



ADDENDUM TO COUNCIL ASSESSMENT REPORT

SYDNEY EASTERN CITY PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSEC-351 – DA489/2024/1
PROPOSAL	Demolition of an existing building and construction of a new mixed-use building above an existing 2 level basement
ADDRESS	33 Cross Street, Double Bay (Lot 1 in DP793525)
APPLICANT	Cross Street Double Bay Pty Ltd
OWNER	Fridman Holdings Db Pty Ltd
DA LODGEMENT DATE	20 November 2024
APPLICATION TYPE	Integrated Development Application
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 2 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> declares the proposal regionally significant development as: it is Development that has a capital investment value of more than \$30 million. The total development cost is over \$180 million.
CIV	\$180,730,185.00
RECOMMENDATION	Conditional Approval
PREPARED BY	Mr B McIntyre
PANEL BRIEFING	4 April 2025
DATE OF PANEL MEETING	11 September 2025
DATE OF REPORT	23 September 2025
DATE OF DEFERRED MEETING	2 October 2025

1. PREAMBLE

On 28 August 2025, Council's Development Application Assessment Report and the Recommended Conditions of Consent were made publicly available on the NSW Planning Portal. Relevant stakeholders were subsequently notified of the scheduled Sydney Eastern City Planning Panel (SECPP) meeting to be held on 11 September 2025.

On 10 September 2025, revised Draft Recommended Conditions of Consent (**Attachment 1**) and Updated Architectural Plans (**Attachment 2**) were uploaded to the Portal. In response, late correspondence was received raising concerns regarding procedural fairness, specifically that insufficient time had been provided to review the updated documentation. Several objectors formally requested that the matter be deferred.

Council's senior staff reviewed the late correspondence submitted by objectors, as well as the *Sydney District & Regional Planning Panels Operational Procedures*. These procedures (Sections 8.1 and 11.14) specify that final architectural drawings should be made available at least seven days prior to the Panel meeting. Accordingly, Council submitted late correspondence (**Attachment 3**) to the SECPP, advising the need for a deferral of the matter.

On 11 September 2025, the SECPP conducted a site inspection, briefing, and public meeting. However, deliberation on the matter was deferred to 12 September 2025. A formal Notice of Deferral was issued on 15 September 2025 (**Attachment 4**).

2. CONSIDERATION OF THE DEFERRAL

On 15 September 2025, the SECPP Secretariat notified relevant parties of the deferral of the matter and the rescheduled determination meeting, being set for 2 October 2025.

No further submissions were received during the period from 10 September 2025 to 17 September 2025.

This Addendum DA Assessment Report is to be read in conjunction with the original Council DA Assessment Report prepared for the SECPP meeting of 11 September 2025 (**Attachment 5**).

3. REPORT TO SYDNEY EASTERN CITY PLANNING PANEL (SECPP)

The application is to be determined by the Sydney Eastern City Planning Panel as the Development has a capital investment value of more than \$30 million [Section 2.19(1) and Clause 2 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021] which declares the proposal regionally significant development. The total development cost is over \$180 million.

The application is now referred back to the Panel for consideration and determination, in line with the Panel's resolution of 15 September 2025.

4. RECOMMENDATION: PURSUANT TO SECTION 4.16 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

THAT the Sydney Eastern City Planning Panel, exercising the functions as the consent authority, is satisfied that the matters required to be addressed under Clause 4.6(3) of the Woollahra Local Environmental Plan 2014 have been demonstrated and that consent may be granted to the development application, which contravenes the *Height of Buildings* and *Floor Space Ratio (FSR)* development standards under Clauses 4.3 and 4.4 of the Woollahra Local Environmental Plan 2014.

AND

THAT the Sydney Eastern City Planning Panel grant development consent to DA489/2024/1 for the demolition of an existing building and construction of a new mixed-use building above an existing 2 level basement on land at 33 Cross Street DOUBLE BAY, subject to recommended conditions contained in Attachment 1.