



Scoping Report

Project-Specific SEARs Request and Rezoning Scoping

4-16 Montgomery Street, Kogarah

Submitted to Department of Planning, Housing and Infrastructure
on behalf of Charter Hall Pty Ltd

Prepared by Colliers Urban Planning

5 June 2026 | 2240119



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Colliers Urban Planning acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past and present.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

Contact	Bernard Gallagher Managing Director	Bernard.Gallagher@colliers.com
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This document has been prepared by

Curtis Bevern

5 June 2026

This document has been reviewed by

Renee Stavroulakis / Bernard Gallagher

5 June 2026

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Contents

1.0	Introduction	5
1.1	Applicant Details.....	5
1.2	Project Description.....	5
1.3	Site Overview	6
1.4	Background	8
2.0	Strategic Merit	9
2.1	Project Justification	9
2.2	Ministerial Planning Directions.....	12
2.3	Cumulative Impacts	12
3.0	The Proposal.....	13
3.1	Overview.....	13
3.2	Infrastructure.....	14
3.3	High Level Opportunities and Constraints Analysis.....	15
4.0	Statutory Context	16
4.1	State Environmental Planning Policy (Housing) 2021	17
4.2	Georges River Local Environmental Plan 2021	17
5.0	Community Engagement	20
5.1	Key Stakeholders.....	20
5.2	Proposed Community Consultation Actions.....	20
6.0	Proposed Assessment of Impacts	21
6.1	Matters Requiring Further Assessment in the Concurrent EIS and Rezoning Proposal.....	21
6.2	Matters not Requiring Further Assessment in EIS and Rezoning Proposal	23
7.0	Conclusion.....	23
	Attachment A – Scoping Summary Table	24

Figures

Figure 1 Site context6

Figure 2 Aerial image of the site7

Figure 3 NSW Housing Strategy Key Pillars9

Figure 4 Indicative ground plane concept plan 14

Tables

Table 1 Applicant details5

Table 2 Summary of alignment with key strategic plans9

Table 3 Relevant statutory requirements 16

Table 4 Assessment against the GRLEP 2021 17

Table 5 Matters not requiring further assessment in the EIS 23

Attachment

Attachment	Author
A. Scoping Summary Table	Colliers Urban Planning

1.0 Introduction

This Scoping Report has been prepared by Colliers Urban Planning on behalf of Charter Hall Pty Ltd (the Applicant) in support of a concurrent State Significant Development Application (SSDA) and rezoning proposal for the Concept Masterplan and Stage 1 Works for a mixed-use development on land at 4-16 Montgomery Street, Kogarah (the site). This report is to enable the preparation and issue of project-specific Secretary’s Environmental Assessment Requirements (SEARs) and rezoning study requirements.

On 29 August 2025, the Housing Delivery Authority (HDA) recommended for the proposed development (HDA EOI 268380) be declared State Significant Development (SSD) under section 4.36(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This proposal has therefore been declared SSD for the purposes of the EP&A Act and requires the issue of Project-Specific SEARs to enable its assessment.

This Scoping Report has been prepared with regard to section 3.33 of the EP&A Act and the NSW Department of Planning, Housing and Infrastructure’s (DPHI) *Local Environmental Plan Making Guideline*.

1.1 Applicant Details

The Applicant’s details are presented in **Table 1**.

Table 1 *Applicant details*

Applicant	Charter Hall Holdings Pty Ltd
Address:	Level 20, 1 Martin Place, Sydney NSW 2000
ABN:	15 051 363 547

1.2 Project Description

The project comprises a Concept Masterplan and the First Stage of works as part of the mixed-use precinct. Future stages will be lodged under future separate detailed applications, and will be consistent with the Concept Masterplan.

The proposal seeks to provide additional housing in a highly accessible location, noting that Kogarah Railway Station is located approximately 100m north west of the site. It will anchor a renewal of the precinct by replacing an aged commercial building with diverse, high-quality dwellings. The proposed rezoning and development are driven by the following principles:

- The site is a large landholding under single ownership within the Kogarah Town Centre, providing a rare opportunity to support the opportunity for well designed, high density transit-orientated development.
- Deliver high quality dwellings in proximity to key transport nodes, including Kogarah Railway Station, providing essential connectivity to Sydney CBD and broader employment areas.
- Supply increased housing stock, including affordable housing, within the context of Sydney’s housing crisis to alleviate housing stress and promote diverse housing typologies for a range of individuals and family structures.
- Provide high amenity public and private open space for residents and the broader community.
- Demonstrate that the site is capable of accommodating increased density and alternative land uses (including residential) to enable a vibrant and activated town centre.

1.3 Site Overview

1.3.1 Site location and context

The site is located immediately south-east of the Kogarah Railway Station, in the Kogarah Town Centre, which is situated in the northeastern part of the Georges River Local Government Area (LGA). It is approximately 14km south of the Sydney Central Business District (CBD), and approximately 4km northwest of the Strategic Centre of Hurstville. The site is also located nearby to several health and educational institutions including St George Public and Private Hospitals, TAFE NSW St George Campus and several high schools and primary schools.

The site's locational context is shown at **Figure 1**.

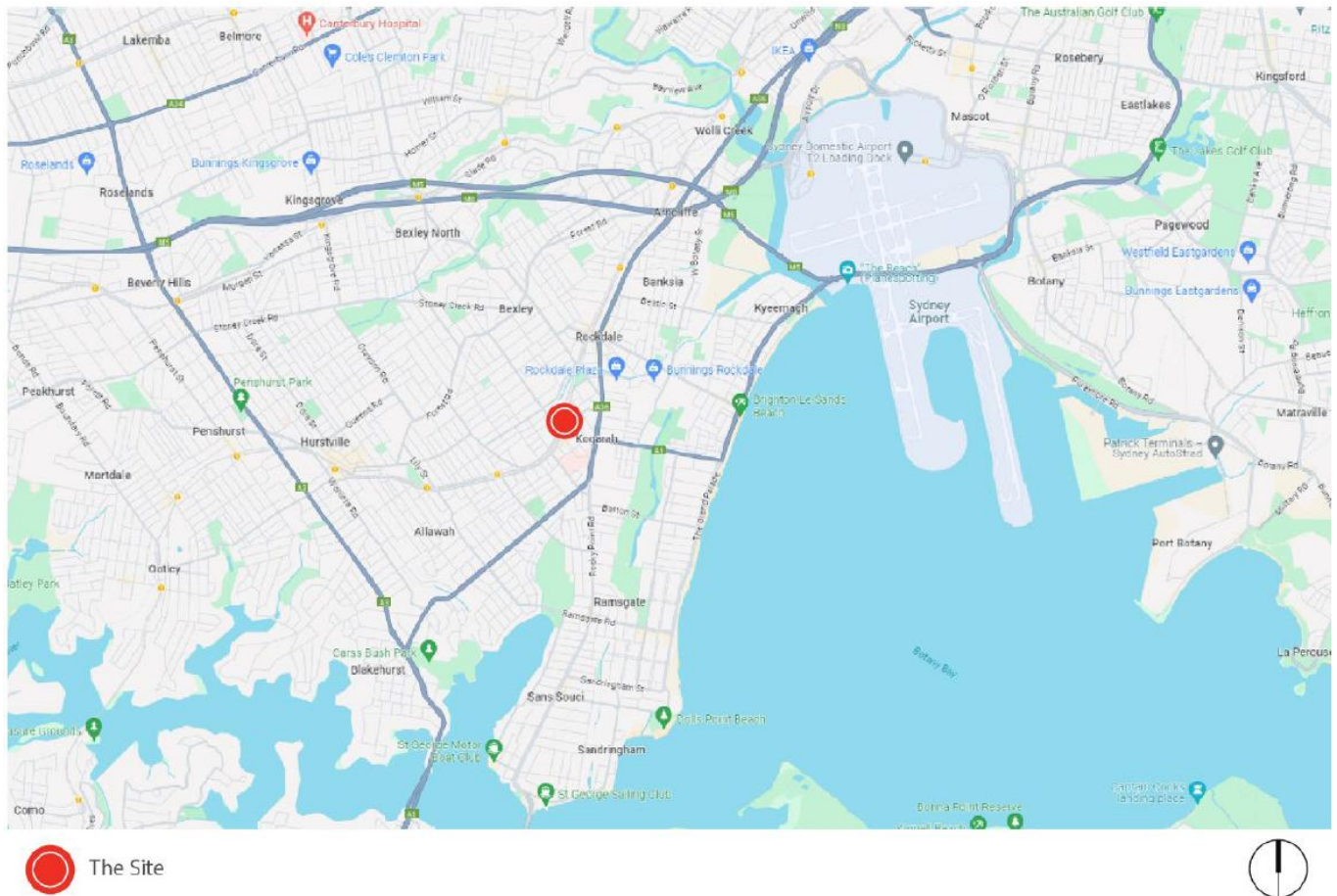


Figure 1 Site context

Source: Nearmap, edits by Colliers Urban Planning

1.3.2 Site description

The proposal applies to the site at 4-16 Montgomery Street, Kogarah, and is legally described as Lot 100 DP815025. The site is irregular in shape and comprises an area of 13,035m², which is shown in the aerial image provided at **Figure 2**. It has extensive frontages to Premier Street (211m), Post Office Lane (94.5m) and Montgomery Street (73.15m).

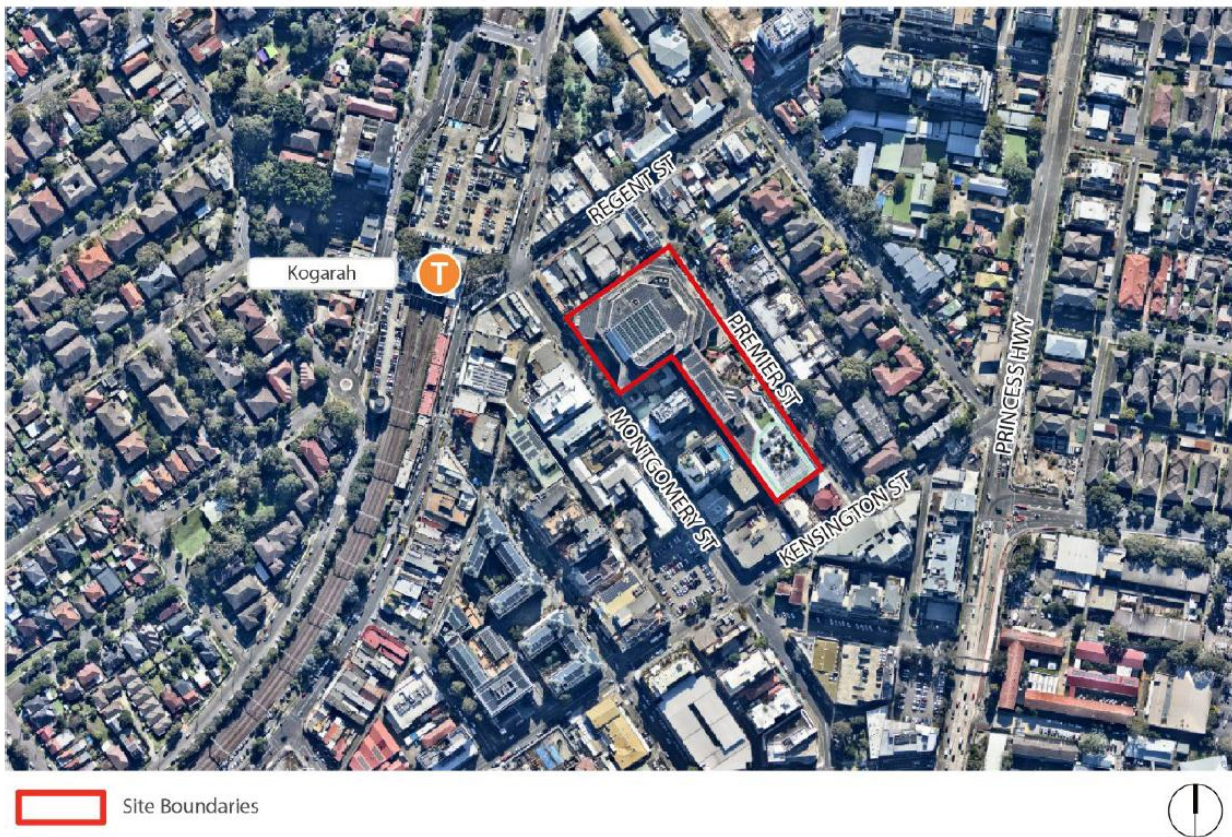


Figure 2 Aerial image of the site

Source: Nearmap, Colliers Urban Planning

1.3.3 Existing development

The site is a large landholding under single ownership within the Kogarah Town Centre. The site is primarily occupied by a large footprint commercial building comprising Westpac Banking Corporation as the existing anchor tenant, as well as the Kogarah Community Centre, and a range of other non-residential uses.

The site is afforded vehicle access from multiple locations, including three (3) loading docks located on Post Office Lane and Moorfield Lane, two (2) basement carpark entries, and one (1) lower ground carpark entry. Pedestrian access to the building is primarily provided on Montgomery Street and Premier Street.

1.3.4 Surrounding development

The site is located in the northeastern corner of the Georges River LGA, identified as a Health and Education Precinct by the Local Strategic Planning Statement. It is surrounded by medium-rise commercial and residential buildings, and is nearby public transport changeovers, education institutions, and health services. Specifically, the surrounding context includes the following:

- **North:** To the north of the site, opposite Post Office Lane, are low density commercial uses. Further north is Kogarah High School and St George Girls High School. To the site's north-northwest is Kogarah Town Centre Shopping Mall, the area's main existing commercial core.
- **South:** Adjoining the site to the south is a heritage item I177 "Former Sixth Church of Christ Scientist – Grace Chinese Church". Beyond this is a mix of medium-rise commercial and residential development. Of note, St George Hospital is located approximately 250m south of the site.
- **East:** Opposite Premier Street, the site is characterised by medium density residential uses ranging in age and height. Further west of the site is St Paul's Anglican Church and Kogarah Public School. Southeast of the site, opposite the Princes Highway, is the St George TAFE NSW Campus.
- **West:** Immediately west of the site is characterised by commercial and retail uses. The T4 heavy railway also extends in a north-south direction to the west of the site, with Kogarah Railway Station located approximately 100m northwest. Beyond the railway is a mix of residential uses including medium and low-density dwellings.

1.4 Background

Since September 2023, there has been ongoing engagement between the Applicant and officers at Council and DPHI for the proposed redevelopment and revitalisation of the site. These discussions occurred prior to the establishment and formalisation of the Housing Delivery Authority (HDA) in December 2024, and therefore a rezoning, by way of a Planning Proposal, was sought to enable the redevelopment of the site.

The site was nominated as an SSD on 8 September 2025 by the State Significant Development Declaration Order (No 13) 2025 for development specified in the HDA EOI application 268380 dated 4 June 2025. This was described as:

Development for the purpose of shop top housing with provision of affordable housing and publicly accessible open space

The HDA aims to address the current housing crisis and meeting Housing Accord targets by facilitating a new streamlined SSD pathway with a concurrent rezoning process. To facilitate the development, the following planning pathway is identified to be undertaken:

- An SSDA for a Concept Masterplan and Stage 1 Works on the site.
- A Concurrent Rezoning Proposal facilitating amendments to the *Georges River Local Environmental Plan 2021* (GRLEP 2021).

2.0 Strategic Merit

This section sets out the relevant strategic planning documentation that is relevant to the project justification and evaluation. It is noted that these matters will be investigated in more detail in the EIS.

2.1 Project Justification

As a major residential project, the proposed development demonstrates high strategic merit. The development is anticipated to deliver approximately 1,000 dwellings. Of this, 10% of the sellable residential gross floor area (GFA) is intended to be provided as affordable housing for 15 years. This provision of housing, particularly affordable housing, adjacent to a railway station and employment opportunities, strongly aligns with National and State housing strategies.

A summary of the key strategic plans that identify the strategic context of the project is provided in **Table 2**.

Table 2 Summary of alignment with key strategic plans

Strategic plan/strategy	Analysis
NSW Housing Strategy: Housing 2041	The NSW Housing Strategy supports the provision of new housing stock in NSW. Within the Strategy, residential flat buildings are identified as a housing typology to support the diversity and affordability of the rental market. Affordable housing provision will directly deliver this pillar. Housing supply relates to the delivery of housing in the right location at the right time. The proposal seeks increase housing supply in the right location (excellent access to the Kogarah Railway Station) and at the right time (delivery will be accelerated through the HDA process, in a direct response to the NSW housing crisis). Accordingly, the project has the capacity to support three of the four key pillars of the NSW housing system, demonstrated in Figure 3 below.



Figure 3 NSW Housing Strategy Key Pillars

Source: Housing 2041, NSW Government

National Housing Accord 2022	The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1.2 million houses in well-located areas in 5 years starting from July 2024. There is a combined Federal and State Government commitment to deliver up to 20,000 additional new, affordable dwellings. The Accord lays the groundwork to improving affordability by addressing Australia’s housing supply challenges and enabling the delivery of more social and affordable housing. The Housing Accord includes: • An initial, aspirational national target of delivering a total of 1.2 million new, well-located homes over 5 years from 2024. • Immediate and longer-term actions for all parties to support the delivery of more affordable homes. The proposed development is aligned with the National Housing Accord as it seeks to deliver additional housing, including a substantial contribution to the provision of affordable housing, in a well serviced location.
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NSW Housing Targets	The NSW Government has recently released 5 year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and 1 target for regional NSW. These targets replace outdated targets and reflect NSW's commitment to deliver 377,000 new homes across the state by 2029 under the National Housing Accord. A 5 year target of 6,500 new dwellings has been identified for the Georges River LGA. Acknowledging the commitment to quickly deliver as a part of the EOI process, this project will assist to deliver on this target by 2029. Solely, the project can indicatively deliver 15% of the total dwellings identified in the LGA's housing target.
Draft Sydney Plan	The draft Sydney Plan was introduced in December 2025 and intends to replace the Greater Sydney Region Plan – A Metropolis of Three Cities (2018) upon finalisation in later 2026. The plan sets out the State government's approach to Sydney's growth over the next 20 years, providing guidance for population growth, housing, employment and services. The plan highlights seven key priorities to support a changing Sydney, as outlined below: • Aboriginal outcomes – promoting self-determination and improving social, economic, cultural and environmental outcomes. • Housed – managing affordability and increasing housing stock in well-located areas. • Prosperous – providing jobs where they are needed and supporting diverse employment. • Connected – enabling compact and walkable urban form through well located amenity and high-quality transport. • Resilient – retention and improvement of natural assets and promoting resilience and sustainability. • Liveable – facilitating diverse and vibrant communities with access to amenity and services. • Coordinated – implementing infrastructure where it is needed.
Greater Sydney Region Plan – A Metropolis of Three Cities	The Greater Sydney Region Plan establishes a 40-year vision to 2056 for Greater Sydney to be a metropolis of three cities, enabling most people in Greater Sydney to get to their nearest strategic centre within 30 minutes by public transport. The Region Plan is supported by five district plans that guide the implementation of the Regional Plan at a district level and act as a bridge between regional and local planning. The site is located within the South District and is included in the South District Plan.
South District Plan	The South District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney, with a focus on the South District. The plan intends to act as a bridging document between regional and local planning to ensure sustainable growth and beneficial place-based outcomes for the Georges River. The strategic intent of the District plan is to provide for services, shops, cultural infrastructure, education and transport within close reach of residents. Kogarah is identified as a Health and Education Precinct within the Plan. To enable the sustainable growth of Kogarah, relevant priorities will be targeted. These include: • Planning Priority S1: Planning for a city supported by infrastructure • Planning Priority S3: Providing services and social infrastructure to meet people's changing needs • Planning Priority S4: Fostering healthy, creative, culturally rich and socially connected communities • Planning Priority S5: Providing housing supply, choice and affordability with access to jobs, services and public transport • Planning Priority S6: Creating and renewing great places and local centres, and respecting the District's heritage • Planning Priority S12: Delivering integrated land use and transport planning and a 30-minute city
Future Transport Strategy	The Future Transport Strategy 2056 sets the vision and direction for NSW transport investment by providing a comprehensive plan that emphasises the creation of connected 30-minute cities and convenient 15-minute neighbourhoods. It includes a movement and place framework to ensure that transport supports the character of the place and community. The key guiding principles for future transport relevant to the site include: • Successful places: The liveability, amenity and economic success of communities and places should be enhanced by transport. • Accessible services: Transport should enable everyone to get the most out of life, wherever they live and wherever they age, ability or personal circumstances.

Georges River Local Strategic Planning Statement	The Georges River Local Strategic Planning Statement (LSPS) gives effect to the South District Plan, implementing priorities and actions at a local level. The LSPS outlines a high level land use vision to connect and strengthen neighbourhoods and centres. The LSPS identifies the ongoing trend of growth supported by green open space, social and physical infrastructure, as well as the role of centres in employment and housing growth. The LSPS emphasises the importance of good transport connections to employment centres in the context of 73.7% of residents travelling to work outside the LGA. The proposal will respond to the following Planning Priorities: • Planning Priority 8 – Place-based development, quality building design and public art deliver liveable places. • Planning Priority 9 – A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes. • Planning Priority 10 – Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces. • Planning Priority 14 – Hurstville, Beverly Hills and Kogarah are supported to grow safe night-time entertainment, dining and other recreational opportunities. • Planning Priority 17 – Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted. • Planning Priority 19 – Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places.
Georges River Local Housing Strategy	The Georges River <i>Local Housing Strategy</i> (LHS) guides the quantity, location, and type of future residential development within the Georges River LGA. The LHS estimates 185,000 dwellings in total in the LGA by the year 2036, representing growth of approximately 29,000 new dwellings from 2017 to 2036. The vision of the LHS indicates that additional housing will contribute towards meeting the needs of Sydney's growing population, with corresponding upgrades in infrastructure to support this additional activity. This includes provision of new and upgraded social infrastructure as part of centres, improved walking and cycling facilities as well as open space and parkland. A key priority of the LHS is relying on large-scale urban renewal to deliver high density housing in the form of apartments as outlined under State Government plans. In alignment with the above strategies to prioritise housing, the Georges River LHS has identified a shortfall in appropriate housing options that the proposal directly responds to and addresses. Specifically, the strategy has envisioned a mix of high-quality housing types to be provided, with densities concentrated in central locations, such as the Kogarah Town Centre. A key finding of the strategy was the need to make use of the urban renewal precincts available and identify whether other opportunities may be available around stations for residential development. A key action is to investigate the role of commercial centres in providing additional housing. The proposal aligns with the LHS as: • It responds to the critical need for additional housing supply within the LGA. • It responds to the prioritisation of large-scale urban renewal as a means of accommodating new housing. • It aligns with the vision for Kogarah as a major development area. • It includes a public benefit in the form of a new town square.
Collaboration Area – Kogarah Place Strategy	The Kogarah Place Strategy (Place Strategy) provides a long-term vision and framework to support coordinated employment and housing growth in Kogarah in response to economic and demographic shifts, investment in health and education, and industrial and technological advancements. The Place Strategy identifies Montgomery Street as the <i>“flagship street for the area and will be a major mixed use and active street, with retail, commercial and medical/civic uses with active frontages along its length”</i>. As such, the Planning Proposal will provide a diversity of housing in addition to commercial and retail uses to meet the desired character of Montgomery Street. The Collaboration Area's population is also anticipated to grow to 92,644 residents by 2036, which is an increase of 24,757 residents. Rental stress and lack of affordable housing has been identified as an issue for very low-income households and residents., with job targets further prompting a need for housing for key workers. As such, the SSDA and concurrent rezoning provides an opportunity to deliver diverse housing to equitably support density growth. The proposal will meet the following Planning Priorities:

-
- **Planning Priority 2** – Provide integrated and connected movement options that balance movement and place.
 - **Planning Priority 4** – Plan for housing and accommodation for residents, workers and visitors to support economic activity.
 - **Planning Priority 5** – Encourage a flourishing culture and night-time economy.
 - **Planning Priority 6** – Create high quality public spaces and facilities that focus on wellness.
 - **Planning Priority 9** – Mitigate and adapt to the impacts of climate change through urban greening initiatives.
 - **Planning Priority 11** – Protect and enhance the natural environment, increase the quantity, access to and quality of open space and enhance the urban tree canopy.
-

2.2 Ministerial Planning Directions

The proposal will be required to address the applicable Ministerial Directions. The following points provide a summary response indicating how the proposal will address the relevant Ministerial Directions:

- **Direction 1.4** (Site Specific Provisions) – the proposal will not create unnecessarily restrictive or complicated planning controls.
- **Direction 4.4** (Remediation of Contaminated Land) – the proposal will undertake and provide the necessary investigations to demonstrate the site, if contaminated, will be made suitable through remediation works (as necessary) for its intended use.
- **Direction 5.1** (Integrating Land Use and Transport) – the proposal improves access to housing and jobs by walking, cycling and transport, by taking into consideration the proximity of the site to existing transport networks, including Kogarah Railway Station and local bus stops.
- **Direction 6.1** (Residential Zones) – the proposal provides for a diversity of housing types and makes efficient use of existing infrastructure by increasing density at a suitable location, where it can be accommodated without any significant environmental impact.

Direction 7.1 (Employment Zones) – the proposed development intends to retain the MU1 Mixed Use zoning. The Rezoning Proposal and development will retain a portion of employment land on the site through the retention of 0.5:1 FSR as non-residential uses (including employment).

Preliminary economic investigations have been undertaken to assess the viability of a range of non-residential uses on the site, identifying potential demand for uses such as a supermarket, retail and other shopfront uses. However, the quantum of non-residential GFA required under the planning controls has been determined to be unviable for the site, indicating that extensive non-residential floor space cannot be supported by the market. A comprehensive Economic Study will be prepared to justify the proposed land use mix and give consideration to the objective of this direction.

2.3 Cumulative Impacts

In accordance with the *Cumulative Impact Assessment Guidelines for State Significant Projects* document dated October 2022 by the DPHI, cumulative impacts can be caused by the compounding effects of multiple projects in the area.

It is acknowledged that the following SSD projects are situated near the proposed development site:

- 2-4 Victoria Street, Kogarah – 24 storey residential flat building located 250m to the northeast.
- 36-38 Gladstone Street & 59-69 Princes Highway – 26 storey mixed use development located 200m to the east.

It is noted that these projects are not yet determined as of May 2026.

3.0 The Proposal

As detailed above, the project comprises a concurrent Rezoning Proposal and SSDA. The Rezoning Proposal seeks to amend the planning controls under the GRLEP 2021 to facilitate the delivery of the proposed development sought under the SSDA. The following sections outline the details of each planning component.

3.1 Overview

The proposal includes the redevelopment of a high-quality, transit oriented, mixed-use precinct that leverages Kogarah's connectivity and proximity to key services and infrastructure. The complete works for the site will comprise:

- A Concept Masterplan to establish parameters for future detailed works.
- A Stage 1 Detailed SSDA to enable the delivery of the first stage of project.
- Future detailed SSDAs to realise the remaining works in a staged sequence.

The proposal seeks to enable approximately 106,500m² of residential gross floor area (GFA) and 6,500m² of non-residential GFA, establishing a new town square that supports a range of employment generating uses, housing and public open space. This will be facilitated by a rezoning proposal.

For the avoidance of doubt, **this SEARs request relates to the Concept Masterplan and Stage 1 Works only**. Works relating to later stages of the development will be subject to future, separate detailed SSDAs.

3.1.1 Rezoning Proposal

The principal environmental planning instrument that applies to the site is the GRLEP 2021, which currently zones the site as MU1 Mixed Use and prescribes a maximum FSR of 4.5:1 and maximum height of building at 39m.

To facilitate the proposed development, a rezoning proposal will be prepared and will seek the following amendments to the GRLEP 2021:

- Amend the Height of Buildings Map (clause 4.3).
- Amend the Floor Space Ratio Map (clause 4.4).
- Amend the Floor Space Ratio Map for non-residential uses (clause 4.4B).
- Introduce an Additional Permitted Use (APU) to enable residential flat buildings (RFBs).

3.1.2 Proposed development

The proposed planning amendments outlined above will facilitate the following development, which will form part of a concurrent Rezoning Report and SSDA (Concept Masterplan and Stage 1).

Specifically, the SSDA will seek consent for:

- **Concept Masterplan** for the staged development of the site, including:
 - A mixed use development for residential and non-residential uses.
 - Maximum building heights, ranging from 23 to 29 storeys, and GFA for each development block.
 - Public domain landscape concept, including parks and pedestrian connections.
 - Vehicular and intersection upgrades.
- **Stage 1 Works** to deliver the works within Stage 1 of the Concept Masterplan, including:
 - Site preparation works including demolition, remediation, and enabling works.
 - Construction of a 23 storey residential flat building comprising:
 - 4 storeys of above ground carparking contained wholly within the podium of the building.
 - Potential childcare centre on the ground floor.
 - Residential (Levels 3 – 23), comprising up to 250 units, subject to further design testing.
 - Associated landscaping, communal and private open spaces.
 - Utility and stormwater augmentation and connections.

An indicative ground plane concept has been prepared by StudioSC and provided at **Figure 4**.



Figure 4 *Indicative ground plane concept plan*

Source: StudioSC

3.1.3 Staging

The Concept Masterplan is proposed to be delivered in stages, commensurate with projects of this scale. Works for the Stage 1 will commence within two years of approval, with the delivery of the subsequent stages to be driven by market demand, as well as the ongoing operation of the existing tenants on the site. Investigations have been carried out to ensure the staging gives consideration to the existing building and services infrastructure. A detailed Staging Plan, including indicative timeframes for each stage, will be prepared and addressed as part of the EIS.

To acknowledge the differing levels of detail required between the Concept Masterplan and Stage 1 application, it is requested that the SEARs be structured commensurate with the intended level of analysis and detail required for submission.

3.2 Infrastructure

The SSDA will include an assessment of the capacity of existing utilities to support additional residential development on the site and will recommend any necessary upgrades. Given the nature of the site, and its location within an urban context, it is expected that the site can be adequately serviced by the existing infrastructure currently available to the site. It is expected that standard augmentation will occur.

3.3 High Level Opportunities and Constraints Analysis

Opportunities

- The site is a large landholding under single ownership within the Kogarah Town Centre. The site will be significantly underutilised given Westpac's intent to vacate the 31,389m² of NLA currently occupied, and does not integrate in a positive manner to its unique setting due to its large commercial format/design. Therefore, the site is likely to become further underutilised given the very limited appeal for this size and type of office building in this location and the expected, subdued nature of the office market for the longer term in a post Covid environment.
- The existing built form on the site does not integrate in a positive manner to its setting given its large commercial floorplate, siting and minimal street activation. It also cannot be readily adapted for alternative uses, due to its design and economic constraints.
- Establishment of a core for the Kogarah Town Centre through the definition of a central zone that strategically locates height and density.
- Increased height and density will result in a substantial community benefit and new public domain.
- The Kogarah Town Centre is organised around a grid system, which can be integrated as part of the fabric and approach for the site.
- The site's redevelopment can be serviced by utilities and infrastructure to support a higher density, development including residential, and employment uses.
- Utilisation of the site's location within immediate proximity of Kogarah railway station which provides access to strategic employment centres.

Constraints

- Managing potential impacts on surrounding residential development.
- Adjacent heritage items will need to be sensitively considered.
- The site is not currently well connected to open space or surrounding sites.
- Situated in a vehicle dominated area with constrained access to the site by private vehicle.
- Preservation of street trees where possible on site to preserve and increase canopy cover.

4.0 Statutory Context

A summary of the relevant statutory requirements for the project are identified in **Table 3** below.

Table 3 *Relevant statutory requirements*

Matter	Consideration
Power to grant consent	Development consent will be sought under 'Division 4.7 State Significant Development' of the EP&A Act. Section 4.36(3) of the EP&A Act states that: <i>(3) The Minister may, by a Ministerial planning order, declare specified development on specified land to be state significant development, but only if the Minister has obtained and made publicly available advice from the Independent Planning Commission about the State or regional planning significance of the development.</i> The HDA Order establishes that the HDA as a panel under Section 2.3(2) of the EP&A Act in which they have the delegated authority from the Independent Planning Commission (IPC) to recommend the declaration of projects which meet the specific requirements for the HDA assessment pathway as SSD. On 29 August 2025, the HDA recommended for the proposed development be declared SSD under section 4.36(3) of the EP&A Act. This proposal is therefore declared SSD for the purposes of the EP&A Act. Section 4.5 of the EP&A Act and Section 2.7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> stipulate that the consent authority is the Minister for Planning and Public Spaces (or the HDA as their delegate) unless the development triggers the matter set out in Section 2.7(1), in which case, the consent authority will be the IPC.
Permissibility	The proposed development will likely constitute the following uses as defined under the Standard Instrument: • Residential flat building. • Shop top housing, • Commercial premises. The site is zoned MU1 Mixed Use under the GRLEP 2021. Residential flat buildings are prohibited under the MU1 Mixed Use zone. The HDA application includes the concurrent rezoning of the site under Division 3.4 of the EP&A Act, which seeks to add residential flat buildings as an additional permitted use. Commercial premises are permitted with consent under the MU1 Mixed Use zone.
Other approvals	Approvals not required for SSD, otherwise required • Fisheries Management Act 1994 – No • Heritage Act 1977 – No • National Parks and Wildlife Act 1974 – No • Rural Fires Act 1997 – No • Water Management Act 2000 – No Consistent Approvals • Nil EPBC Act Approval • The Project is not likely to impact a matter of National Environmental Significance. Therefore, the Project is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies.
Pre-conditions to exercise the power to grant consent	The following sections of the relevant legislation are expected to be relevant to the assessment of the EIS: • <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> – Chapter 4 • <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> – Chapter 2 • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> – Section 2.48, Section 2.100, Section 2.120, Section 2.122
Mandatory matters for consideration	The following sections of the relevant legislation are expected to be relevant to the assessment of the EIS:

- *Environmental Planning & Assessment Act 1979* – section 1.3, section 4.15
- *Biodiversity Conservation Act 2016* – section 7.9
- *State Environmental Planning Policy (Housing) 2021* – Chapter 2, Chapter 4
- *State Environmental Planning Policy (Planning Systems) 2021* – Chapter 2, Part 2.2
- *State Environmental Planning Policy (Sustainable Buildings) 2022* – Chapter 2, clause 2.1
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* – Chapter 6

4.1 State Environmental Planning Policy (Housing) 2021

4.1.1 Apartment Design Guide

It is noted that the requirements of the Apartment Design Guide (ADG) must be considered in the design of residential apartment development, as per Chapter 4 of the Housing SEPP. The proposed development is capable of achieving compliance for future residents, and will be designed in accordance with the standards relating to the following matters:

- Visual privacy,
- Solar and daylight access,
- Common circulation and spaces,
- Apartment size and layout,
- Ceiling heights,
- Private open space and balconies,
- Natural ventilation, and
- Storage.

Specifically, the requirements of the ADG will be detailed in a schedule provided by StudioSC, and it is noted that the proposed development is capable of demonstrating compliance with these provisions.

4.2 Georges River Local Environmental Plan 2021

A preliminary assessment of consistency with the GRLEP 2021 is provided in **Table 4**.

Table 4 *Assessment against the GRLEP 2021*

Clause	Provision / standard	Comment
Clause 2.1 Land use zones	MU1 Mixed Use	The concurrent rezoning proposal seeks to include residential flat buildings as permissible on the site in this zone.
Clause 4.3 Height of buildings	39m	The rezoning proposal seeks to amend the maximum height to enable a maximum of 29 storeys in height.
Clause 4.4 Floor space ratio	4.5:1	The rezoning proposal seeks to amend the FSR of the site to 8.77:1.
Clause 4.4B Exceptions to floor space ratio – non-residential uses	Development consent must not be granted for development on the land identified as Area 4 unless the non-residential FSR is at least 1:1.	The proposal seeks to provide 0.5:1 of its FSR as non-residential uses.
Clause 5.10 Heritage conservation	(2) Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object,	The site is not identified as a heritage items or within a heritage conservation area. However, the site is adjacent to local heritage items as follows: • Item 177 – Former Sixth Church of Christ Scientist – Grace Chinese Church • Item 191 – Terraces, “Burn Brae” • Item 190 – House and garden, “Stanmer” • Item 189 – Terraces

	(iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,	- Item 202 – Shops - Item 179 – Terraces, “Leah Buildings” The development of the site is not expected to undermine the heritage values of the adjoining items nor surrounding items. This will be further assessed in the rezoning proposal and SSDA.
Clause 6.1 Acid sulfate soils	N/A	The site is not located on land identified as acid sulfate soils.
Clause 6.7 Airspace operations	Development consent must not be granted to development to which this clause applies unless— (a) the consent authority has consulted the relevant Commonwealth body, and (b) the relevant Commonwealth body advises the consent authority that— (i) the development will penetrate the Limitations or Operations Surface but it does not object to the development, or (ii) the development will not penetrate the Limitations or Operations Surface.	The Rezoning Proposal seeks to increase the maximum building height to 29 storeys, which is below the PANS-OPS affectation. It is understood that DPHI may consult with the relevant Commonwealth body during the assessment of the Rezoning Proposal/SSDA.
Clause 6.8 Development in areas subject to aircraft noise	N/A	The site is not located within ANEF contours.
Clause 6.9 Essential services	Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the supply of telecommunications facilities, (d) the disposal and management of sewage, (e) stormwater drainage or on-site conservation, (f) suitable vehicular access.	Standard services augmentation would occur on the site. Given the site is located in an existing urban environment, it is considered capable of being serviced by the relevant essential services.
Clause 6.10 Design excellence	Land in MU1 Mixed Use zones greater than 3 storeys (or 12m) in height above existing ground level, not including below level grounds or levels that are less than 1.2m above ground level that provide for car parking must exhibit design excellence, taking into account a range of design considerations/matters.	The development will exhibit design excellence in accordance with Clause 6.10 and consider the relevant matters including design, materials, form, amenity, views, etc.
Clause 6.11 Environmental sustainability	Land in MU1 Mixed Use zones that include the erection of a new building that is 1,500sqm in GFA or greater must consider a range of environmental sustainability matters in its design.	The proposal is capable of demonstrating environmental sustainability.
Clause 6.13 Development in Zones E1, E2 and MU1	(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied the development will not cause a part of the ground floor of a building that is facing a street to be used for the purposes of residential accommodation or tourist and visitor accommodation. (4) Subclause (3) does not apply to a part of a building that is used for the following purposes—	The ground levels of the proposal will be used for the purposes of residential accommodation in appropriate spaces. Under the proposed amendments to the GRLEP 2021, the operation of this clause will be restricted.

-
- (a) entrances and lobbies, including as part of a mixed use development,
 - (b) access for fire services,
 - (c) essential services.
 - (6) In this clause—

essential services means the following—

- (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the supply of telecommunications facilities,
 - (d) the disposal and management of sewage,
 - (e) stormwater drainage or on-site conservation,
 - (f) suitable vehicular access.
-

5.0 Community Engagement

This section describes the proposed community engagement strategy to be undertaken during the preparation of the EIS. The Applicant's approach to community engagement is informed by DPHI's Undertaking Engagement Guidelines for State Significant Development (2021). This includes adopting the following community participation objectives provided in the Guideline:

"Engagement is to be:

- open and inclusive,
- easy to access,
- relevant,
- timely, and
- meaningful."

5.1 Key Stakeholders

The Applicant will be undertaking pre-lodgement consultation with Council and DPHI. A Community Engagement Strategy will be prepared for the project, and likely identify the key stakeholders for this project as follows:

- Local community, including:
 - Adjacent and surrounding landowners.
 - Immediate and wider neighbours.
- Georges River Council and Elected Officials.
- Government agencies, including:
 - DPHI.
 - Transport for NSW.
 - Service providers such as Ausgrid and Sydney Water.
 - Civil Aviation Safety Authority and Sydney Airport.

5.2 Proposed Community Consultation Actions

Engagement will be undertaken to inform the preparation of the EIS. Details of issues raised in the consultation process and how these have been responded to will be documented in the Consultation Outcomes Report, which will accompany the EIS.

The Consultation Outcomes Report will also include details of strategies to monitor, review and adapt engagement methodologies over the course of the project. This engagement will be complementary to and independent of Department-led consultation during their assessment of the SSDA.

6.0 Proposed Assessment of Impacts

This section provides a high level assessment of impacts anticipated to be associated within the proposal, the key matters requiring further assessment in the Rezoning Proposal and/or the EIS, and the proposed approach to assessing each of the matters. The purpose of considering these factors at this stage is to inform the preparation of any additional assessment requirements.

Refer to the Scoping Summary Table at **Attachment A**.

6.1 Matters Requiring Further Assessment in the Concurrent EIS and Rezoning Proposal

The following section provides a comprehensive description of the relevant matters and impacts which will be addressed in detail within the EIS and/or rezoning report. It outlines the matters and impacts of particular concern to the community and other stakeholders.

6.1.1 Built form and urban design

The EIS will include a design report and ADG assessment that outlines how the proposal will deliver an exemplary built form outcome that responds to the site, the public domain, and its surroundings in a manner that ensures high quality residential amenity for future occupants. This will include site-specific consideration for height, bulk and scale. The development will also demonstrate design excellence in accordance with the GRLEP 2021.

The potential off-site impacts of the proposal resulting from the built form will be comprehensively considered and assessed in detail in the EIS.

6.1.2 Affordable housing

The project proposes to provide a 10% of the sellable residential GFA as affordable housing for 15 years. The specific allocation of apartments designated for affordable housing and the related management measures is subject to ongoing design development and engagement with potential future operators (Community Housing Providers (CHPs)).

6.1.3 Height, bulk and scale

Site-specific consideration will be given to the building height proposed for the site and its relationship to surrounding development.

The EIS will demonstrate the capability to deliver a high-quality built form outcome for the site. The Design Report that will accompany the EIS will include documentation that will consider potential impacts that include (but are not limited to) massing and scale, streetscape amenity, setbacks and building separation, active frontages, landscape, the strategic positioning of the site, and relationship with adjacent heritage items/conservation areas.

6.1.4 Overshadowing

The Design Report supporting the EIS will assess the overshadowing impact of the proposal. It will demonstrate through the indicative concept design that the proposed LEP amendments are capable of facilitating a built form that does not generate unreasonable overshadowing onto adjacent properties.

6.1.5 Traffic and transport

The proposed development will be required to consider the relationship between the proposed development and the surrounding transport infrastructure. Specifically, the site's location immediately adjacent to a heavy rail stop will be considered, as well as its location near the Princes Highway and President Avenue.

The EIS will be informed by a Transport Impact Assessment which will be carried out to demonstrate both construction and operational traffic on the existing and future road network, as well as the functionality of the site and the surrounding development.

6.1.6 Noise and vibration

A Noise and Vibration Assessment will be prepared to assess the main noise and vibration generating sources during construction and their impacts upon any sensitive noise receivers, particularly adjacent and nearby residential receivers.

The site is located approximately 4km from Sydney International Airport and is located outside of the Sydney Airport ANEF zones. The assessment will evaluate and outline measures to minimise the potential noise impacts from the adjacent heavy rail infrastructure, specifically the T4 Line, which will require further consideration in terms of potential noise and vibration impacts. Attenuation measures will be investigated to ensure the appropriate mitigation of such impacts. Additionally, the assessment will consider operational noise impacts from the proposed non-residential uses and recommend measures to minimise impacts on the proposed residential dwellings and surrounding residential developments.

6.1.7 Non-Indigenous heritage

The proposal will be visible from adjacent local heritage items. Future development will be required to be further considered and assessed as a part of the EIS in a Heritage Impact Statement.

6.1.8 Residential amenity

The EIS will demonstrate through the indicative concept design that the residential apartments will provide a high degree of residential amenity. Further, the EIS will demonstrate that by virtue of the proposed LEP amendments, the proposal will be capable of compliance with Chapter 4 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and its accompanying Apartment Design Guide.

A high degree of residential amenity for surrounding residential properties will be a driving principle for the proposal. Solar access, visual privacy, and view sharing for surrounding properties will be documented as a part of the Design Report supporting the EIS.

6.1.9 Other matters

The following matters will be addressed by project-specific SEARs requirements:

- Public open space and public domain.
- View and visual impact.
- Wind impacts.
- Geotechnical and structural.
- Ground conditions and contamination.
- Archaeology and Aboriginal Cultural Heritage.
- Waste management.
- Aviation.
- Commercial and employment potential.
- Social and community impacts.
- Estimated development cost.
- Consultation Outcomes Report.
- Survey plan.
- Architectural drawings, Design Report, Schedule of Colours, Materials and Finishes, Design Verification Statement, Shadow Diagrams, Chapter 4 Housing SEPP Assessment (ADG).
- Landscape plan.
- Arboricultural impact assessment – which will assess impacts upon street trees adjacent to the site.
- Integrated water management plan.
- ESD report.
- BASIX certificate.

6.2 Matters not Requiring Further Assessment in EIS and Rezoning Proposal

This section outlines the matters that are not relevant and/or do not require further assessment. It is noted that the final deliverables will be confirmed pending the outcome of on-site investigations.

An assessment of the matters not requiring further assessment in the EIS is provided in **Table 5**.

Table 5 *Matters not requiring further assessment in the EIS*

Matter	Assessment	Anticipated deliverable/s
Bushfire risk	The site is not affected by bushfire prone land.	N/A
Biodiversity	The site is not identified on the state's Biodiversity Values Map nor is there any listing of biodiversity maps in the SEPP.	BDAR Waiver
Hazard analysis	From a preliminary analysis, it appears that the development is not affected by above ground dangerous goods storages from surrounding developments nor are there underground high-pressure dangerous goods pipelines in the vicinity of the site.	N/A
Flood	The site is not located on land in a flood planning area as defined in the NSW Government's Flood Risk Management Manual.	N/A

7.0 Conclusion

This Scoping Report has been prepared by Colliers Urban Planning on behalf of Charter Hall Pty Ltd in support of the proposed development located at 4-16 Montgomery Street, Kogarah. It seeks to inform the DPHI to enable the preparation of project-specific SEARs to enable the preparation of an EIS and concurrent rezoning report that will accompany a SSDA. It has outlined preliminary information regarding the project including the site, the proposed development, the relevant strategic and statutory context and planned stakeholder engagement. The scoping of the proposed assessment of impacts within the EIS for the proposal will enable the DPHI with input from other government agencies to prepare and issue project-specific SEARs for the project.

Attachment A – Scoping Summary Table

Scoping Summary Table – 4-16 Montgomery Street, Kogarah

Level of assessment	Matter	Cumulative impact assessment	Engagement	Relevant government plans, policies, and guidelines	Scoping report reference
Detailed	Built form and urban design	No	General	- GANSW's Better Placed - NSW State Design Review Panel Guidelines - Georges River Local Environmental Plan 2021 - State Environmental Planning Policy (Housing) 2021	6.1.1
Detailed	Affordable housing	No	General	State Environmental Planning Policy (Housing) 2021	6.1.2
Detailed	Environmental amenity	No	General	- Apartment Design Guide - State Environmental Planning Policy (Housing) 2021	6.1.3 6.1.4 6.1.8
Detailed	Traffic and transport	Yes	Specific	- Guide to Traffic Management – Part 3 Traffic Studies and Analysis (Austroads, 2013) - NSW Bicycle Guidelines (RTA, 2003) - Guide to Traffic Generating Developments Version 2.2 (RTA, 2002) - State Environmental Planning Policy (Transport and Infrastructure) 2021 - Relevant Australian standards	6.1.5
Detailed	Noise and vibration	No	Specific	- Development Near Rail Corridors and Busy Roads – Interim Guideline (NSW Department of Planning, 2008) - Construction Noise Strategy (Transport for NSW, 2012) - Interim Construction Noise Guideline (Department of Environment, Climate Change and Water, 2009) NSW Noise Policy (Environment Protection Authority, 2000) - NSW Road Noise Policy (Environment Protection Authority, 2011) - Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006)	6.1.6

Level of assessment	Matter	Cumulative impact assessment	Engagement	Relevant government plans, policies, and guidelines	Scoping report reference
				- German Standard DIN 4150-3: Structural Vibration – Effects of Vibration on Structures - Environmental Noise Management Assessing Vibration: A technical Guideline (Department of Environment and Conservation, 2006)	
Detailed	Flood risk and water management	Yes	Specific	- Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 20040 and Volume 2 (A. Installation of Services; B. Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DECC 2008) - NSW Government's Flood Risk Management Manual (2023)	6.2
Standard	Ground conditions	No	Specific	- Soil Conservation Act 1938 - Acid Sulfate Soils Manual	6.1.9
Standard	Non-indigenous heritage	No	Specific	- Heritage Act 1977 - Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter 2013	6.1.7
Standard	Indigenous heritage	No	Specific	- National Parks and Wildlife Act 1974 - Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011 - Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 - Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010 - GANSW Designing with Country Framework - GANSW Connecting with Country Guidelines	6.1.9
Standard	Contamination	No	Specific	- Protection of the Environment Operations Act 1997 - Contamination Land Management Act 1997 - Managing Land Contamination: Planning Guidelines (SEPP 55) - Guidelines on the Duty to Report Land Contamination - State Environmental Planning Policy (Resilience and Hazards) 2021	6.1.9

Level of assessment	Matter	Cumulative impact assessment	Engagement	Relevant government plans, policies, and guidelines	Scoping report reference
				National Environment Protection (assessment of site contamination) Measure	
Standard	Waste management	No	General	- Protection of the Environment Operations Act 1997 - Waste Avoidance and Resource Recovery Act - NSW Waste and Sustainable Materials Strategy 2041 - Waste Classification Guidelines - Australia's Circular Economy Framework (Department of Climate Change, Energy, the Environment and Water 2024) - National Waste Policy (Australian Government 2018)	6.1.9
Standard	Community	No	General	Social Impact Assessment Guidelines for State Significant Projects (Department of Planning Industry and Environment, 2021)	6.1.9
Standard	Design excellence	No	General	Georges River Local Environmental Plan 2021	6.1.1
Standard	Visual impact	No	General	- Rose Bay Marina Pty Limited v Woollahra Municipal Council and anor [2013] NSWLEC 1046 - Tenacity Consulting v Warringah SC [2004] NSWLEC 140 - Guidelines for Landscape and Visual Impact Assessment – Third Edition (GLVIA3)	6.1.9
Standard	Aviation	No	Specific	Obstacle Limitation Surface	6.1.9
Standard	Commercial and employment potential	No	General	Planning Circular PS 21-020: Calculation of Capital Investment Value.	6.1.9