



THE PADDINGTON SOCIETY INC
FOR COMMUNITY AND HERITAGE
EST 1964

26 November 2025

**By email to: Kiersten Fishburn, Secretary, NSW Department of Planning, Housing & Infrastructure
Cc Amy Watson, Director, Affordable Housing Assessments
Aditi Coomar, Team Leader, Affordable Housing Assessments**

Dear Ms Fishburn,

SSD-97528708 - Residential Flat Building with Affordable - 160 Oxford Street, Paddington

SEARs for 13 Gipps Street, 6 Shadforth Street, 142-148 and 160 Oxford Street Paddington

The Paddington Society was formed in 1964 to prevent the widening of Jersey Road and to stop the further erosion of Paddington's heritage values, with the intrusion of a number of 8 storey apartment buildings. The current development proposal would be the first 8 storey/9 level building on a Paddington street in 50 years.

The Society is deeply concerned by this proposal and does not believe the SEARs, as issued, adequately deals with significant planning matters relevant to this site and the Paddington area.

State Significant Development Status

The Society questions whether this proposal qualifies for State Significant Development status.

In its application for SEARs, the applicant states that development proposals must have an Estimated Development Cost (EDC) of \$75 million to be considered as a state significant development. The proponent claims that the EDC is \$78.3 million. However, it is not possible to assess the veracity of this estimate; the EDC letter from Altus Group (referred to as Attachment C in the applicant's SEARs request) has not been published on the Department's website.

In its SEARs request (Table 3 on p.4), the applicant states that the proposal has a GFA of 5,785m². On this basis, the per metre cost would be \$78,300,000 / 5,785 = \$13,535 per m². This seems implausibly high.

Misuse of Low and Mid-Rise and Affordable Housing Provisions in the SEPP (Housing) 2021

The development proposal expressly relies on the combined use of the low-medium rise and affordable housing provisions in the *SEPP (Housing) 2021*.

The use of the affordable housing provisions is utterly inappropriate.

There are 27 student housing units on the site. The development proposal presently includes 12 affordable housing units. To claim the FSR and height bonuses associated with the affordable housing provisions, while substantially reducing the supply of affordable housing is galling. It is inconsistent with the intent and principles underpinning the SEPP. In particular, it is inconsistent with principle 3(h) i.e. mitigating the loss of existing affordable rental housing.

In short, the proposal's use of the SEPP provisions does not 'pass the pub test'.

It does nothing to address the affordable housing crisis; in fact, it makes it worse.

Heritage Significance of the Site – A Fundamental Consideration

Beyond the issues above, The Paddington Society requests that this proposal not be permitted to proceed, as it would set back the conservation of Paddington's heritage for the first time in 50 years, with a proposal totally out of scale and incompatible with the suburb's heritage values.

The proposal replaces existing 2-3 storey development with an 8 storey/9 level building that will be completely out of scale with its context within the Paddington Heritage Conservation Area.

Should you proceed with an assessment of the proposal, The Paddington Society requests that you add specific heritage and Heritage DCP requirements to the issued SEARs for this project.

We note that the Planning Secretary may amend the issued SEARs to ensure that the environmental assessment addresses all relevant matters and aligns with current assessment practice.

In special circumstances you are able to require the applicant to comply with DCP controls. These are definitely special circumstances.

This development proposal is inappropriate for Paddington and should not proceed further. It is out of scale and totally inappropriate in height, bulk and style to its location in Paddington, directly opposite the entrance to Victoria Barracks.

The site is part of the original and first grant of land in Paddington given to the Australian Subscription Library in 1840. The precinct became Little Paddington Village, made up of numerous small frontage, single-storey houses which were constructed to house the artisans employed for the construction of Victoria Barracks, including stonemasons, carpenters and the like. The site is therefore of particular importance to Paddington and deserves to be treated in an appropriately sympathetic way.

This development proposal displays none of the characteristics that would warrant an approval on this sensitive site.

While the townhouses are of contemporary design, number 142 is built over a disused sandstone basement which was possibly used as a cool room in the early days of the construction of the Barracks. This basement is little known, and is not used as part of the dwelling above, but is of extreme historical significance and requires a detailed heritage and archaeological investigation. There may be similar basements beneath the other townhouses.

The subdivision and development of the Australian Subscription Library grant preceded the development of the rest of Paddington which was, at that time, being developed into the 5-8 acre gentry estates along Glenmore Road and most were generally not subdivided for another 40 or 50 years.

Little Paddington Village is made up of generally narrow sites, with one and two-storey dwellings of stone, brick and timber construction, most built to the front boundary. Shadforth Street, between Oxford Street and Gipps Street, is largely two-storey stone construction with some single and double storey brick structures and represents a strong gesture toward the historic qualities of Paddington.

As such, the entire site is of unique historical importance, not only to Paddington, but to the development of Sydney as a whole.

The developers need to recognise the importance of these sites to Paddington and tailor their development and brief to the heritage brief of Paddington. As such, the development proposal needs to be less aggressive, of lesser height, and broken down into smaller elements, with setbacks which reflect the subdivision pattern and the form of development from the past. A development of this form is entirely possible with the right design input and could result in a model for development in heritage conservation areas.

The SEARs should also require specific consideration of the development's relationship with and impact on the heritage values of the nationally-listed Victoria Barracks.

The SEARs should also require the applicant to include consideration of the objectives and controls of the *Woollahra Development Control Plan 2015, Chapter C1 Paddington Heritage Conservation Area*. Amongst other things, the DCP sets out: the desired future character of the Paddington Heritage Conservation Area and controls to encourage sympathetic infill development, controls for development on corner sites, and general controls for neighbourhood and mixed-use centres, including Oxford Street.

Relevant sections of the DCP include, but are not limited to: *C1.2.1 The significance of the Paddington Heritage Conservation Area; C1.2.4 Desired future character; C1.3.6 Residential flat buildings; C1.3.8 Commercial and industrial buildings, including shops ... Commercial development in Oxford Street; C1.3.13 Infill development; C1.4.5 Building height, bulk, form and scale; C1.4.7 Excavation.*

Design Issues

As noted above, this is the first eight storey development to be proposed in Paddington for 50 years. Development of this site raises many issues, and the Society has deep concerns about the current design. Key issues include:

- architectural scale
- character
- height
- massing, e.g. the scale and massing when viewed from Gipps Street, Oxford Street, Shadforth Street and Glenmore Road
- setbacks, e.g. the impact of an approximately 30m high building with virtually no setback on the eastern boundary of the site along Shadforth Street
- parapets
- materials
- side elevations
- privacy and amenity of neighbouring residents,
- the efficacy / effective use of the proposed open spaces, and
- sympathy with the conservation values of the street and precinct.

Based on the EDC claimed by the developer, under the *NSW State Design Review Panel Guidelines for Projects Teams*, this development will require review by the State Design Review Panel (SDRP). However, the Guidelines also state, "For residential development seeking infill affordable housing bonuses, GANSW [i.e. the Government Architect] will confirm the requirement for review by the SDRP as part of the mandatory scoping meeting."

This suggests that review by the SDRP is discretionary. The Society strongly disagrees with any suggestion that review of the design by the SDRP is a discretionary step. Given the various concerns with the proposal outlined in this submission, review by the SDRP is essential.

The SEARs should be changed to specifically require the SDRP's consideration of the applicant's proposed design and of the issues mentioned in this submission.

Other Fundamental Issues

Beyond the various matters discussed above, fundamental aspects of the proposal appear to be unworkable. Clearly, on the information in the developer's application for SEARs, these issues have not been resolved. These issues are such that there must be some doubt about the ability to accommodate development of this scale on the site. These issues include:

On site parking

Regardless of the rates of provision, there are material issues about the arrangements for parking on site as proposed by the applicant.

These include:

- A potentially significant increase in traffic movements in and out of the intersection of Shadforth Street and Oxford Street in peak hours
- Very steep ramps (1:4). The applicant may be seeking to avoid even deeper parking. However, this may not be possible, especially as the site drops steeply (by 3.9m) from the north-east corner on Shadforth Street to the south-west corner on Oxford Street.
- Tight corners in the ramps which will be difficult to negotiate, especially as they are located immediately prior to or following the ramps. It appears that it will be almost impossible for vehicles operating in different directions to negotiate those corners at the same time. These ramps occur on multiple occasions. This points to serious traffic conflicts within the building, and, in turn, the likelihood that occupants will be inclined to park on the surrounding streets.
- Confining parking for delivery vehicles to one space in the south-east corner of the basement.
- The layout is such that it would be difficult for vehicles to get in/out of some spaces.
- Potential issues re the clearance (probably around 2.7 m) between finished floor levels, which may limit the size of vehicles that can use the carpark.

Waste collection

The applicant's request for SEARs demonstrates the challenge in dealing with collecting, holding and disposing of waste from the development. The SEARs request makes a vague statement that "the indicative concept design proposes private waste collection from the basement". The SEARs request fails to explain, even in outline, what this might mean in practice. What the request does do is identify the significant constraints in identifying a workable means of disposing waste.

The SEARs request states that:

- "Site constraints prevent the construction of a basement ramp capable of accommodating Council's standard waste collection vehicle"
- "A ground floor waste collection area that could accommodate Council's standard waste collection vehicle would require a transfer slab above (and presumably below) which will have significant depth and is not feasible, and also a 4.3m height clearance which would require [in the applicant's opinion] additional floor to floor heights and overall building height, and disrupt building presentation especially from the key views 8 and 9 down Shadforth Street as identified in Woollahra DCP C1.6.2";
- "Kerbside collection on Oxford Street is not viable due to bus stops, bus lanes, existing parking and clearways." and
- "Kerbside collection on Shadforth Street is not preferred due to the road width and projected idle times for loading waste."

Gipps Street presents the same narrow road width and idle time problems as Shadforth Street.

In any event, using vehicles smaller than Council's standard waste collection vehicle presents other issues, including:

- The number of movements up and down steep ramps is likely to cause problems for other occupants looking to enter and leave the site
- Uncertainty as to whether even the smaller vehicles could operate readily within what would potentially be the 2.6 – 2.7m clearance between the finished floor level of one level of parking and the underside of the slab for the level above.

Construction management

The SEARs should be changed to mandate the provision of a Preliminary (but nevertheless comprehensive) Construction Traffic (or Transport) Management Plan. However, the issued SEARs indicate that such a plan is to be prepared only “if required”.

This is a remarkable statement, bearing in mind that:

- The significance of Oxford Street as one of the two major east west-thoroughfares connecting the CBD with the northern part of Sydney’s eastern suburbs, including:
 - Bus priority measures in front of the site and dozens of bus services each hour using those priority measures
 - The number of cars and commercial vehicles using Oxford Street
 - The high number of pedestrians who use the footpath along Oxford Street and around the south-western end of Glenmore Road
- Potential changes in traffic flows arising from the proposed Oxford Street cycleway
- The scale and duration of excavation and construction on the site
- The ability of Shadforth and Gipps Streets to handle construction traffic safely and with minimal impact on local residents
- The ability of the intersection at Glenmore Road and Oxford Street to handle construction traffic safely, while continuing to handle a substantial number of vehicles associated with other local traffic.

To enable the Preliminary Construction Traffic (or Transport) Management Plan to be evaluated properly, the Plan needs to be supported by a detailed construction plan setting out, among other matters:

- the proposed sequence of steps to be followed in excavating the site and constructing the development, and
- the proposed timing and duration of those steps
- estimates of the number of workers on site during each step
- estimates of the volume and types of material to be:
 - excavated and removed from the site
 - demolished and removed from the site
- estimates of the volumes of construction materials to be brought on site
- estimates of the number of vehicles required to deliver equipment and materials to the site and remove waste from the site
- proposed hours of work
- proposed routes for vehicles moving to/from the site
- the number of workers on site and how those workers’ movements to/from the site are to be managed.

In conclusion, the Society is surprised and concerned that this development, problematic as it is, could be declared State Significant Development.

If this proposal continues to be viewed as State Significant Development, we request that the Department issues updated SEARs to address the matters set out above.

Yours sincerely



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