

**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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10 June 2025

Ms Amy Watson
Director, Social and Affordable Assessments
Development Assessment & Infrastructure
Department of Planning, Housing and Infrastructure

CC: Andy Nixey, Principal Planner

Dear Andy,

RE: INDUSTRY-SPECIFIC SEARS REQUEST – DOVER ROAD, ROSE BAY

1. INTRODUCTION

This letter has been prepared to request industry-specific Secretary's Environmental Assessment Requirements (**SEARs**) from the Department of Planning, Housing and Infrastructure (**DPHI**) in relation to a State Significant Development Application (**SSDA**) for infill affordable housing at 23-31 Dover Road, Rose Bay (**the site**). This request is submitted on behalf of Dover Street (Rose Bay) Developments Pty Limited (**the Applicant**) to enable preparation of the SSDA and to deliver infill affordable housing on the site.

The proposal seeks to utilise the following height and floor space incentives to inform the density on the site:

- Low and mid-rise housing provisions
- In-fill affordable housing provisions

This letter provides a background on the site, a summary of the proposed infill affordable housing development that the applicant is seeking to develop on this site, an overview of the applicability of the Housing SEPP to the proposed development, and our understanding of the planning pathway as provided by the legislation. The SSDA is eligible for industry-specific SEARs as:

- The proposed land use is wholly permissible.
- The proposal does not meet the threshold for designated development.
- The proposal is not a concept DA and seeks detailed consent for construction and operation on the site.

This industry-specific SEARs request is submitted following a meeting with DPHI on 4 June 2025 and addresses the requirements of "Preparing a scoping report" Guidelines (October 2022).

1.1. APPLICANT DETAILS

The applicant details for the proposed development are as follows:

Industry Specific SEARs Request - 23-31 Dover Road, Rose Bay

- Applicant: Dover Street (Rose Bay) Developments Pty Limited
- ACN: 684 930 327

2. SITE DESCRIPTION

The site is located at 23-31 Dover Road, Rose Bay. The site occupies five lots legally described as Lots 10/A in DP4244, Lot 11/A in DP4244, Lot 12/A in DP4244, Lot 13 in DP663078 and Lot 1 in DP105598. The site is located to the immediate east of the Rose Bay town centre in the Woollahra local government area as illustrated in **Figure 2**. Rose Bay town centre is a Low Mid Rise Centre, as illustrated in the Location Map at **Figure 3**.

The site area is 2657sqm.

Existing development on the site as illustrated in **Figure 1** includes:

- A single storey building with a large gable roof, housing the Rose Bay Family Medical Centre at 23 Dover Road. The zoning of this property is still residential.
- Two-storey rendered houses with pitched tiled roofs at 25 & 27 Dover Road
- A single storey rendered house with a pitched tiled roof at 29 Dover Road.
- A two-storey rendered dual occupancy with a pitched metal roof at 31 Dover Road.

All five lots have vehicular access from Dover Road, leading to garages. Pedestrian access is also available from Dover Road through gates in the front fences.

The site accommodates 27 trees, ranging from mature to semi-mature trees that are in good or fair condition. Five trees are in fair condition and three trees are in poor condition. There are a number of trees in proximity to the site along the site boundary and the road frontage.

Figure 1 Image of existing development on Dover Road



Source: Google Images

Figure 2 Site Location

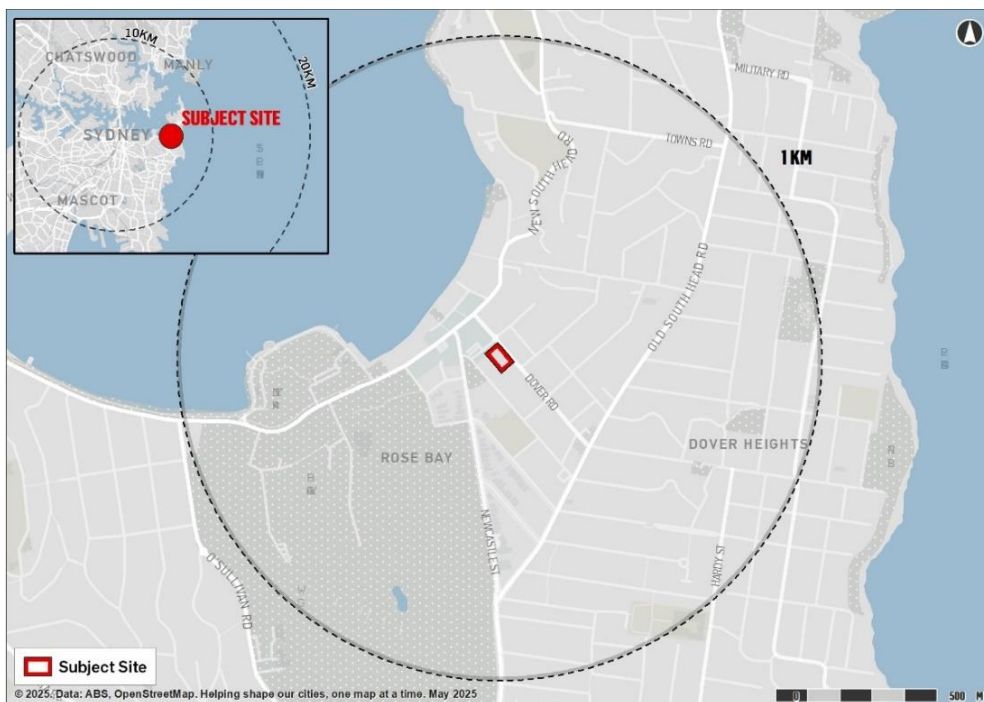
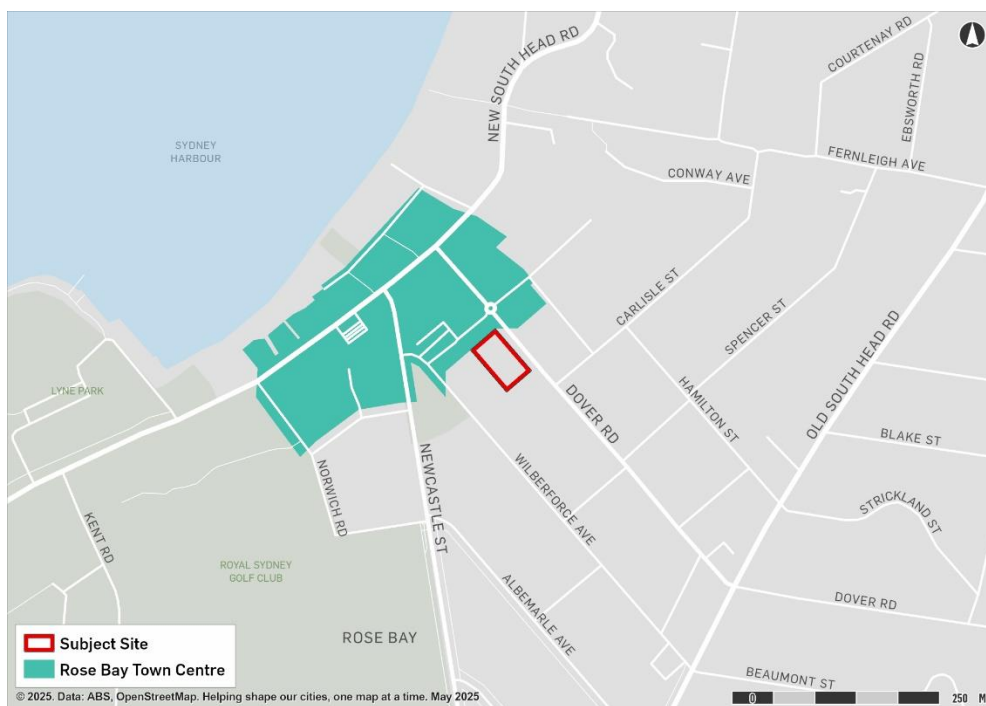


Figure 3 Proximity to LMR Centre



Source: Urbis

3. PLANNING FRAMEWORK

3.1. PLANNING SYSTEMS SEPP

The planning pathway is outlined in the *State Environmental Planning Policy (Planning Systems) 2021*.

The proposed development has an estimated cost of development of more than \$75 million for the residential component, is not prohibited under an EPI applying to the land (residential flat buildings are permitted with consent in the R3 Zone) and will provide at least 10% of the residential component as affordable housing for at least 15 years. Accordingly, it categorised as an SSD pursuant to Section 26A of Schedule 1 of the Planning Systems SEPP as follows:

26A In-fill affordable housing

(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—

(a) the part of the development that is residential development has a capital investment value of—

(i) for development on land in the Eastern Harbour City, Central River City, Western Parkland City or Central Coast City in the Six Cities Region—more than \$75 million, or

...

(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.

A statement prepared by the QS, WT Partnership has been provided to the Department to confirm the residential component exceeds \$75 million.

3.2. HOUSING SEPP

Key provisions are contained in the *State Environmental Planning Policy (Housing) 2021*. The site seeks to utilise the low and mid-rise (**LMR**) housing policy and the in-fill affordable housing bonus provisions. A summary of the relevant provisions is provided below.

Table 1 Key State provisions

Provision	The site
Part 2, Division 1 In-fill affordable housing	
Section 15A	The proposal is fully consistent with the objective as it will facilitate the delivery of new in-fill affordable housing to meet the needs of very low-, low- and moderate-income households.
Section 15C	The provisions apply as: ▪ The development is permitted with consent under the LEP.

Provision	The site
	▪ The affordable housing component will be 15%. ▪ The site is within an accessible area as the site is within 180m of the bus stop located at New South Head Rd at Newcastle St, Rose Bay which is serviced by 10 bus routes on the weekday and weekend. The site is also within 1km of the Rose Bay ferry wharf. ▪ The site is not identified within a TOD accelerated precinct.
Section 16-18	The proposed development would be seeking to provide 15% affordable housing (managed by a CHP) for a 15-year period to receive an additional 30% in height and floor space above the base controls. This additional floor space would be utilised for the delivery of housing on the site.
Section 19	The applicant would consider these non-discretionary provisions as part of the preparation of the application. The site has an area of greater than 450sqm.
Section 21	The applicant would be committing to the provision of the affordable housing element being operated and used by a CHP for a period of 15 years.
Chapter 6 Low- and Mid-Rise Housing	
Section 164	The site is not identified as bush fire prone land, within a coastal vulnerability area or a coastal wetlands and littoral rainforests area, within a TOD or deferred TOD precinct, in an ANEF or ANEC contour of 20 or greater or within the local government area identified at Section 164(1)(e) or (g).
Section 174	Development of a residential flat building is permitted with consent.
Section 175	The site is within the LMR inner area in R3 Zone. Consent cannot be granted for development with a building height of up to 22m unless the consent authority is satisfied the building will have 6-storeys or fewer. The site seeks to utilise the in-fill affordable bonus provisions and will have a height of 8 storeys.
Section 177	The future SSDA will consider the Tree Canopy Guide for Low- and Mid-Rise Housing, published by the Department in February 2025.
Section 180	Non-discretionary standards of a maximum FSR of 2.2:1 and a maximum building height of 22m for residential flat buildings apply. The development will utilise the in-fill affordable bonus provisions as outlined in Section 4.

3.3. WOLLAHRA LOCAL ENVIRONMENTAL PLAN

The principal environmental planning instrument for land in the Woollahra LGA is the *Woollahra Local Environmental Plan 2014*. A summary of key development standards is provided below.

Table 2 Key local provisions

Provision	The site
Clause 2.1	Zone: R3 Medium Density Residential. Residential flat buildings are permitted with consent in the zone. There are no additional permitted uses applicable to the site.
Clause 4.3	Height of Building: 10.5m
Clause 4.4	Floor Space Ratio: 0.75:1
Clause 4.1	Minimum subdivision size: 700sqm. This does not apply as per Section 178 of the Housing SEPP.
Clause 5.10	Heritage: The site is not listed as a local item and is not located in a heritage conservation area. One heritage item is located to the east of the site (St Andrew's Scots Presbyterian Church).
Clause 5.21	Flooding: The clause applies to land in the flood planning area and requires the consent authority to be satisfied the development addresses the matters for consideration under clause 5.21(2). The site is subject to these controls and this will be addressed further in the EIS within a Flood Report. The floor levels of the building have been designed to be compliant with the advised freeboard requirements.
Clause 6.1	Acid Sulfate Soils Class 5

3.4. WOLLAHRA DEVELOPMENT CONTROL PLAN

The Woollahra Development Control Plan applies to land in the Woollahra LGA, however, does not apply to State significant development applications.

4. DEVELOPMENT SCHEME

The proposal seeks to demolish all buildings on site and construct an 8-storey residential flat building with a two-level basement. The building footprint will have an approximate width of 55m and be located centrally within the site, with landscaping and setback zones on the site perimeter.

Approximately 49 units and 97 parking spaces are to be provided on site.

Consistent with the Housing SEPP, the applicant seeks to provide 15% affordable housing to be maintained by a CHP for 15 years.

5. KEY ISSUES AND ENVIRONMENTAL IMPACTS

The applicant has assembled a core project team to review any potential environmental impacts arising from the future SSD, and in particular any which may arise from the increases in height and floor space beyond the current planning controls.

Specifically, the key items we are exploring in this preliminary phase are outlined below.

5.1. DENSITY AND SCALE

The application of the height and FSR bonuses on the site are outlined in the following table. We have assumed the LMR provisions form the 'base' provisions for the site above which the in-fill affordable housing bonuses will be applied.

Table 3 Height and FSR

Provision	Height	FSR	GFA
Local	10.5m	0.75:1	1992.75sqm
LMR Housing (base)	22m	2.2:1	5845.4sqm
In-fill Affordable Housing (maximum)	30% bonus: 6.6m Total: 28.6m	30% bonus: 0.66:1 Total: 2.86:1	7599.02sqm

5.2. RESIDENTIAL AMENITY

The site benefits from excellent proximity to the Rose Bay town centre and is of an appropriate size to provide an iconic development that transitions between the town centre and the residential zone. The preliminary design strategies orientate dwellings centrally within the site with a landscaped setback on the perimeter, which is beneficial for high residential amenity with respect to solar access, ventilation and outlook.

The site has a frontage to Dover Road, a key local road, and as such the design will ensure natural ventilation and internal acoustic amenity is maintained.

Careful consideration will be given to the solar access and overshadowing of properties in the vicinity of the site, as well as Pannerong Reserve (RE1 Zone land) located to the west of the site (which are also located in the LMR precinct).

5.3. VEHICULAR ACCESS AND PARKING

The proposed new built form will accommodate basement car parking, with a consolidated vehicular access point from Dover Road. This will reduce the total number of vehicular access points from four to one on the site.

5.4. STATE DESIGN REVIEW PANEL

There are no design excellence provisions contained in the LEP.

The applicant has engaged an architect with a demonstrated track record in design excellence, and with extensive experience in the local area and will achieve good design in accordance with the seven objectives for good design in GANSW: Better Placed.

We understand following the preliminary DPHI meeting that the SDRP is not necessary for this SSDA.

5.5. ASSESMENT WAIVER

A request to waive the requirement for a Biodiversity Development Assessment Report (**BDAR**) will be submitted to DPHI separately.

5.6. FLOODING

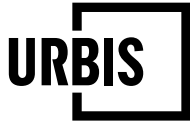
The detailed design on the site will address flood planning levels and include stormwater management that likely requires on-site detention. A flood consultant, CSSE, has been engaged to review the design to ensure the floor levels comply with the advised freeboard requirements and to ensure the development does not adversely affect flood behaviour to surrounding properties. A Flood Impact and Risk Assessment Report will be submitted as part of the SSDA.

6. ENGAGEMENT

Early engagement will be undertaken with the community and agencies to ensure that the views are appropriately considered and detailed in the EIS. Brilliant Logic will be leading the community engagement with a range of engagement activities to occur prior to the lodgement of the EIS to ensure the community is adequately consulted as part of the SSDA process.

Relevant technical consultants will engage with agencies as required to prepare the relevant reports.

Further, a detailed response to any public submissions will be provided following lodgement and public exhibition of the EIS.



7. CONCLUSION

The SSDA is eligible for industry-specific SEARs as:

- The proposed land use is wholly permissible.
- The proposal does not meet the threshold for designated development.
- The proposal is not a concept DA and seeks detailed consent for construction and operation on the site.

We request the DPHI issue industry-specific SEARs to guide the project.

Kind regards,

A handwritten signature in blue ink that reads "E. Scobie." The signature is written in a cursive, flowing style.

Eliza Scobie
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