

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills

---

## Summary

The City has undertaken more work on whether a building under the proposed controls will overshadow Harmony Park and the terraces at 95-99 Commonwealth Street.

The work found that the studies prepared by the proponent were incorrect.

It also found that a building built to the full height allowed under the proposed controls would create additional overshadowing compared to the current controls.

The additional overshadowing is to:

1. the private open space (raised terrace) of the residential terrace at 97 Commonwealth Street between 10:30 and 11:30am, and
2. part of Harmony Park from 2:15pm at its south west corner (Brisbane and Commonwealth Streets).

The City will review the proposal and overshadowing impacts following public exhibition.

---

## Background

This addendum accompanies a planning proposal for 85-93 Commonwealth Street, Surry Hills.

The planning proposal will amend the Sydney Local Environmental Plan 2012 (LEP) by inserting provisions that increase the maximum height to RL 51.5 and FSR to 4.5 on the affected land, subject to development being for a commercial use only. The Central Sydney Planning Committee on 11 May 2023 and Council on 15 May 2023 resolved to approve the planning proposal for public exhibition and request a Gateway determination.

The purpose of this addendum is to provide a detailed and accurate assessment of the overshadowing caused by the proposed envelope. It is supplementary to the planning proposal, which incorrectly states that the proposed envelope will not cause additional overshadowing to private open space. This error was made due to incorrect overshadowing analysis provided by the proponent in their urban design report, as part of their planning proposal request.

The proponent's request was for a larger envelope without setbacks. Their urban design report stated the larger envelope would not overshadow private open space. Through the planning proposal process the City reduced this larger envelope to improve its consistency with the built form of the surrounding context. Overshadowing analysis was not undertaken as the impact is reduced with the reduction in the envelope.

Because of the City's reduction to the proponent's requested envelope, the Department of Planning in their Gateway determination, issued on 21 June 2023, included a condition to "include shadow analysis demonstrating any additional overshadowing of the private open space of the residential terraces on Commonwealth Street and Harmony Park".

## **Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**

### **Findings**

This analysis was prepared by the City and is provided below. It determines that the proposed envelope will cause some additional overshadowing to:

1. the private open space of the residential terrace at 97 Commonwealth Street between 10:30 and 11:30am, and
2. Harmony Park from 2:15pm.

---

### **Assessment**

The planning proposal is to increase the maximum building height on the northern portion of the site to RL 51.5 and increase the maximum FSR across the site to 4.5:1. The additional overshadowing from this envelope was tested by the City using 3D modelling, as well as a site visit to verify the modelling approach.

The modelling results are set out in 15-minute increments, summarised in Table 1 below, and presented in full between pages 8 and 30.

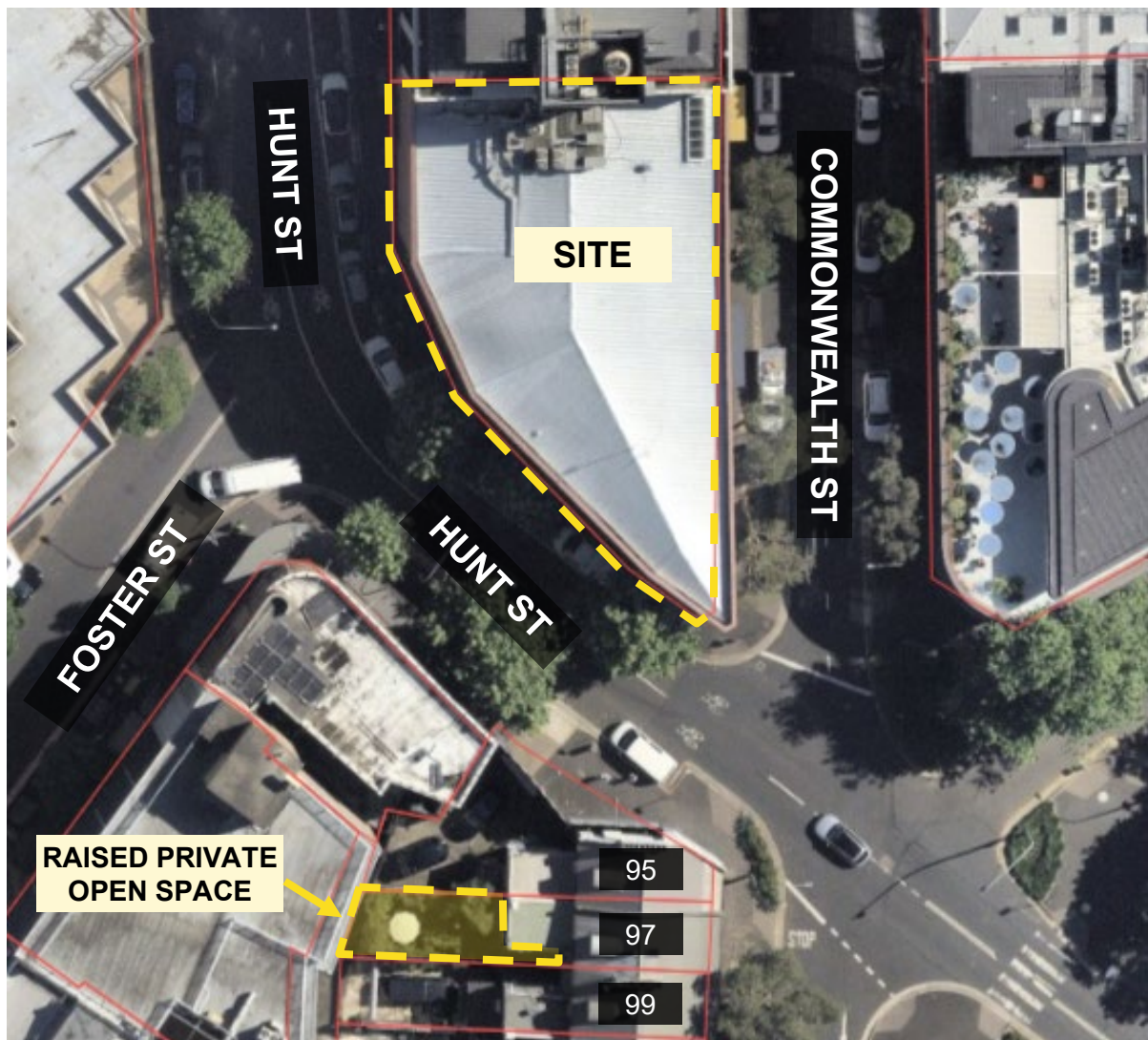
#### **Overshadowing impacts to the residential terrace's private open space**

South of the site there is a row of terrace dwellings along the western side of Commonwealth Street. The northernmost of these, no 95, is a commercial use. The remainder are residential dwellings. Each terrace has private open space in the form of a small backyard. The private open space of some terrace residences are raised above the ground level and sit above garages facing the rear Beauchamp Lane. The height of these garages, and the private open space, increases their exposure to overshadowing impacts (see Figures 1 and 2 below).

The modelling shows that the proposed envelope will overshadow the private open space of the terrace dwelling at 97 Commonwealth Street between 10:30 and 11:30am on 21 June. The area overshadowed is limited to a portion of the southeastern corner of the private open space.

## Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills

Figure 1. An indicative satellite photo showing the site in relation to the raised private open space at 97 Commonwealth Street. Source: Nearmap, 2023.



**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**

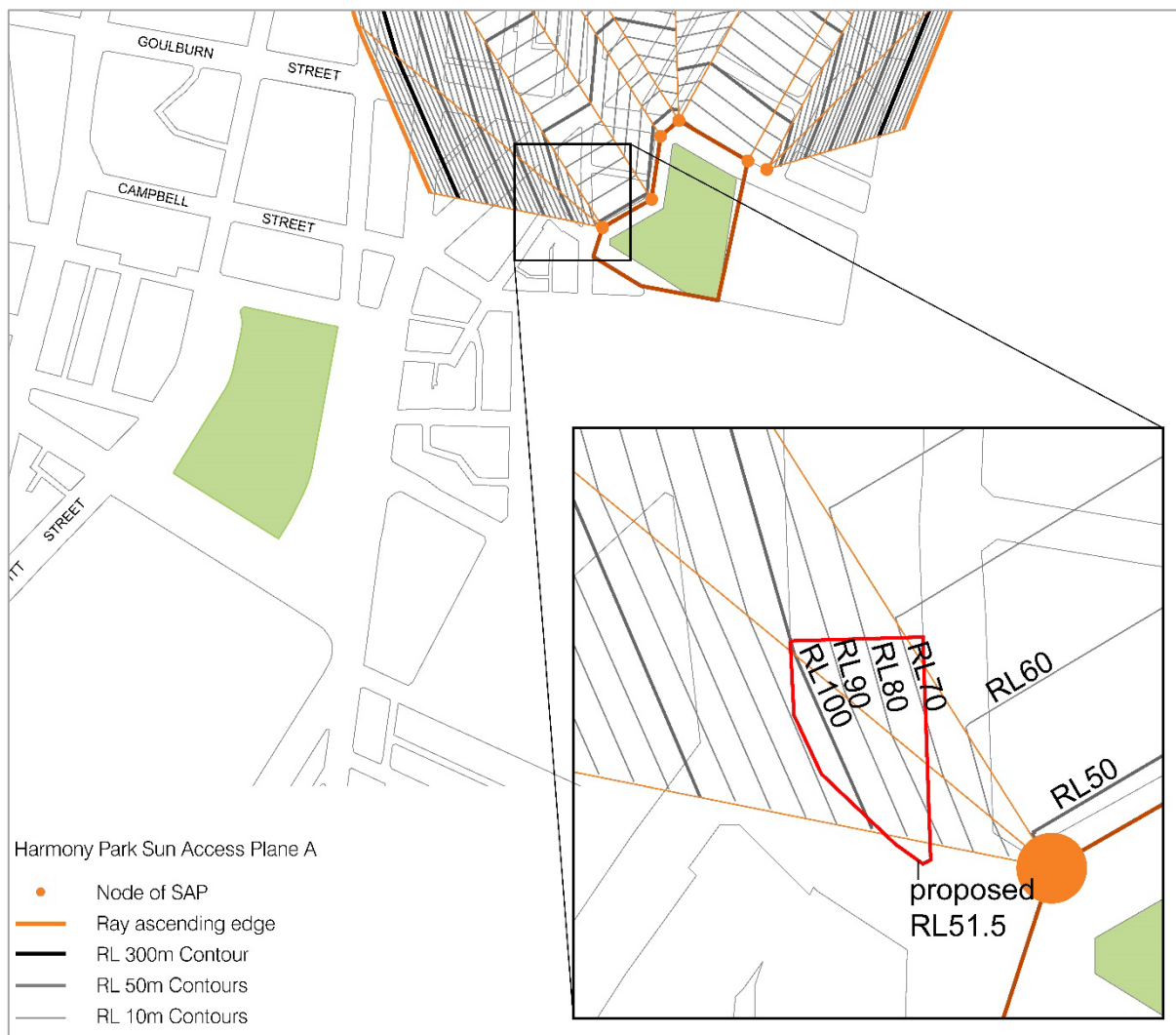
*Figure 2. A photo of the raised terrace at the rear of 97 Commonwealth Street. Source: City of Sydney, 2023.*



**Overshadowing impacts to Harmony Park**

The proposed envelope was assessed against Harmony Park’s sun access plane provisions during earlier planning proposal work. Harmony Park’s protected times under sun access plane provisions are 10am to 2pm year-round. The modelling results show that the proposal will not overshadow any part of Harmony Park between these times, reaffirming that the proposed heights comply with Harmony Park’s sun access plane provisions. The proposal’s compliance with these provisions is illustrated indicatively in Figure 3 below.

*Figure 3. An indicative illustration demonstrating the envelope’s compliance with Harmony Park’s sun access plane*



The modelling results show the proposed envelope will overshadow the southwest corner of the park for a short period during the afternoon (from approx 2:15pm) on 21 June. The small area of the park affected by the overshadowing is predominantly paved due to the chamfering of the turfed area (see Figures 4 and 5). This limits any detrimental impacts on vegetation or the enjoyment of the park’s grassed areas. Any additional overshadowing caused to Harmony Park is outside of the times protected by the sun access plane provisions.

## Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills

Figure 4. The southwest corner of Harmony Park, looking southwest from Brisbane Street. Source: Google Maps, 2023.



Figure 5. The southwest corner of Harmony Park, looking northeast from Hunt Street. Source: Google Maps, 2023.



Table 1. Comparison of additional overshadowing caused by different envelopes to private open space

Time of day	Additional overshadowing caused to terrace dwelling at 97 Commonwealth Street		
	Existing building	Existing LEP (compared with existing building)	Planning proposal (compared with existing LEP)
21 June			
9am	No shadow	No additional shadow	No additional shadow
9:15am	No shadow	No additional shadow	No additional shadow
9:30am	Shadow	No additional shadow	No additional shadow
9:45am	Shadow	Additional shadow	No additional shadow
10am	No shadow	Additional shadow	No additional shadow
10:15am	No shadow	Additional shadow	No additional shadow
10:30am	No shadow	Additional shadow	Additional shadow
10:45am	No shadow	Additional shadow	Additional shadow
11am	No shadow	No additional shadow	Additional shadow
11:15am	No shadow	No additional shadow	Additional shadow
11:30am	No shadow	No additional shadow	Additional shadow
11:45am	No shadow	No additional shadow	No additional shadow
12pm	No shadow	No additional shadow	No additional shadow
12:15pm	No shadow	No additional shadow	No additional shadow
12:30pm	No shadow	No additional shadow	No additional shadow
12:45pm	No shadow	No additional shadow	No additional shadow
1pm	No shadow	No additional shadow	No additional shadow
1:15pm	No shadow	No additional shadow	No additional shadow
1:30pm	No shadow	No additional shadow	No additional shadow
1:45pm	No shadow	No additional shadow	No additional shadow
2pm	No shadow	No additional shadow	No additional shadow
2:15pm	No shadow	No additional shadow	No additional shadow
2:30pm	No shadow	No additional shadow	No additional shadow
2:45pm	No shadow	No additional shadow	No additional shadow
3pm	No shadow	No additional shadow	No additional shadow
3:15pm	No shadow	No additional shadow	No additional shadow
<b>Total time</b>	30min	1hr	1hr

## Overshadowing modelling results

The overshadowing impacts of three different envelopes are compared over the subsequent pages, using two different scales.

Rather than compare the additional overshadowing created by the planning proposal envelope with that from the existing building, the planning proposal envelope is compared with what is currently permissible under the LEP. That is, the proposed controls are compared with the existing controls, not the existing building. This draws a clearer comparison between the overshadowing amounts.

The three envelopes assessed are:

- that of the existing building (with current overshadowing shown in **green**),
- that of the maximum permissible LEP envelope (with additional overshadowing shown in **blue**), and
- the planning proposal envelope (with additional overshadowing created shown in **orange**).

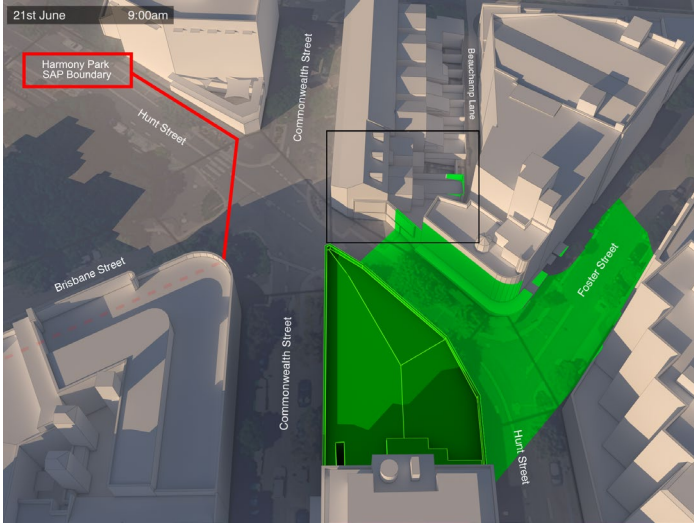
It should be noted that the planning proposal includes a decrease in the maximum permissible LEP height on the south of the site, generating a slight reduction in overshadowing, while the increase in height at the northern portion of the site generates an increase in overshadowing. The overshadowing analysis should be read together as outlined below.

The two scales used are:

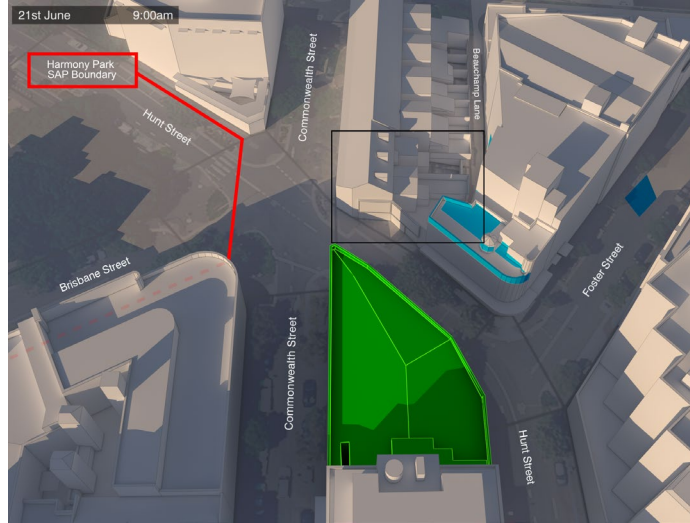
- a zoomed-out, oblique angle showing the overshadowing caused in terms of the site's general surrounds, including the terrace dwellings along Commonwealth Street and Harmony Park (pp 8-20); and
- a zoomed-in perspective focusing specifically on the additional overshadowing caused to the private open space of the residential dwelling at 97 Commonwealth Street (pp 21 to 31).



# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



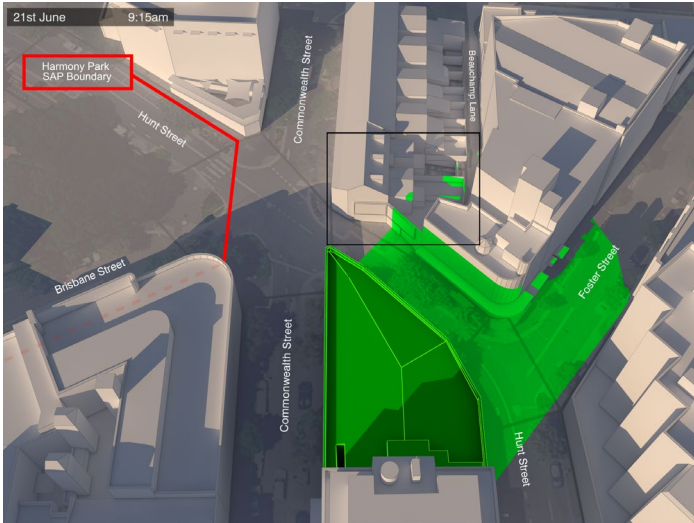
9am - Existing building



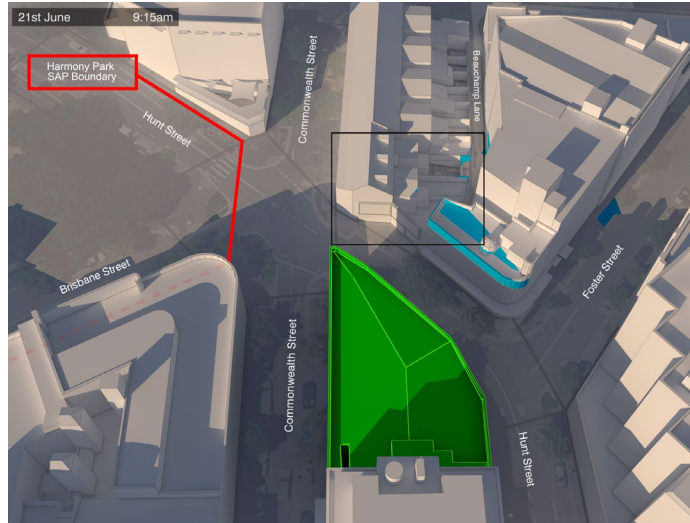
9am - Existing LEP



9am - Planning proposal



9:15am – Existing building

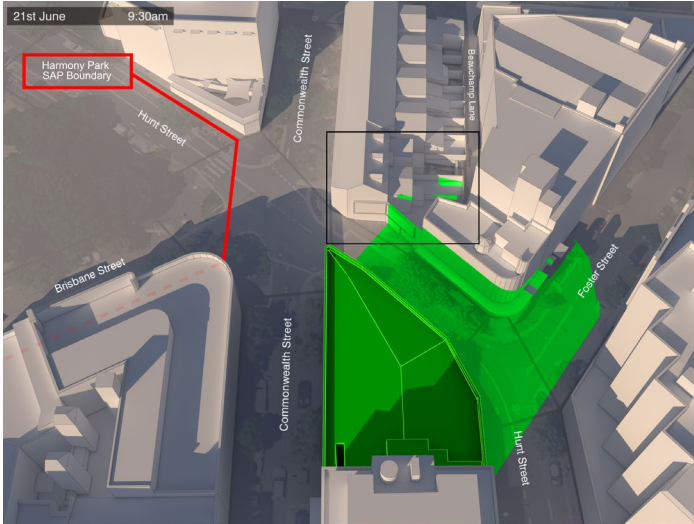


9:15am – Existing LEP

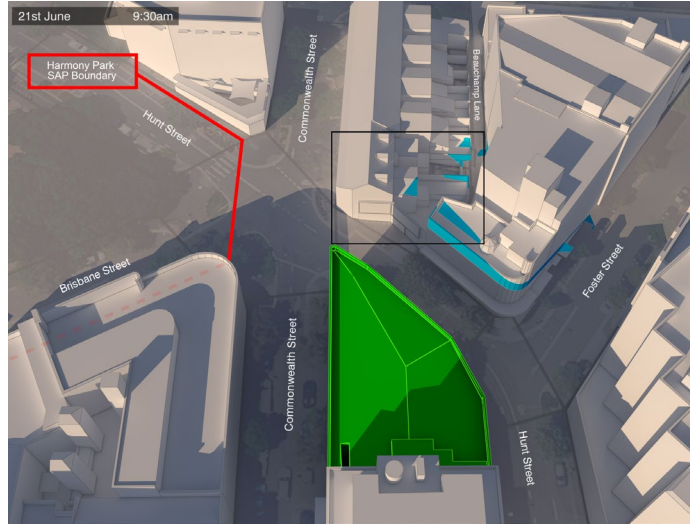


9:15am – Planning proposal

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



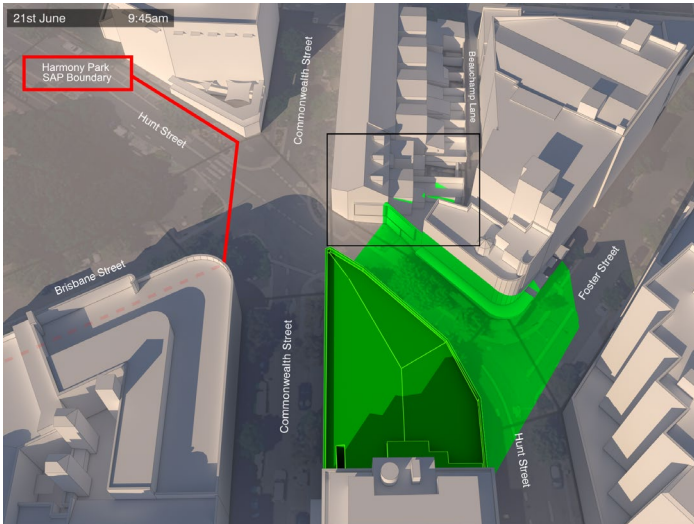
**9:30am - Existing building**



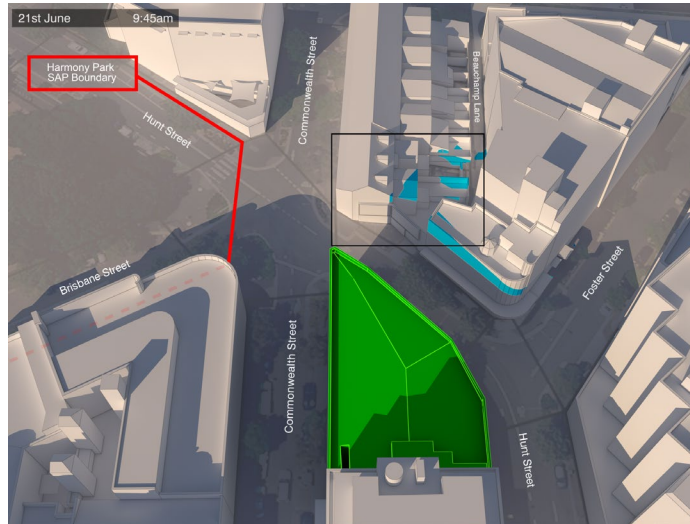
**9:30am - Existing LEP**



**9:30am - Planning proposal**



**9:45am – Existing building**

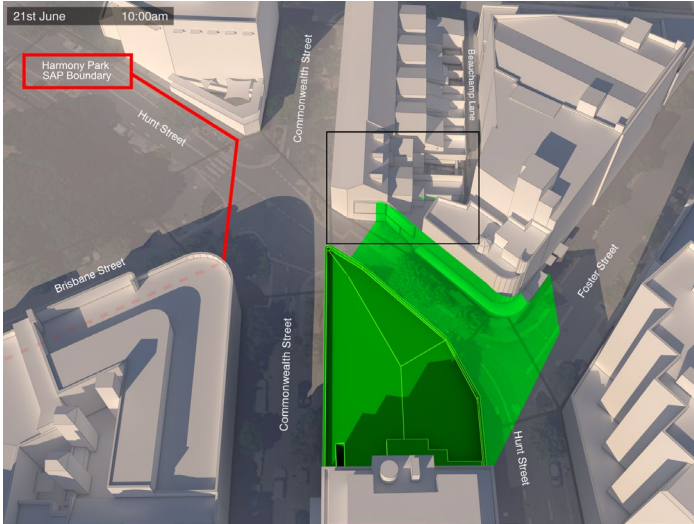


**9:45am – Existing LEP**

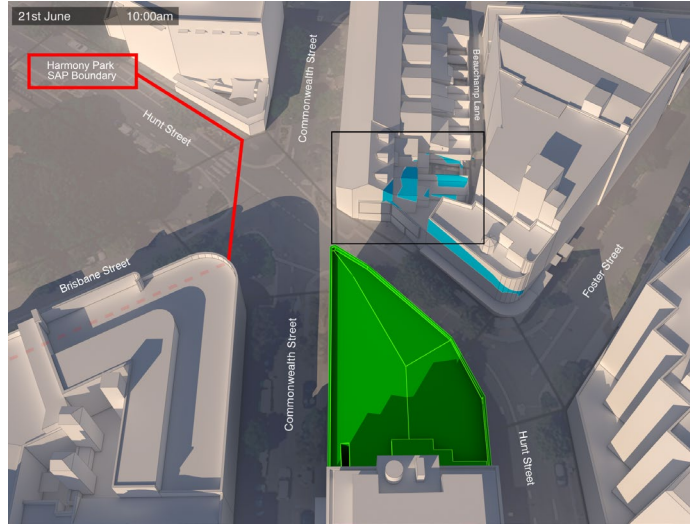


**9:45am – Planning proposal**

**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



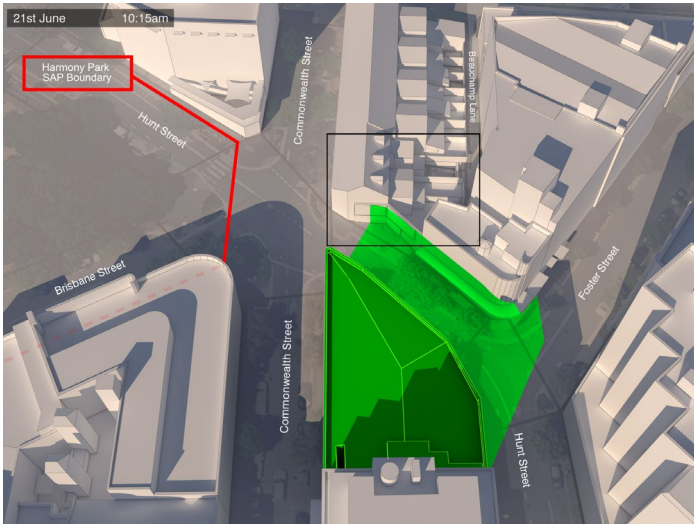
**10am - Existing building**



**10am - Existing LEP**



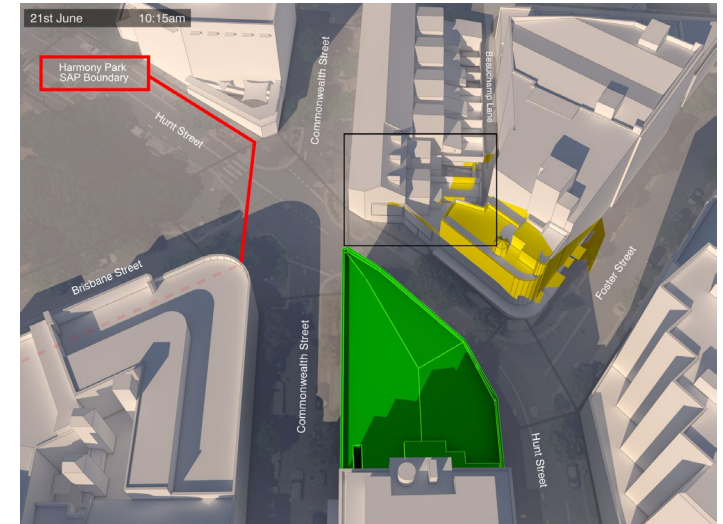
**10am - Planning proposal**



**10:15am – Existing building**

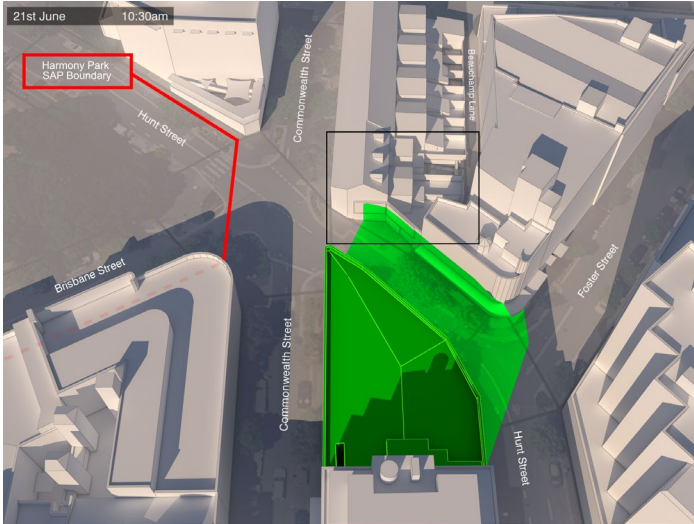


**10:15am – Existing LEP**



**10:15am – Planning proposal**

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



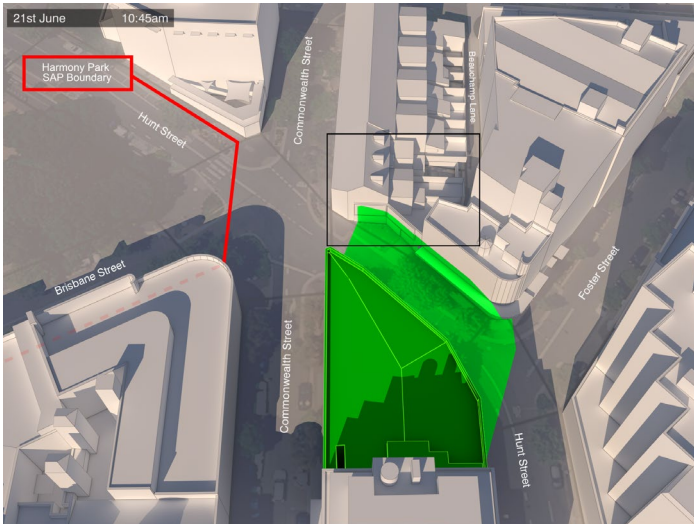
10:30am - Existing building



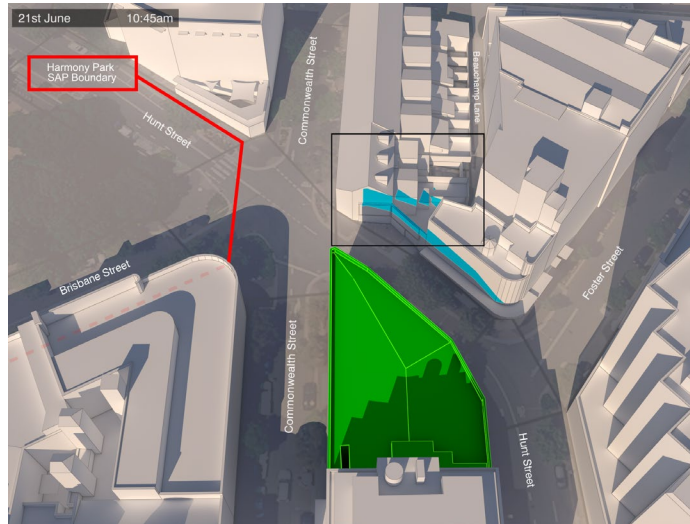
10:30am - Existing LEP



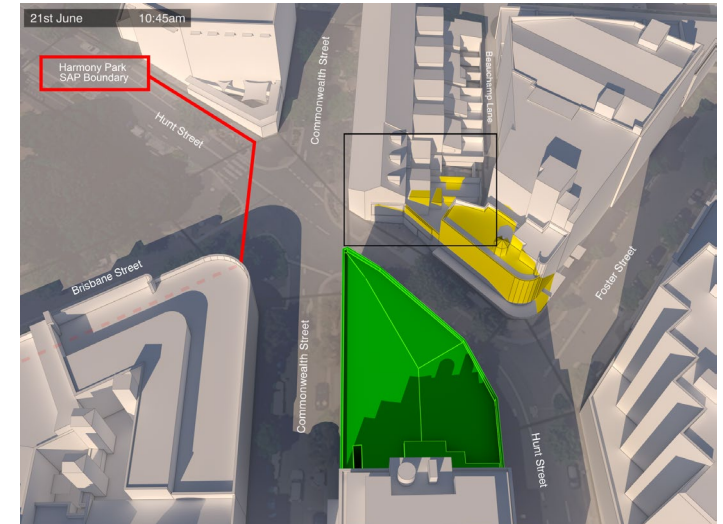
10:30am - Planning proposal



9:15am – Existing building

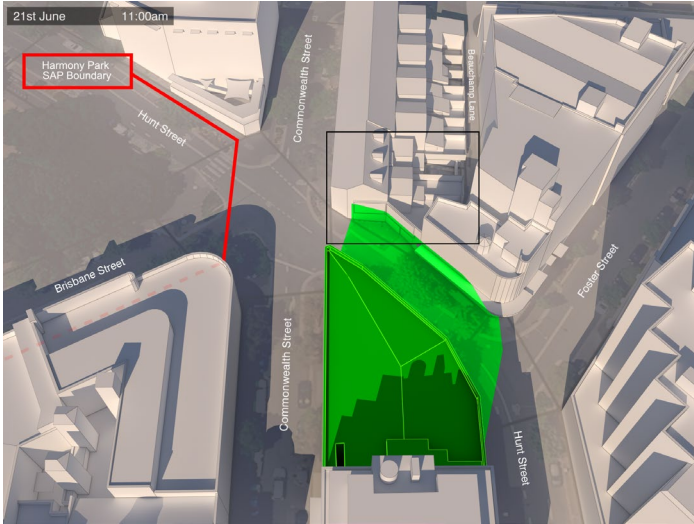


10:45am – Existing LEP



10:45am – Planning proposal

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



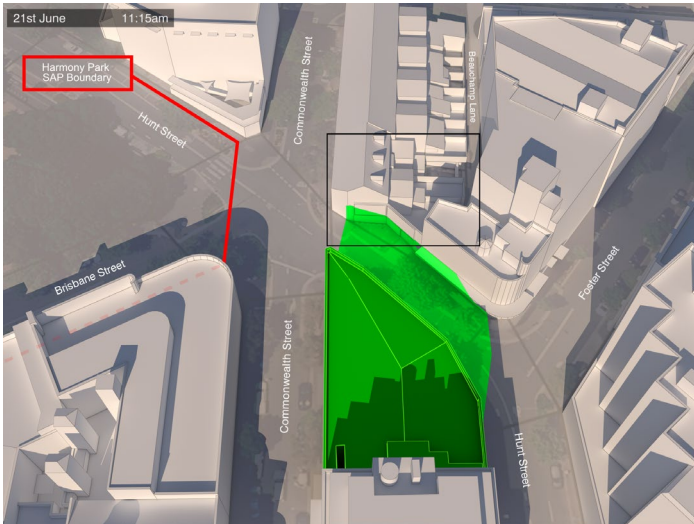
11am - Existing building



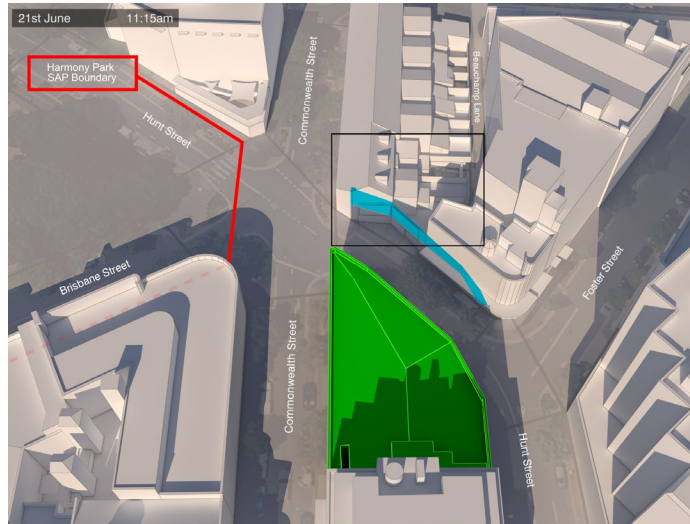
11am - Existing LEP



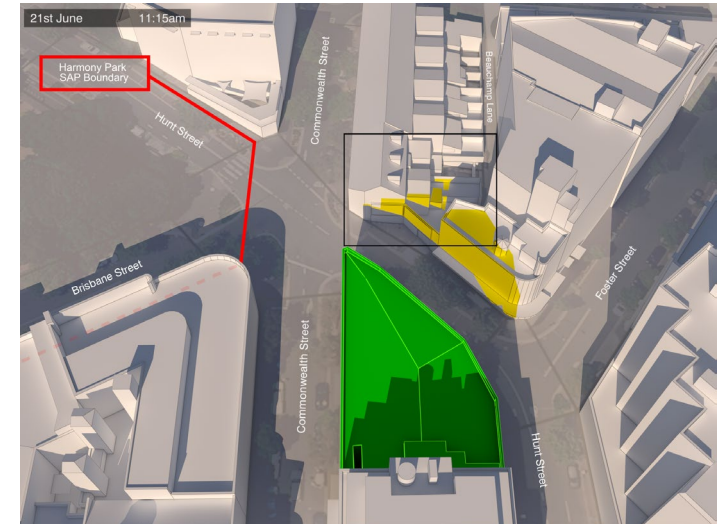
11am - Planning proposal



11:15am – Existing building



11:15am – Existing LEP



11:15am – Planning proposal

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



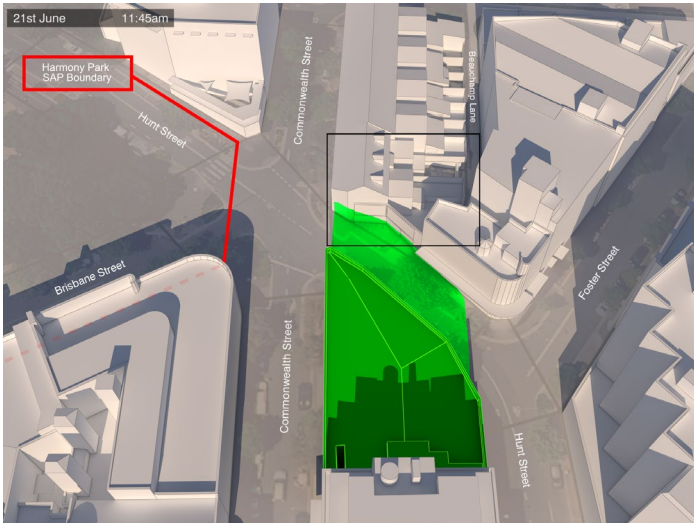
11:30am - Existing building



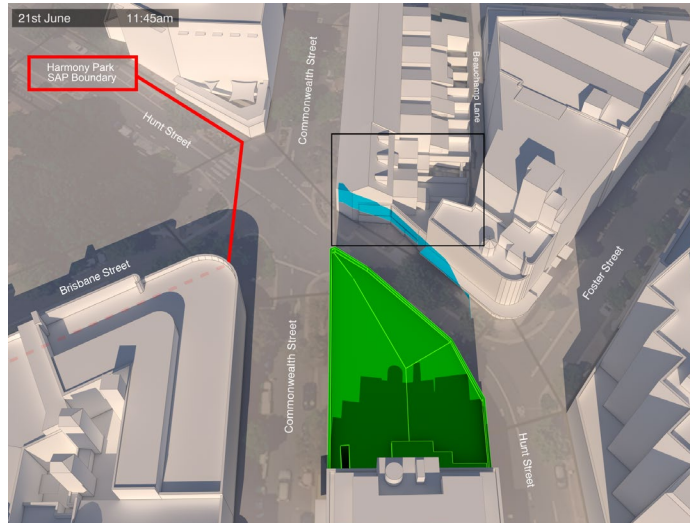
11:30am - Existing LEP



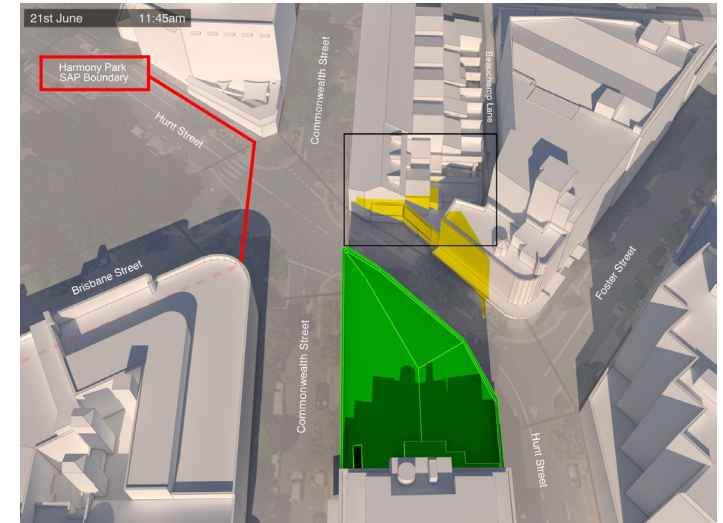
11:30am - Planning proposal



11:45am – Existing building



11:45am – Existing LEP

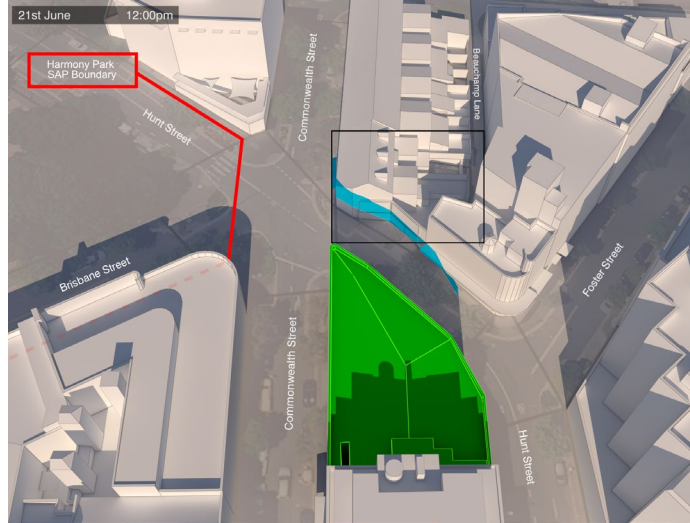


11:45am – Planning proposal

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



12 noon - Existing building



12 noon - Existing LEP



12 noon - Planning proposal



12:15pm – Existing building

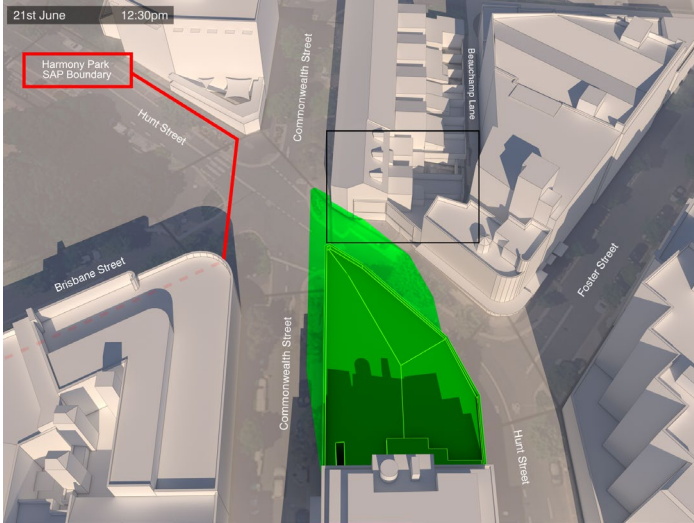


12:15pm – Existing LEP



12:15pm – Planning proposal

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



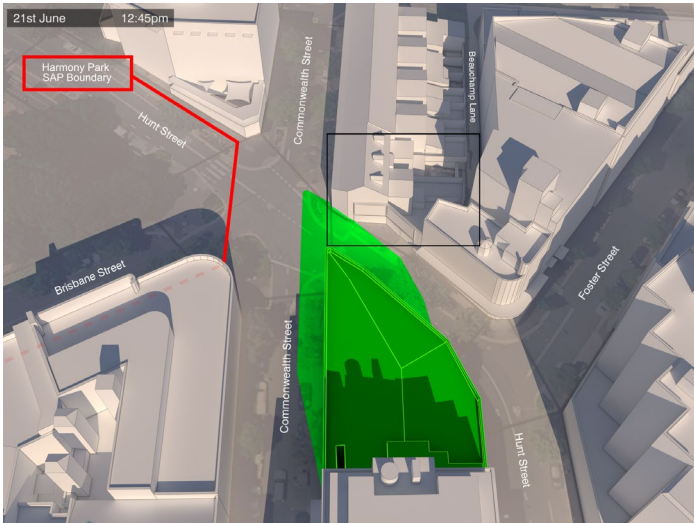
12:30pm - Existing building



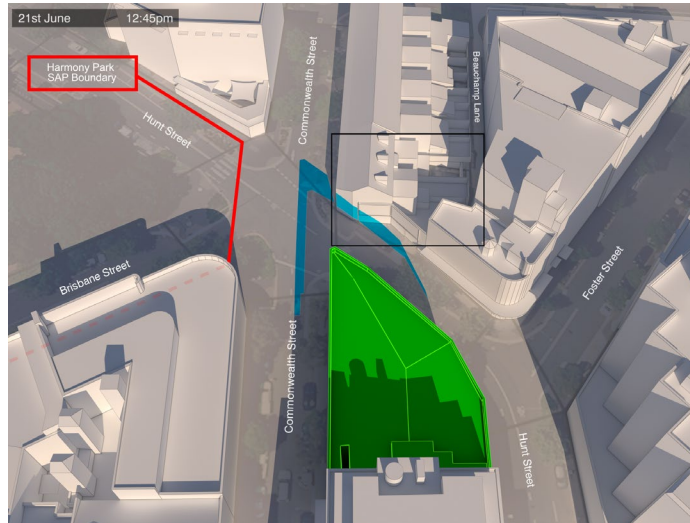
12:30pm - Existing LEP



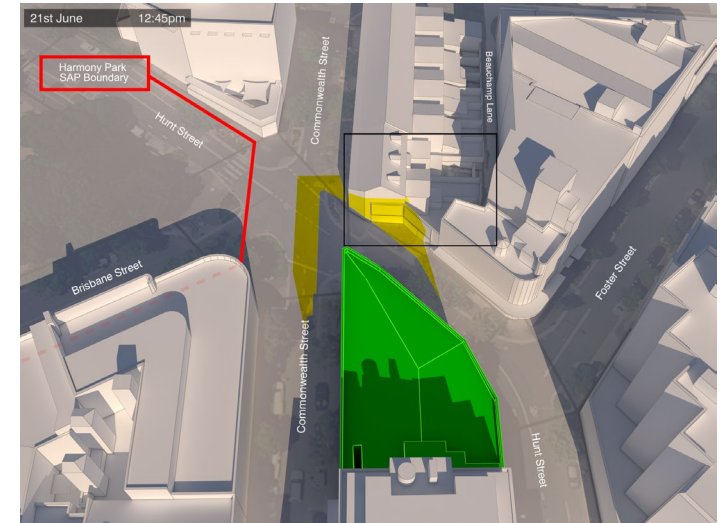
12:30pm - Planning proposal



12:45pm – Existing building



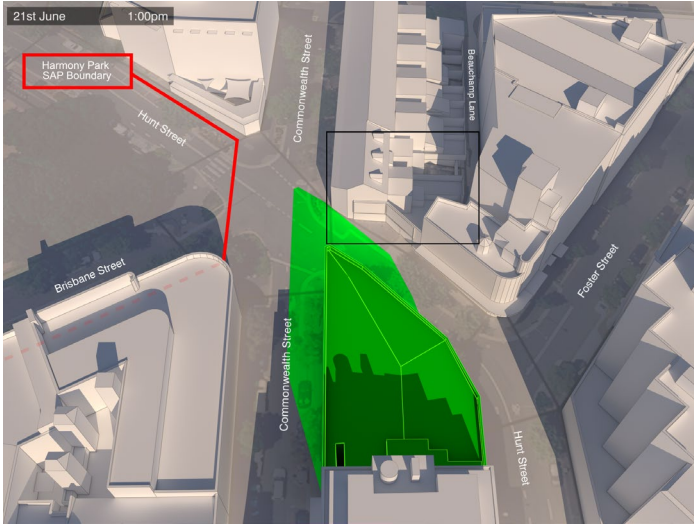
12:45pm – Existing LEP



12:45pm – Planning proposal



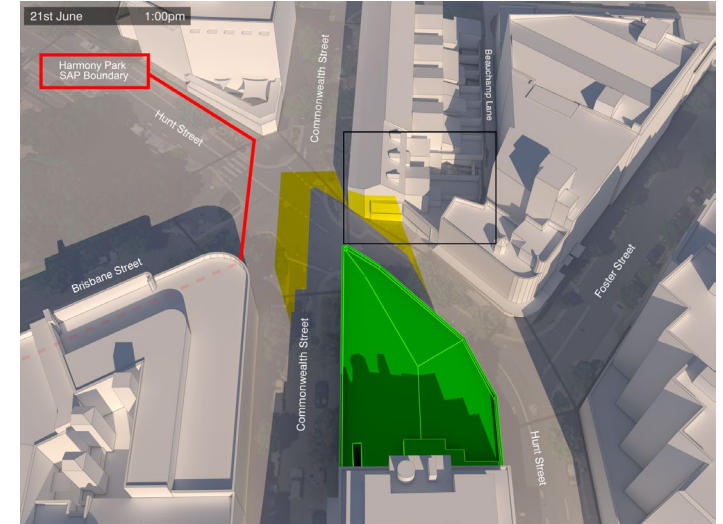
# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



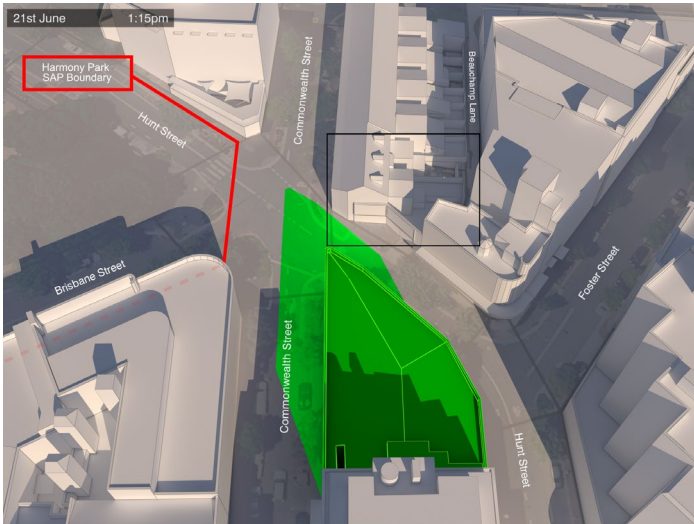
1pm - Existing building



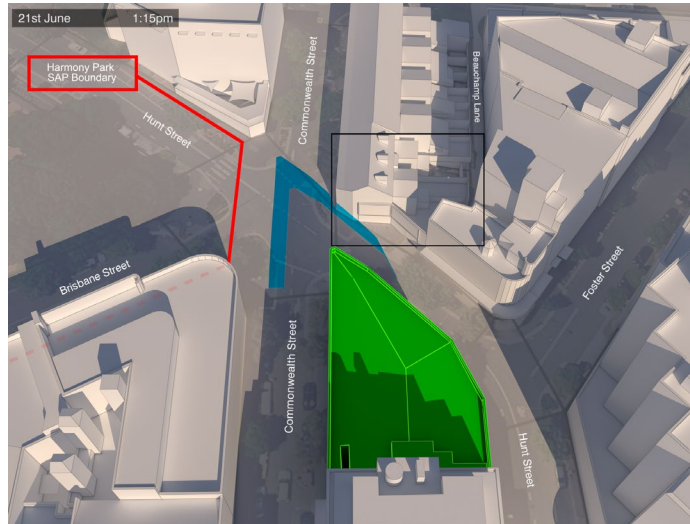
1pm - Existing LEP



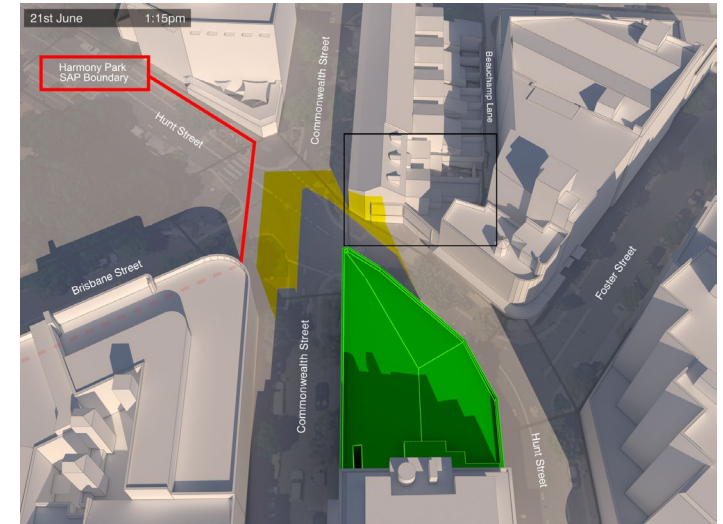
1pm - Planning proposal



1:15pm – Existing building

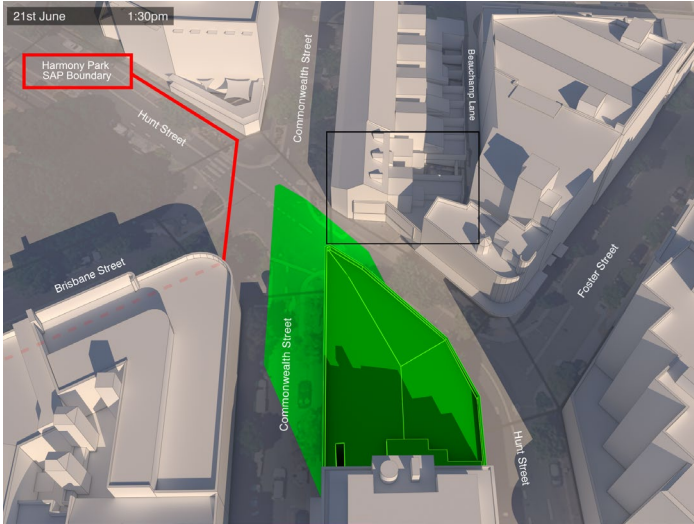


1:15pm – Existing LEP



1:15pm – Planning proposal

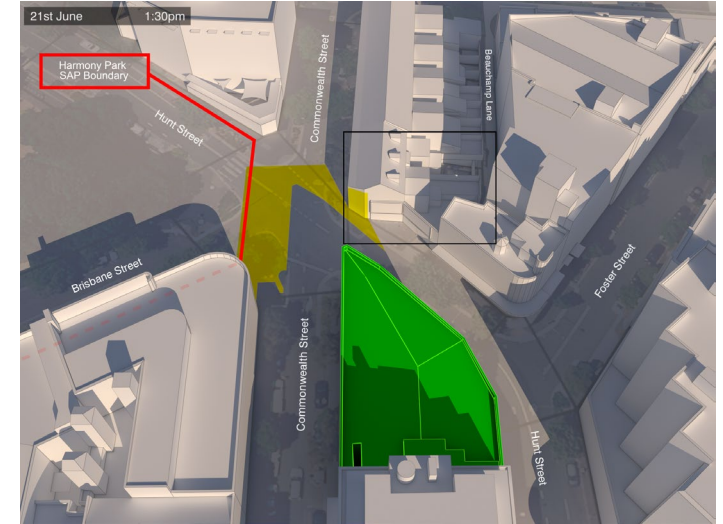
# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



1:30pm - Existing building



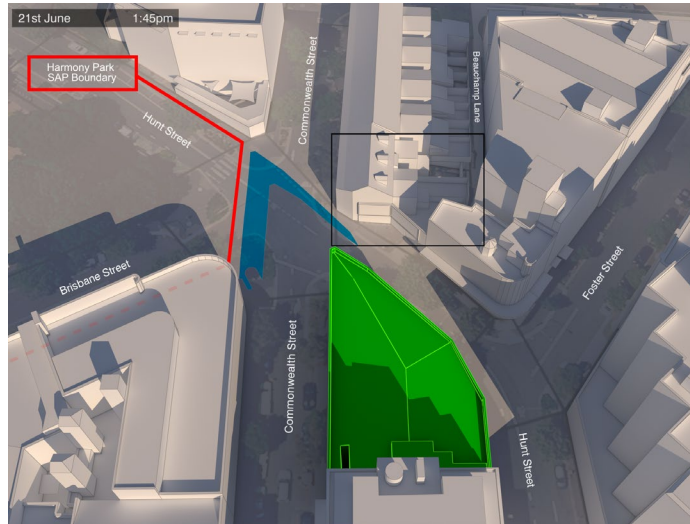
1:30pm - Existing LEP



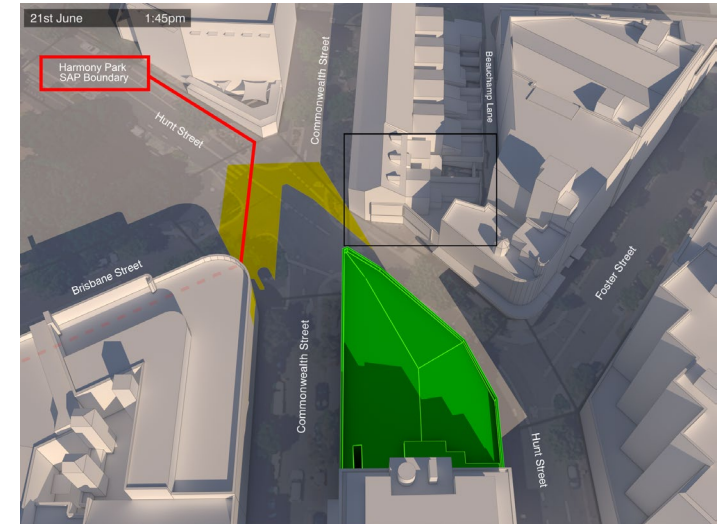
1:30pm - Planning proposal



1:45pm – Existing building



1:45pm – Existing LEP



1:45pm – Planning proposal

# Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



2pm - Existing building



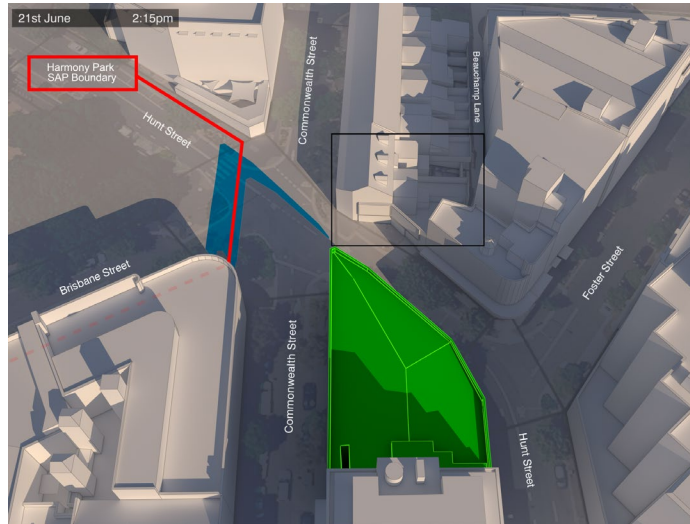
2pm - Existing LEP



2pm - Planning proposal



2:15pm – Existing building



2:15pm – Existing LEP



2:15pm – Planning proposal

## Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



**2:30pm - Existing building**



**2:30pm - Existing LEP**



**2:30pm - Planning proposal**



**2:45pm – Existing building**



**2:45pm – Existing LEP**



**2:45pm – Planning proposal**

## Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills



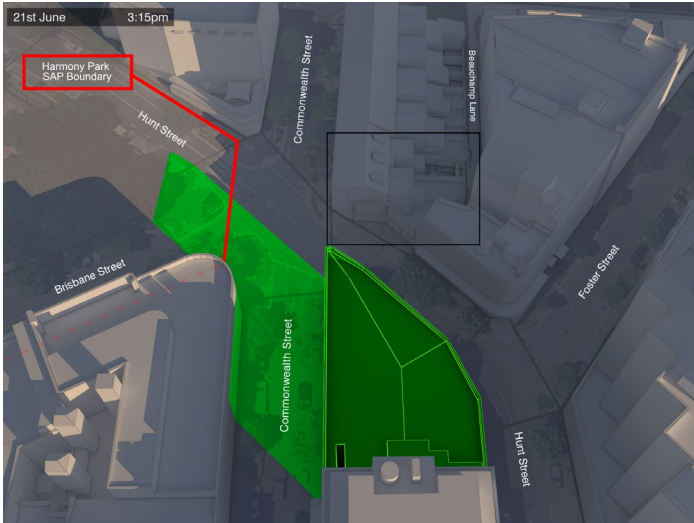
**3pm - Existing building**



**3pm - Existing LEP**



**3pm - Planning proposal**



**3:15pm – Existing building**

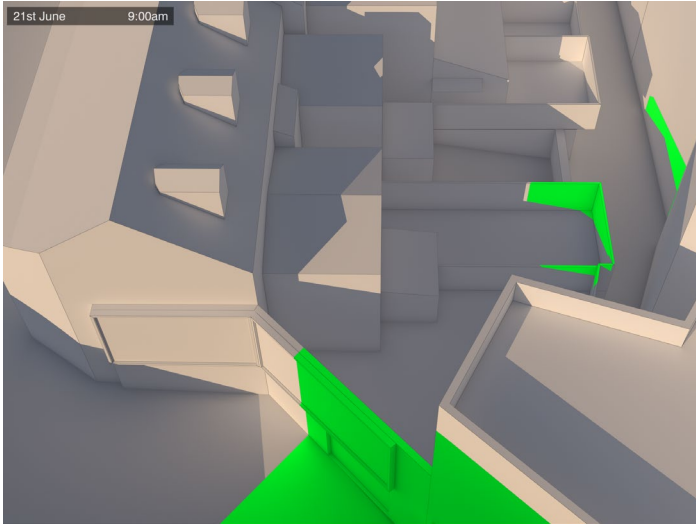


**3:15pm – Existing LEP**

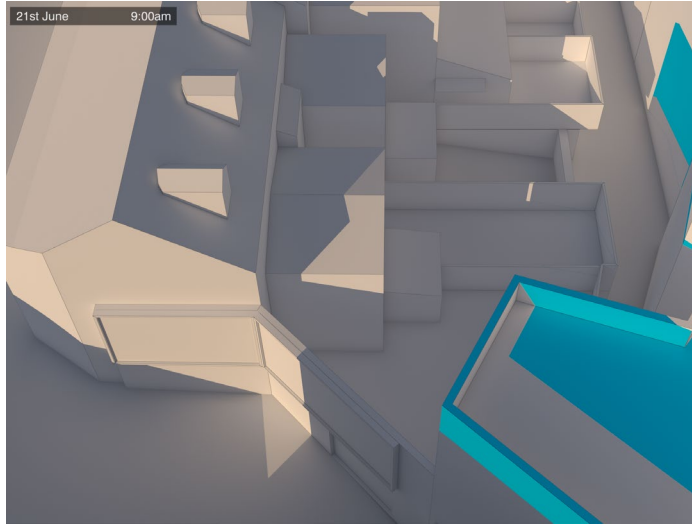


**3:15pm – Planning proposal**

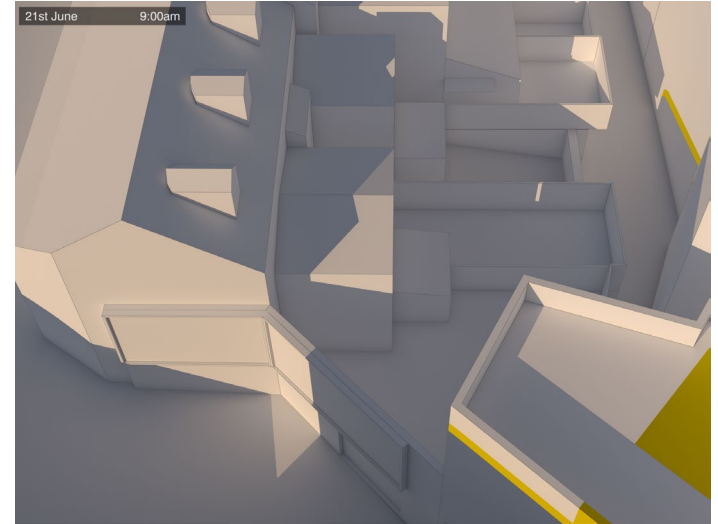
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



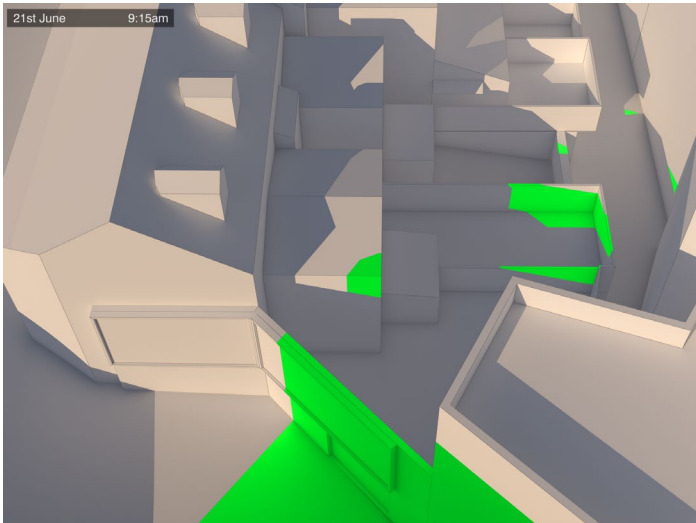
**9am - Existing building**



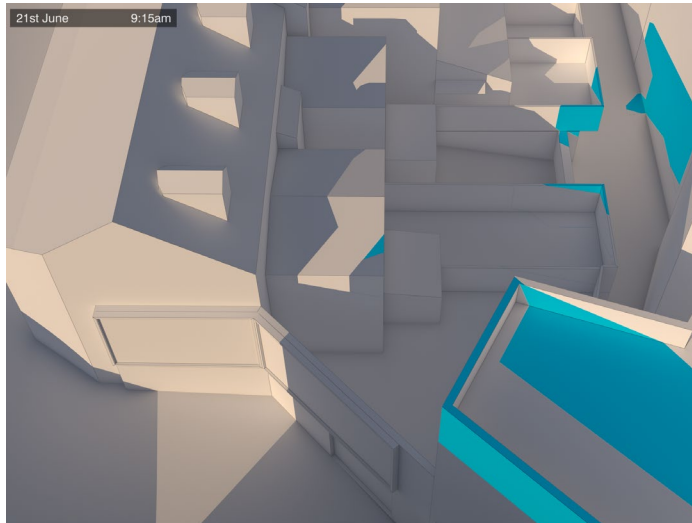
**9am - Existing LEP**



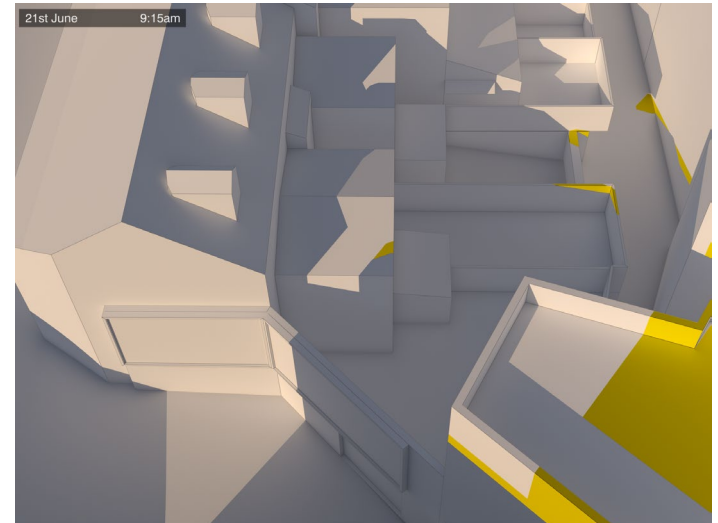
**9am - Planning proposal**



**9:15am – Existing building**

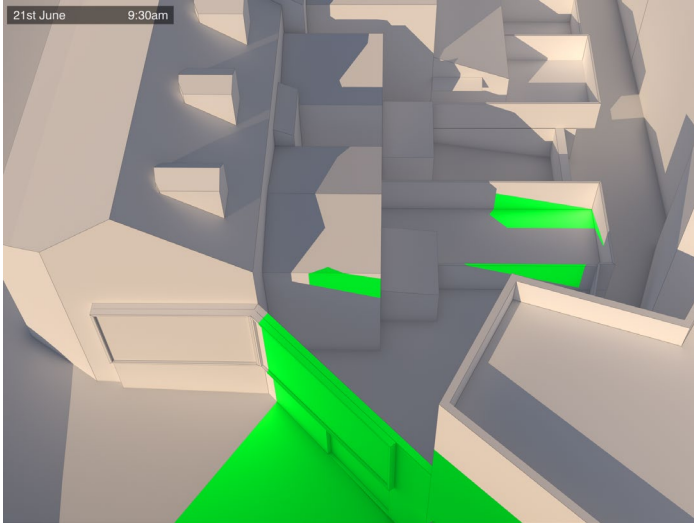


**9:15am – Existing LEP**

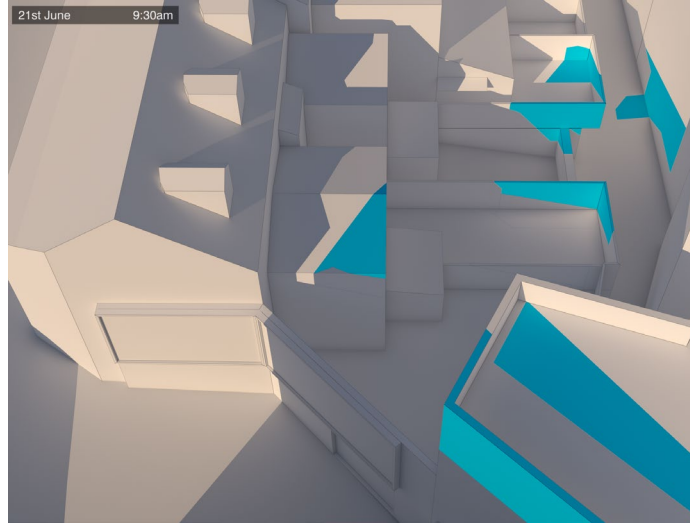


**9:15am – Planning proposal**

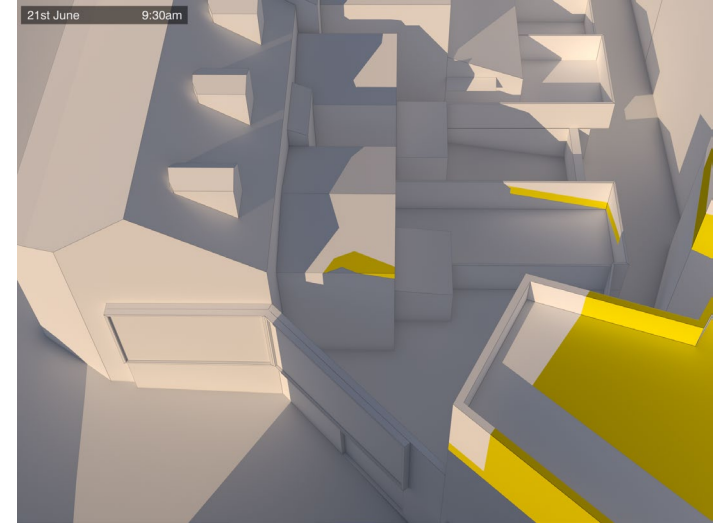
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



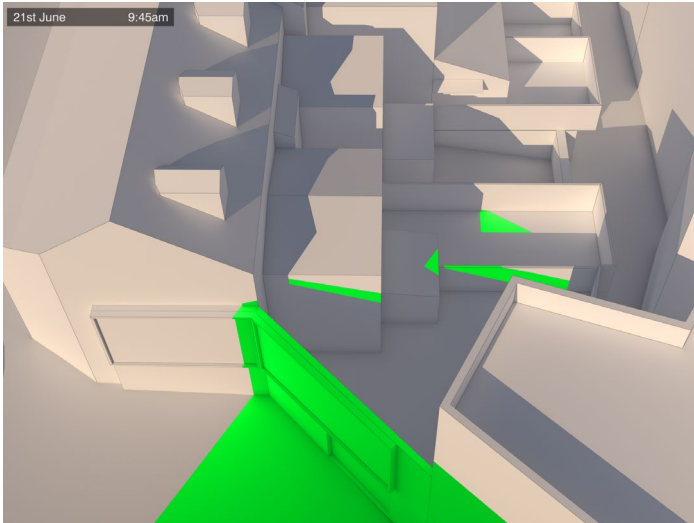
**9:30am - Existing building**



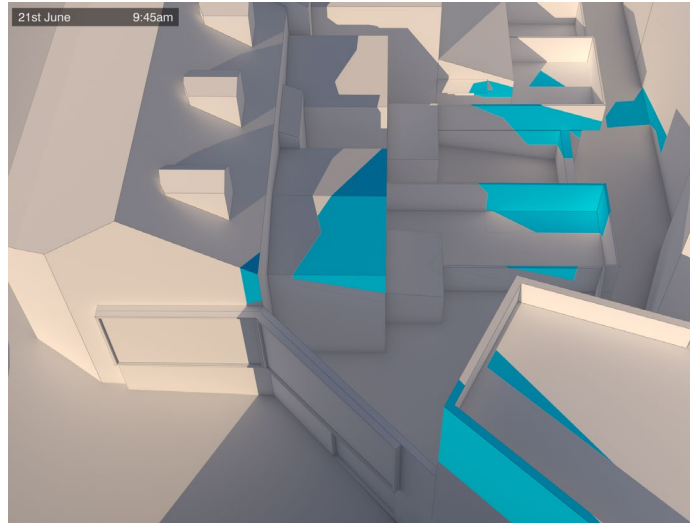
**9:30am - Existing LEP**



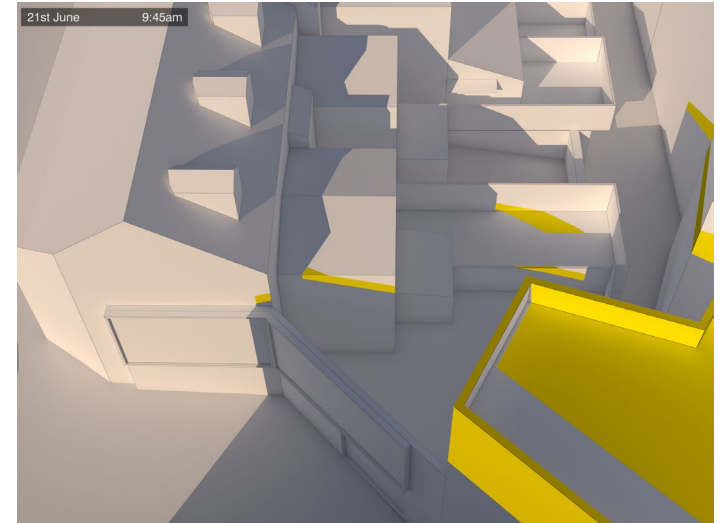
**9:30am - Planning proposal**



**9:45am – Existing building**

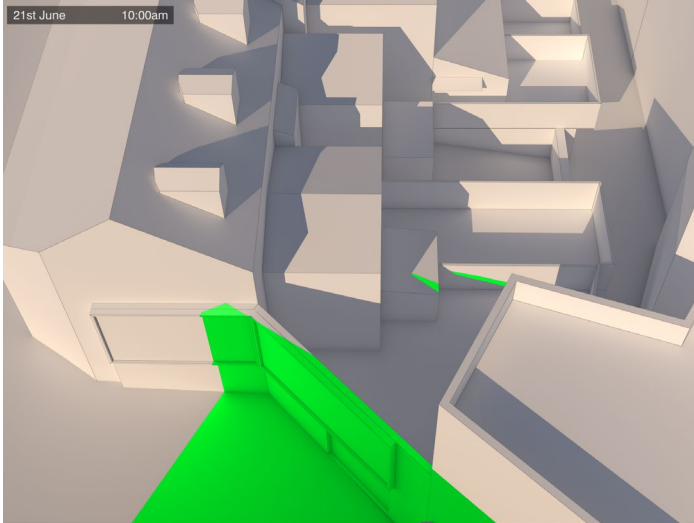


**9:45am – Existing LEP**

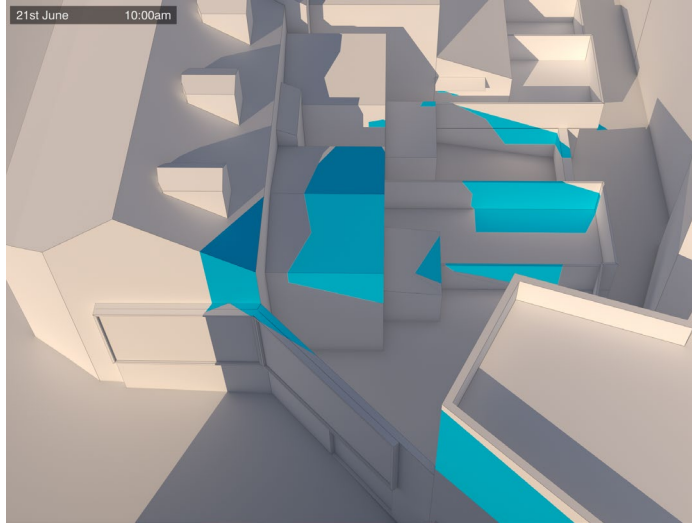


**9:45am – Planning proposal**

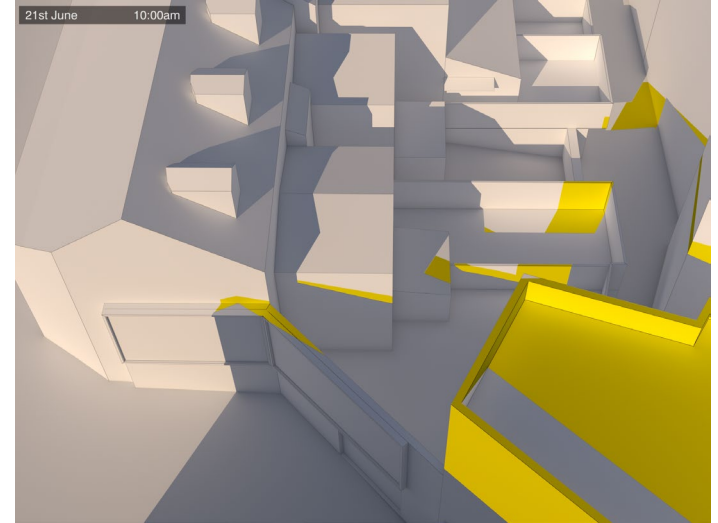
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



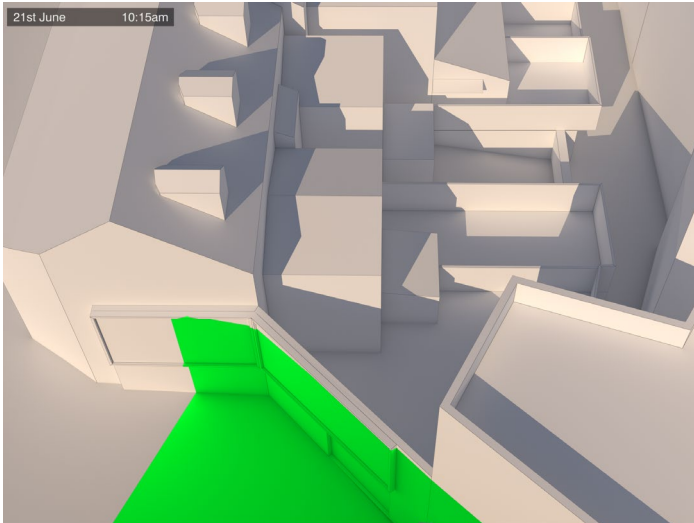
**10am - Existing building**



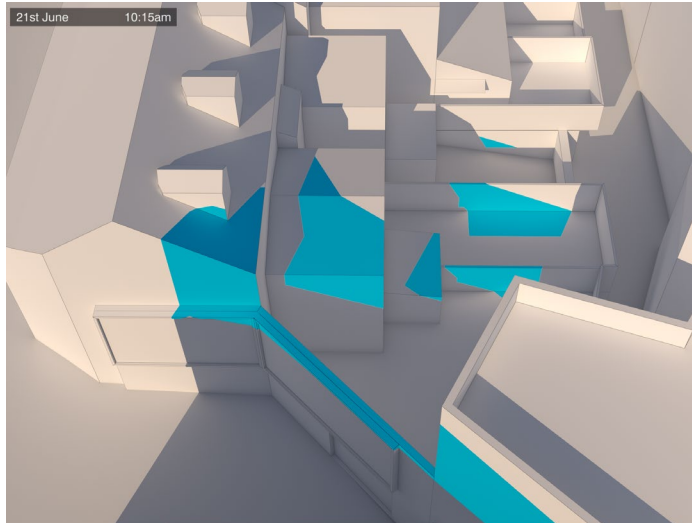
**10am - Existing LEP**



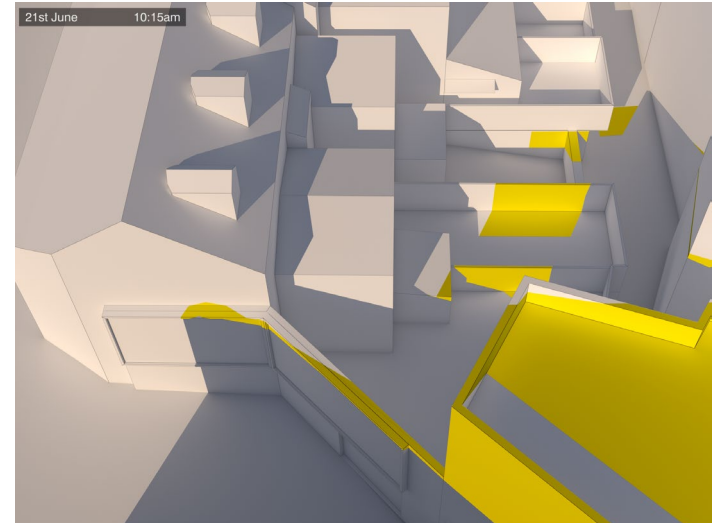
**10am - Planning proposal**



**10:15am – Existing building**



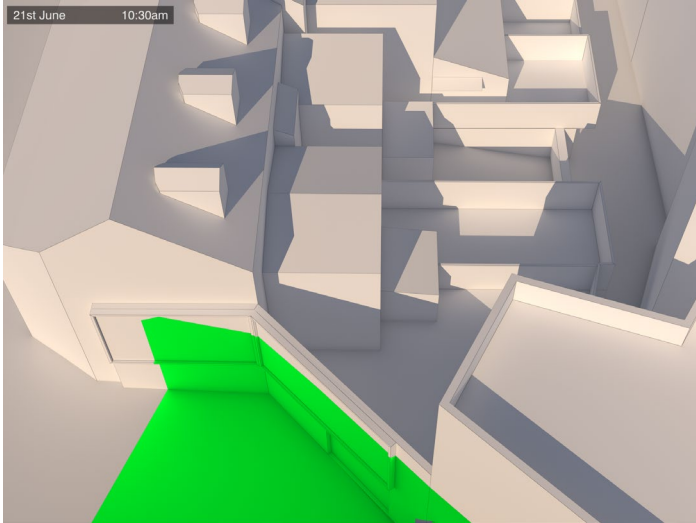
**10:15am – Existing LEP**



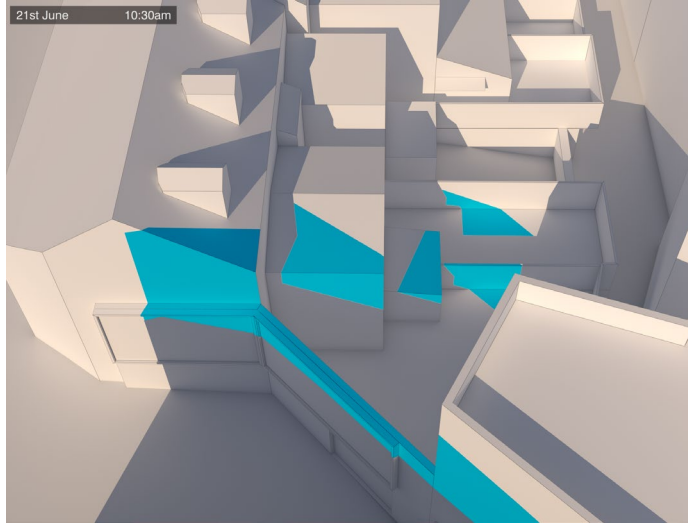
**10:15am – Planning proposal**



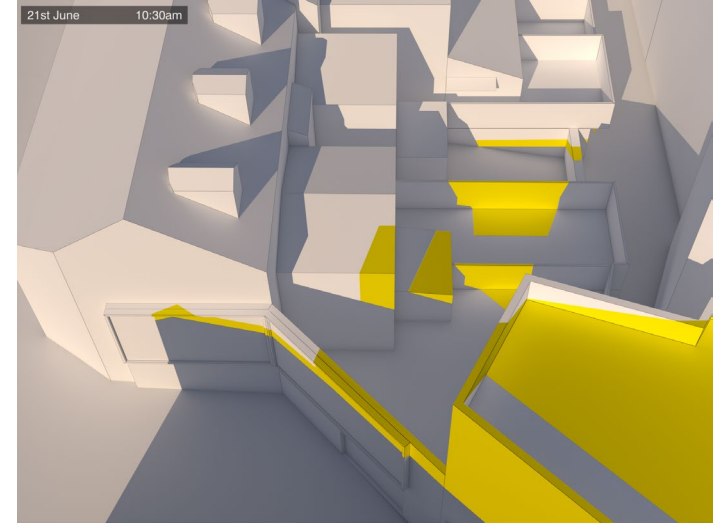
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



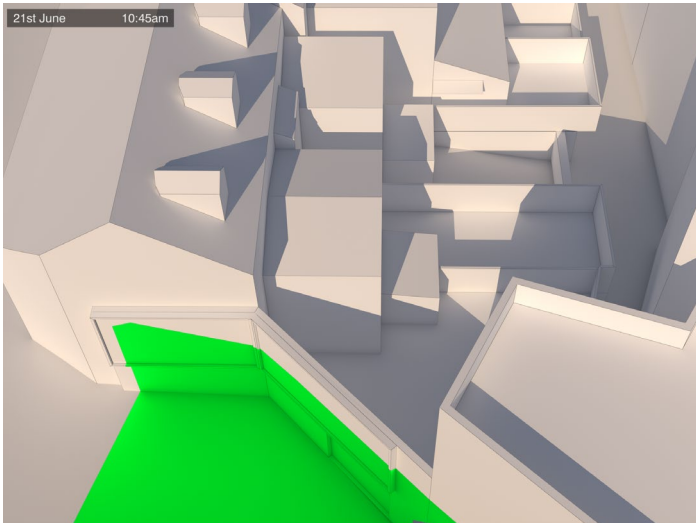
**10:30am - Existing building**



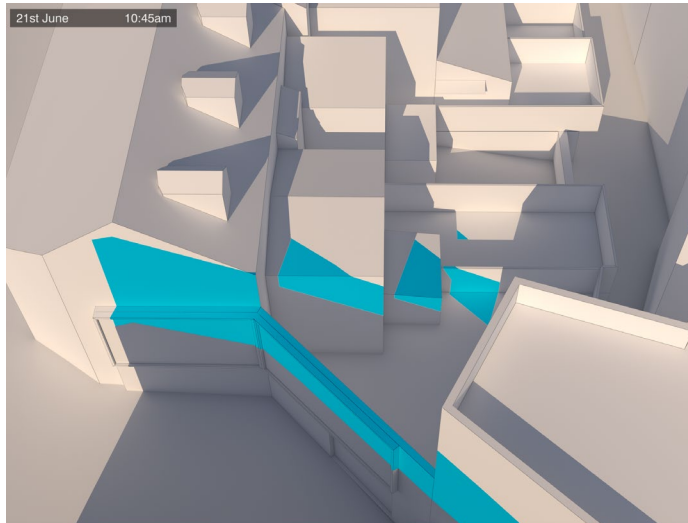
**10:30am - Existing LEP**



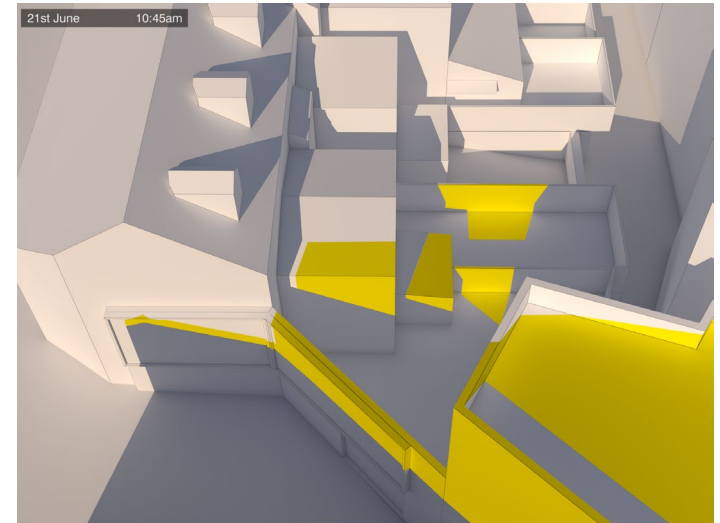
**10:30am - Planning proposal**



**9:15am – Existing building**

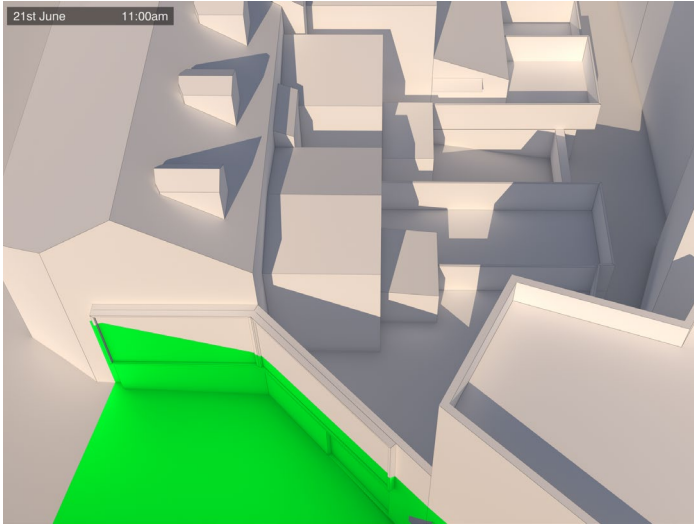


**10:45am – Existing LEP**

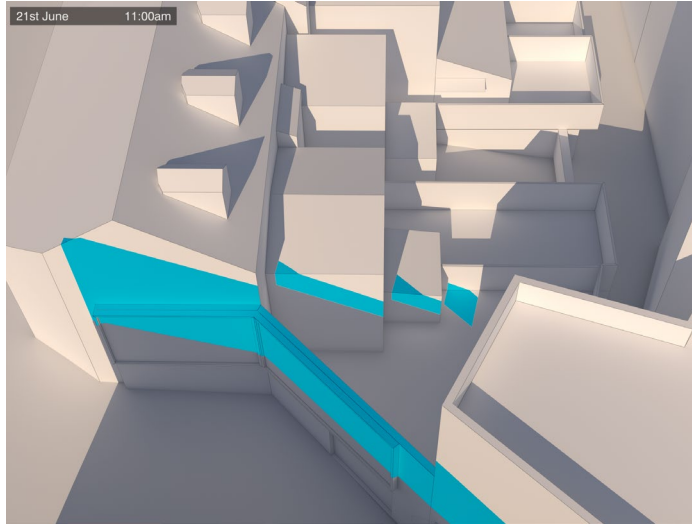


**10:45am – Planning proposal**

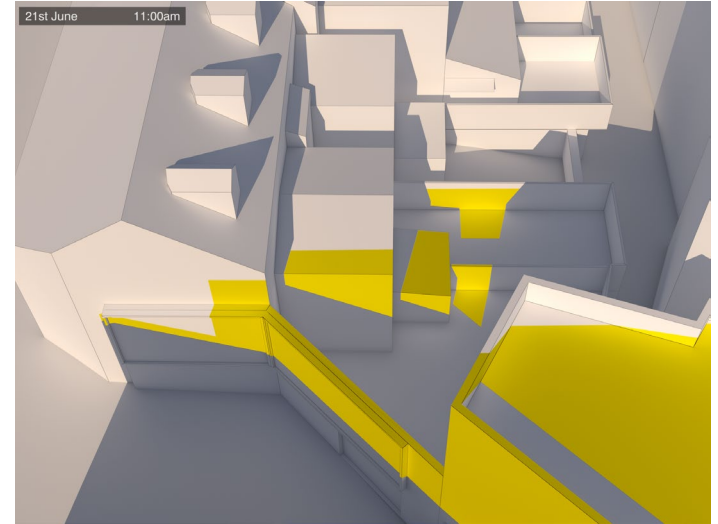
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



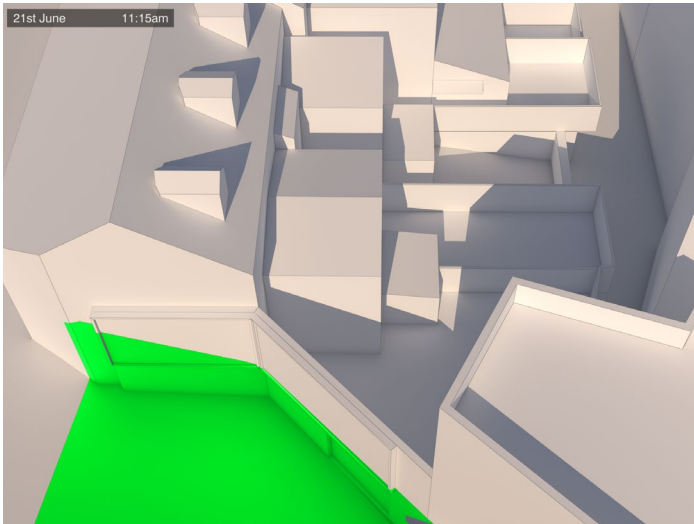
**11am - Existing building**



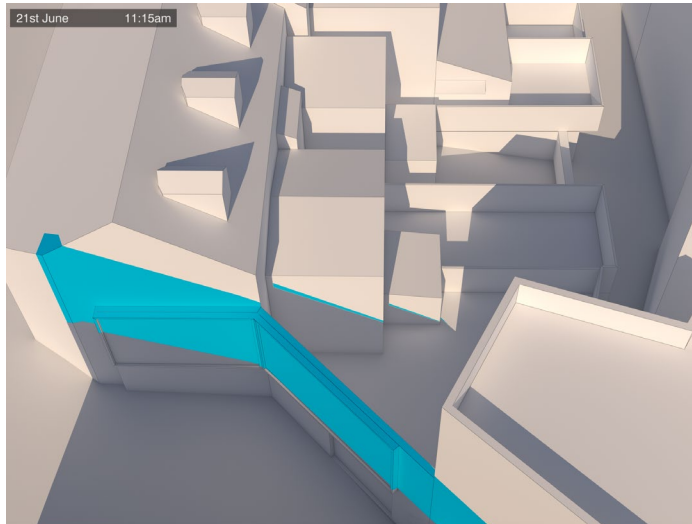
**11am - Existing LEP**



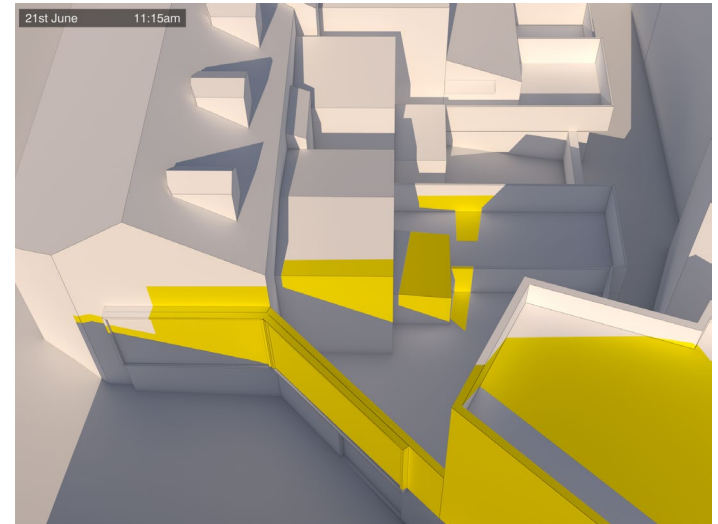
**11am - Planning proposal**



**11:15am – Existing building**

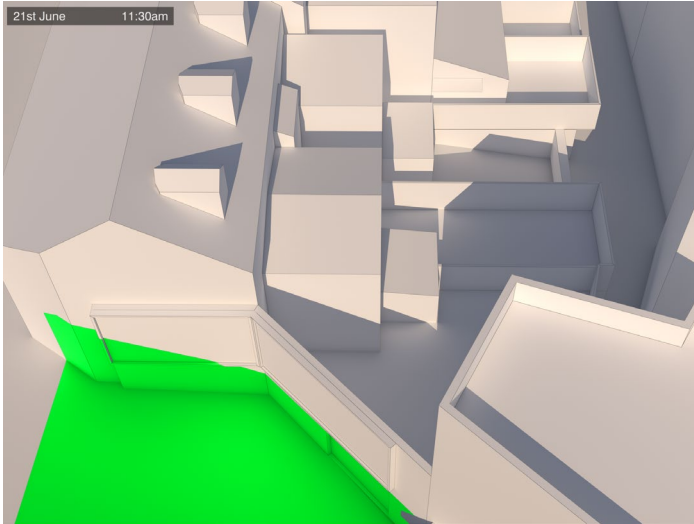


**11:15am – Existing LEP**

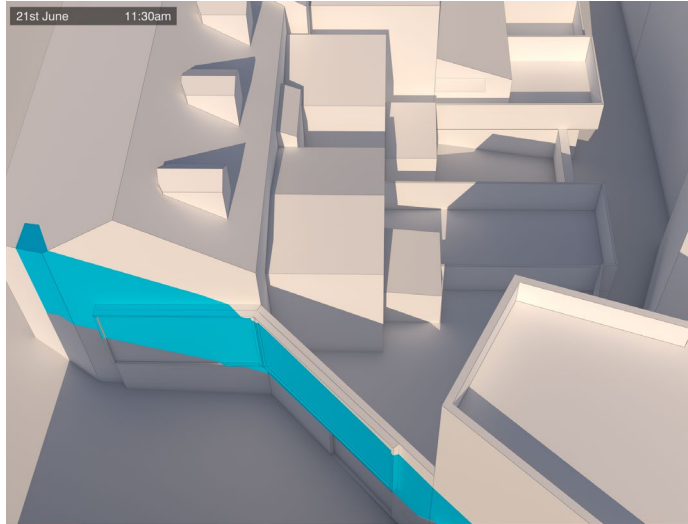


**11:15am – Planning proposal**

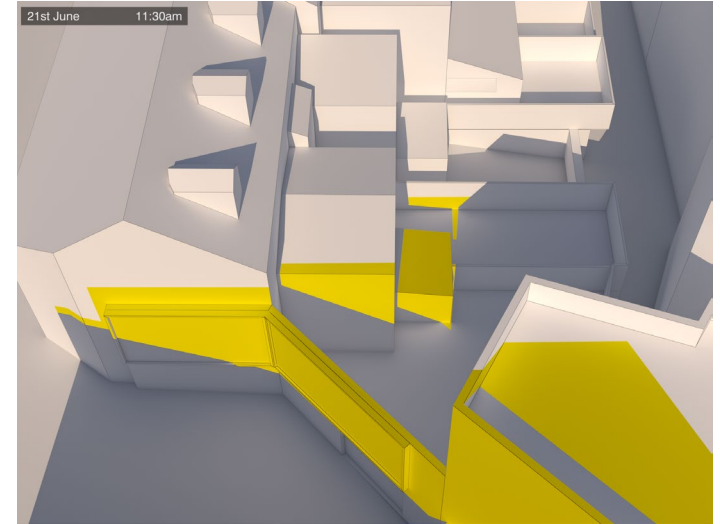
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



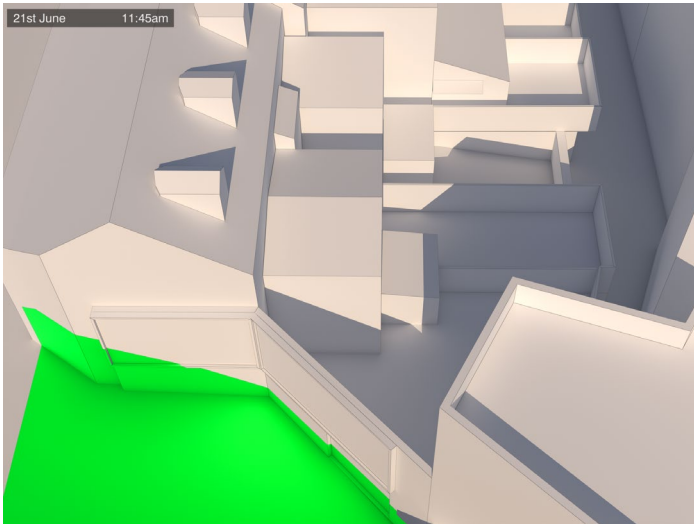
**11:30am - Existing building**



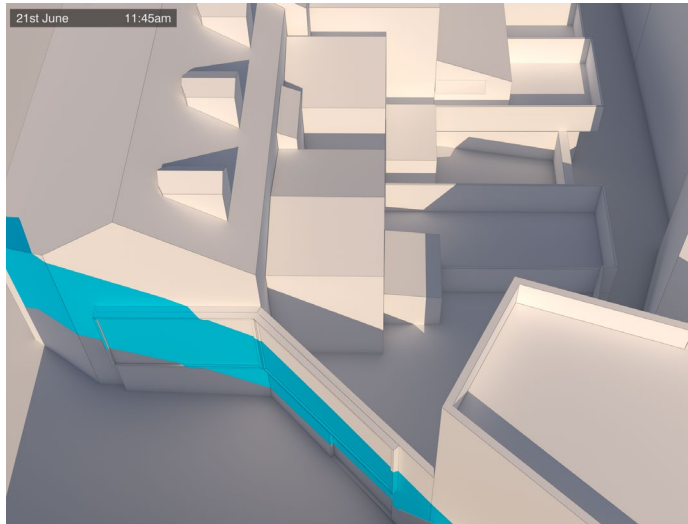
**11:30am - Existing LEP**



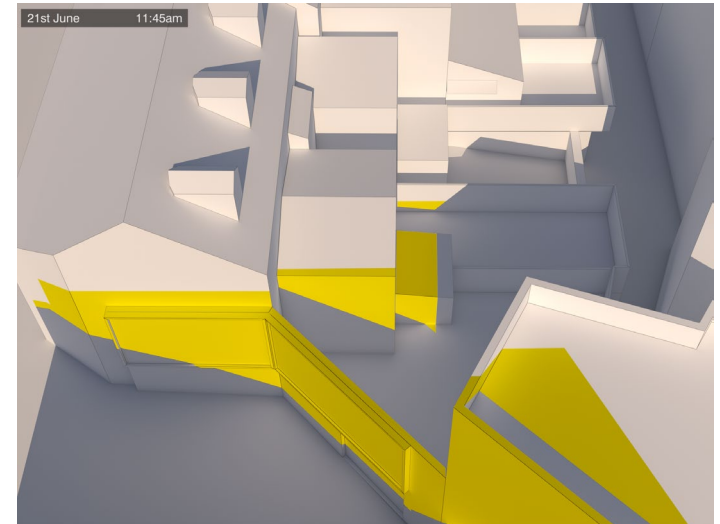
**11:30am - Planning proposal**



**11:45am – Existing building**

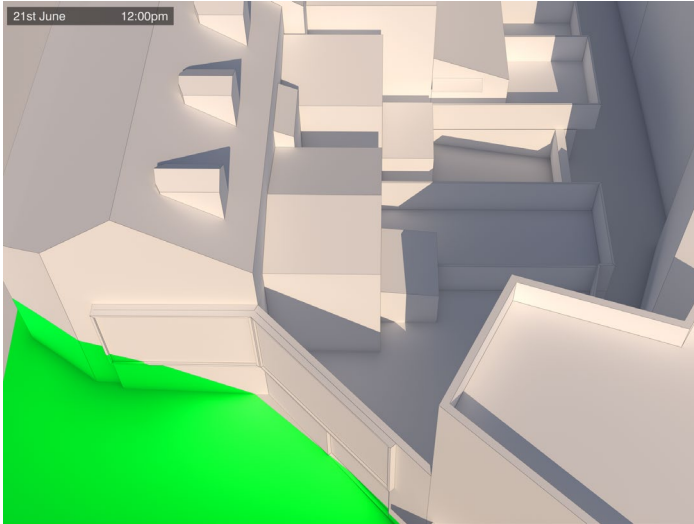


**11:45am – Existing LEP**

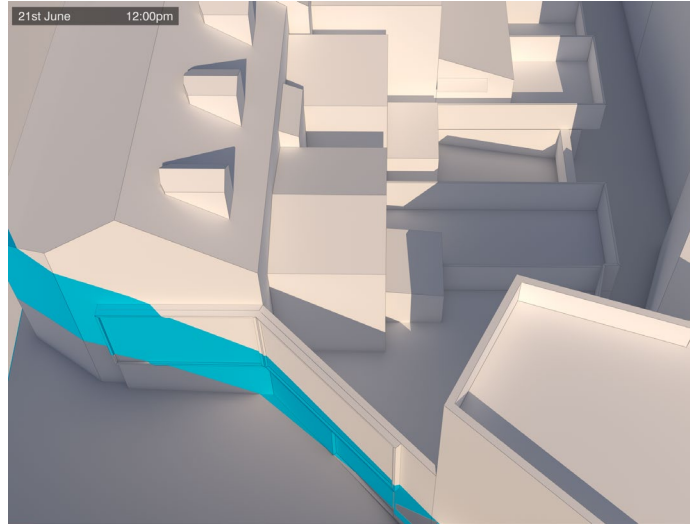


**11:45am – Planning proposal**

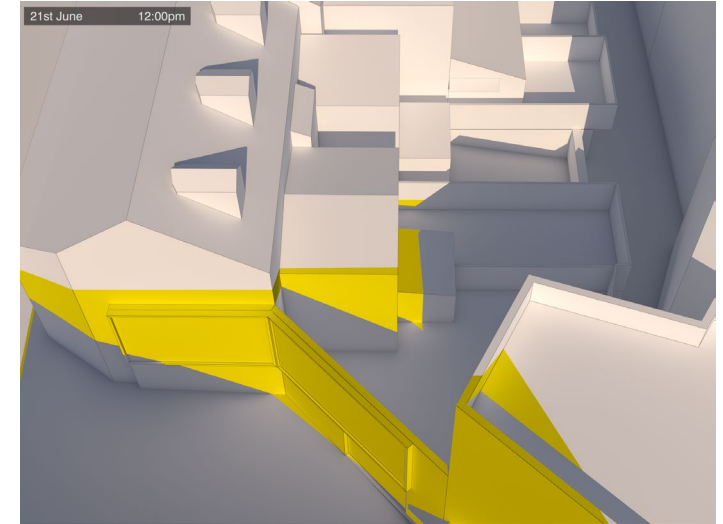
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



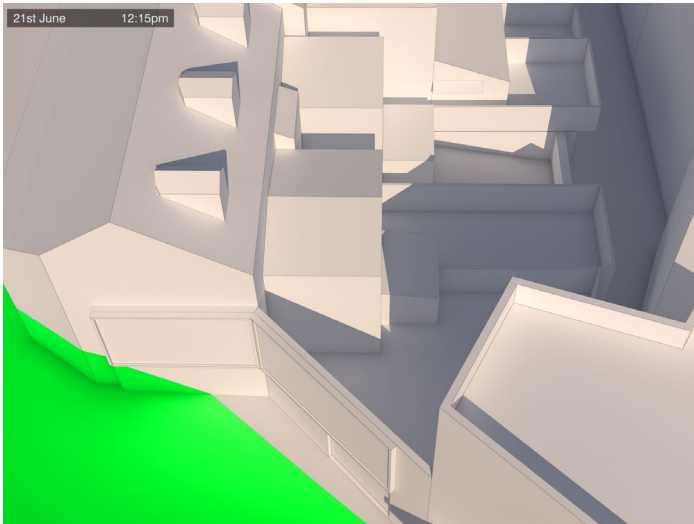
**12 noon - Existing building**



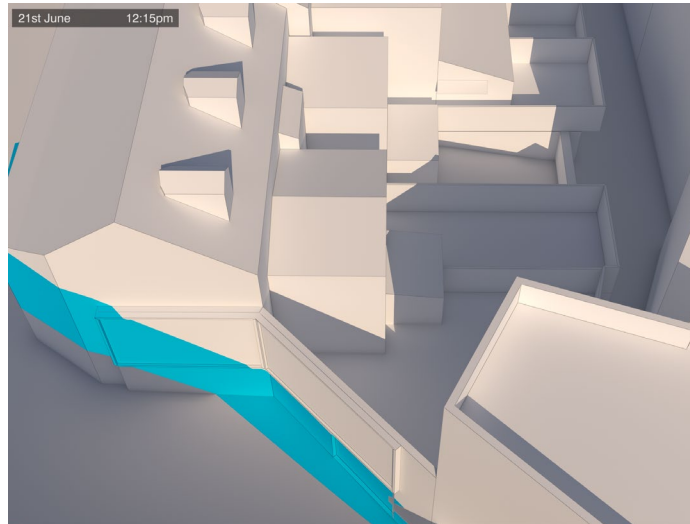
**12 noon - Existing LEP**



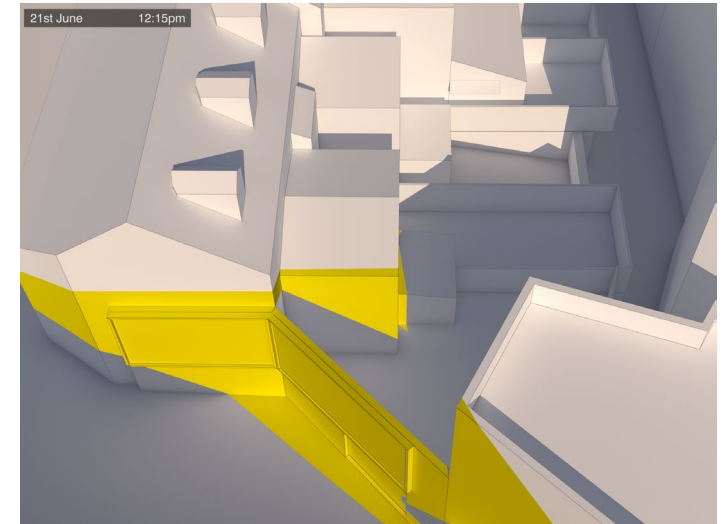
**12 noon - Planning proposal**



**12:15pm – Existing building**

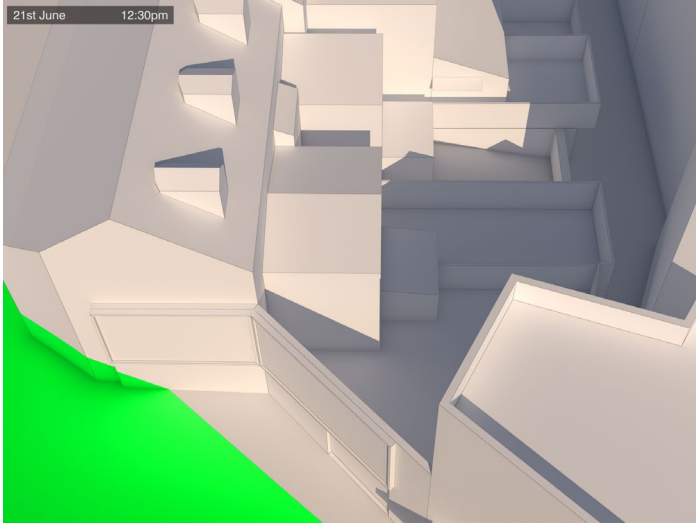


**12:15pm – Existing LEP**

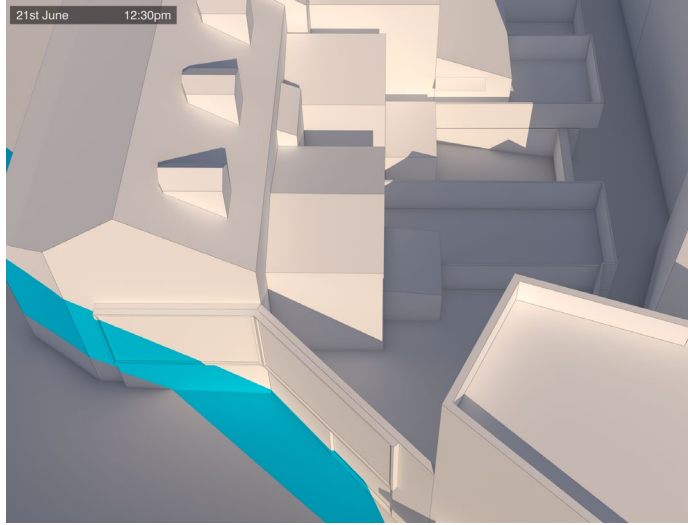


**12:15pm – Planning proposal**

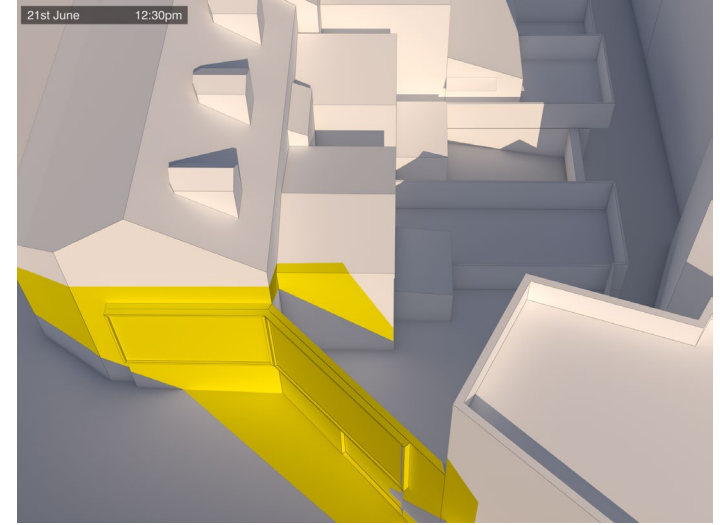
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



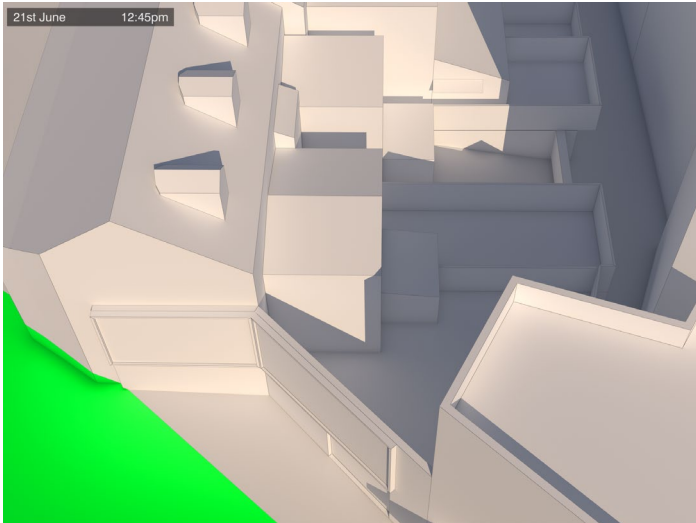
**12:30pm - Existing building**



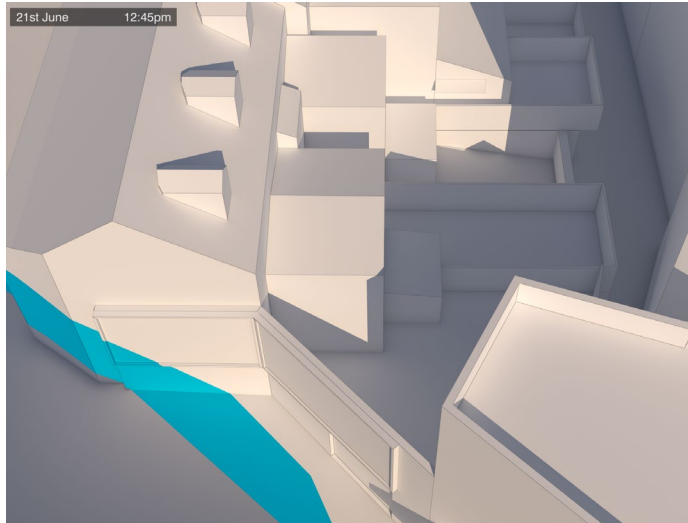
**12:30pm - Existing LEP**



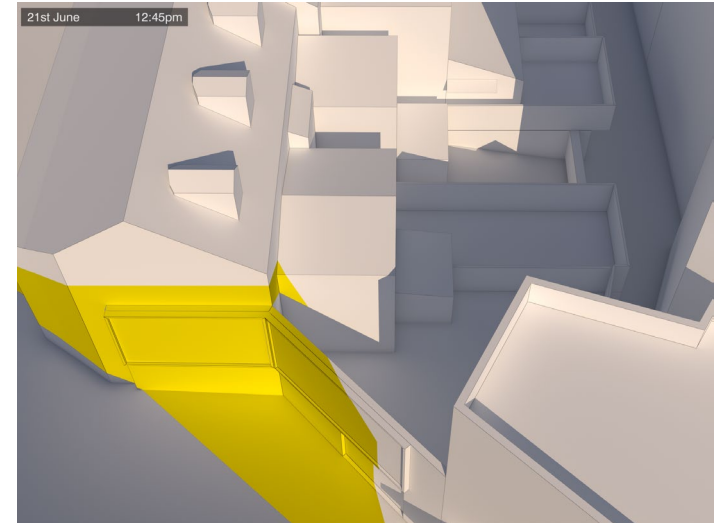
**12:30pm - Planning proposal**



**12:45pm – Existing building**

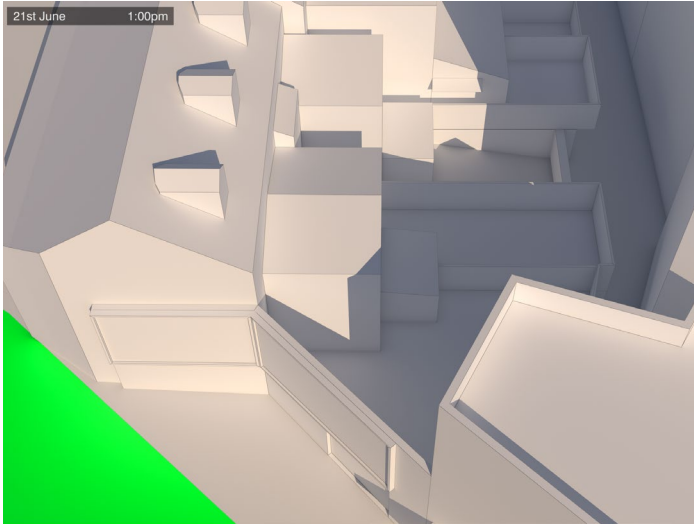


**12:45pm – Existing LEP**

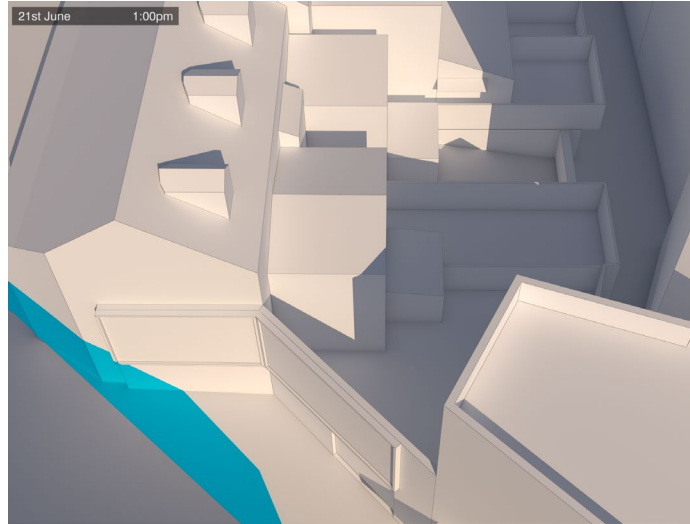


**12:45pm – Planning proposal**

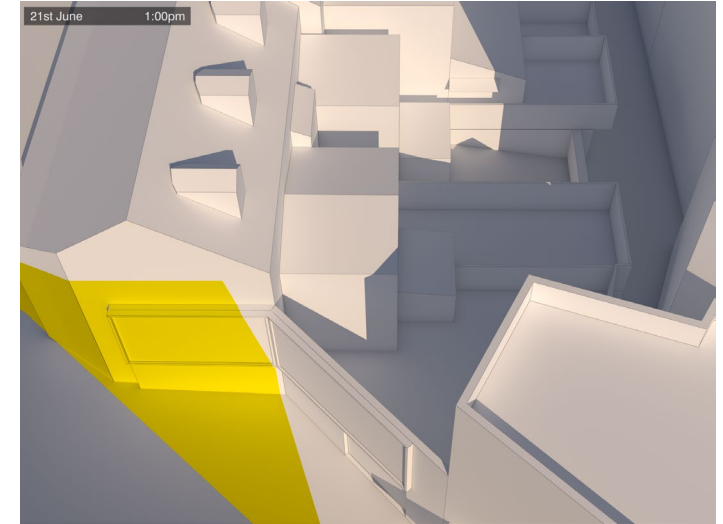
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



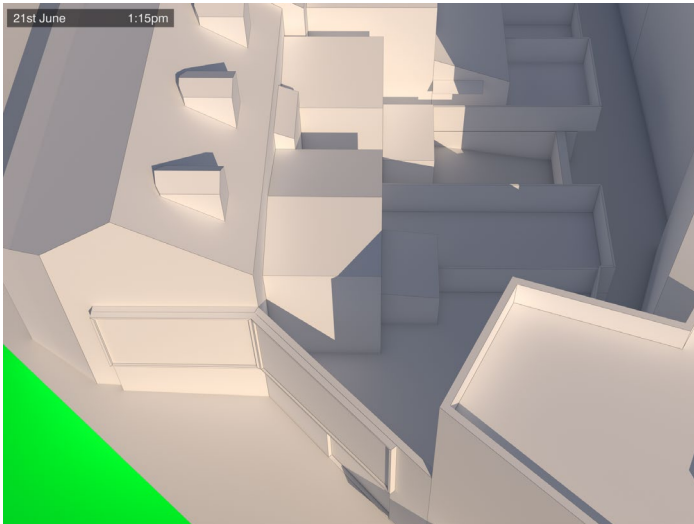
**1pm - Existing building**



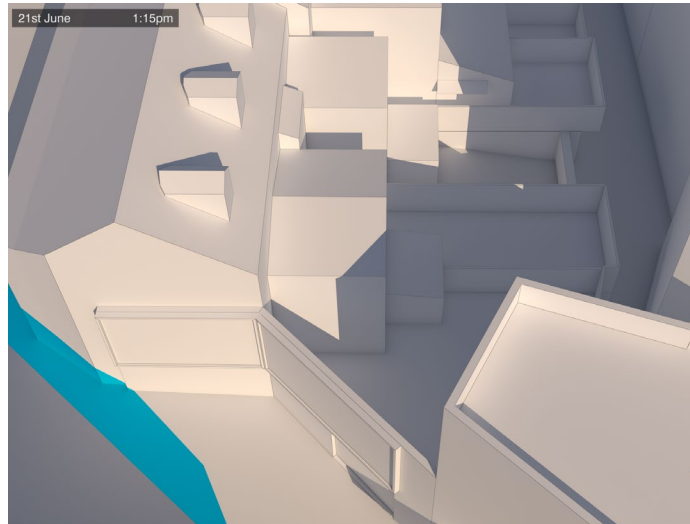
**1pm - Existing LEP**



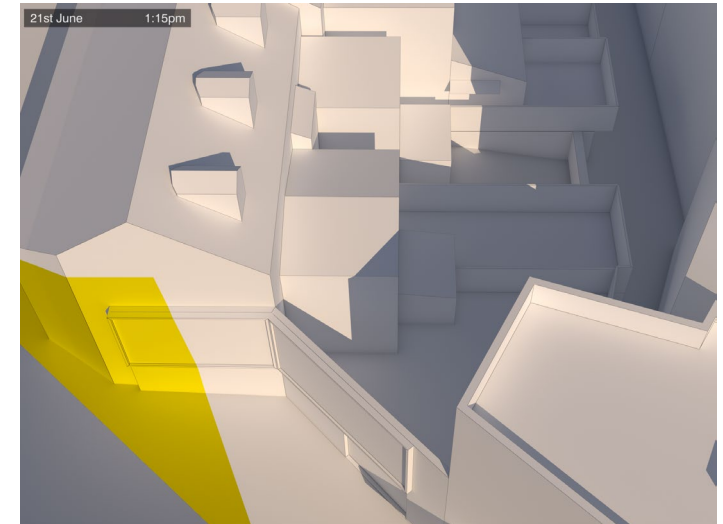
**1pm - Planning proposal**



**1:15pm – Existing building**

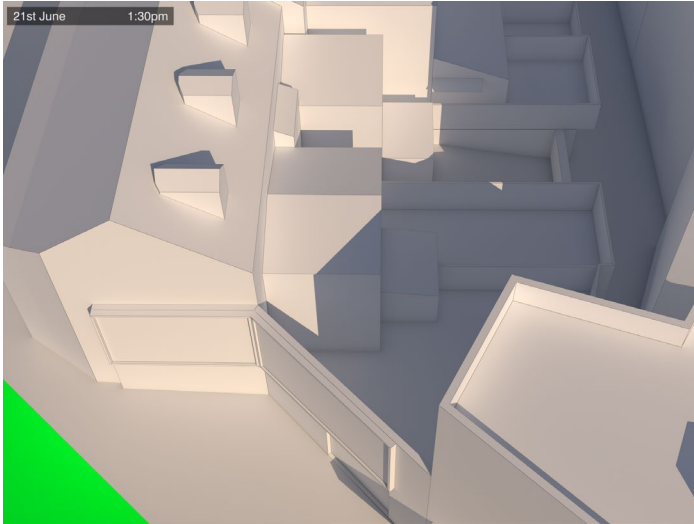


**1:15pm – Existing LEP**

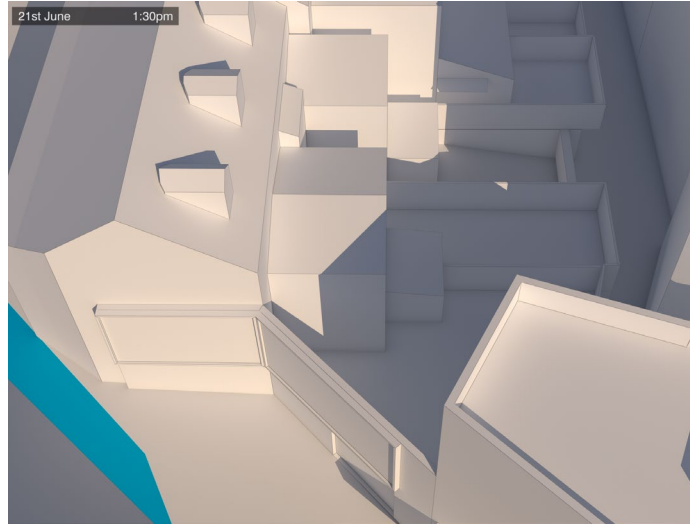


**1:15pm – Planning proposal**

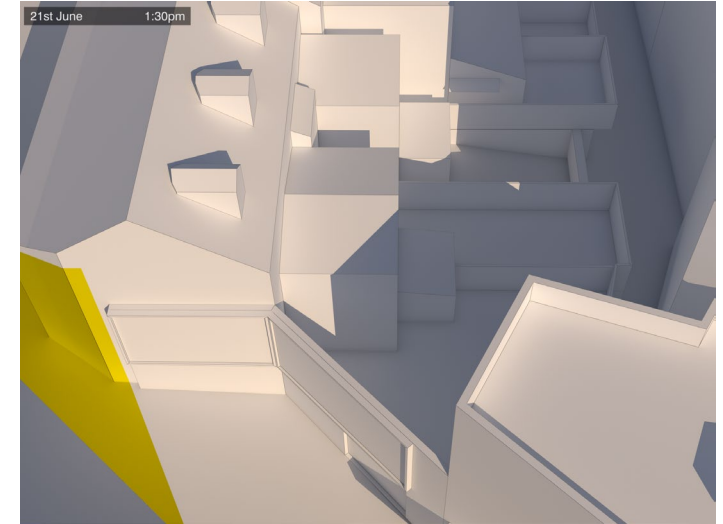
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



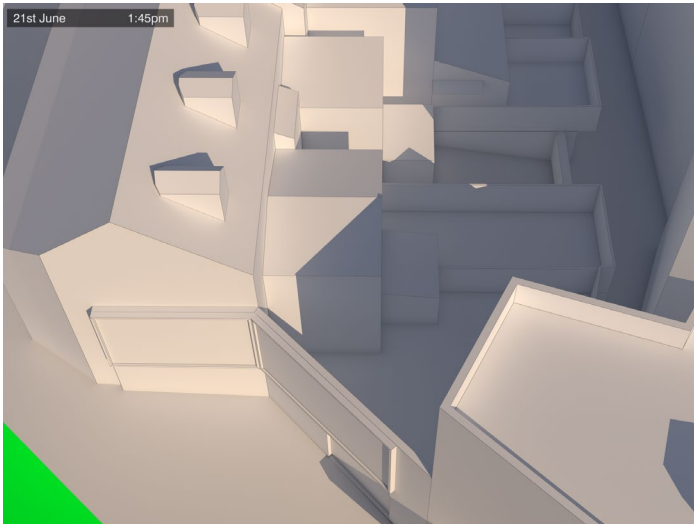
**1:30pm - Existing building**



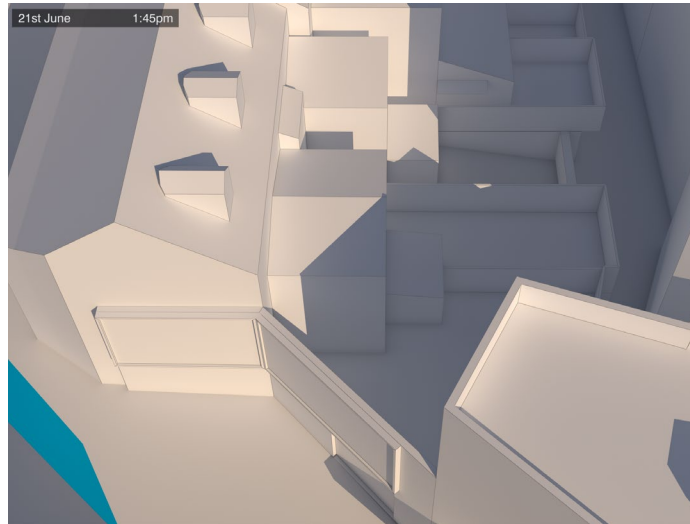
**1:30pm - Existing LEP**



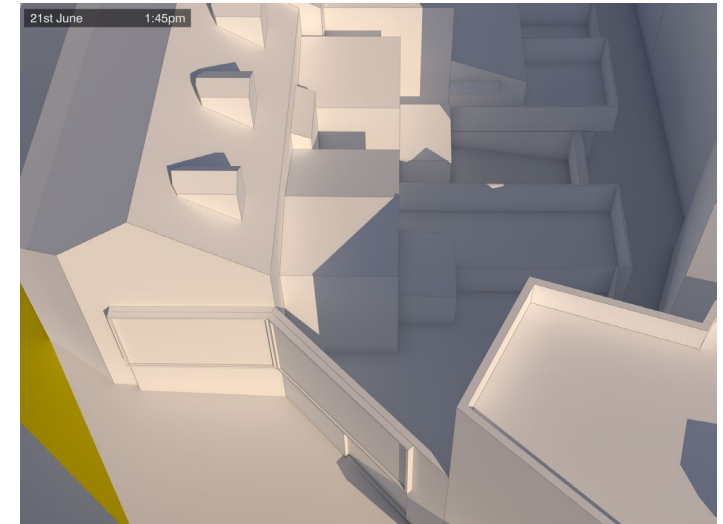
**1:30pm - Planning proposal**



**1:45pm – Existing building**

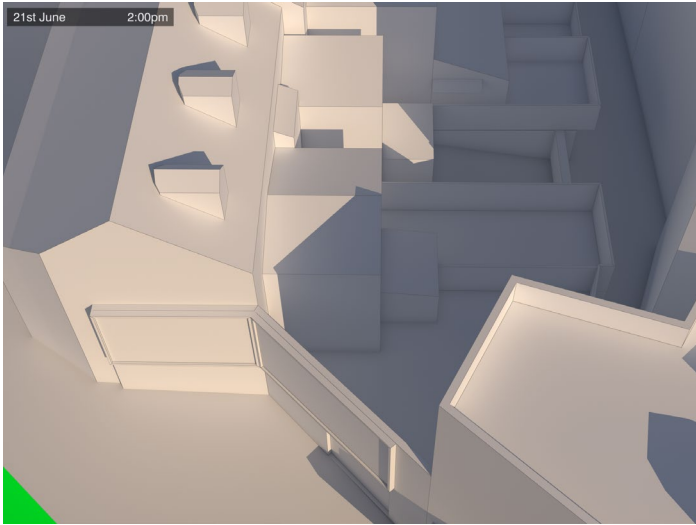


**1:45pm – Existing LEP**

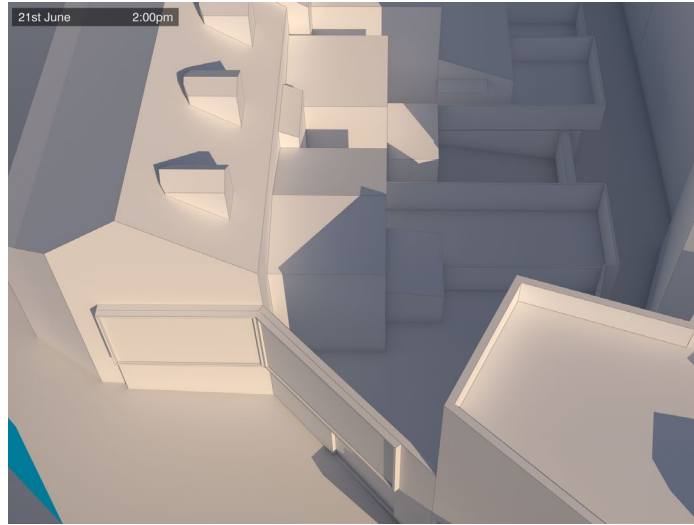


**1:45pm – Planning proposal**

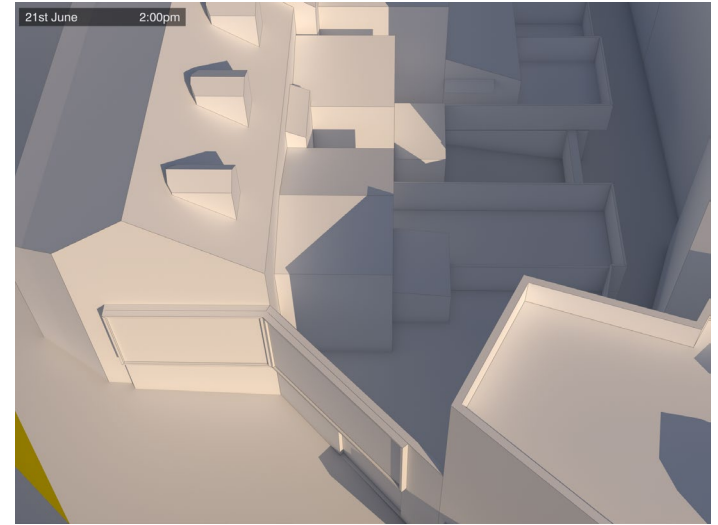
**Addendum to Planning Proposal – 85-93 Commonwealth Street, Surry Hills**



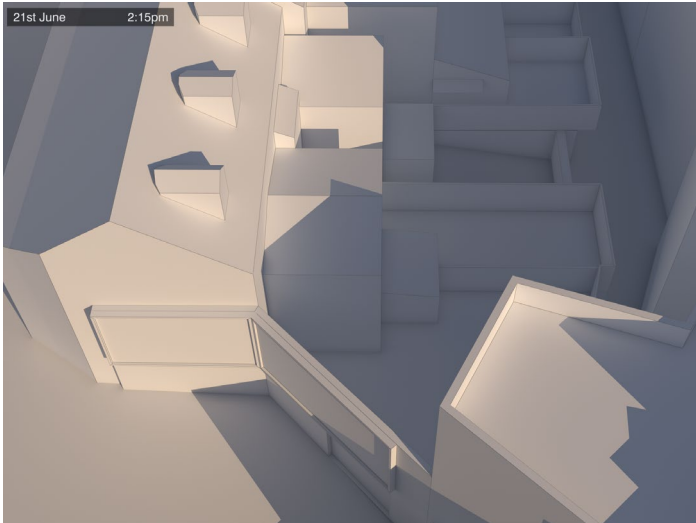
**2pm - Existing building**



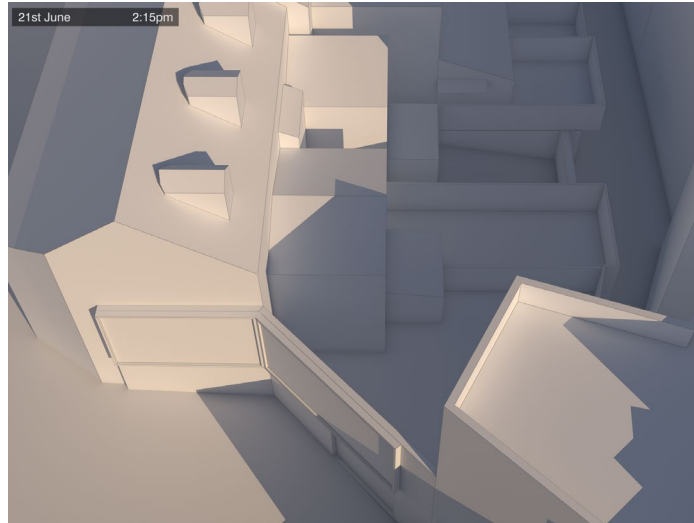
**2pm - Existing LEP**



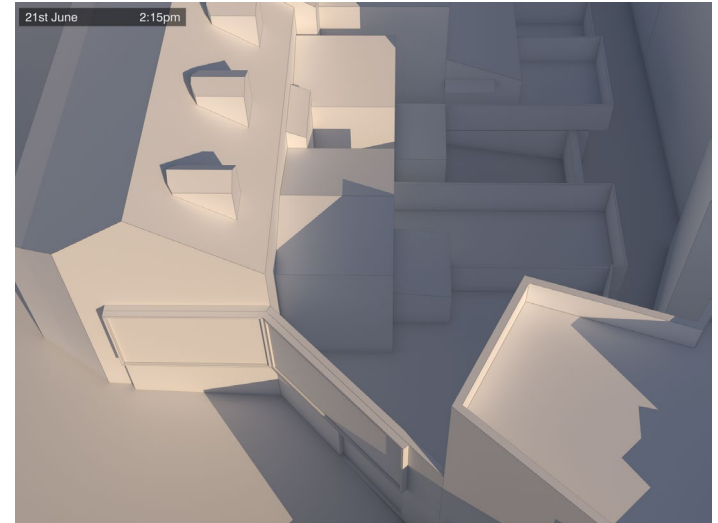
**2pm - Planning proposal**



**2:15pm – Existing building**



**2:15pm – Existing LEP**



**2:15pm – Planning proposal**



