



23 June 2026

Secretary
Department of Planning, Housing & Infrastructure
12 Darcy Street
PARRAMATTA NSW 2150

SSD-66826207
DA353/2024/5
JD6 (P&E)

ATTENTION: Max Tran, Planning Officer

**STATE SIGNIFICANT DEVELOPMENT APPLICATION SSD-66826207
405 PACIFIC HIGHWAY CROWS NEST
MIXED USE DEVELOPMENT WITH INFILL AFFORDABLE HOUSING
MODIFICATION 5 – AMENDMENTS TO SUBSTATION AND STORMWATER LINE
DEICORP**

Dear Secretary,

I refer to the Department's request for Council's advice regarding the proposed modification of consent.

As outlined hereunder, Council has reviewed the application and concludes that the submitted supporting information adequately assesses the proposed modifications' impacts and satisfies statutory requirements for consent to be granted.

Approval of the application is accordingly supported.

The application and brief site history

In summary proposed amendments include:

- Increased building height to accommodate lift overrun and other plant, from 81.4m to 82.7m, an increase of 1.5%
- Amalgamating two apartments, reducing the number of apartments from 212 to 211, with the number of affordable rental units remaining at 48
- Amalgamation of 3 retail spaces, resulting in 14 retail outlets rather than 16
- Refinements to the hotel layout, including an additional room, making the total 101
- Refinements to the hotel façade
- Sewer and stormwater infrastructure refinements
- Increased corridor widths on residential levels (this does not appear to have reduced apartment sizes appreciably, if at all)
- A reduction of the internal atrium's area (without undue impact on amenity of internal common spaces)
- Amendment to conditions relating to Green Travel Plan implementation, to require an annual update of the plan for two years from the date of occupation certificate, by the building owner

- Amendment to the stratum subdivision plans
- A minor (0.27%) increase to the maximum permitted floor space ratio
- An increase in roof top communal space from 634m² to 679m².

Council notes previous modifications have been approved:

- Deletion of 2 basement levels and changes to conditions regarding earthworks and the basement
- Elimination of substantial retail floor area and replacement with a 100 room hotel and an increase in the number of apartments from 1888 to 212

Council also notes a current modification application for extension of construction hours remains undetermined.

Consideration

Alterations to the development and subsequent adjustment to approved plans and conditions result from design refinements for operational and customer expectation-related reasons.

It is agreed that the application is suitably considered under Section 4.55(1A) Environmental Planning & Assessment Act 1979, as submitted by the applicant's submitted planning report.

That the report addresses all applicable statutory prerequisites for approval is noted, including consideration of height and floor space ratio increases with regard to the development standards' objectives.

Council raises no objection to this modification application.

Should you wish to discuss the foregoing, please contact Jim Davies, Executive Planner, on 9936 8378 or at jim.davies@northsydney.nsw.gov.au .

Yours sincerely,



Stephen J Beattie
SERVICE UNIT MANAGER DEVELOPMENT SERVICES