



Scoping report

State Significant Development Application

448-460 Pacific Highway, St Leonards

Prepared on behalf of The Quarter St Leonards Pty Ltd

July 24, 2025

Document control

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Project summary

Prepared on behalf of	The Quarter St Leonards Pty Ltd
Land to be developed	448-460 Pacific Highway, St Leonards
Legal description	Lots 1-3 Part 16 DP3175, Lot C DP414984, SP73221
Project description	Mixed use residential development of 52 storeys comprising ground floor commercial uses and residential apartments including affordable housing

Contents

Document control	2
1 Introduction	6
1.1 Applicant details	6
1.2 Background	6
1.2.1 Housing delivery authority	6
1.2.2 Previous strategic planning	7
1.3 Project objectives	8
2 The site	9
2.1 Surrounding land uses	11
3 Strategic justification	13
4 Proposed development	16
4.1 Affordable housing	18
4.2 Alternatives Considered	18
5 Statutory Planning Context.....	19
5.1 Statutory requirements.....	19
5.1.1 Power to grant approval.....	19
5.1.2 Permissibility and key planning controls	19
5.1.3 Other approvals	20
5.2 Concurrent rezoning proposal.....	23
5.2.1 Local Planning Directions	23
5.2.2 Strategic and Site-specific Merit	24
6 Consultation	25
7 Key assessment matters	26
8 Conclusion	31
 Table 1 Applicant details	 6
Table 2: Site details	9
Table 3 Consistency with strategic framework.....	13
Table 4: Lane Cove LEP – Part 8 Crows Nest TOD Precinct.....	19
Table 5: Section 4.42 Consistent approval.....	21
Table 6: Section 4.41 Approvals not required.....	21

Table 7: Pre-conditions to approval.....	22
Table 8: Mandatory matters for consideration.....	22
Table 9: Consideration of HDA recommendations	26
Table 10: Key assessment matters	29
Figure 1: Subject site.....	10
Figure 2: Subject site viewed from Crows Nest Metro Station.....	11
Figure 3: Indicative site layout	16
Figure 4: Indicative building envelope.....	17
Figure 5: Indicative cross sections	17
Figure 6: Shadow diagram	28
Appendix A: Concept Design Report.....	32

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1 Introduction

This report has been prepared to accompany a request for Secretary’s Environmental Assessment Requirements (SEARs) to be issued for a proposed mixed use development at 448-460 Pacific Highway, St Leonards (the site).

The Proposal formed Expression of Interest (EOI) 251164 submitted to the Housing Development Authority (HDA) and was declared SSD by Ministerial Planning Order (No 10) 2025 on 30 June 2025.

A Concurrent Rezoning Proposal will be progressed with the SSD application to amend the *Lane Cove Local Environmental Plan 2009* (Lane Cove LEP) to facilitate the proposed development.

The proposed SSD will support key government objectives for the Crows Nest Transport Oriented Development (TOD) Precinct through a new mixed use development directly adjacent to Crows Nest Station. It will deliver improved pedestrian connectivity, public domain and streetscape outcomes and make a significant contribution to housing supply including affordable housing in close proximity to public transport.

1.1 Applicant details

The details of the applicant for the Proposal and its company and contact details and landowner details are outlined in Table 1.

Table 1 Applicant details

Applicant details	
Applicant name	The Quarter St Leonards Pty Ltd
Applicant address	Level 4, Building A, 207 Pacific Highway, St Leonards, 2065
ABN	53 658 146 528

1.2 Background

1.2.1 Housing delivery authority

The Housing Delivery Authority (HDA) was established by the NSW Government in late 2024 to accelerate the delivery of housing in accessible locations and to meet the housing targets under the National Housing Accord.

The HDA is leading a new streamlined State Significant Development (SSD) pathway and SSD with a concurrent rezoning process with the aim to deliver an increase in housing supply.

A HDA Expression of Interest (EOI) was submitted in March 2025 to request the proposed development of the site for a mixed use development comprising a 5 storey podium (including ground floor non-residential) with a 47 storey residential tower above (total 52 storeys) to be declared SSD.

On 23 June 2025, the HDA recommended that the proposed development be declared SSD by the Minister in accordance with the HDA EOI application 251164. The HDA also recommended:

- That the applicant be advised that for the part of the site with an E2 zoning, that zoning should be retained and permissibility be addressed by an Additional Permitted Use. A scoping meeting with the Department is also required to resolve an appropriate amount of non-residential floor area and site connections to the metro station
- That the applicant be advised that the SSD application should address the departure from the TOD provisions, impacts of increased height on solar access, loss of commercial floorspace and separation distances between towers
- That the applicant be advised that a merit assessment may result in development standards and dwelling yield lower than proposed in the EOI application.

Ministerial Planning Order (No. 10) 2025 dated 30 June 2025 declared development specified in HDA EOI application including development for the purpose of shop top housing with provision for affordable housing to be SSD.

A Concurrent Rezoning Proposal will be progressed with the SSD application to amend the Lane Cove LEP to facilitate the proposed development.

1.2.2 Previous strategic planning

The site has been subject of extensive strategic planning as part of a previous Planning Proposal for the site and investigations and rezoning of the wider Crows Nest TOD Precinct progressed by Department of Planning Housing and Infrastructure (DPHI).

A short chronology is provided below.

- October 2018: The Draft St Leonards and Crows Nest 2036 Plan (2036 Plan) was released for public comment and identified the site as being part of a significant site which may be suitable for additional height and scale.
- August 2020: The 2036 Plan was finalised by DPHI which identified the site for a mixed use development of up to 30 storeys.
- December 2022: A Planning Proposal was submitted to Lane Cove Council for part of the site being 448-456 Pacific Highway which sought to amend the Lane Cove LEP to allow for development for up to 30 storeys consistent with the 2036 Plan. The Planning Proposal included the following controls:
 - MU1 Mixed Use zone
 - Height of RL196.30
 - FSR 14.7:1
 - Non-residential FSR: 4:1
 - Affordable housing 5% of residential floor space.
- December 2023: Crows Nest was nominated by DPHI for accelerated rezoning under the TOD Program
- December 2023: The Planning Proposal for 448-456 Pacific Highway was amended to reduce the non-residential floor space to 0.42:1 and increase the affordable housing requirement to 12% of the gross floor area for residential accommodation, with the affordable housing to be delivered by a Community Housing Provider (CHP). The amended planning proposal was accompanied by an offer to enter into a Planning Agreement with Council for the delivery of the affordable housing.
- March 2024: Lane Cove Council supported the Planning Proposal and resolved that it be submitted to DPHI for review as part of its investigations of the Crows Nest TOD Precinct.

- November 2024: The Crows Nest TOD was finalised and the Lane Cove LEP was amended applying controls as detailed in Section 5.1.2.

1.3 Project objectives

The Proposal is intended to achieve the following objectives:

- To deliver an integrated mixed use development across the combined site at 448-460 Pacific Highway, St Leonards enhancing pedestrian connectivity and maximising dwelling yield.
- To deliver increased housing, including more diverse and affordable housing in a highly accessible location consistent with Local and State government strategic objectives.
- To deliver an 18% component of the residential floor space as affordable housing, in an area with high amenity and excellent access to public transport services, employment opportunities, recreational spaces, and health and education facilities.
- To provide for non-residential uses at the ground floor to allow for activation of Pacific Highway and Oxley Street.
- To support pedestrian connections from Crows Nest Metro to St Leonards Station and between Pacific Highway and Nicolson Street.
- To deliver a landmark, high quality architecturally designed building in a strategic location adjacent to Crows Nest Metro Station.

2 The site

The site comprises 3,724sqm of land located at 448-460 Pacific Highway, St Leonards as detailed in Table 2 and illustrated at Figure 1.

The site is located within the Crows Nest TOD Precinct and is adjacent to the Crows Nest Metro Station and within 300m walking distance to St Leonards Station.

Table 2: Site details

Control	Consideration	Existing development / access arrangements
448 Pacific Highway, St Leonards	Lot 1 Part 16 DP3175 Lot 2 Part 16 DP3175	Comprises a car wash facility located on the corner of Pacific Highway and Oxley Street with at grade car parking and car wash areas, shade sails and a single storey building.
452 Pacific Highway, St Leonards	Lot 3 Part 16 DP3175	Entry is via Oxley Street and exit is to the Pacific Highway.
456 Pacific Highway, St Leonards	Lot C DP414984	Four storey commercial building fronting Pacific Highway with car parking at ground level and three levels of commercial floor space above. Access to the car park is via Pacific Highway.
460 Pacific Highway, St Leonards	SP73221 (incorporating SP77238 and SP81200)	Five storey commercial building with ground floor retail fronting Pacific Highway and four storeys of commercial above. The site has access via a driveway from Nicholson Street.



Figure 1: Subject site



Figure 2: Subject site viewed from Crows Nest Metro Station

2.1 Surrounding land uses

The site sits within the street block bounded by Oxley Street to the south, Pacific Highway to the east, Nicholson Street to the west and Albany Street to the north which forms a pedestrian only connection from Nicholson Street to the Pacific Highway.

Directly to the north of the site is Mirvac St Leonards Square being a mixed use development with triangular towers of 35 and 27 levels respectively, a central retail plaza, and four levels of commercial floor space fronting Pacific highway.

To the west of the site is a four storey commercial building located at the corner of Nicholson Street and Oxley Street and two storey commercial buildings fronting Nicholson Street.

To the south of the site on the opposite side of Oxley Street is an existing four storey mixed use building and to the south east is the Crows Nest Metro Station which has approval for over station development of up to 22 storeys.

The land surrounding the site is also subject of planning controls which were introduced for the Crows Nest TOD Precinct.

The site is located diagonally opposite the new Crows Nest Metro Station which has concept SSD approval for over-station development for:

- Site A – 27 storey building
- Site B – 17 storey building
- Site C – 8 storey building (subsequently granted detailed SSD approval for a commercial building in December 2021)
- Maximum GFA of 43,000sqm commercial and 13,000sqm residential.

An SSD Application (SSD-61400212) was exhibited in November and December 2024 for Site B comprising a 17 storey mixed use development with 130 residential units and ground floor/mezzanine retail and commercial floor space. The application is currently under consideration.

A modification to the Concept SSD approval (SSD-75662958) and concurrent detailed SSD application (SSD-75660711) is being exhibited in July and August 2025 which seeks approval for three residential towers (rather than one commercial tower) ranging in height from 13 and 26 storeys (474 dwellings including 56 affordable dwellings) with retail and commercial at the podium and rooftop levels.

3 Strategic justification

This section provides an outline of the regional, district and local planning strategies that are relevant to the Proposal. A detailed assessment against the relevant planning priorities, objectives and actions will form part of the Environmental Impact Statement.

Table 3 Consistency with strategic framework

Strategic document	Consistency
National Housing Accord	In October 2022, the Federal Government announced the National Housing Accord, which committed to delivering 1.2 million houses in well-located areas over five years from mid-2024. As part of the National Housing Accord, the NSW Government has committed to building 377,000 new homes across the state, with a housing target of 3,400 new homes to be completed by 2029 in the Lane Cove LGA. The Proposal responds directly to the National Housing Accord (and NSW housing targets) as it will deliver much needed housing, including affordable housing, in a well-located area serviced by public transport, jobs and services.
Greater Sydney Region Plan (March 2018)	The Greater Sydney Region locates St Leonards and Crows Nest within the Eastern Economic Corridor which extends from Macquarie Park to Sydney Airport and currently provides approximately 775,000 jobs. It highlights the Sydney Metro City & Southwest project as a key piece of city shaping infrastructure which generates urban renewal opportunities for St Leonards and Crows Nest. Metro rail has since been delivered as part of this project between Sydenham and Chatswood including a new station at Crows Nest adjacent to the site. The Greater Sydney Region Plan highlights St Leonards and Crows Nest as a Planned Precinct where planning will be led by the Department of Planning and Environment (DPE) in consultation with other stakeholders. This resulted in the release of the St Leonards Crows Nest 2036 Plan which was finalised in August 2020 and the subsequent Crows Nest TOD rezoning finalised in November 2024. The proposed development is directly consistent with the NSW Government vision for the St Leonards Crows Nest Area.
North District Plan (March 2018)	The North District Plan reinforces the role of the Eastern Economic Corridor which includes St Leonards and Crows Nest and notes that along with Chatswood and North Sydney, St Leonards form part of the State's greatest economic assets. It also reiterates the urban renewal opportunities presented by the Sydney Metro City & Southwest project, the role of St Leonards as a Strategic Centre and Health and Education Precinct, and the status of St Leonards and Crows Nest as a Planned Precinct which will accommodate housing and jobs growth. Since the release of the District Plan the St Leonards Crows Nest 2036 Plan which was finalised in August 2020 and the Crows Nest TOD rezoning was finalised in November 2024.

Strategic document	Consistency
	The proposed development is directly consistent with the NSW Government vision for the St Leonards Crows Nest area.
St Leonards and Crows Nest 2036 Plan (August 2020)	The St Leonards and Crows Nest 2036 Plan was finalised by DPE in August 2020 as a strategic land use and infrastructure plan to guide future planning control changes and development in the precinct. The Crows Nest TOD built on the 2036 Plan and resulted in changes to the planning controls within the area. The proposed development has been assessed against the Crows Nest TOD provisions including as set out in the Lane Cove LEP and the Crows Nest Design Guide.
Lane Cove Local Strategic Planning Statement (March 2020)	The Lane Cove Local Strategic Planning Statement (LSPS) notes that part of the State Government St Leonards Planned Precinct is located within the Lane Cove LGA and that the priorities and actions of the LSPS are consistent with the vision, objectives and actions expressed in the then draft St Leonards and Crows Nest 2036 Plan. The Lane Cove LSPS includes the following principles in relation to housing growth. <i>Subject to confirmation by the Housing Strategy, future housing supply (medium to long term) in Lane Cove will be based on the following principles:</i> • Consolidate housing around Strategic (St Leonards train station) and Local (Lane Cove Village/Plaza) centres to achieve transit orientated development. • Locate higher density housing types within a 5 minute walk (400 metre radius) of the St Leonards Strategic Centre (train station) and Crows Nest Metro Station but not at the expense of the but not at the expense of the attraction and growth of jobs, retailing and services in existing B3 Commercial Core zoned land. The proposal is directly consistent with these principles as it consolidates housing within the St Leonards Strategic Centre and within a 5 minute walk of St Leonards and Crows Nest Station. Council through its endorsement of the previous Planning Proposal for 448-456 Pacific Highway confirmed its preference to prioritise affordable housing over commercial office uses at the upper podium levels to accommodate key workers and students to support the nearby health and education precinct. The proposal responds to this through provision of 18% affordable housing whilst maintaining non-residential uses at the ground floor level to accommodate employment uses and provide for street activation. Accordingly, the proposed development is considered to be consistent with the Lane Cove LSPS.

Strategic document	Consistency
Lane Cove Local Housing Strategy	The Lane Cove Local Housing Strategy sets out Council's intention to focus growth in the recently rezoned St Leonards South Precinct and notes that full delivery of this precinct is more than sufficient to meet anticipated dwelling demand to 2036. It goes on to state that Additional Planning Proposals should not be pursued unless they substantially achieve priorities related to affordable housing and are consistent with Council's 'Principles for the location of additional housing' in its LSPS. This Planning Proposal will deliver a minimum of 18% of residential floor space as affordable housing and is consistent with the LSPS 'Principles for the location of additional housing' as discussed above. On this basis the Planning Proposal is consistent with the Local Housing Strategy.

4 Proposed development

The proposed development is for:

- Demolition of the existing building, excavation and site preparation works
- Construction of a 52 storey mixed use residential building comprising:
 - A four storey podium with 48 storey tower above and rooftop plant
 - Ground floor non-residential floor space of approximately 1,862sqm
 - Residential apartments comprising approximately 630 dwellings including approximately 125 affordable housing dwellings (18% of residential floor space)
 - Basement parking and servicing
- Through site links from the adjacent Mirvac St Leonards Square development to Pacific Highway and Oxley Street
- Associated landscaping and public domain works
- Extension of infrastructure as required.

The indicative site layout, building envelope and cross sections are illustrated at Figure 3 to Figure 5.

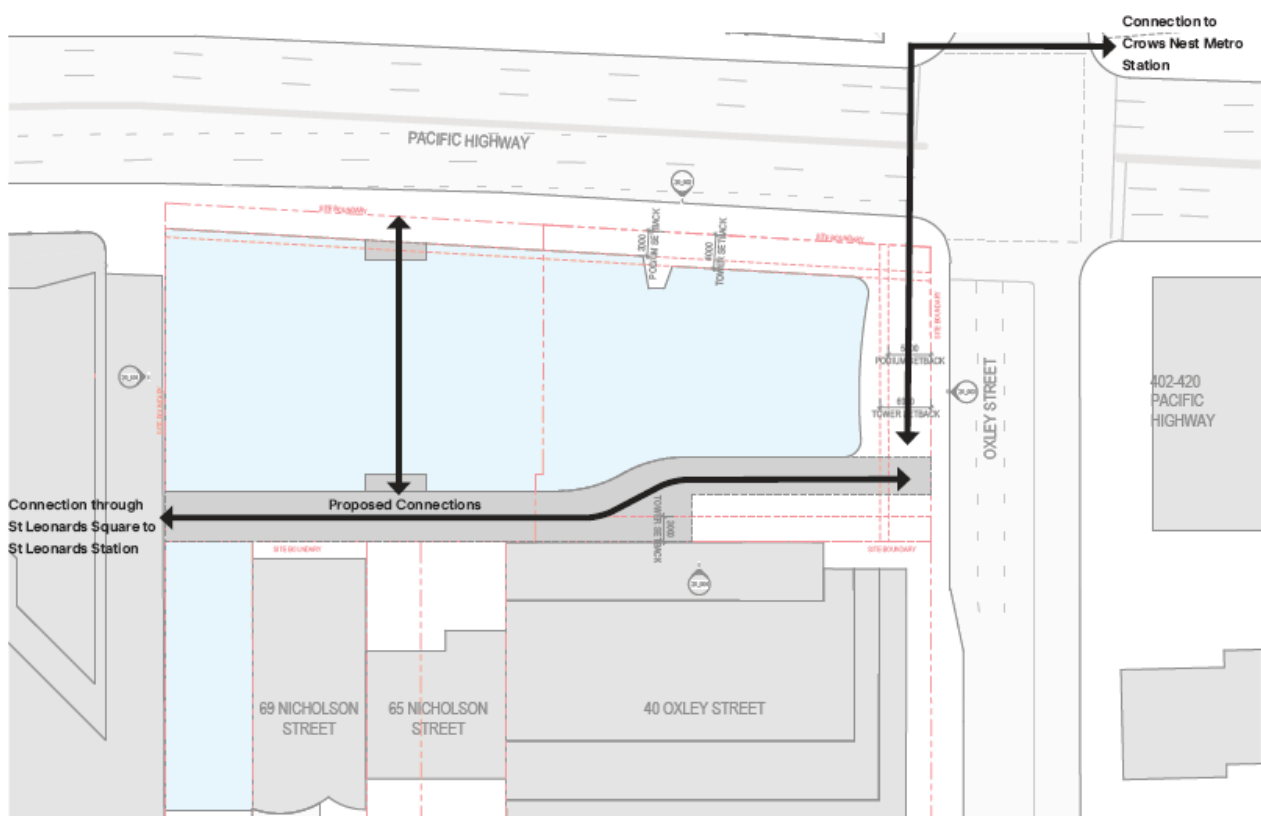


Figure 3: Indicative site layout

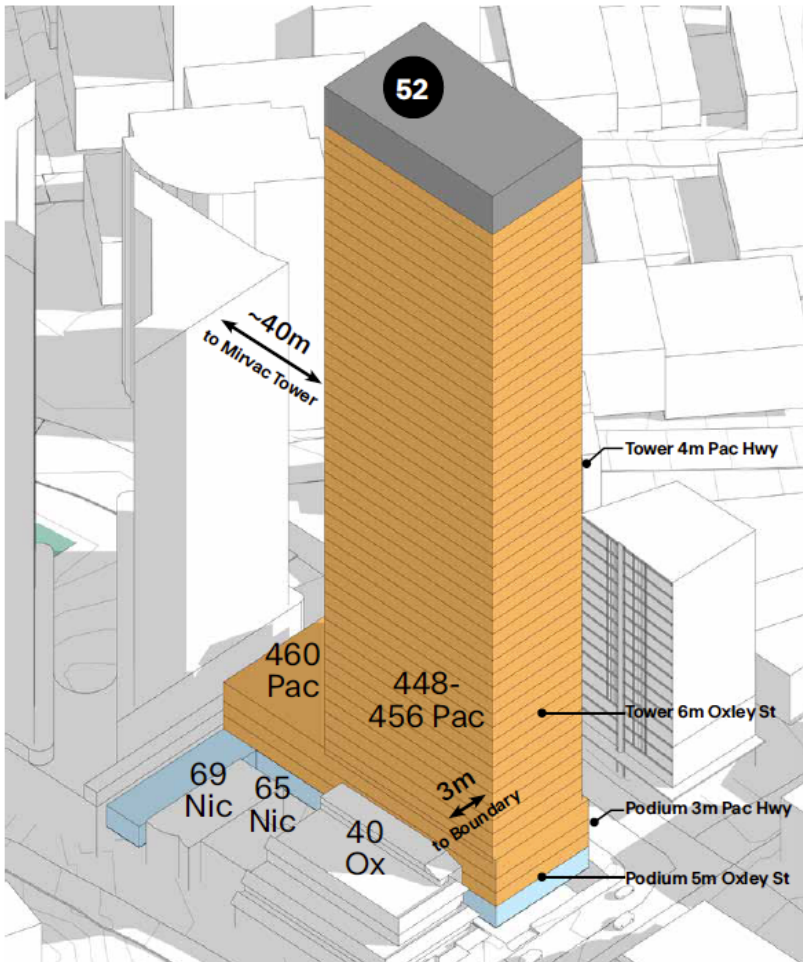


Figure 4: Indicative building envelope

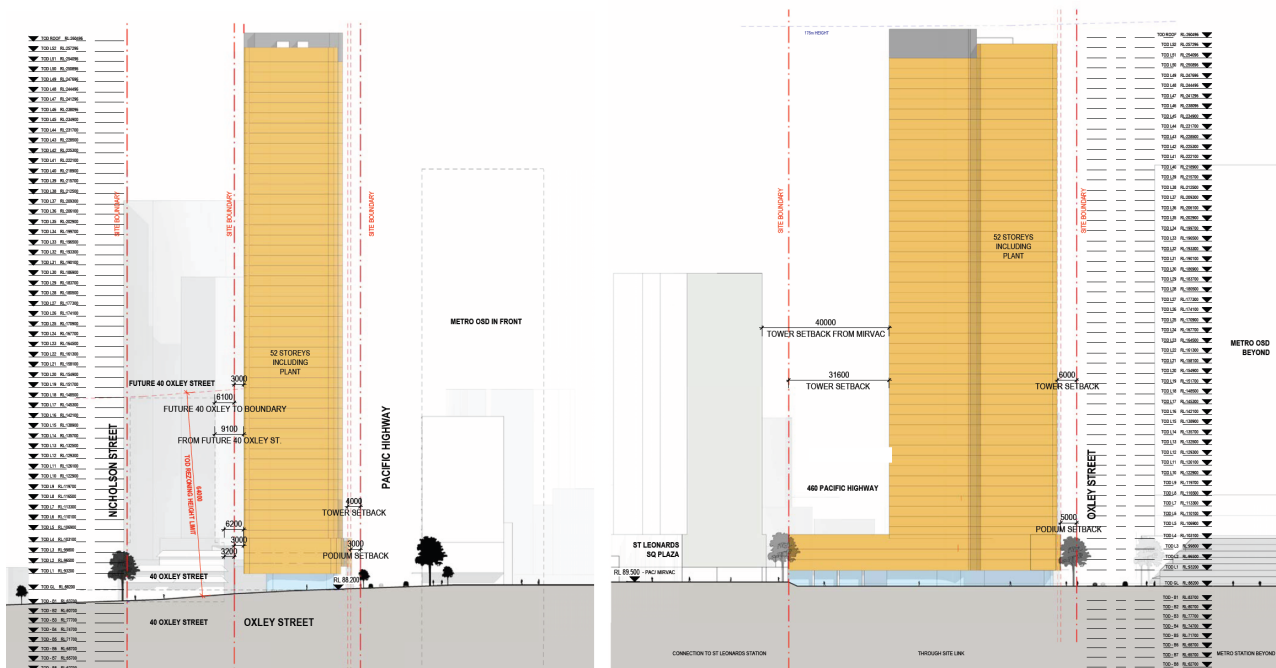


Figure 5: Indicative cross sections

4.1 Affordable housing

As detailed in the Crows Nest TOD rezoning package housing is a key priority for the NSW Government and currently, there is a shortage of diverse and affordable homes in well-located areas, close to where people live and work and close to transport and other amenities. A key objective of the TOD Accelerated Precincts, which includes Crows Nest TOD, is to increase the amount of affordable housing in these locations.

The subject site is well suited to delivery of affordable housing noting its proximity to public transport. Further its proximity to major medical facilities supports the delivery of well located affordable housing for key workers.

The Crows Nest TOD provisions in the Lane Cove LEP allow the consent authority to impose a condition requiring an affordable housing contribution for the site equivalent to the percentage of the residential gross floor area as shown on the affordable housing map. For the subject site this comprises:

- 18% affordable housing for 448-456 Pacific Highway
- 3% affordable housing for 460 Pacific Highway (noting that residential development is not currently permissible on the site).

The proposal is to deliver 18% of residential floor space as affordable housing across the consolidated mixed use site. However, rather than dedication to Council as envisaged under Lane Cove LEP provisions it is proposed to directly enter into an arrangement with a Community Housing Provider for delivery of the affordable housing. This departure from the LEP provisions will be addressed in the EIS.

This approach is consistent with the approach which was endorsed by Lane Cove Council in the previous Planning Proposal as discussed in Section 1.2.2.

4.2 Alternatives Considered

A series of concept options and designs have been considered for this mixed use proposal as well as part of the previous Planning Proposals for the Site.

The EIS will set out all options investigated as part of the detailed design process for the current proposal and the respective reasons they were discounted.

5 Statutory Planning Context

5.1 Statutory requirements

5.1.1 Power to grant approval

Development consent is sought under 'Division 4.7 – Development that is State Significant Development' of the EP&A Act.

Section 4.36(2) of the EP&A Act states that:

The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development.

The Minister for Planning and Public Spaces subsequently made State Significant Development Declaration Order (No 10) 2025 dated 30 June 2025 which declares specified development on specified land to be SSD.

Part 2 of the order states the following development is declared SSD:

(i) development specified in EOI application 251164 dated 31 March 2025 including development for the purpose of shop top housing with provision of affordable housing at 448-460 Pacific Highway, St Leonards being Lot 1/Part 16/DP3175, Lot 2/Part 16/DP3175, Lot 3/Part 16/DP3175, Lot C/DP414984, SP73221.

The Proposal is for the purpose specified in the HDA EOI being shop top housing, with 18% affordable housing, and is therefore SSD.

5.1.2 Permissibility and key planning controls

The *Lane Cove Local Environmental Plan 2009* (Lane Cove LEP) applies to the site and sets out the following land use zones and controls.

Table 4: Lane Cove LEP – Part 8 Crows Nest TOD Precinct

Relevant provision	448-456 Pacific Highway	460 Pacific Highway
Land use zone / built form controls		
Land use zone	MU1 Mixed Use	E2 Commercial Centre
Permissible uses	A range of uses are permissible with consent including residential flat building, shop top housing, commercial premises.	A range of uses are permissible with consent including commercial premises.
Height of buildings	135m	45m
Floor space ratio (FSR)	16.7:1	6:1
Non-residential FSR	0.5:1	6:1
Affordable housing	18% of residential floor space	3% of residential floor space

Relevant provision	448-456 Pacific Highway	460 Pacific Highway
Part 8 Crows Nest TOD Precinct		
Section 8.3 Design Guide	Requires the consent authority to be satisfied that the development will be consistent with the <i>Crows Nest Transport Oriented Development Precinct Design Guide</i>. The provisions of the Design Guide will be a key consideration in development the proposed SSD and will be addressed through the EIS.	
8.4 Design Excellence	Sets out heads of consideration which are required to be considered to determine whether development exhibits design excellence. Design excellence will be a key consideration in developing the design for the SSD and the relevant heads of consideration will be addressed through the Architectural Design Report. It is understood that the proposed development will not be required to be reviewed by the State Design Review Panel.	
Section 8.5 Affordable housing	Allows the consent authority to impose a condition requiring an affordable housing contribution for the site equivalent to the percentage of the residential gross floor area as shown on the affordable housing map. This requirement can be satisfied by: • a dedication of one or more dwellings, each having a gross floor area of at least 50sqm, and/or • a monetary contribution of equivalent value to the required gross floor area.	

The proposed development is for shop top housing which is permissible with consent in the MU1 Mixed Use zone but prohibited in the E2 Commercial Centre. Accordingly, the proposed development is permissible with consent on 448-456 Pacific Highway, but is prohibited on 460 Pacific Highway.

Section 4.38(5) of the EP&A Act allows a development application in respect of SSD that is wholly or partly prohibited to be considered in accordance with Division 3.5 of the EP&A Act in conjunction with a proposed Environmental Planning Instrument (EPI) to permit the carrying out of the development.

A Concurrent Rezoning Proposal to rezone the Site and amend the relevant planning controls in the Lane Cove LEP to facilitate development for a 52 storey shop top housing development, as specified in the HDA EOI, will be progressed concurrently with the SSD application.

The proposed planning control amendments are outlined in Section 5.2.

5.1.3 Other approvals

Consistent approvals

The following approvals or authorisations are required to facilitate the proposed development. In accordance with Clause 4.42 of the EP&A Act, the following authorisations cannot be refused if the project is approved and must be substantially consistent with the approval.

Table 5: Section 4.42 Consistent approval

Approval	Approval required
Fisheries Management Act 1994 – aquaculture permit under section 144	No
Coal Mine Subsidence Compensation Act 2017 – approval under Section 22	No
Mining Act 1961 - mining lease	No
Petroleum (onshore) Act 1991 – production lease	No
Protection of Environmental Operations Act 1997 – environmental protection licence	No
Roads Act 1993 – consent under Section 138	Yes, a new vehicular access / basement access is proposed.
Pipelines Act 1967 – license requirements	No

Approvals not required for State Significant Development

Section 4.41 of the EP&A Act has the effect that several approvals, which would have otherwise been required if the project were not SSD, are not required. These are set out in the table below along with consideration of whether these approvals would have otherwise been required if the development was not SSD.

Table 6: Section 4.41 Approvals not required

Approval	Approval otherwise required
Fisheries Management Act 1994 – permits under section 201, 205 or 219)	No
Heritage Act 1977 – an approval under Part 4, or an excavation permit under section 139	No
National Parks and Wildlife Act 1974 – an Aboriginal heritage impact permit under section 90	No
Rural Fires Act 1997 – a bush fire safety authority under Section 100B	No
Water Management Act 2000 – a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91	Yes, groundwater may be present and a basement is proposed.

Pre-conditions to exercise the power to grant consent

The following legislation is expected to be a relevant pre-condition to approval and will be addressed in the EIS:

Table 7: Pre-conditions to approval

Legislation	Relevant section
Biodiversity Conservation Act 2016	Section 7.9 Biodiversity assessment of SSD
State Environmental Planning Policy (Resilience and Hazards) 2021	Section 4.6 Consideration of contamination in DAs
State Environmental Planning Policy (Transport and Infrastructure) 2021	- Section 2.48 Development near electricity network - Section 2.98 Development adjacent to rail corridors - Section 2.99 Excavation near rail corridors - Section 2.100 Impact of rail noise - Section 2.119 Development fronting a classified road - Section 2.120 Impact of road noise - Section 2.122 Traffic generating development - Section 2.122A Traffic generating development – TOD exemption for residential development
State Environmental Planning Policy (Sustainable Buildings) 2022	Section 2.1 and 3.2 Embodied energy.
Lane Cove LEP	- Section 8.3 Design Guide - Section 8.4 Design Excellence.

Matters for Mandatory Consideration

The following legislation is expected to be a matter for consideration in deciding to grant consent and will be addressed in the EIS:

Table 8: Mandatory matters for consideration

Legislation	Relevant section
Environmental Planning and Assessment Act 1979	- Section 1.3 Objects of the Act - Section 4.15 Evaluation of DAs
State Environmental Planning Policy (Housing) 2021	Section 147 DAs for residential apartment buildings
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Section 6.6 Water quality and quantity in regulated catchments

Legislation	Relevant section
State Environmental Planning Policy (Sustainable Buildings) 2022	- Chapter 2 Standards for residential development - Chapter 3 Standards for non-residential development
Lane Cove LEP	- Objectives and permissible land uses for MU1 Mixed Use and E2 Commercial Centre zones - Part 4 Principal development standards - Part 5 Miscellaneous provisions - Part 6 Additional Local Provisions - Part 8 Crows Nest Transport Oriented Development Precinct
Crows Nest Design Guide	All relevant provisions.

5.2 Concurrent rezoning proposal

The Proposal seeks a concurrent amendment to the planning controls in the Lane Cove LEP to facilitate the proposed development for shop top housing.

The Proposal will be supported by a Concurrent Rezoning Proposal which is expected to include the following proposed amendments to the Lane Cove LEP to be confirmed through the detailed design process:

- Allow shop top housing as an additional permitted use on 460 Pacific Highway
- Apply a maximum height of buildings control of 175m
- Apply a maximum FSR of 16.7:1 across the site
- Apply a maximum non-residential FSR of 0.5:1 across the site
- Apply an affordable housing target of 18% across the site.

The proposed amendments to the planning controls and justification for the proposed changes will be addressed in the Rezoning Report to be considered concurrently with the SSD application.

5.2.1 Local Planning Directions

The following local planning directions listed under Section 9.1 of the *Environmental Planning and Assessment Act 1979* are relevant to the proposal:

- Direction 1.13 Implementation of St Leonards Crows Nest 2036 Plan
- Direction 4.1 Flooding
- Direction 4.4 Remediation of Contaminated Land
- Direction 4.5 Acid Sulfate Soils
- Direction 5.1 Integrating Land Use and Transport
- Direction 5.3 Development near regulated airports and defense airfield
- Direction 6.1 Residential Zones
- Direction 7.1 Employment Zones

A detailed assessment of the Proposal against the applicable Section 9.1 directions will be provided as part of the Rezoning Report.

5.2.2 Strategic and Site-specific Merit

The Proposal has strategic merit as it is consistent State and local government strategic context which applies to the site as detailed in Section 3. It is consistent with the objectives of the National Housing Accord and NSW housing targets which includes a target of 3,400 new homes to be completed by 2029 in the Lane Cove LGA. The site is within the Crows Nest TOD precinct which comprise one of eight precincts identified as priority housing growth areas near transport hubs. The proposal is consistent with the NSW Governments vision for the Crows Nest TOD but seeks to maximise the opportunities of delivery a consolidated development across 448-460 Pacific Highway which was not envisaged under the Crows Nest TOD rezoning.

The HDA has also confirmed the Proposal's strategic merit and establishes the Proposal's state significance as a major mixed use residential project which satisfies the HDA's SSD criteria.

The Site has been subject to extensive site investigations and studies as part of a previous planning and the Crows Nest TOD rezoning. Based on the extensive assessments already undertaken for the Site the Proposal demonstrates site specific merit. Further consideration of the site specific merit will be undertaken through the preparation of the EIS and Concurrent Rezoning Proposal.

6 Consultation

Extensive consultation has been undertaken recently for the site as part of the Crows Nest TOD Precinct investigations including with Lane Cove Council, State Government agencies and community members and community groups. Consultation was also undertaken by the applicant with Council as part of the Planning Proposal prepared in 2022 with Council supporting the Planning Proposal as detailed in Section 1.2.2 of this report.

FPD Planning met with Council following lodgement of the HDA EIO to provide a briefing of the proposal and seek any initial feedback. It is noted that Council did not raise any specific concerns subject to further consideration as the design progresses.

The applicant will continue to consult with Council and where relevant, Government agencies and adjoining landowners during the preparation of the SSD application with consultation outcomes documented within the EIS. Further consultation will be undertaken as part of the public exhibition of the EIS.

7 Key assessment matters

A key consideration of the EIS will be matters raised in by the HDA in its consideration of the EOI. These matters are considered and addressed in Table 9. These matters will be further addressed through the preparation of the EIS.

Table 9: Consideration of HDA recommendations

Assessment matter	Proposed approach
That the applicant be advised that for the part of the site with an E2 zoning, that zoning should be retained and permissibility be addressed by an Additional Permitted Use.	Noted. This is addressed in the outline of the proposed amendments to the Lane Cove LEP at Section 5.2 which proposed shop top housing as an additional permitted use for 460 Pacific Highway.
A scoping meeting with the Department is also required to resolve an appropriate amount of non-residential floor area and site connections to the metro station	The proposal seeks to apply a non-residential floor space of 0.5:1 across the site which provides for ground floor activation, compared to the TOD controls which require 0.5:1 at 448-456 Pacific Highway and 6:1 at 460 Pacific Highway. Council through its endorsement of the previous Planning Proposal for 448-456 Pacific Highway confirmed its preference to prioritise affordable housing over commercial office uses at the upper podium levels to accommodate key workers and students to support the nearby health and education precinct. The proposal responds to this through provision of 18% affordable housing across the combined site (increased from 3% on 460 Pacific Highway) whilst maintaining non-residential uses at the ground floor level to accommodate employment uses and provide for street activation. This is considered suitable in light of limited market demand for commercial office space and high demand for housing. In this regard the Department of Planning and Environment's Employment Lands Commercial Office Report (2022) states the following in relation to the St Leonards commercial office market: <i>Lead deal activity and demand has remained subdued in the St Leonards office market since the onset of the pandemic. The limited activity, in conjunction with negative absorption across the secondary market, has resulted in the overall vacancy rising to 18.6% as at July 2022, up from 16.5% in January.</i> Given the declining commercial office market in St Leonards, the high demand for housing and Council's

Assessment matter	Proposed approach
	preference to prioritise affordable housing the reduced non-residential FSR is considered justified.
That the applicant be advised that the SSD application should address the departure from the TOD provisions, impacts of: - increased height on solar access - loss of commercial floorspace and - separation distances between towers	Solar diagrams have been prepared as part of the Concept Design Report at Appendix A to illustrate the impact of the increased height (see Figure 6 below). The proposed development does not have any significant additional impact on solar access to open space compared to development under the TOD controls as summarised below: Newlands Park The Crows Nest Design Guide includes a requirement for no additional overshadowing between 10am and 3pm in midwinter. It is noted that the proposed development results in minor additional overshadowing to Newland Park at 9am but has no impact on this park from 10am onward consistent with the requirements of the Design Guide. Potential open space corner Oxley / Christie The Crows Nest Design Guide includes a requirement for a minimum of 3 hours to 40% of the area between 10am and 3pm in midwinter. The proposed development does not have an additional impact on the indicative location of this park compared to the development under the TOD controls. Further solar testing will be carried out through the EIS. Loss of commercial floor space is addressed above in this table. Separation distance between towers is addressed in the Concept Design Report at Appendix A. This illustrates the following: - A separation of 40m to the existing St Leonards Square development which significantly exceeds the requirements of the ADG and provides for generous tower separation. - A 3m tower setback to the western boundary to 40 Oxley Street which can accommodate a non-residential building of 64m under the TOD controls. This allows for 6.2m separation at the lower levels and 9.2m at the upper levels of a future development at 40 Oxely Street.

Assessment matter	Proposed approach
That the applicant be advised that a merit assessment may result in development standards and dwelling yield lower than proposed in the EOI application.	Noted. This will be further considered through the scoping meeting and preparation of the EIS where required.

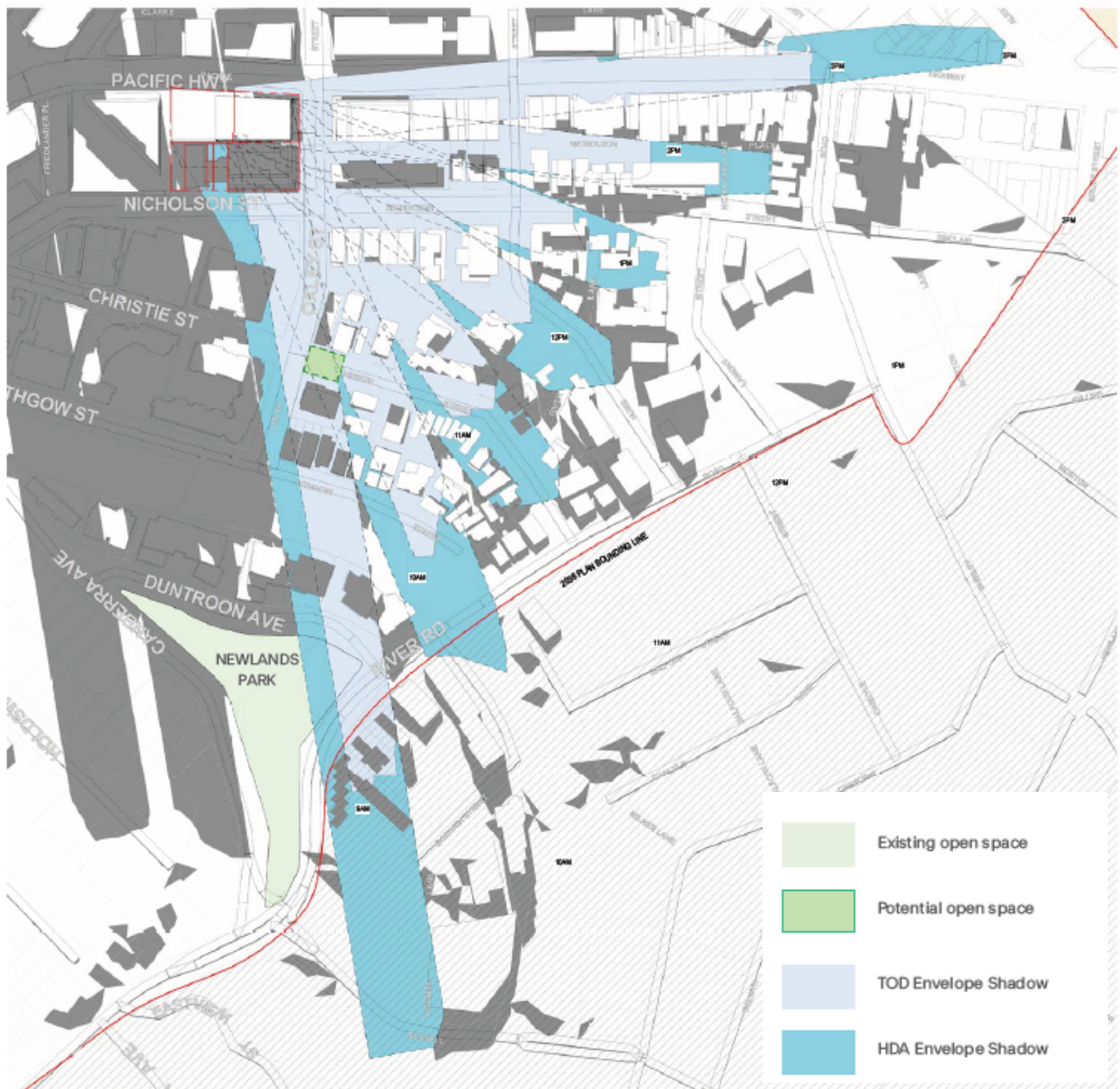


Figure 6: Shadow diagram

The EIS will be prepared in accordance with the SEARs and the legislative requirements defined under the EP&A Regulation. Table 10 below outlines the relevant matters requiring assessment in the EIS.

Table 10: Key assessment matters

Assessment matter	Proposed approach
Built Form and Urban Design	The proposal will be accompanied by an Architectural Design Report that supports the proposed built form and urban design outcomes and associated impacts including overshadowing and visual / privacy impacts and demonstrates design excellence. The Architectural Design Report will address the relevant requirements of the Lane Cove LEP, the Crows Nest TOD Design Guide and the Apartment Design Guide.
Landscaping and public domain	No trees are located on or adjacent to the site which would require preparation of an Arborist report. A Landscape Report and Landscape/Public Domain Plans will be prepared detailing how a high quality landscaping and canopy cover outcome will be achieved.
Residential amenity	An Apartment Design Guide (ADG) Compliance Table and a Design Verification Statement will be prepared as part of the EIS to ensure that the proposed development achieves a high level of residential amenity.
Affordable housing	The EIS will address the delivery of the proposed affordable housing noting that rather than dedication to Council as envisaged under Lane Cove LEP provisions it is proposed to directly enter into an arrangement with a Community Housing Provider for delivery of the affordable housing. This is discussed in further detail in Section 4.1.
Wind impact	A wind impact assessment will be prepared to address the requirements of the Crows Nest TOD Design Guide.
Visual impact	A visual analysis will be prepared including photomontages to consider visual impacts and demonstrate a high quality streetscape outcome.
Transport	A transport impact assessment to be prepared including swept path diagrams. A Preliminary Construction Traffic Management Plan will also be prepared.
Noise and vibration	A noise and vibration assessment to be preparing including consideration of noise impacts from Pacific Highway and any other noise sources.
Water management, groundwater, flooding	An Integrated Water Management Plan will be prepared to consider stormwater impacts, groundwater impacts and management of flood risks.
Geotechnical	A geotechnical report will be prepared which will detail the need for an Acid Sulfate Soils Management Plan and/or Salinity Management Plan.

Assessment matter	Proposed approach
Contamination	A Preliminary / Detailed Site Assessment will be prepared. Where required a Remediation Action Plan will be prepared.
Ecological sustainable development	An ESD report and BASIX certificates will be prepared.
Biodiversity	A BDAR waiver will be requested prior to lodgement of the EIS.
Waste Management	Operational and Construction Waste Management Plans will be prepared.
Social impact	Social impacts will be addressed through the EIS.
Aboriginal cultural heritage	A Due Diligence Aboriginal Heritage Assessment to be prepared to confirm any requirement for an ACHAR.
Public spaces	A Public domain plan will form part of the architectural / landscape plans which will detail the proposed through site links and any other aspects of the public domain.

8 Conclusion

The proposed SSD will support key government objectives for the Crows Nest TOD Precinct through a new mixed use development directly adjacent to Crows Nest Station. It will deliver improved pedestrian connectivity, public domain and streetscape outcomes and make a significant contribution to housing supply including affordable housing in close proximity to public transport.

We trust that the information provided is sufficient to enable Site Specific SEARs to be issued for the preparation of the EIS.

Appendix A: Concept Design Report