

Local Planning Panel

20 May 2026

Application details

Address: 86-90 Bay Street, Ultimo

Application: D/2026/136

Applicant: Urbis

Owner: The Owners - Strata Plan 21479

Architect: Fitzpatrick & Partners

Consultants: Urbis

Proposal

- demolition of 4 storey commercial office building
- construction of 8-9 storey mixed use building
- ground floor retail tenancy
- co-living housing (137 units)
- communal spaces (ground & Level 6)

Recommendation

Refusal

Proposal



Reason reported to LPP

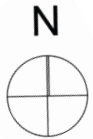
The application is reported to the LPP for determination due to:

- Departures from Development Standards
 - Clause 4.3 height of buildings development standard (by 34%)
 - Clause 4.4 floor space ratio development standard (by 64%)

Notification

- exhibition period 18 February 2026 to 12 March 2026
- 1,167 properties notified
- no submissions received

Site

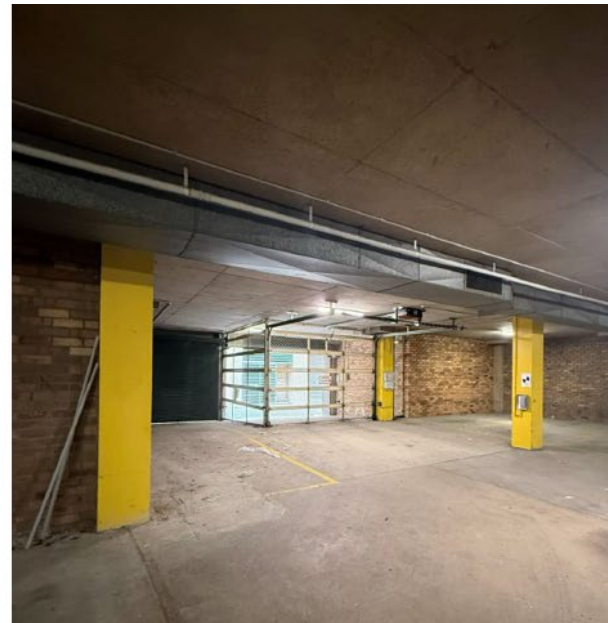
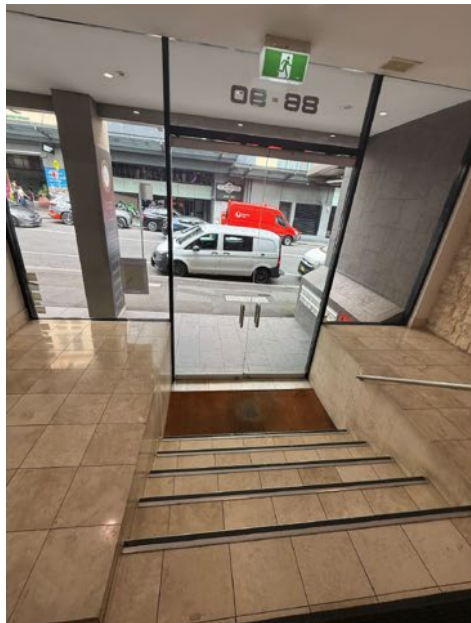




site viewed from Bay Street

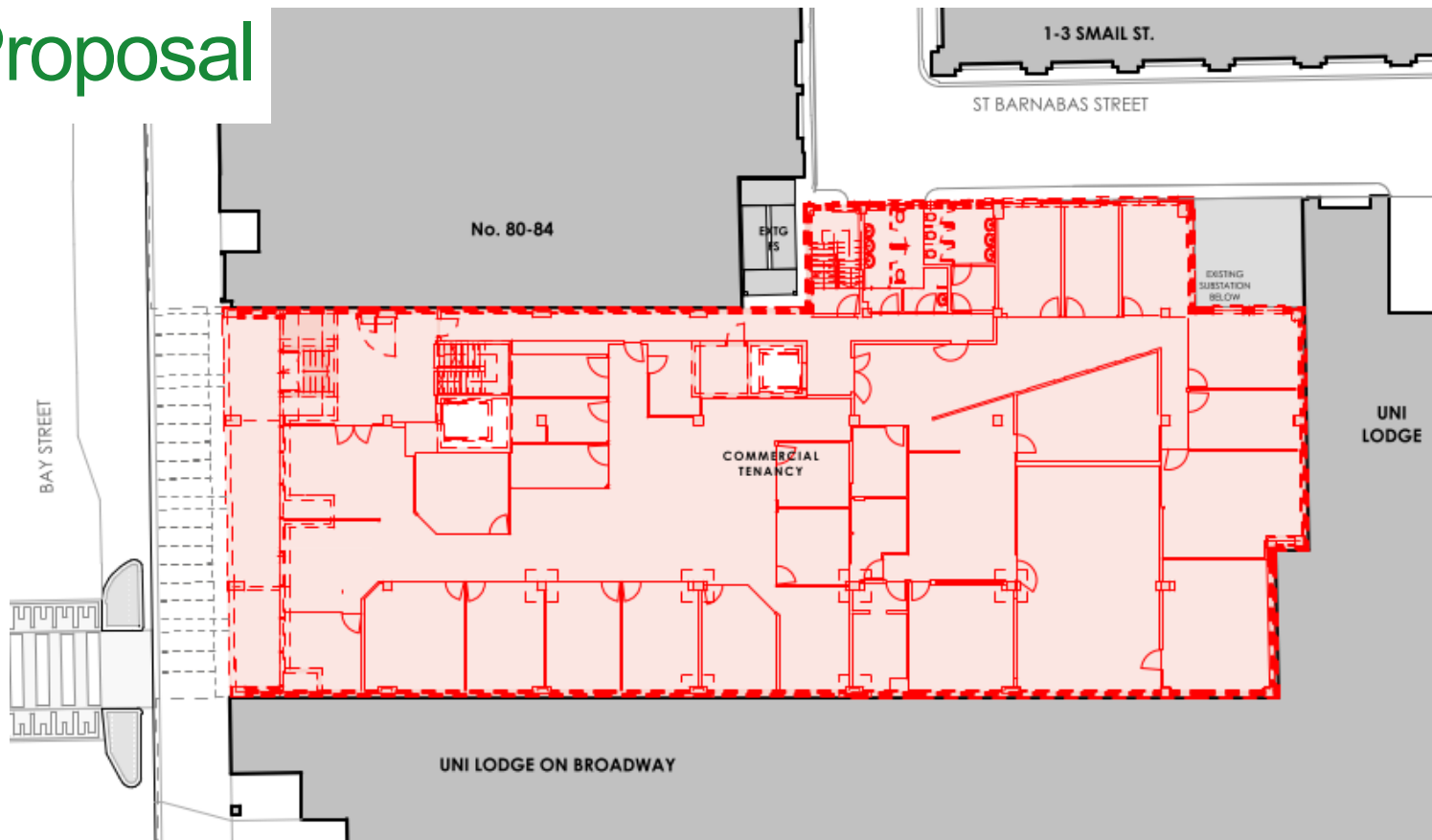


site viewed from St Barnabus Street

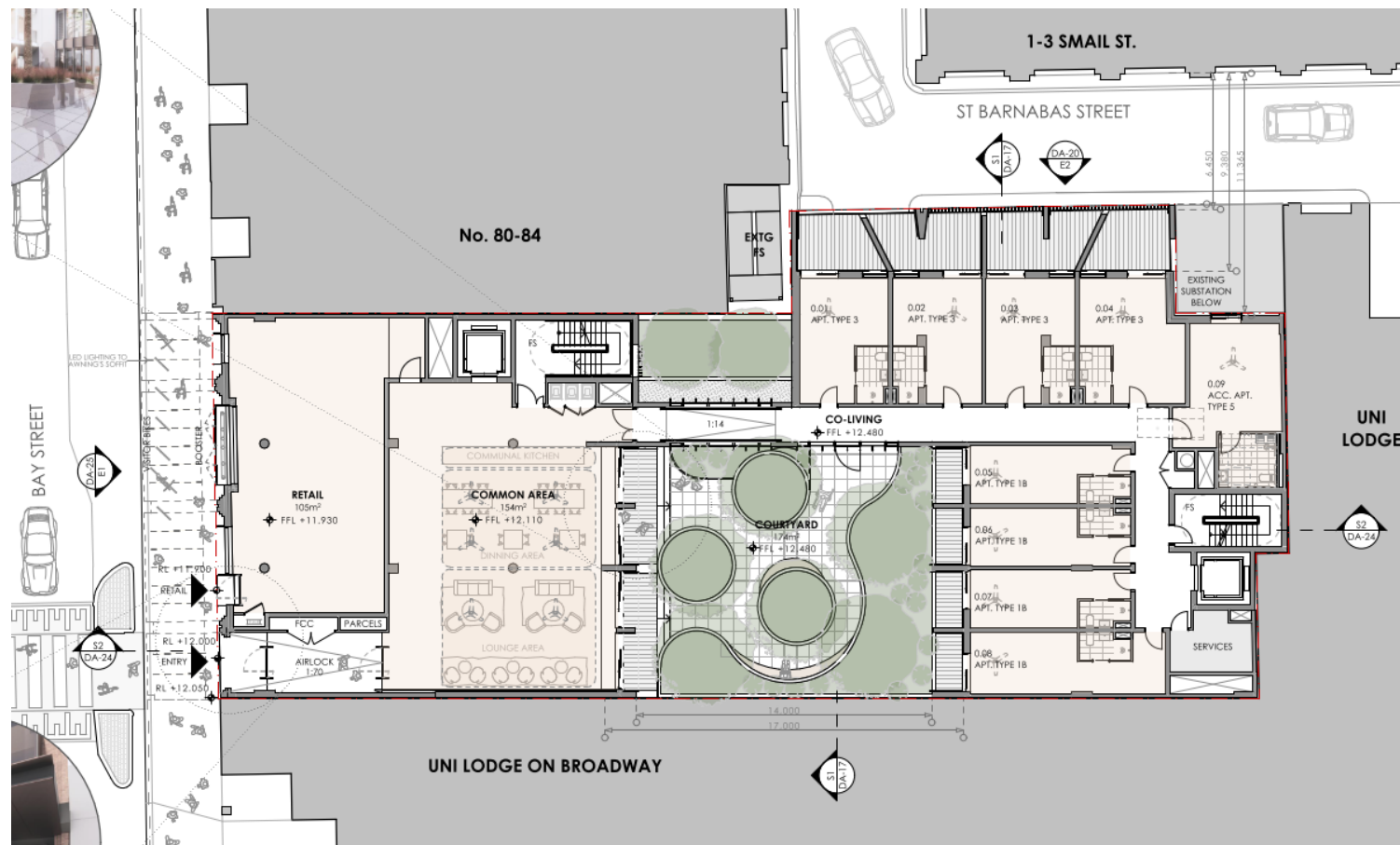


interiors – foyer, remnant offices & basement parking area

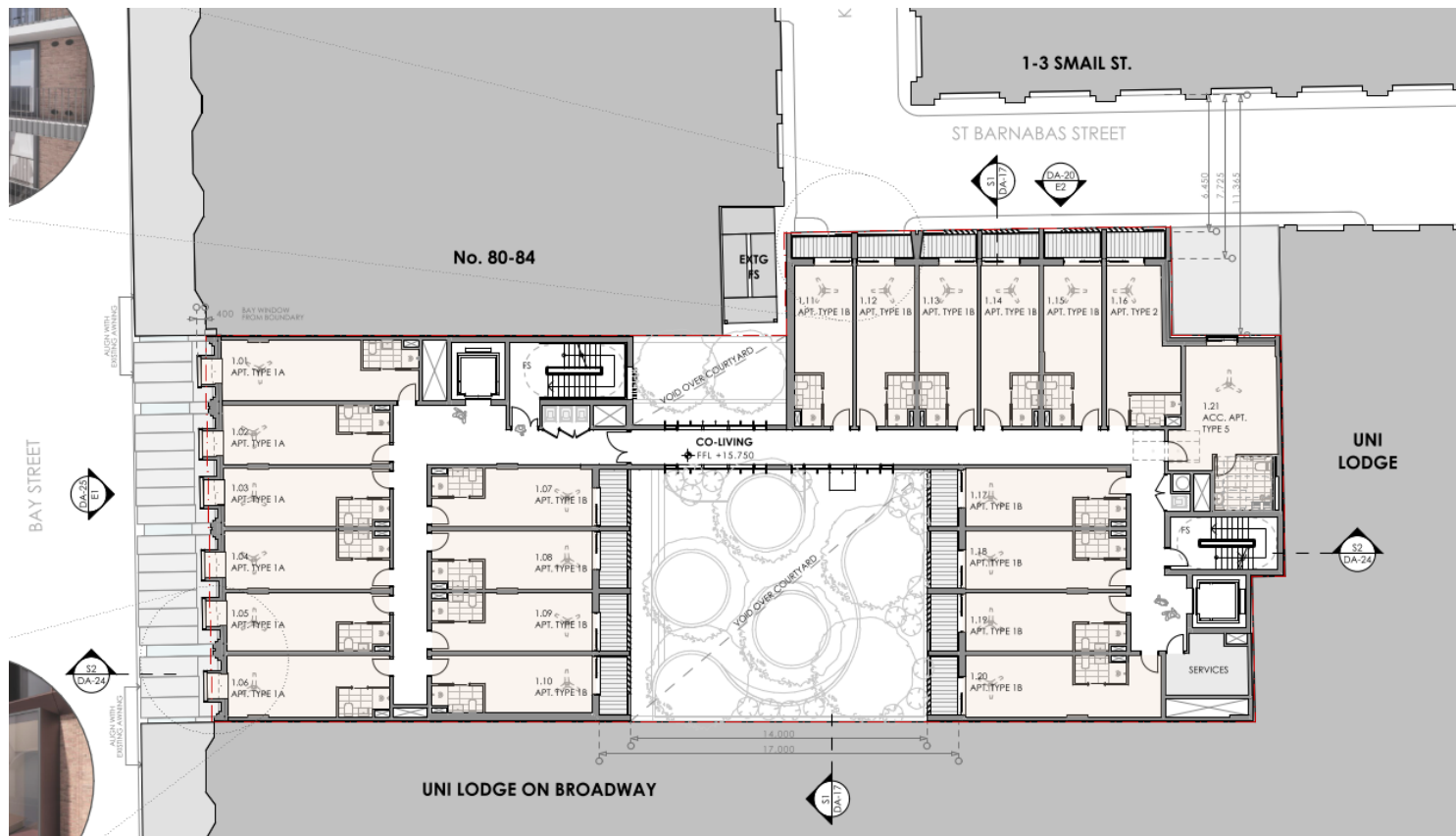
Proposal



ground level demolition plan

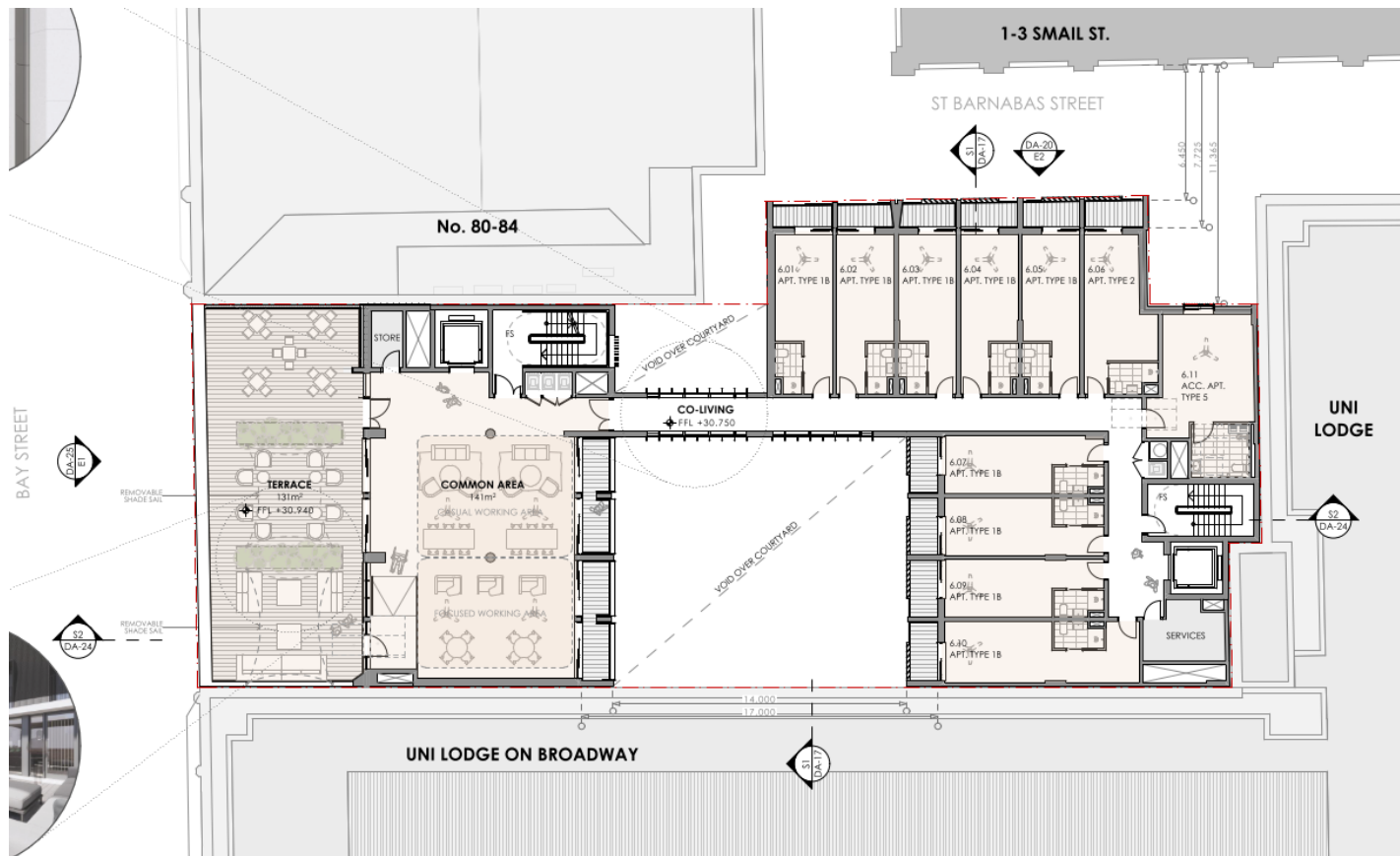


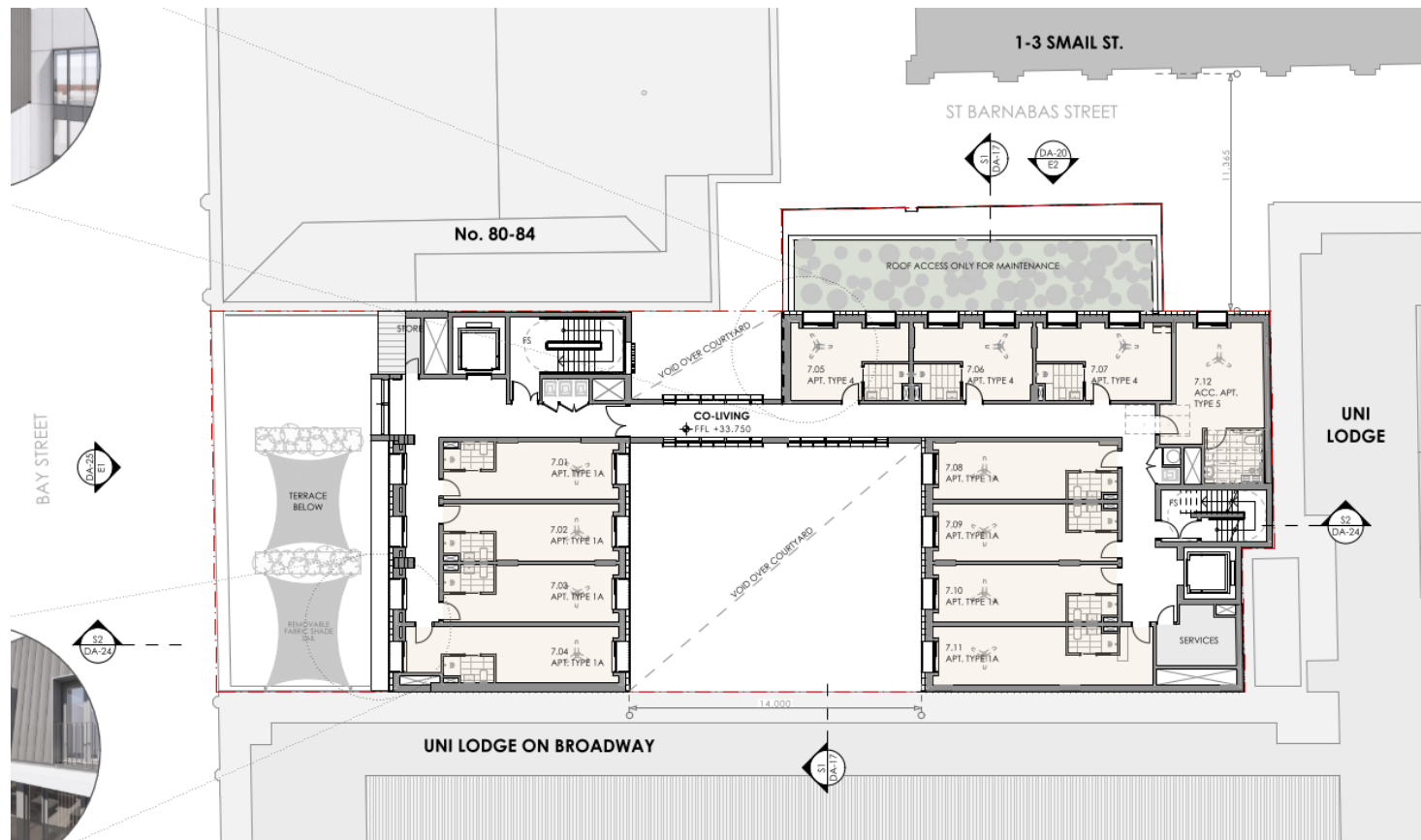
ground floor plan

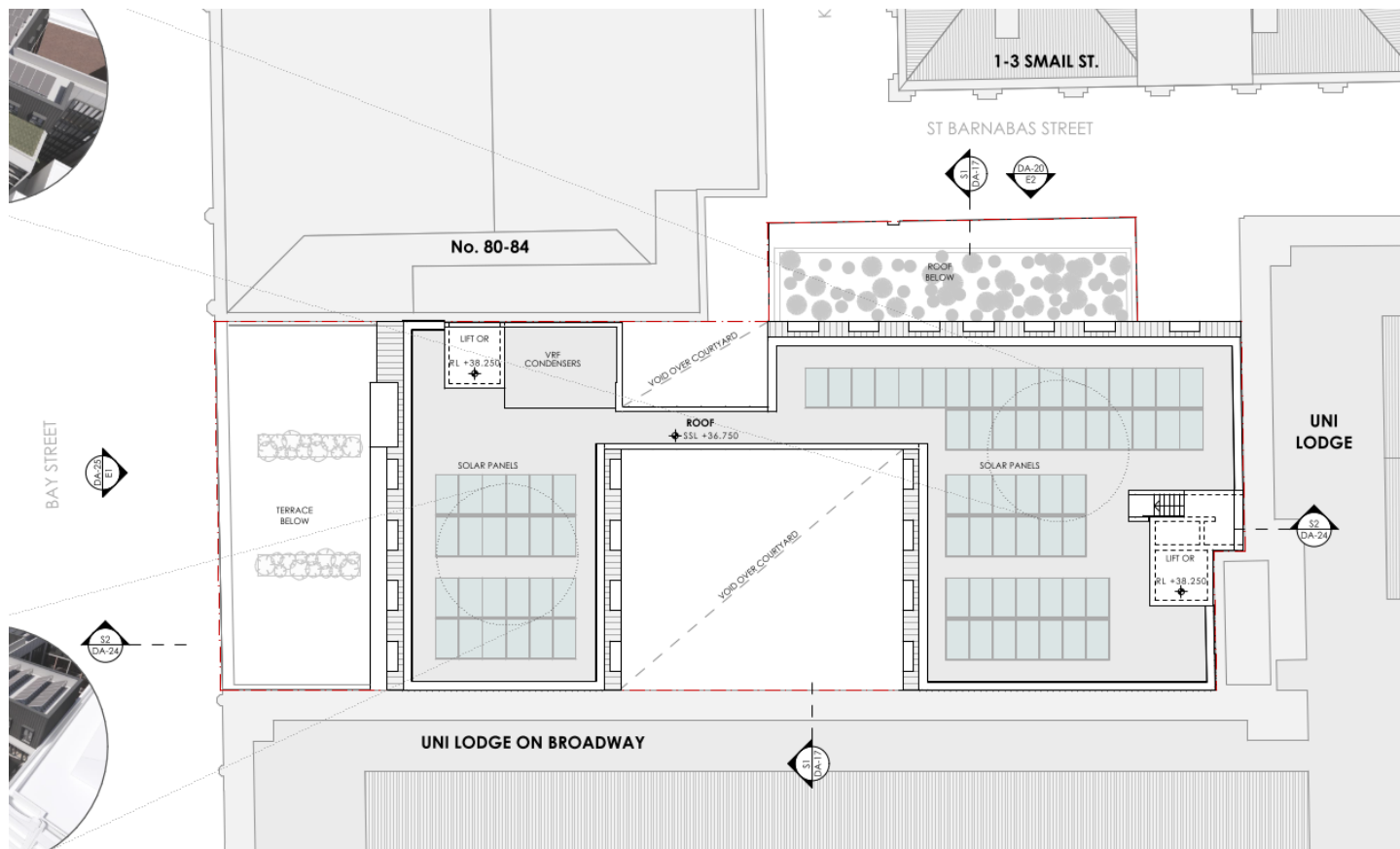




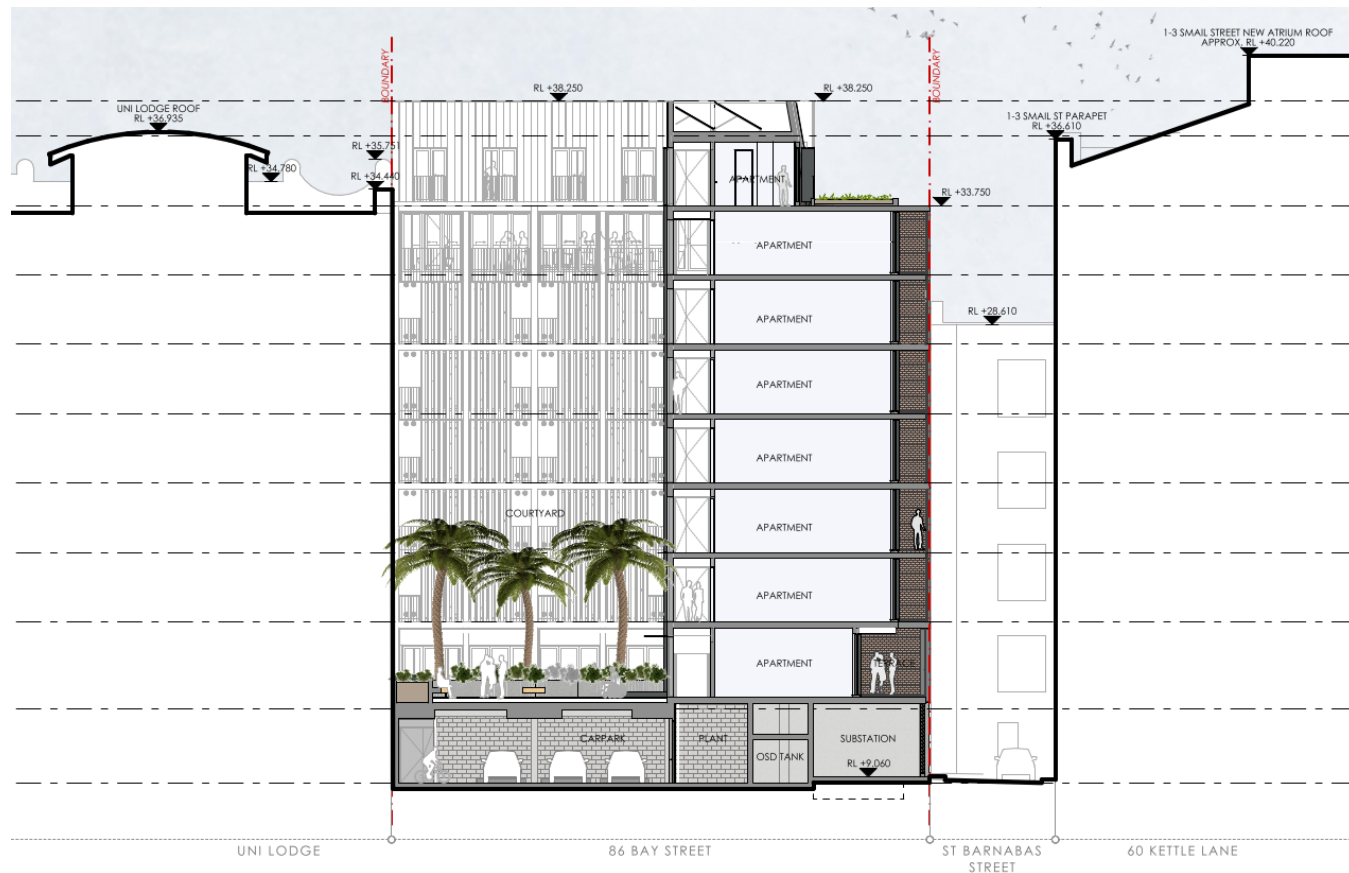
Level 2-5







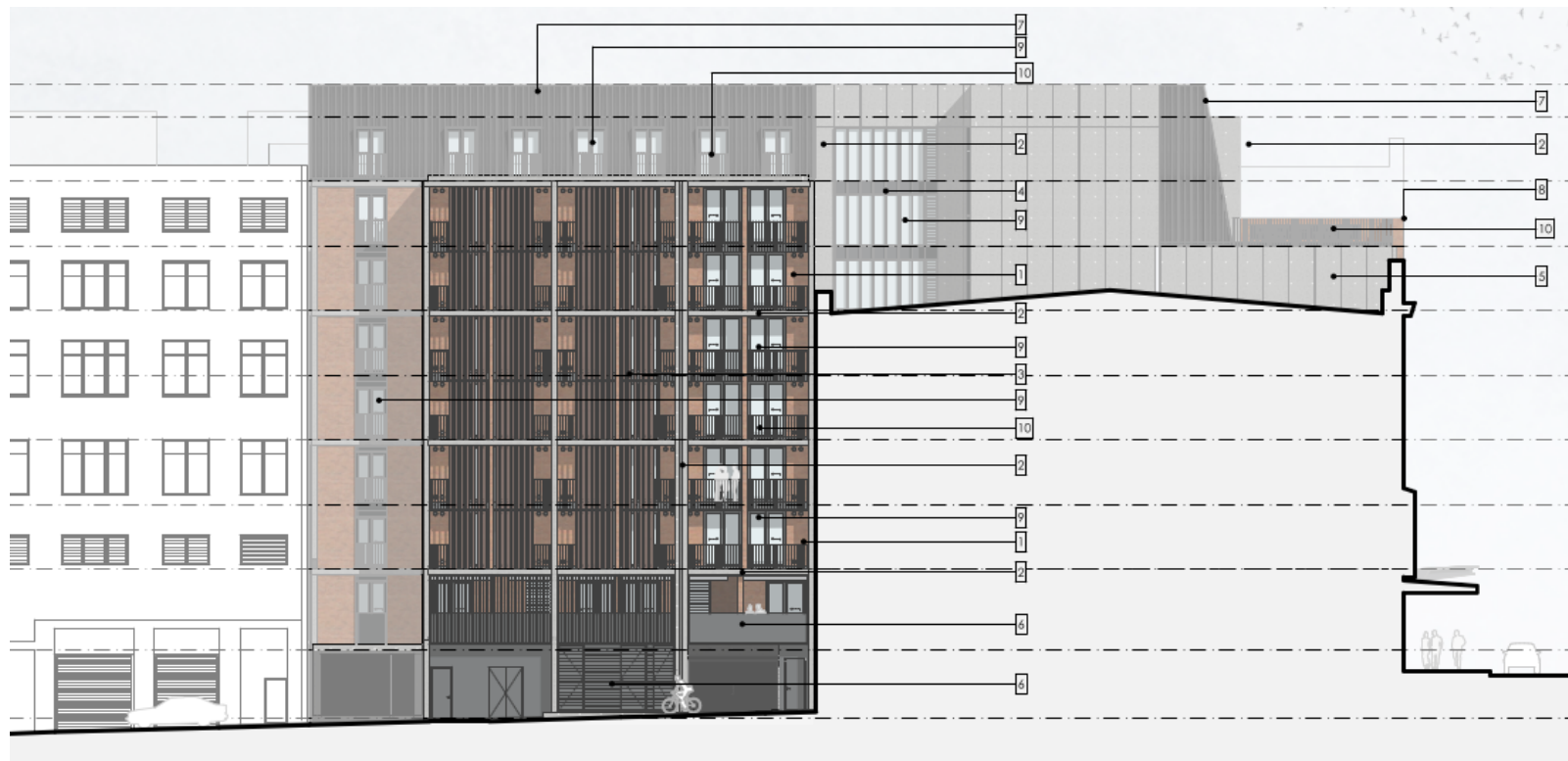
roof plan



north-south section



west elevation – Bay Street



north elevation plan - St Barnabus Street



1. BRICK WALLS & BREEZEWAYS
RECLAIMED BRICK IN
RED TONES TO MATCH
LOOK OF READERS
DIGEST BRICKS



2. CONCRETE
EXPOSED OFF FORM
CONCRETE CLASS 2
TO ALL EXPOSED
STRUCTURE



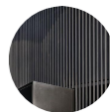
**3. REVEALS, SUN
SHADING & SCREENS**
ALUMINIUM PVDF
FINISH IN RED ZINC
TONE OR SIMILAR



**4. SPANDRELS & INFILL
PANELS**
ALUMINIUM PVDF
FINISH IN CHARCOAL
TONE OR SIMILAR



5. CFC CLADDING
BARESTONE CFC
CLADDING WITH
EXPOSED FIXINGS



**6. SERVICES METAL
BATTENS**
ALUMINIUM PVDF
FINISHED IN
CHARCOAL TONE OR
SIMILAR



7. ROOF CLADDING
ALUMINIUM STANDING
SEAM CLADDING PVDF
IN GREY ZINC TONE OR
SIMILAR



8. GF GLAZING
ALUMINIUM FRAMED
LOW IRON GLAZING

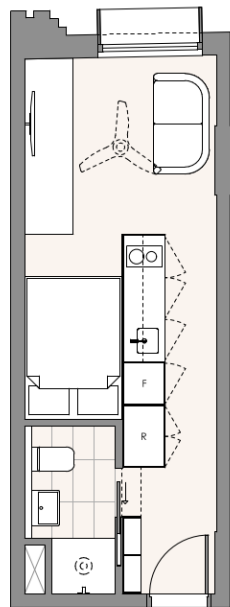


9. ABOVE GF GLAZING
ALUMINIUM FRAME
SYSTEM PVDF IN
CHARCOAL TONE OR
SIMILAR WITH HIGH
PERFORMANCE IGU

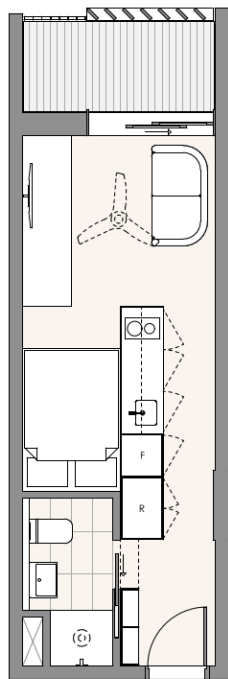


10. BALUSTRADE
STEEL BALUSTRADE
PAINT FINISHED IN
CHARCOAL TONE OR
SIMILAR

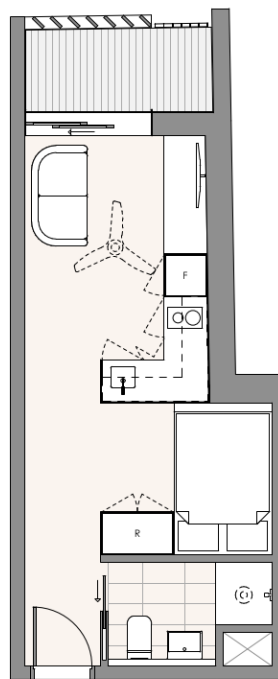




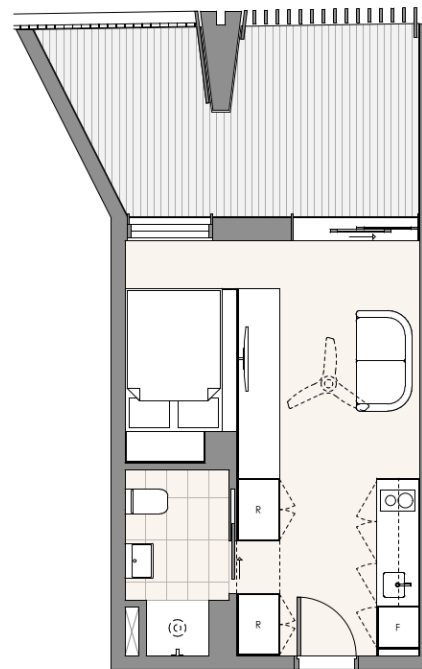
1 TYPE 1A (Bay Street)
SCALE - 1:50



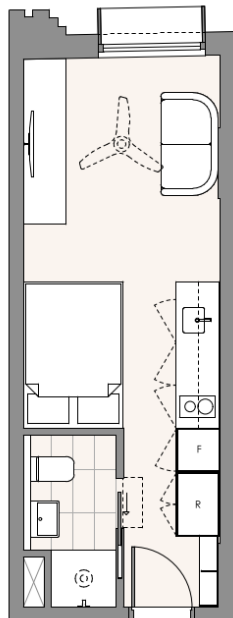
2 TYPE 1B (Courtyard)
SCALE - 1:50



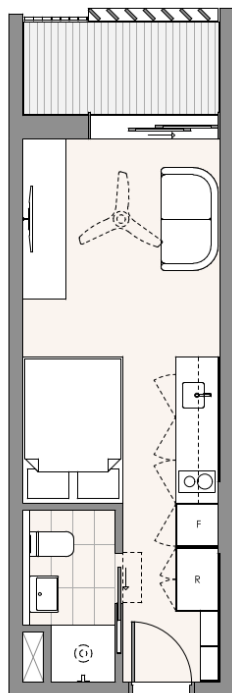
3 TYPE 2 (Lane Upper Floors)
SCALE - 1:50



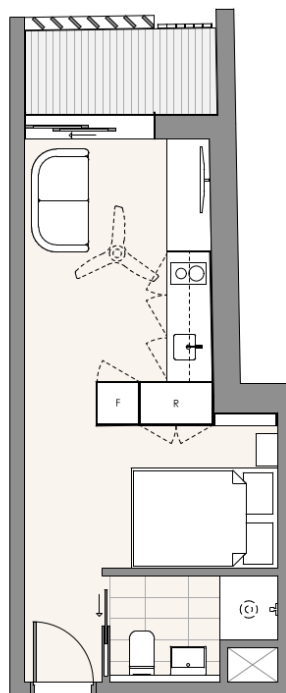
4 TYPE 3 (Lane GF)
SCALE - 1:50



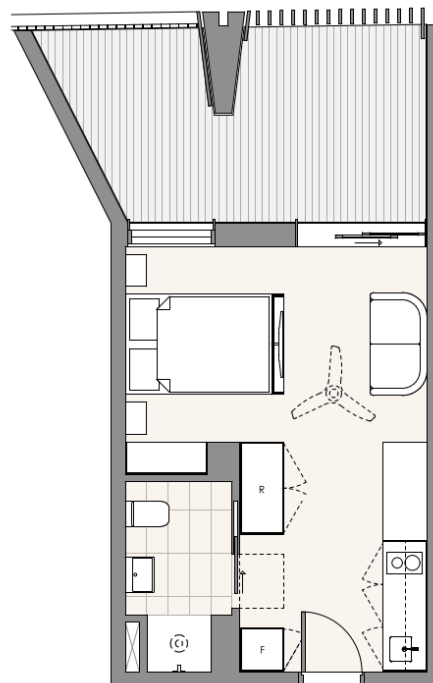
1 TYPE 1A (Bay Street)
SCALE - 1:50



2 TYPE 1B (Courtyard)
SCALE - 1:50



3 TYPE 2 (Lane Upper Floors)
SCALE - 1:50



4 TYPE 3 (Lane GF)
SCALE - 1:50

apartment layout alternative 2



Consistency with SEPP Housing (2021)

	control	proposed	consistency with control
FSR	LEP + 10% (2.75:1)	4.5:1	no
communal living areas	30sqm + 2sqm per room	292sqm	yes
manager room	close to communal areas	none provided	no

Consistency with SEPP Housing (2021)

	control	proposed	consistency with control
building separation	18m	6.4m	no
solar access to communal indoor	3 hours	2 hours	no

Compliance with key LEP standards

	control	proposed	compliance
height	22m	29.5m* (30.5m)	no
floor space ratio	2.75:1 (including 10% SEPP bonus)	4.5:1m	no

* lift services report requires higher overrun (30.5m)

Compliance with DCP controls

	control	proposed	compliance
height in storeys	5 storeys	8 storeys	no
floor to floor	4.5m (ground) 3.6m L1 2.7m ceiling (residential)	3.75m 3m 2.7m	no no yes
heating & cooling	consolidated, roof level	individual units	no

Compliance with DCP controls

	control	proposed	consistency with control
room widths	3.5m	2.7m	no
bike parking	conveniently located	far from entry, 3 sets of doors	no

Design Advisory Panel Residential Subcommittee

Panel reviewed application 7 April 2026. Proposal not supported, noting largely unchanged from pre-DA scheme:

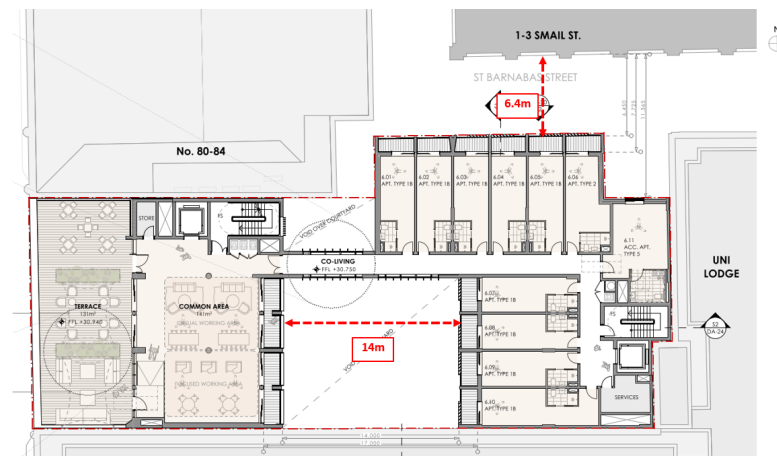
- height & FSR breaches: overdevelopment & poor residential amenity
- DA should comply with SEPP building separation, privacy screens not appropriate
- floor-to-floor heights should be increased (commercial & residential)
- courtyard & roof terrace sizes should be increased for better amenity
- room widths should be increased to DCP minimum
- laundry should in better location

Issues

- height & FSR (Cl.4.6 requests not supported)
- building separation
- design excellence

Building separation

- SEPP Housing: comply with ADG - 18m:
6.4m proposed (north) & 14m (courtyard)
- Cl.4.6 provided (but not required)
 - low residential amenity (site & neighbours)
 - privacy measures not appropriate (low light & lights on all day)



Design excellence

- low residential amenity: low ceiling heights, insufficient room widths & separation distances
- dark communal spaces, deep courtyard with insufficient landscaped spaces, reliance on roof terrace area for 137 rooms
- all ventilation to courtyard (kitchens & air-con) provides noisy and heated space
- non-provision of tanks for irrigation
- bike & laundry locations not appropriate

Recommendation

Refusal