Item 4.

Post Exhibition - Planning Proposal - 150 Day Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

File No: X090796

Summary

Central Sydney is an engine room of the NSW economy. The Central Sydney Planning Strategy is a 20-year growth strategy that recognises Central Sydney's role in metropolitan Sydney, NSW and Australia, and the need to maintain and grow its status as a global city with a dynamic economy and high quality of life. As housing grows, the Strategy prioritises employment growth with increased capacity, ensures development takes place in areas that can accommodate greater building height, encourage pedestrian connections and the use of public transport, and moves towards a more sustainable city.

A planning proposal, consistent with the Central Sydney Planning Strategy, was prepared for 150 Day Street, Sydney, following a request by the proponent to amend the planning controls for the site. The planning proposal seeks to amend the building height and floor space controls to facilitate the adaptive reuse of an existing hotel building and deliver a 22-storey hotel with more than 30,600sqm of commercial (hotel) floor space. The proposed controls require the substantial retention of the existing building on site, representing a significant amount of embodied carbon, and achieving environmental performance targets above City targets and controls.

A draft site specific Development Control Plan was prepared to support the planning proposal and provide guidance on sustainability targets, landscaping, transport, flooding and design excellence. A Voluntary Planning Agreement (VPA) has been prepared to provide affordable housing contributions above the requirements of clause 7.13 of the Sydney Local Environmental Plan.

The planning proposal and draft development control plan were approved for public exhibition by the Central Sydney Planning Committee and Council on 18 and 22 September 2025 respectively. Council also noted the preparation of the draft planning agreement which was to be exhibited concurrently. The Department of Planning, Housing and Infrastructure issued a Gateway determination on 27 January 2026.

The planning proposal, draft development control plan and VPA were placed on public exhibition from 18 March 2026 to 20 April 2026. 59 responses to the exhibition were received, including 48 objections and feedback from 6 government agencies. The majority of objections related to overshadowing and view loss to neighbouring properties. The overshadowing is within current requirements or those that applied when the affected buildings were constructed. The view loss is also considered reasonable given the strategic contribution of the proposal, the nature of development in this area and that the planning framework does not protect private views, particularly in strategic locations such as Central Sydney. This report does not recommend any changes to the exhibited planning controls or building envelope.

Minor amendments have been made to the planning proposal regarding end of journey floor space, updates to the project timeline, and responses to feedback from government agencies. Amendments have been made to the draft development control plan in response to government agency feedback regarding the facade articulation zone and the preparation of a flood impact and risk assessment.

This report recommends approval of the planning proposal and draft development control plan and notes the City will enter into the planning agreement.

Recommendation

It is resolved that:

(A) Council note the matters raised in response to the public exhibition of Planning Proposal - 150 Day Street, Sydney, the draft Sydney Development Control Plan 2012 - 150 Day Street, Sydney, and draft Voluntary Planning Agreement, as shown in Attachment D to the subject report

(B) Council approve Planning Proposal - 150 Day Street, Sydney as shown at Attachment A to the subject report, to be sent to the Department of Planning, Housing and Infrastructure to be made as a local environmental plan

(C) Council approve the draft Sydney Development Control Plan 2012 - 150 Day Street, Sydney, as shown at Attachment B to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan

(D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 150 Day Street, Sydney and draft Sydney Development Control Plan 2012 - 150 Day Street, Sydney, to correct any minor errors or omissions prior to finalisation

(E) Council note the draft Voluntary Planning Agreement, as shown at Attachment C to the subject report, will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Attachments

Attachment A. Planning Proposal - 150 Day Street, Sydney and appendices

Attachment B. Draft Sydney Development Control Plan - 150 Day Street, Sydney

Attachment C. Voluntary Planning Agreement

Attachment D. Summary of submissions

Attachment E. Resolutions of Council and Central Sydney Planning Committee

Attachment F. Gateway determination dated 27 January 2026

Background

1. In March 2025, a request to prepare a planning proposal was lodged for 150 Day Street, Sydney ('the site'). The site is shown in Figure 1.

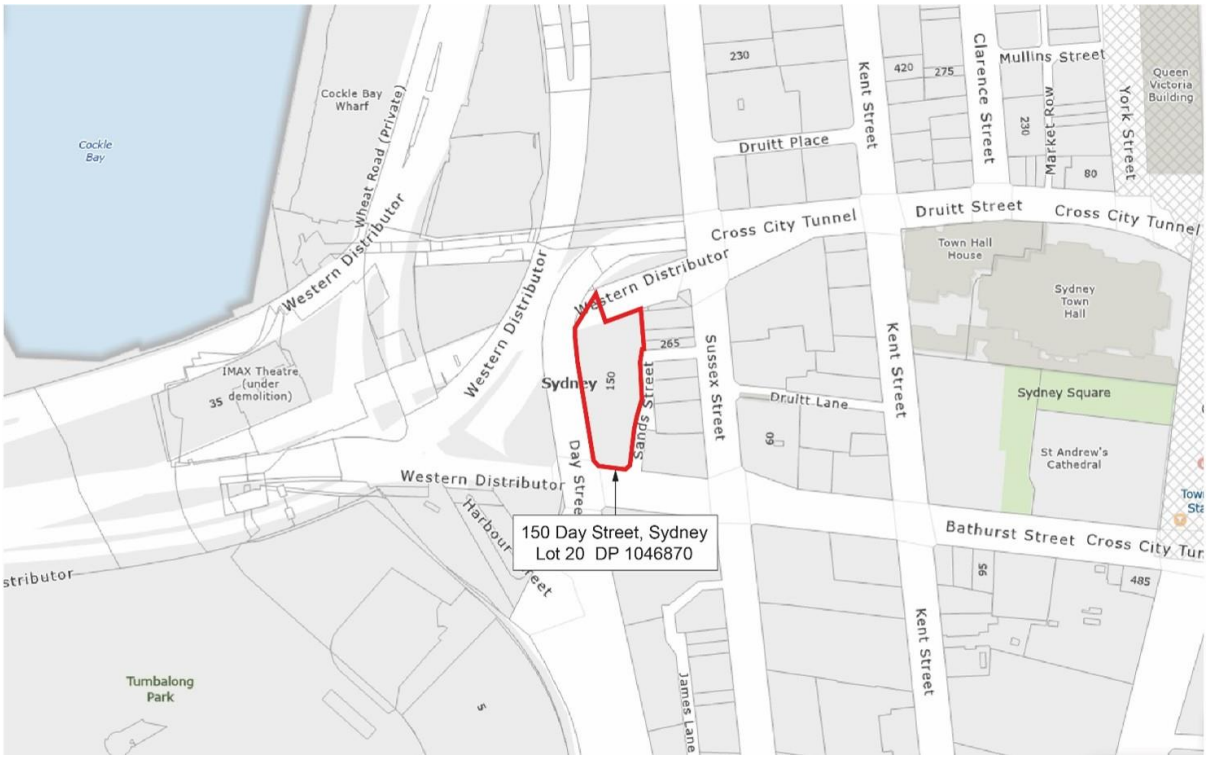

Figure 1: Land affected by this planning proposal

2. The site has an area of 2,279sqm and has frontages to Bathurst Street, Sands Street, Day Street, an on-ramp to the Western Distributor and the Cross City Tunnel Harbour Street exit. The existing development on the site is known as the PARKROYAL Darling Harbour, an 11-storey building containing approximately 17,000 square metres of tourist and visitor accommodation floor space, which was constructed in 1988.

3. Further details of the site and existing planning controls can be found in sections 1 and 2 of the planning proposal, at Attachment A. Photos of the site and existing development are at Figures 2 and 3.

Figure 2: 150 Day Street, western facade fronting Day Street and Cross City Tunnel Harbour Street exit, outlined in red

Figure 3: 150 Day Street, northern and eastern facades fronting Western Distributor onramp, outlined in red

The proponent requested amendments to building height and floor space ratio controls to enable an expansion of the hotel on site

4. The proponent requested a planning proposal to facilitate a redevelopment to achieve:

   (a) a total of 30,617sqm of tourist and visitor accommodation floor space in Central Sydney, aligning with the strategic direction of the Central Sydney Planning Strategy and City of Sydney Economic Development Strategy 2025-2035

   (b) an adaptive reuse of the existing structure, with 11 storeys added to the existing 11-storey building, and the primary structure and floors (including columns, beams and slabs) substantially retained, representing significant embodied carbon and achieving environmental performance targets above and beyond City targets and controls.

5. Illustrations of the indicative scheme are shown at Figures 4 and 5.

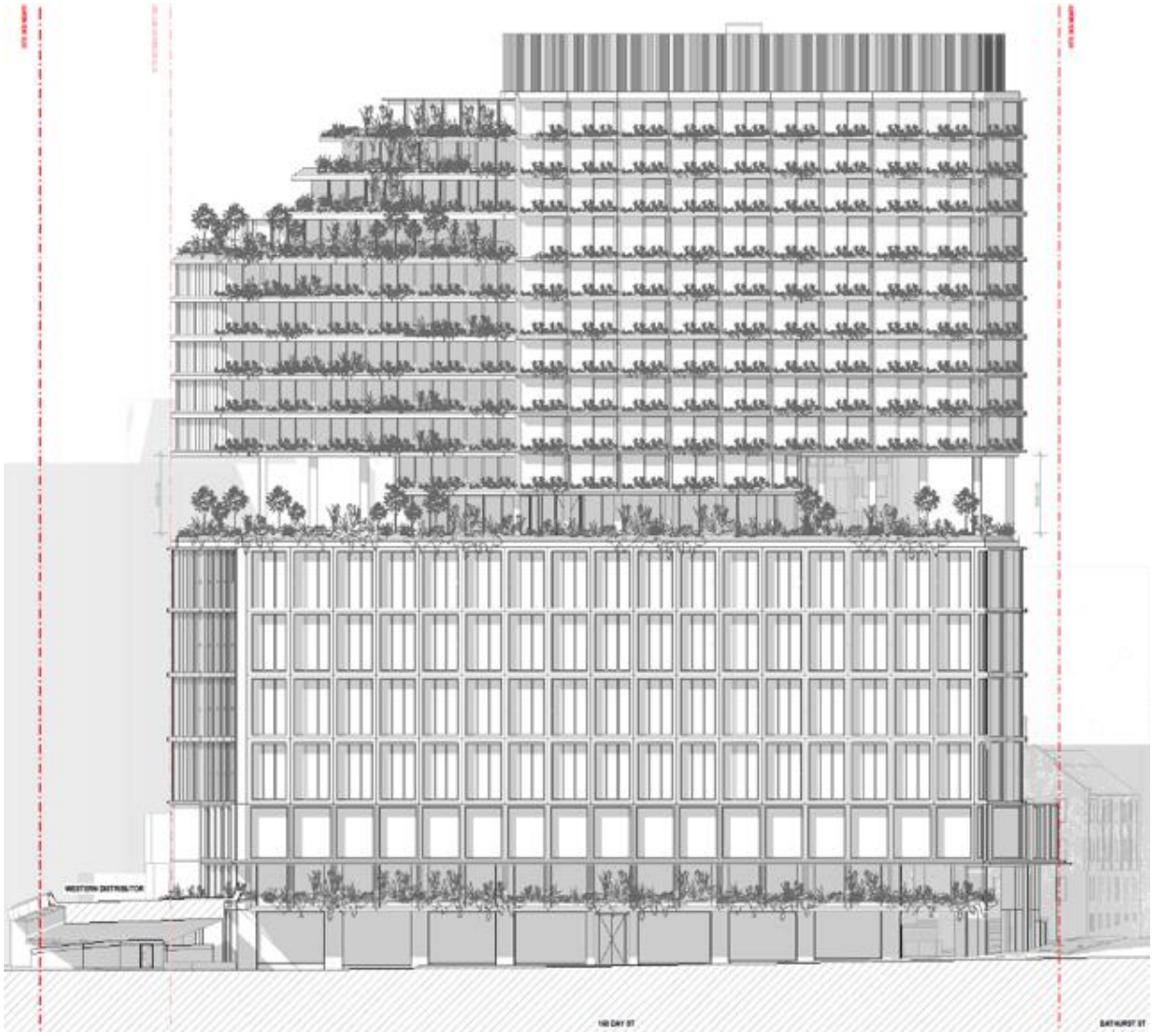

Figure 4: Technical drawing of indicative design - western (Day Street) elevation

Figure 5: Artistic representation of indicative design - northwestern perspective

The City prepared a planning proposal to increase the height and floor space controls for a commercial hotel development

6. The planning proposal details the proposed amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) by inserting new site-specific provisions to incentivise productive floor space. These provisions are to:

   (a) permit a maximum building height of RL 87.7 metres (approximately 85 metres), an increase from the current control of 45m

   (b) increase the maximum floor space ratio control from 9.9:1 to 13.5:1 inclusive of any additional floor space awarded for a building demonstrating design excellence

   (c) ensure development would not cause any additional overshadowing of Town Hall Steps, Sydney Square and future Town Hall Square

   (d) ensure the resulting building would not be used for the purposes of residential accommodation or serviced apartments

   (e) ensure any development taking advantage of these amended controls must feature substantial retention of the existing structure, including columns, beams and slabs.

7. Further explanation of the provisions can be found in section 4 of the planning proposal at Attachment A.

Changes to the Development Control Plan will ensure the development demonstrates a high-quality built form and protects the public domain

8. A draft site-specific Development Control Plan (draft DCP) is at Attachment B and provides further guidance for development facilitated by this planning proposal. The draft DCP provisions include:

   (a) dimensions of a maximum building envelope as shown at Figure 6

   (b) sustainability targets above standard requirements for hotels in Central Sydney

   (c) additional requirements regarding landscaping, transport and flooding for any future development application

   (d) a design excellence strategy.

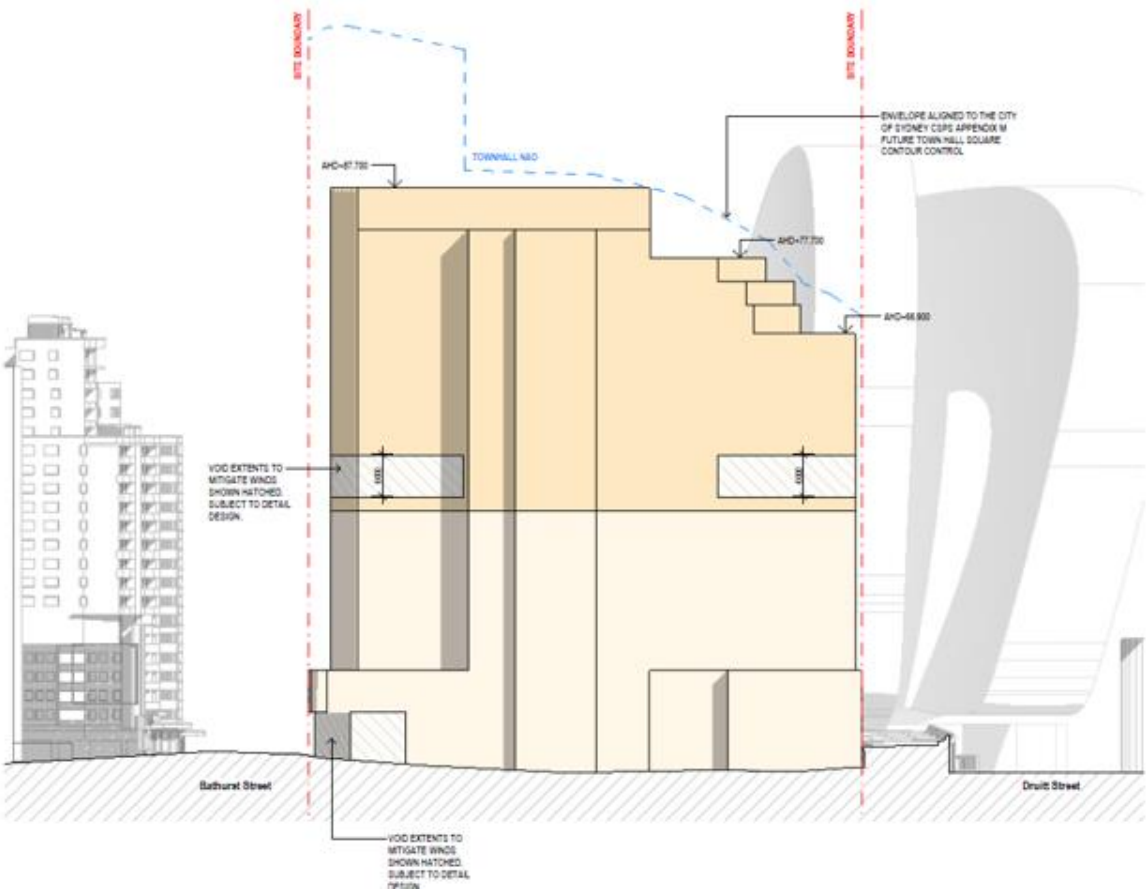

Figure 6: Maximum building envelope - east elevation

The planning proposal received Gateway determination and was placed on public exhibition

9. The planning proposal was approved by the Central Sydney Planning Committee on 18 September 2025 and by Council on 22 September 2025 to be submitted to the Minister for Planning and Public Spaces for Gateway determination and approved for public authority consultation and public exhibition. The Council also approved the draft DCP for public authority consultation and public exhibition with the planning proposal. The resolutions of CSPC and Council are at Attachment E.

10. The request for a gateway determination was sent to the Department of Planning, Housing and Infrastructure ('the Department') for a Gateway determination on 25 September 2025. Gateway determination was received from the Department on 27 January 2026 and is provided at Attachment F. The Gateway determination included a reference to the exhibition of a draft contributions plan for 150 Day Street. This was subsequently clarified with the Department as a mistaken reference to the Voluntary Planning Agreement (VPA).

11. Council also noted that the Chief Executive Officer would prepare a draft VPA in accordance with the letter of offer received from the proponent and the requirements of the Environmental Planning and Assessment Act 1979 ('the Act), which would be exhibited in accordance with the Act and concurrently with the planning proposal. The VPA provides an additional affordable housing contribution of 1% of the increased floor area facilitated by this planning proposal, in line with the proposed changes to the Affordable Housing Program. This additional amount does not offset any applicable Affordable Housing contributions required under the Sydney LEP 2012 or the Act.

12. The planning proposal, draft DCP and draft VPA were placed on public exhibition from 18 March 2026 to 20 April 2026.

Key Implications

We received 59 responses to the public exhibition of the Planning Proposal

13. The following activities were undertaken to support the public exhibition:

    (a) A webpage and survey were created for people to review the planning proposal and supporting documentation and provide their feedback.

    (b) 1,007 letters were sent to property owners and occupiers within a 75-metre radius of the site boundary.

    (c) The project was included in the April 2026 edition of the Sydney Your Say eNews.

    (d) The planning proposal was referred to Ausgrid, the Department of Climate Change, Energy, the Environment and Water (DCCEEW), NSW State Emergency Service (SES), Sydney Water and Transport for NSW, for consultation and comment as required by the Gateway determination.

14. A total of 52 submissions were received from members of the community in response to the exhibition. Of these, 48 were opposed and 4 were supportive. The proponent also made a submission. All 5 government agencies contacted provided comment and a submission was received from Placemaking NSW, the agency responsible for Darling Harbour. No submissions were received regarding the draft VPA.

15. The City's response to the issues raised in submissions are discussed below and in the summary of submissions at Attachment D.

Six government agencies provided feedback on the Planning Proposal

16. Ausgrid and Sydney Water reviewed the planning proposal but did not provide any specific feedback or recommendations for this stage of the development. The agencies provided information on consultation and documentation requirements for future stages of the development.

17. Placemaking NSW indicated support for the proposed land use, upgrades to public domain and the installation of public art. The agency also provided feedback on consultation and documentation requirements for future stages of the development.

Flooding

18. The site is located in the flood planning area, with various points vulnerable to both 1% AEP and PMF flood levels. The retention of the existing structure means that no changes to the ground plane are being proposed that would change or worsen existing flood conditions. The reference design proposes flood control devices for lobby, basement and loading dock entrances.

19. DCCEEW's feedback made recommendations for updates to Sydney DCP regarding flood control devices and long-term climate change conditions. The Policy and Housekeeping Amendments to Sydney LEP 2012 and Sydney DCP, approved by Council in June 2025, include updated guidance for flood control devices. These changes are currently with the Department for drafting and finalisation. Further amendments to Sydney DCP will be considered following the finalisation of the Climate Change and Natural Hazards State Environmental Planning Policy and Climate Change Scenario Guidelines by the Department, expected later this year.

20. The NSW SES reviewed the proposal and recommended updates to the Flood Risk and Impact Assessment (at Attachment A12) to include further consideration of the impacts of climate change and the risks of prolonged flooding, emphasise passive protection over flood control devices, and further details and clarifications to the Flood Emergency Response Plan. In response, the draft site-specific DCP at Attachment B has been amended to include a requirement for the Flood Impact and Risk Assessment, submitted as part of a future development application, to include further consideration of over-floor flooding risks and a sensitivity test to assess risks should flood control devices fail. The assessment will also need to consider the Climate Change and Natural Hazards State Environmental Planning Policy and Climate Change Scenario Guidelines following their finalisation.

Transport and servicing

21. Feedback from Transport for NSW (TfNSW) raised concerns regarding the risk of traffic backing up onto Bathurst Street and the proposed removal of the porte cochere on the subject site, which would make the hotel fully reliant on TfNSW-controlled land on Day Street for hotel pick up/drop off activities. The Transport Impact Assessment, at Attachment A11, has found that additional traffic generated by the proposal is low (23 additional vehicle trips per hour in the morning peak and 13 additional vehicle trips per hour in the evening peak) and manageable considering the Day Street/Bathurst Street intersection currently experiences excellent operating conditions with substantial spare capacity. An addendum to the Transport Impact Assessment has been provided and is at Attachment A27, which demonstrates that the proposed hotel drop off bays have sufficient capacity to accommodate the forecast demand.

22. Transport for NSW raised concerns with the possibility of any projections or overhangs (such as louvres, windows or other façade elements) into the airspace above TfNSW-owned land, with particular reference to the Western Distributor along the northern boundary of the site. This was implied by the inclusion of a façade articulation zone in the building envelope figures in the site-specific DCP at Attachment B. The DCP and the Building Envelope drawings at Attachment A4 have been amended to remove the zone along the northern boundary of the site, and any future development will be constructed fully within the subject site.

The proponent made a submission raising concern over the application of end of journey floor space in the proposed controls

23. The proponent requested an amendment to the proposed Sydney LEP controls, removing the 0.3:1 floor space bonus for providing end of journey facilities as:

    (a) clause 6.6 of Sydney LEP regarding end of journey floor space only applies to commercial premises excluding tourist and visitor accommodation; and

    (b) due to the building retention and adaptive reuse approach, the proposal cannot meet the requirement of clause 6.6 for end of journey facilities to be located together in one area of the building.

24. Section 4 Explanation of Provisions and Appendix 1 of the Planning Proposal at Attachment A have been amended to remove the application of end of journey floor space to the site. No additional floor space will be available for providing end of journey facilities, noting that the overall floor space ratio applying to the site under Sydney LEP remains unchanged at 13.5:1 and any future development application will still need to satisfy the requirements to provide end of journey facilities in accordance with section 3.11.3 of Sydney DCP.

Submissions from surrounding property owners and occupiers raised concerns regarding overshadowing, view loss and excessive bulk and scale

25. The City received 4 submissions supporting and 48 submissions objecting to the proposal. All 4 supportive submissions provided general support via the online survey.

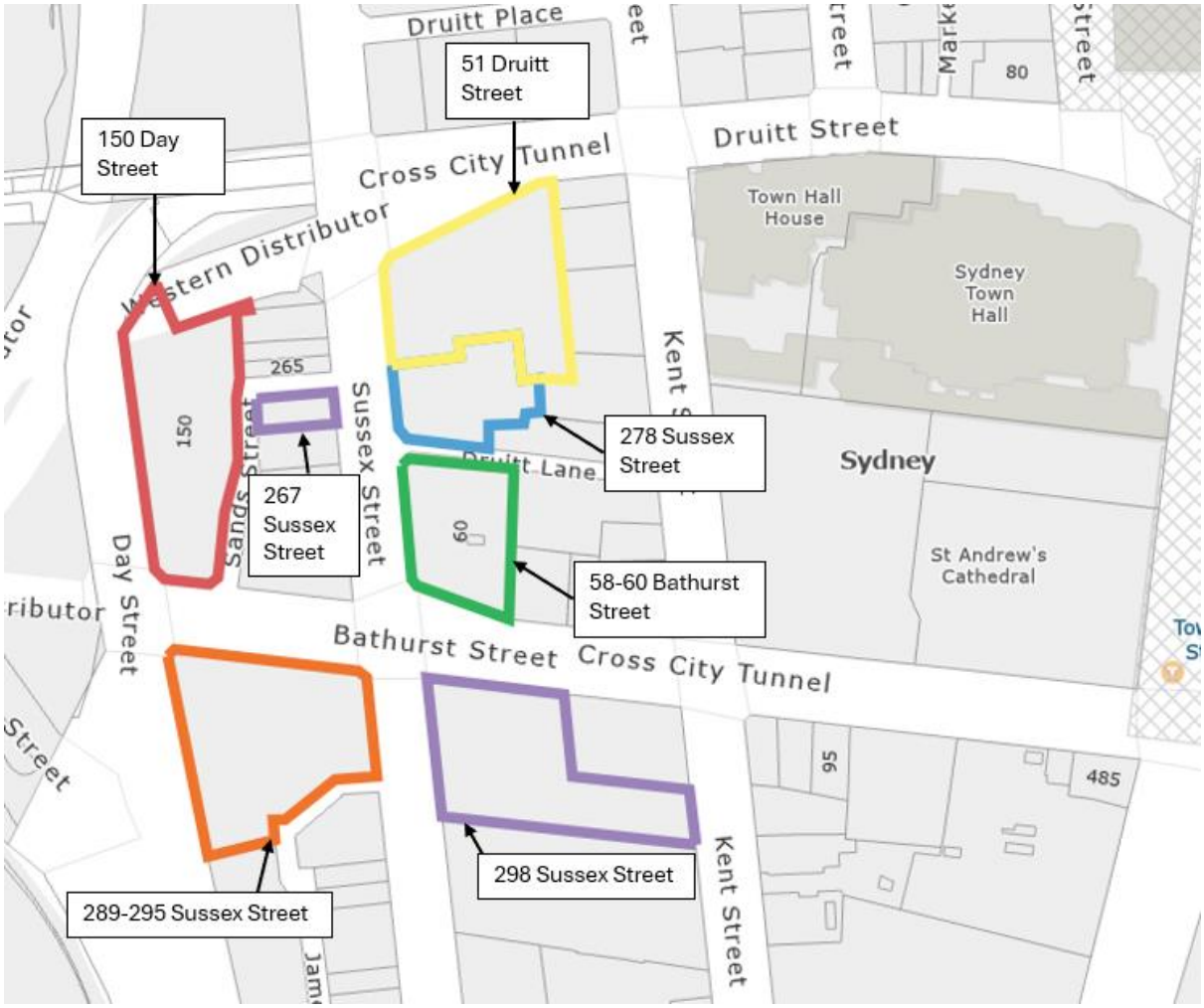

Figure 7: Location of identifiable submissions in relation to the subject site at 150 Day Street (red)

Overshadowing

26. 44 submissions from residents were received raising concern regarding the impact of overshadowing on neighbouring apartments, including loss of direct sun access and poorer amenity for residents. 35 objections were received from the residents of Millennium Towers at 289-295 Sussex Street, 6 objections from the residents of 58-60 Bathurst Street, 2 objections from 267 Sussex Street and 1 objection from 298 Sussex Street. There was also 1 objection from a commercial tenant of 51 Druitt Street.

27. The commercial building at 51 Druitt Street and the residential building at 58-60 Bathurst Street are not affected by overshadowing between the hours of 9am to 3pm at midwinter and there is no change to the number of apartments receiving more than 2 hours of direct sunlight at midwinter, consistent with the objectives of the Apartment Design Guide. At 267 Sussex Street, 20 out of 21 apartments currently enjoy more than 2 hours of direct sunlight at midwinter and there is no change to this as a result of the planning proposal.

28. The planning proposal acknowledges the overshadowing impact to 289-295 Sussex Street and 298 Sussex Street. These buildings were originally approved in 1995 and 1997 respectively, before the implementation of the current Sydney DCP and Apartment Design Guide. As a result, they were not designed nor oriented to maximise direct sun access at midwinter. However, at the time of their construction, the applicable development control was to protect a minimum of 2 hours sun access on the autumn equinox (21 March) and this proposal is consistent with that requirement.

Impact on views

29. A total of 38 submissions raised concerns about the loss of views to Cockle Bay, Tumbalong Park and areas further west, and the resulting impact on amenity and property values. These comprised 33 submissions from residents of Millennium Towers at 289–295 Sussex Street, 4 submissions from 58–60 Bathurst Street, one submission from 278 Sussex Street, and one submission from a commercial tenant at 51 Druitt Street.

30. The planning proposal acknowledges these impacts through the View Sharing Analysis at Attachment A10. Applying the principles established in *Tenacity Consulting v Warringah Council*, the analysis found that while the affected views are not 'iconic', the complete loss of some partial water views to Cockle Bay and the partial loss of whole views to Tumbalong Park would have a moderate to severe impact, particularly where views are obtained from primary living areas.

31. The proposal increases the building height control applying to the site from 45 metres to RL 87.7 metres (approximately 85 metres). While this would affect existing views, the proposed height is consistent with the surrounding built form, including 298 Sussex Street at RL 97.9 m and 58–60 Bathurst Street at RL 91.3 m. Millennium Towers has a height of RL 74.5 m and already exceeds the current planning control of 50m.

32. The Tenacity principles seek to consider whether a more skilful design could achieve similar development outcomes while reducing view impacts. Given the site's location, orientation and narrow dimensions, any increase in height would affect views currently available from surrounding properties. In addition, the building envelope is constrained by no additional overshadowing controls to Sydney Square, Town Hall Steps and the future Town Hall Square.

33. The site occupies a strategically important location between Darling Harbour, Town Hall and the commercial core of Central Sydney, and the proposal is consistent with the Central Sydney Planning Strategy and Economic Development Strategy which seek to increase employment capacity and support growth in key economic sectors, including tourism. Neither the planning framework nor the Central Sydney Planning Strategy seek to protect private views. The views currently enjoyed by neighbouring properties on Sussex and Bathurst Streets are uncharacteristic of their CBD location and the proposed height is compatible with the surrounding context. There is no practical alternative design that would achieve comparable development outcomes while materially reducing impacts. Having regard to the site's strategic significance, the physical constraints affecting its redevelopment and the broader public benefits of increased economic activity and employment, the resulting view loss is considered reasonable.

Bulk and scale

34. 37 submissions were received raising concern with the proposed height and floor space ratio, stating that these controls were inconsistent with neighbourhood character. The proposal to increase the FSR control from 9.9:1 to 13.5:1 is consistent with other commercial developments in Central Sydney and aligns with the strategic direction of the Central Sydney Planning Strategy to prioritise employment growth and increase capacity in Central Sydney. The maximum height of RL 87.7m has been tested to ensure that it can accommodate the proposed floor area. The site will remain subject to the no additional overshadowing controls protecting sun access to Sydney Town Hall steps, Sydney Square and future Town Hall Square. The maximum height of RL 87.7m is consistent with the maximum heights of surrounding buildings, including RL 74.5m at 289-295 Sussex Street, RL 97.9m at 298 Sussex Street, RL 91.3m at 58-60 Bathurst Street and RL 95.9-132.2m at Darling Park.

Transport, parking and access

35. 35 submissions were received regarding transport and access issues, particularly the impact to Bathurst Street and the lack of on-site parking. The Transport Impact Assessment, at Attachment A11, finds that the proposal will generate an additional 23 vehicle trips per hour during the morning peak period, and an additional 13 vehicle trips per hour during the evening peak period. This level of traffic generation is acceptable, considering the Day Street/Bathurst Street intersection currently experiences excellent operating conditions with substantial spare capacity.

36. The site's location within walking distance of major transport infrastructure, namely Town Hall Station 300 metres to the west, encourages the use of public transport. This is consistent with the strategic direction of City Plan 2036 and Sustainable Sydney 2030-2050: Continuing the vision, to locate development and growth in areas with existing transport infrastructure. Development on this site also represents an opportunity to improve the public domain and pedestrian linkages between the City and Darling Harbour, including along Bathurst Street, which can be explored with any future Development Application.

Submissions raised concern over the planning merit of the proposal, criticising the proposed land use and lack of precinct-wide strategic planning

37. 33 submissions were received raising concern about the planning merit of the proposal, criticising the proposed tourist and visitor accommodation land use in a housing crisis, and the use of a spot rezoning rather than a precinct-wide approach.

38. Section 5.3 of the planning proposal at Attachment A demonstrates how the proposal is consistent with the objectives of the Greater Sydney Region Plan, Eastern City District Plan, City Plan 2036, Sustainable Sydney 2030-2050: Continuing the vision, Central Sydney Planning Strategy and City of Sydney Economic Development Strategy. In particular, the Central Sydney Planning Strategy seeks to prioritise employment growth and increase capacity in Central Sydney and the City of Sydney Economic Development Strategy seeks to support efforts to create world class visitor services and promote areas with strong sector specialisations such as the tourism sector in Darling Harbour. It is also in alignment with the NSW Government's Visitor Economy Strategy 2030 Review, which sets objectives to increase hotel room supply statewide by 40,000. These are strategies which apply across the entire Central Sydney precinct.

The planning proposal has been amended to update timelines and correct minor errors

39. The planning proposal document at Attachment A has been amended to update the project timeline, with the Department remaining the plan-making authority with responsibility for drafting and finalisation. Minor errors have also been corrected regarding the summary of the site-specific DCP, removing references to requirements for an embodied carbon emissions integrated report and detailed site assessment. These reports are already required by other guidance and so were removed from the DCP to avoid unnecessarily duplication.

40. The site-specific DCP at Attachment B has been updated to clarify that, as a result of the design excellence process, only additional floor space is available not additional building height, consistent with the explanation of provisions in Section 4 of the planning proposal.

The planning proposal is consistent with the City's strategic vision

Central Sydney Planning Strategy

41. The Central Sydney Planning Strategy is a 20-year growth strategy that revised previous planning controls to create opportunities for height and density for jobs growth where balanced with environmental initiatives and excellence in urban design. This planning proposal aligns with the Central Sydney Planning Strategy by:

    (a) prioritising employment growth in Central Sydney, delivering new tourist and visitor accommodation in walking distance of Central Sydney's major commercial, cultural and entertainment precincts (including Darling Harbour), supporting the visitor economy in a location with existing tourism infrastructure

    (b) supporting moves towards a more sustainable city, where the building retention approach reduces greenhouse gas emissions by preserving the embodied carbon within the existing structure and improving energy efficiency through the implementation of Green Star Buildings and NABERS Energy targets

    (c) ensuring development responds to context and protects Central Sydney's public spaces, ensuring no additional overshadowing protections for Sydney Square, Town Hall Steps and future Town Hall Square while the accompanying draft DCP contains a maximum building envelope designed to protect the amenity of the public domain

    (d) reaffirming the commitment to design excellence, with future development on site subject to a full competitive design process and the draft DCP including a design excellence strategy.

Local strategic planning statement

42. The City's Local Strategic Planning Statement, City Plan 2036, sets out the 20-year vision for land use planning in the city and the planning priorities and actions needed to achieve the vision. This planning proposal gives effect to City Plan 2036 by:

    (a) supporting the priority to create walkable neighbourhoods, with this planning proposal facilitating redevelopment in a location within walking distance of Central Sydney's major commercial, cultural and entertainment precincts, and the transport hub of Town Hall

    (b) aligning development and growth with supporting infrastructure, increasing visitor numbers and commercial activity in a location with existing and sufficient transport, utility and service infrastructure to accommodate more demand

    (c) creating better buildings and reducing emissions through the adaptive reuse of the existing structure and improving energy efficiency through the implementation of Green Star Buildings and NABERS Energy targets.

Economic development strategy

43. This planning proposal gives effect to the actions of the City's Economic Development Strategy. By supporting an expansion of tourist and visitor accommodation within walking distance of Darling Harbour, Town Hall and Chinatown it supports efforts to create world class visitor services in a location well-placed to leverage major events, festivals and business conferences. Darling Harbour and its surrounds is an area with a strong tourism sector specialisation and features a cluster of complementary economic activity. It also represents an opportunity to test new ideas and innovation in the transition to net zero and showcases Sydney as a global champion of net zero.

Strategic alignment - Sustainable Sydney 2030-2050 Continuing the vision

44. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This planning proposal is aligned with the following strategic directions and objectives:

    (a) Direction 2 - A leading environmental performer - This planning proposal requires building retention and adaptive reuse for any development wishing to take advantage of the new planning controls, reducing greenhouse gas emissions by preserving the embodied carbon within the existing structure and improving energy efficiency through the implementation of Green Star Buildings and NABERS Energy targets.

    (b) Direction 4 - Design excellence and sustainable development - Multiple architects will participate in a competitive design process to deliver design excellence, with the site-specific DCP including a design excellence strategy which requires competitors with demonstrated experience in environmental sustainability

    (c) Direction 5 - A city for walking, cycling and public transport - The site is well-positioned to take advantage of existing transport infrastructure, including rail, light rail, Metro and bus services, and nearby cycleways. The site is located within walking distance of Central Sydney's major commercial, cultural and entertainment precincts, including Darling Harbour.

(d) Direction 9 - A transformed and innovative economy - This planning proposal supports employment growth and the visitor economy in Central Sydney, helping to maintain the City's position locally, nationally and globally as a destination for business, investment and talent.

Risks

45. City staff have undertaken a thorough assessment of the planning proposal and found that it demonstrates strategic and site-specific merit in accordance with NSW Government guidelines. The planning proposal is consistent with City policies and strategies including City Plan 2036, Central Sydney Planning Strategy, Business Development Strategy and Sustainable Sydney 2030-2050 Continuing the Vision. Progressing the planning proposal is within the City's risk tolerance and appetite.

46. The planning proposal has demonstrated that development can be capable of complying with relevant environmental and planning laws, regulations and industry standards and is within the City's minimal appetite for non-compliance with environmental laws, regulations and industry standards.

47. Should Council and the Central Sydney Planning Committee approve the planning proposal, it will be forwarded to the Department of Planning, Housing and Infrastructure for drafting and finalisation. Proceeding with the planning proposal will meet the City's minimal appetite for disruption to our regulatory functions as decisions will be within the timeframes set in the NSW Government's Statement of Expectations Order 2026.

Relevant legislation

48. Environmental Planning and Assessment Act 1979.

49. Environmental Planning and Assessment Regulation 2021.

Critical dates / Time frames

50. The Gateway determination requires that the amendment to Sydney LEP 2012 is completed by 6 November 2026.

51. The Department of Planning, Housing and Infrastructure remains the plan-making authority. Should Council and the Central Sydney Planning Committee approve the planning proposal, it will be forwarded to the Department to liaise with Parliamentary Counsel to draft and make the local environmental plan. Once this process is complete, the amendment to the Sydney LEP 2012 will come into effect when published on the NSW Legislation website.

52. If approved by Council, the draft DCP will come into effect on the same day as the amendment to the Sydney LEP 2012.

53. The VPA is to be executed prior to the finalisation of the amendments to the Sydney LEP 2012 and Sydney DCP 2012.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

James Dirickx-Jones, Planner