

20 December 2024

2240297

Kiersten Fishburn  
Secretary  
NSW Department of Planning, Housing and Infrastructure  
420 Pitt Street,  
Sydney NSW 2000

Dear Kiersten,

**Re: REQUEST FOR INDUSTRY SPECIFIC SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

This letter provides details to enable the Department of Planning Housing and Infrastructure (DPHI) to issue **Industry Specific SEARs (identified sites)**.

*Industry Specific SEARs only apply to State Significant Development (SSD) applications other than those that:*

- *Would be designated development but for the Act, section 4.10(2), or*
- *Are partly prohibited by an environmental planning instrument (EPIs), or*
- *Are wholly prohibited by an EPI, to the extent permitted by the Act. Section 4.38(5), or*
- *Are a concept development application for SSD.*

Industry Specific SEARs qualification	Yes/No
<b>Is the project?</b>	
Designated development but for the Act, section 4.10(2)	No
Partly prohibited by an environmental planning instrument (EPI)	No
Wholly prohibited by an EPI, to the extent permitted by the Act, section 4.35(5)	No
A concept development application for state significant development	No

## Project Details

Applicant Cedar Pacific Holding Pty Ltd

Land uses Residential accommodation (co-living housing) and ground floor retail

Land ownership Discovery Point Pty Ltd

Site location The site is located within Discovery Point in Wollri Creek, approximately 8km south-west of the Sydney Central Business District within the Bayside Local Government Area (LGA). The site is referred to as Building 14 within the context of the Part 3A Discovery Point Concept Plan MP10\_0030. The site is legally described as comprising part of Lot 605 in DP 1192906.



 Site Boundaries

## Context

- The site is currently vacant on the western and eastern ends, with the middle portion of the site used as access from Discovery Point Place to the Wollri Street Train Station. The site is devoid of any significant vegetation.
- There is significant level difference of 2m and 6.9m between the existing ground level of the site and street level of Discovery Point Place and Brodie Spark Drive.
- The site is within the vicinity of the Tempe House and St Magdalene's Chapel which is a State Heritage Item (I388). As such, the objectives and requirements of clause 5.10 of the Bayside LEP 2020 relating to heritage conservation will be addressed in the SSD modification.
- The area surrounding the site comprises the following uses:
  - **North:** Wollri Creek Train Station; 21 storey residential flat building at 9 Brodie Spark Drive known as 'Icon'.
  - **East:** On the other side of Brodie Spark Drive, is an 11-storey residential flat building at 12 Brodie Spark Drive, known as 'Vine'. Further to the east is Discovery Point Park which is a large landscaped open space.
  - **South:** Two 9-12 storey residential flat buildings at 2-6 Discovery Point Place ('Metro') and 5 Brodie Spark Place ('Linc'). Between these two buildings is a throughfare with retail uses at the ground plane. Further to the south is a landscaped plaza known as 'Village Square' and other residential flat buildings.
  - **West:** Immediately west is Spark Lane, which is currently restricted in access. Further to the west is the T4 and T8 train lines and vegetation that line Wollri Creek.

Land use zone MU1 Mixed Use (*Bayside Local Environmental Plan 2021*)

## Project Details

Project Description	<p>Detailed design of Building 14 in accordance with the Discovery Point Concept Plan MP10_0030 for the purpose of co-living housing with ground floor retail uses, including</p> <ul style="list-style-type: none"> <li>• Site grading and excavation works.</li> <li>• Construction and use of a nine storey co-living development, comprising approximately 217 rooms and 9,200m<sup>2</sup> of GFA, with retail uses and communal amenities.</li> <li>• Landscaping and associated public domain works.</li> </ul>
Permissibility	<p>The proposal is located on land which is subject to the <i>Bayside Local Environmental Plan 2021</i> and zoned MU1 Mixed Use.</p> <p>Residential Accommodation including co-living housing is permitted with consent in the MU1 Mixed Use Zone. The proposed development is consistent with the objectives of the MU1 Mixed Use Zone in that it will:</p> <ul style="list-style-type: none"> <li>• provide a new co-living development which contributes to the delivery of a diversity of compatible uses characteristic of Discovery Point which include affordable medium-high density residential, commercial and retail; and</li> <li>• deliver a new co-living development in a highly assessable location adjacent to/above the Wollie Creek train station and within Discovery Point which has an established pedestrian and cycling network.</li> </ul>
SSD qualification	<p>The future co-living development will be classified SSD in accordance with Schedule 1 Section 19 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> (Planning Systems SEPP) which identifies development for the purpose of residential accommodation (including co-living) within a rail corridor with a capital investment value (CIV) of more than \$30 million.</p> <p>The proposed co-living development at Building 14 is located within a rail corridor and has a CIV of more than \$30 million and is therefore declared SSD.</p>
Related approvals	<p>The Discovery Point Concept Plan MP10_0030 was approved on 5 May 2011 and sets the planning regime and development framework for Discovery Point. While Part 3A of the Act was repealed in 2011, the Concept Plan continues to apply in accordance with Schedule 2 of the <i>Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017</i>.</p> <p>The Concept Plan has been modified on four (4) occasions and the fifth (5<sup>th</sup>) modification application (Mod 5) is currently under assessment which relates specifically to Building 14. Mod 5 seeks approval for three (3) key amendments to the Concept Plan, as follows:</p> <ol style="list-style-type: none"> <li>1. Convert the majority of remaining unrealised GFA from non-residential to residential, by reducing the minimum non-residential GFA from 9,000m<sup>2</sup> to 5,042m<sup>2</sup>.</li> <li>2. Increase the maximum total GFA by 4,556m<sup>2</sup> from 142,685m<sup>2</sup> to 147,241m<sup>2</sup>.</li> <li>3. Amend the Statement of Commitments to reflect modifications to the approved floor space and include a new commitment for Building 14 to be delivered as co-living housing and active ground floor uses.</li> </ol> <p>The Response to Submissions (RtS) report for Mod 5 has been submitted to DPHI for assessment.</p>
Design Excellence	<p>In March 2023, Frasers Property Australia completed a voluntary design competition for the design of Building 14. Three architectural practices were invited to participate in the 4-week design competition, and a three-person Jury evaluated the schemes submitted by the Competitors.</p> <p>The Jury unanimously selected the scheme prepared by Rothelowman as their scheme demonstrated a superior response to the design and general objectives of the Competition Brief.</p> <p>A design integrity process is expected to be undertaken prior to the submission of the SSD Application for the co-living proposal at Building 14.</p>
SSD-30257587	<p>SEARs have previously been issued in relation to a Build-to=Rent (BTR) scheme on the site. This BTR proposal is no longer being pursued, with co-living now instead proposed.</p>
Pre-conditions to exercise the power to grant consent	<ul style="list-style-type: none"> <li>• <i>Bayside Local Environmental Plan 2021</i></li> <li>• <i>State Environmental Planning Policy (Housing) 2021</i></li> <li>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></li> </ul>
Mandatory Matters for consideration	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Planning Systems) 2021</i></li> <li>• <i>State Environmental Planning Policy (Sustainable Buildings) 2021</i></li> </ul>
Other approvals	<p><b>Consistent Approvals</b></p> <ul style="list-style-type: none"> <li>• <i>Roads Act 1993</i></li> </ul>

## Project Details

EPBC Act / Biodiversity Conservation Act	The site has been cleared and in a highly urbanised area, making it unlikely for future development to have any significant impact on biodiversity values. A BDAR waiver will be prepared as part of the SSD application for Building 14.
--	---

---

### Attachments

- Approved Concept and Building Envelope Plans
- Indicative Reference Design Report
- Aerial Map prepared by Ethos Urban



Site Boundaries