of site	The proposed adaptive reuse has been considered on its merits, with consideration of the proposal in relation to the relevant planning controls, including the proposed variations to height and floor space ratio controls.
Structural impact of additions to building	The proposal includes a structural assessment of the existing building in relation to the proposed works.
Impacts on light rail tunnel	The site is located approximately 225m from the light rail tunnel.
Solar compliance of proposed apartments	The proposal complies with the ADG solar controls.
Privacy impacts	The proposal does not result in unreasonable privacy impacts. New balconies to the northeast of the building are setback from the boundary and located across the street from surrounding sites.
Rooftop pool additions - noise impacts	The proposed rooftop spa pool additions are modest in size and are not expected to generate unacceptable noise impacts.
Level 3 common open space terrace - noise impacts	The proposal includes an acoustic assessment of the proposal, including the use of the Level 3 common open space terrace. The proposal was reviewed by the City's Health Unit and is considered to be satisfactory with respect to the generation of noise.
Waste pickup arrangements	The proposed waste arrangements including kerbside collection have been reviewed by the City's Waste Unit and are considered satisfactory taking into consideration the adaptive reuse of the heritage listed building
Construction impacts	Construction impacts are to be managed through standard conditions of consent for the management of noise, traffic and dilapidation reports.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

98. The City of Sydney Development Contributions Plan 2015 applies to the site. The development is subject to a section 7.11 local infrastructure contribution under this Plan.
99. Credits have been applied for the most recent past use of the site as an office for medical research. After the application of credits, a contribution is not payable.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

100. The site is located within the residual area affordable housing contribution area. As the proposed development includes a change of use of existing floor area from other than residential accommodation to residential accommodation, a contribution is required at a rate of \$11,223.28 per 3% of square metre of total residential floor area 7,157sqm totalling \$2,409,750.45. A condition of consent is recommended requiring payment prior to the issue of a construction certificate.
101. Section 7.32 of the Act outlines that the consent authority may grant consent to a development application subject to a condition requiring dedication of part of the land for the purpose of providing affordable housing, or payment of a monetary contribution to be used for the purpose of providing affordable housing where the section of the Act applies.
102. The Act applies with respect to a development application for consent to carry out development within an area if a State Environmental Planning Policy identifies that there is a need for affordable housing within the area. Clause 14 of the Housing SEPP identifies that there is a need for affordable housing within each area of the State.
103. An affordable housing condition may be reasonably imposed under Section 7.32(3) of the Act subject to consideration of the following:
 - (a) the condition complies with all relevant requirements made by a State environmental planning policy with respect to the imposition of conditions under this section, and
 - (b) the condition is authorised to be imposed by a local environmental plan, and is in accordance with a scheme for dedications or contributions set out in or adopted by such a plan, and
 - (c) the condition requires a reasonable dedication or contribution, having regard to the following -
 - (i) any other dedication or contribution required to be made by the applicant under this section or section 7.11.
104. Having regard to the provisions of Section 7.32 of the Act, the imposition of an affordable housing contribution is reasonable. A condition of consent is recommended requiring the payment of an affordable housing contribution prior to the issue of a construction certificate.

Housing and Productivity Contribution

105. The development is subject to a Housing and Productivity Contribution (Base component) under the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023.
106. The site is located with the Greater Sydney region, the development is a type of residential development to which the Housing and Productivity Contribution applies, and the development is not of a type that is exempt from paying a contribution.
107. A condition relating to the Housing and Productivity Contribution has been included in the recommended conditions of consent.

Relevant Legislation

108. Environmental Planning and Assessment Act 1979.

Conclusion

109. The application for alterations and additions to an existing commercial building for an adaptive reuse as a residential building has been assessed against the relevant planning controls. Requests have been submitted pursuant to clause 4.6 seeking to vary the height of buildings and floor space ratio standards under SLEP 2012.
110. The application is referred to the Local Planning Panel for consideration as the requests seek to vary the height of buildings and floor space ratio development standards by more than 10% and is a Sensitive development. The existing building currently exceeds both the SLEP 2012 height of buildings and floor space ratio development standards, and the proposed additions will increase the building height. The submitted requests have adequately demonstrated that there is sufficient justification to vary the standards in the circumstances of the application.
111. The application was notified for 28 days between 10 November 2025 and 9 December 2025. 420 properties were notified and 10 submissions were received, 3 in support or comments, and 7 objecting to the proposal. The issues raised in submissions include objections to car parking and servicing, privacy, noise, dwelling mix, and construction impacts. The issues raised have been considered within the report and have been addressed satisfactorily by the application.
112. The application was amended in response to feedback provided by the Design Advisory Panel Residential Subcommittee and Council Officers. The proposal as amended has addressed the items raised and is supported for approval subject to the conditions as included in Attachment A.

ANDREW THOMAS

Executive Manager Planning and Development

Shannon Rickersey, Senior Planner