

Scoping Report

Build to Rent Development

46-52 Nicholson Street and 59-67 Christie Street, St Leonards

Table of Contents

1.0	Introduction.....	2
1.1	The Proponent	2
1.2	Site Overview.....	3
1.3	Project History	4
1.4	Housing Delivery Authority Process.....	5
2.0	Strategic Context	5
2.1	Consistency with Strategic Framework.....	5
2.2	Cumulative Impacts.....	7
3.0	The Proposal.....	8
3.1	Proposed Amendment to the LCLEP.....	10
3.2	Affordable Housing requirements	10
3.3	Estimated Development Cost	10
3.4	Primary purpose of the proposal	10
4.0	Statutory Context.....	11
5.0	Engagement.....	13
5.1	Engagement Undertaken	13
5.2	Identified Key Stakeholders	13
5.3	Future Engagement Actions.....	13
6.0	Proposed Assessment of Impacts	14
6.1	Other Matters	15
7.0	Conclusion	15

Figures

Figure 1 The Site (SIXMAPs, edited).....	3
Figure 2 Proposed Section (Cox Architecture)	9
Figure 3 Excerpt of Upper Ground Level amenities (Cox Architecture).....	9
Figure 4 Overshadowing analysis of Newlands Park at 10am mid-winter (Cox Architecture).....	10

Tables

Table 1 Proponent's Details	2
Table 2 Site Description	3
Table 3 Indicative Development Summary	8
Table 4 Statutory Context.....	11
Table 5 Matters Requiring Further Assessment in the EIS	14

1.0 Introduction

This Scoping Report has been prepared by Planning & Co on behalf of St Leonards Property Unit Trust (the **Proponent**) in support of a build to rent (**BTR**) development on land at 46-52 Nicholson Street and 59-67 Christie Street, St Leonards (the **Site**). The proposal involves the provision of a BTR development providing approximately 500 dwellings and basement parking.

The purpose of this Report is to request the Secretary’s Environmental Assessment Requirements (**SEARs**) for the preparation of an Environmental Impact Statement (**EIS**) that will accompany a State Significant development Application (**SSDA**).

As a result of the Housing Delivery Authority (**HDA**) briefing on 7 February 2025, the panel recommended the applicant engage with the Department of Planning, Housing and Infrastructure (**DPHI**) to consider a concurrent rezoning where an uplift in development standards was pursued. This Scoping Report therefore seeks SEARs in addition to concurrent Study Requirements for a concurrent rezoning for the project.

Development for BTR housing with an estimated development cost (**EDC**) of more than \$50 million in Greater Sydney, and where the tenanted component comprises at least 60% of the proposed development’s EDC, is State Significant Development (**SSD**) under Schedule 1, Section 27 of *State Environmental Planning Policy (Planning Systems) 2021 (Planning System SEPP)*. The proposal’s tenanted component will represent 100% of the proposed development’s EDC and will be managed by Coronation’s Property’s BTR operator, Nation. Additionally, the development as a Development for the purposes of residential accommodation on land identified as an “Accelerated TOD Precinct” on the *Accelerated Transport Oriented Development Precincts Rezoning Areas Map*, if the development has an estimated development cost of more than \$60 million under Schedule 2, Section 19 (1) of the Planning Systems SEPP. Therefore, either way, the proposal is declared to be SSD for the purposes of the Environmental Planning and Assessment Act 1979 (**EP&A Act**).

This Report provides an overview of the proposal, sets out the statutory context, and identifies the key environmental and planning issues likely to be associated with the proposal.

Upon receipt of the SEARs, the information contained in this Scoping Report will form the basis of a comprehensive EIS prepared in accordance with the requirements of Part 4 of the EP&A Act, Part 8 Division 2 of the Environmental Planning and Assessment Regulation 2021 (**The Regulations**) and the *State Significant Development Guidelines – Preparing an Environmental Impact Statement* (2022). Rezoning requirements will also form part of the project application in the form of a Rezoning Report or contained within the EIS.

1.1 The Proponent

The Proponent’s details are presented in the following **Table 1**:

Table 1 Proponent's Details

Aspect	Detail
Proponent name	St Leonards Property Unit Trust
ABN	16 937 189 558
Address	66 Wentworth Avenue, Surry Hills

1.2 Site Overview

The site is located within the Lane Cove Local Government Area (**LGA**), on the southern side of the St Leonards Centre approximately 280m walking distance from the St Leonards railway station and 350m walking distance from the Crows Nest metro station.

St Leonards is approximately 5km north of the Sydney Central Business District (**CBD**). The precinct has been undergoing a transition from smaller commercial buildings to multi-storey, mixed-use, and commercial developments. Much of the land on the north and south side of the Pacific Highway has already been redeveloped with larger mixed-use buildings. Several underdeveloped properties are also subject to development consent.

The importance of the St Leonards Crows Nest Strategic Centre has been recognised by the State Government in endorsing the release of the St Leonards Crows Nest Plan 2036 in September 2020 for the renewal of the St Leonards Crows Nest Strategic Centre. This has been further reinforced with Crows Nest being identified as an Accelerated Precinct under the Transport Oriented Development (**TOD**) program and the consequent State-led rezoning for the Crows Nest area.

The site is made up of several lots (refer to **Table 2**). It is located between Christie Street and Nicholson Street, directly south of the Pacific Highway, and is irregular in shape. The site has a site area of 2,300.3 sqm. The site's location is shown in **Figure 1**.

Table 2 Site Description

Address	Legal Description	Area (sqm)
46 Nicholson Street	Lot 11/ DP	281
48 Nicholson Street	Lot A/ DP334878	258
50 Nicholson Street	Lot CP/ SP54127	254
59 Christie Street	Lot 1/ DP949064	280
61 Christie Street	Lot B/ DP 334878	257
63 Christie Street	Lot 2/ DP528060	262
65 Christie Street	Lot 2/ DP945933	370
67 Christie Street	Lot 4/ SP18047	339

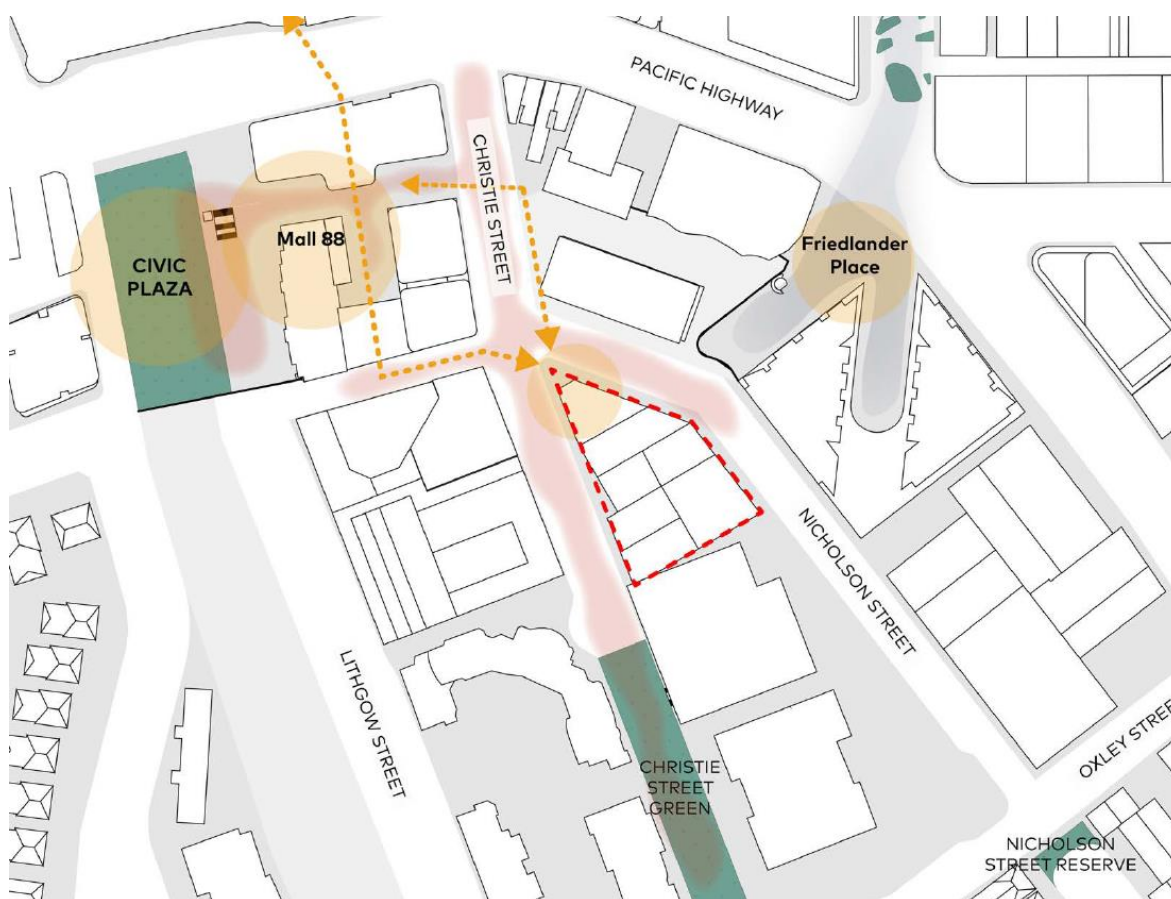


Figure 1 The Site (SIXMAPs, edited)

1.3 Project History

1.3.1 Planning Proposal

A site-specific Planning Proposal (**PP-2021-2071**) was submitted on 16 July 2020 to amend the following planning controls of the *Lane Cove Local Environmental Plan 2009 (LCLEP)* to generally align with the density envisioned for the site under the St Leonards and Crows Nest 2036 Plan, being:

- Increase the maximum floor space ratio from 4.5:1 to 15:1 through the introduction of a site-specific clause (Clause 6.10 of the LCLEP), and
- Increase the maximum building height from 25 metres to RL 174.95 metres (AHD).

The Planning Proposal was subsequently finalised, and the LCLEP was amended through *Lane Cove Local Environmental Plan 2009 (Amendment No 38)* on 26 November 2021.

1.3.2 Concept SSDA

A Concept SSDA (**SSD-56527976**) was submitted 21 September 2023 for a “*concept proposal for a mixed-use BTR development consisting of a building envelope for a podium and tower up to RL 174.95 (31-storeys) with a maximum GFA of 34,500 sqm for residential, commercial and retail uses. No physical works are proposed*”.

The application sought concept approval for:

- A building envelope with maximum height of RL 174.95,
- A mix of residential (BTR), commercial office, and retail land uses,
- Vehicular access from Christie Street and loading access from Nicholson Street,
- Associated tree removal (and replacement), landscaping and public domain upgrades,
- Utility and services augmentation as required, and
- The application was placed on exhibition from 5 December 2023 to 23 January 2024. A Response to Submissions has been submitted and the application is currently under assessment.

The Concept SSDA was approved 20 February 2025.

While the Concept SSDA has been approved, there is no statutory requirement for a Concept SSD for the site, nor does this SSDA rely on the concept approval. As such, the proposal can proceed independently of the Concept SSD however, it expands on the technical analysis and design work undertaken under the Concept SSD.

The existing Concept SSD can be amended (if necessary), pursuant of section 37 of the Regulations, concurrently with this SSDA.

1.3.3 TOD Tier 1 Accelerated Precinct

On 15 December 2024 the State Government announced the establishment of the TOD program as part of planning reforms to address the housing crisis. Tier 1 relates to 8 accelerated precincts to create infrastructure and capacity for 60,000 new homes over 15 years.

Crows Nest was identified as an accelerated precinct due to its close proximity to a metro station and key public transport interchanges, promoting walking and cycling opportunities. It built on the work undertaken by the State Government in the St Leonards and Crows Nest 2036 Land Use and Infrastructure Plan.

Importantly, height and floor-space bonuses for in-fill affordable housing under Chapter 2 of the Housing SEPP were turned off to projects within the TOD precincts and a local affordable housing contribution of 3% for future development was imposed on the site.

This is discussed further in **Section 2.0** below.

1.4 Housing Delivery Authority Process

Since 8 January 2025, applicants have been able to submit an expression of interest (**EOI**) to the HDA, who provides a pathway for an accelerated SSD, addressing criteria for major residential developments. These include projects valued at over approximately \$60 million in Greater Sydney (on average 100 or more homes).

The first HDA Briefing was held on 7 February where the EOI for 46-50 Nicholson Street & 59-67 Christie Street, St Leonards was considered (HDA229419), and the following was concluded:

- **Noted** the proposal has state significance
- **Confirmed** the BTR housing SSD pathway as the correct development pathway for this application.
- **Recommended** the Department consider a concurrent rezoning where the applicant is pursuing uplift in development standards.
- **Noted** the HDA would monitor the progress of assessment of this proposal.

Following the HDA briefing, the applicant has engaged with various teams within DPHI over several months to refine the built form and outcomes sought for the project.

2.0 Strategic Context

This section sets out the key strategic issues that are relevant to the project justification and evaluation.

2.1 Consistency with Strategic Framework

The following strategic planning documents and processes are relevant to the Proposal.

- The National Housing Accord,
- Greater Sydney Region Plan,
- North District Plan,
- St Leonards and Crows Nest 2036 Plan,
- Crows Nest TOD Rezoning Proposal,
- Lane Cove Local Strategic Planning Statement, and
- A summary overview is provided in this Report.

These documents will be addressed in detail in the EIS.

2.1.1 The National Housing Accord

The Federal Government has agreed to a National Housing Accord (the **Accord**) with states and territories, local government, institutional investors and the construction sector. The Accord includes an initial target agreed by the Commonwealth and states and territories to deliver 1.2 million new well-located homes over 5 years from mid-2024. As part of this, NSW agreed to deliver 3,100 new affordable homes.

2.1.2 Greater Sydney Region Plan

The *Greater Sydney Region Plan* (**Region Plan**) sets out key directions that collectively form a framework for liveability, productivity and sustainability that underpins the growth of the Greater Sydney region. It sets out objectives that will guide Greater Sydney's growth. The project aligns with and gives effect to the following strategic objectives:

- Objective 7: Communities are healthy, resilient and socially connected,
- Objective 10: Greater housing supply,
- Objective 11: Housing is more diverse and affordable,
- Objective 12: Greater places that bring people together, and
- Objective 14: *A Metropolis of Three Cities* – integrated land use and transport creates walkable and 30-minute cities.

Further, the St Leonards area benefits from its proximity to existing transport, services, green spaces and will continue to leverage the benefits of growth from the identified Growth Area of St Leonards & Crows Nest. St Leonards and Crows Nest is identified as a 'Growth Area and Urban Renewal Corridor'. The Region Plan states the

importance of “Growth Areas programs play a role in supporting housing supply... The identification of opportunities for new housing is only part of the solution. Linking new housing to infrastructure is equally, if not more, important to realising supply”. This SSDA proposal plans to realise the opportunity to deliver said new housing supply in proximity to well-connected transport infrastructure.

2.1.3 North District Plan

Consistent with the Region Plan, the *North District Plan (District Plan)* sets the strategic directions for City of Ryde, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Northern Beaches, and Willoughby LGAs. It promotes three major housing themes which are facilitated by this proposal:

- Greater housing supply,
- More diverse and affordable housing, and
- Better located and designed housing.

2.1.4 St Leonards and Crows Nest 2036 Plan

The *St Leonards and Crows Nest 2036 Plan (2036 Plan)* represents a comprehensive land use and infrastructure package for St Leonards and Crows Nest to guide future development and planning decisions in the area until 2036. The Plan overall is anticipated to deliver 6,680 new homes, planning capacity for an extra 119,979sqm employment floor space and 16,500 new jobs in St Leonards and Crows Nest.

The 2036 Plan specifically identifies BTR as an emerging land use within St Leonards, stating that:

St Leonards and Crows Nest represents a key opportunity to deliver build-to-rent housing given its accessible location and improvements to active and public transport links with the introduction of the Crows Nest Metro Station. Built-to-rent housing has the potential to deliver key public benefits for the community, including greater housing choice in a stable-rental environment which can result in more established residents actively participating in the community.

This SSDA proposal is aligned to the 2036 Plan by providing a significant quantity of BTR floorspace that leverages its proximity to St Leonards railway station and new Crows Nest metro Station.

2.1.5 Crows Nest TOD Rezoning

Following the 2036 Plan, Crows Nest was identified as an Accelerated Precinct under the TOD program due to its capacity to support an increase in population, additional housing, and proximity to public transport services. The proposal for the Crows Nest TOD Rezoning, which includes the subject site, was exhibited between July to August 2024 and came into effect on 27 November 2024.

The rezoning has planned for capacity for up to 3,255 new homes, 2,600 new jobs, and delivery of 325-488 affordable homes. This SSDA proposal plans to provide approximately 350 apartments and generate increased employment in the area, supporting the targets and overall intent of the TOD rezoning.

2.1.6 Lane Cove Local Strategic Planning Statement

The Lane Cove Local Strategic Planning Statement (**LSPS**) responds to the Region Plan and the North District Plan to provide the 20-year vision, planning priorities and actions for land use for the Lane Cove LGA.

The LSPS states that ‘*St Leonards will be a walkable ‘30-minute’ Strategic Centre, Health, Education and Commercial Office Precinct*’, including through leveraging the new Crows Nest Metro station. The proposal responds to this vision for St Leonards, delivering BTR accommodation and activated retail to improve the liveability and vibrancy of St Leonards.

Additionally, the proposal responds to the LSPS’ desire to consolidate new housing around the St Leonards train station to achieve transit orientated development, including locating higher density development within a 400 metre radius of the existing rail station and/or Crows Nest metro station.

The LSPS also notes the relative unaffordability of housing within the LGA, stating that ‘*in any future arrangements, flexibility for innovative purchase and rental models should be considered by the NSW Government*’. This SSDA proposal delivers BTR housing that will provide more flexibility for renters and assure a stable rental environment, targeted towards younger working professionals and families. Site Strategic Context

2.1.7 Existing development

The site contains six commercial buildings ranging in height from two to four storeys, which are in poor condition and underutilised – with 65% of the office floorspaces vacant. The buildings generally abut each other at the property boundaries with the exception of 59 Christie Street. No buildings are listed as heritage items and the site is not within a heritage conservation area. The eight lots have been consolidated under single landholding ownership for the purposes of redevelopment, presenting a significant opportunity to redevelop the site generally in line with the amended planning controls.

2.1.8 Surrounding Development

Broadly, development surrounding the site comprises a high density, mixed-use typology comprising a combination of ground-floor retail, commercial office, and residential development in buildings of varying heights, styles, and ages. Given the changing nature of St Leonards following the 2036 Plan and the undertaking of the TOD Rezoning Proposal, land surrounding the site will most likely continue to be subject to ongoing planning, construction, and overall urban renewal towards a more residential focus.

2.1.9 Transport and Access

The site is located approximately 280m walking distance south of St Leonards railway station providing local rail services and onward connections for regional services and 350m walking distance to Crows Nest Metro Station providing direct links to North Sydney, Barangaroo and Martin Place.

The site is in close proximity to a number of bus services which travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs.

The site is bounded by and/or proximate to the following roads:

- Christie Street has a one-way access from the Pacific Highway. It is a two-lane road with a cul-de-sac at its southern end,
- Nicholson Street is a two-way street that runs from Christie Street to Oxley Street. Circulation restrictions require all traffic surrounding the site to exit the area via Oxley Street which connects to the Pacific Highway directly and via Lithgow Street, and
- The Pacific Highway is an arterial road that runs from the Warringah Freeway through to Sydney's northern suburbs with connections to Sydney CBD. At St Leonards, the Pacific Highway runs in three lanes in both directions.

2.2 Cumulative Impacts

St Leonards is currently undergoing significant urban renewal and change, following the gazettal of the 2036 Plan and the TOD Rezoning Proposal which is estimated to be finalised and approved shortly.

It is intended that any cumulative impacts of this SSDA proposal (particularly those regarding surrounding high-density development) will be mitigated through design and will be addressed in further detail in the EIS. However, it is expected that a precinct undergoing such considerable change will experience some level of amenity impact.

However, it is also worth noting that despite the strategic planning changes for the area over the last 5 years, the actual production rate of housing supply in the Lower North Shore is averaging 775 annually since 2020-2021, achieving only 29% of DPHI's five-year housing target for the region (13,200 new homes by 2029). This proposal commits to delivering housing supply in the area that is of high quality and supports housing diversity and affordability in a highly accessible area. The Proponent intends for this proposal to contribute to positive cumulative impacts of increased housing production in St Leonards.

3.0 The Proposal

The proposed SSDA is for a BTR development that seeks to deliver the following:

- A single 36-storey tower including a 4-storey podium with an overall height of RL194.30,
- A floor space ratio of 17.13:1,
- The provision of approximately 541 units,
- Total gross floor area of approximately 39,414 sqm,
- Six levels of basement parking,
- BTR amenity provided in lower ground, upper ground, podium, tower and rooftop levels,
- Vehicular access from Christie Street and loading access from Nicholson Street,
- Site landscaping and public domain upgrades, and
- Utility and services augmentation as required.

Importantly, the proposal has been refined in consultation with DPHI to ensure no additional overshadowing to Newlands Park at 10am mid-winter, consistent with the recently adopted Design Guidelines for the precinct.

The following table provides the key development metrics for the development at the current stage, which will be refined prior to submission of the SSDA.

Table 3 Indicative Development Summary

Development Summary		
Site Area	2,300.3	sqm
Permitted LEP Height	174.95	RL
Proposed Height	194.30	RL
Permitted FSR	15	:1
Proposed FSR	17.13	:1
Permitted GFA	34,500	sqm
Proposed GFA	39,414	sqm
Total Proposed Unit Count	541	units

Per the HDA229419 determination of 7 February 2025, the proposal also seeks a concurrent rezoning to amend the Lane Cove LEP to amend the Lane Cove LEP as detailed in Section 3.1 below.

An indicative section of the proposed development (**Figure 2**), excerpt of Upper Ground amenities (**Figure 3**) and an excerpt of overshadowing analysis to Newlands Park at 10am mid-winter (**Figure 4**) are provided in the following pages.

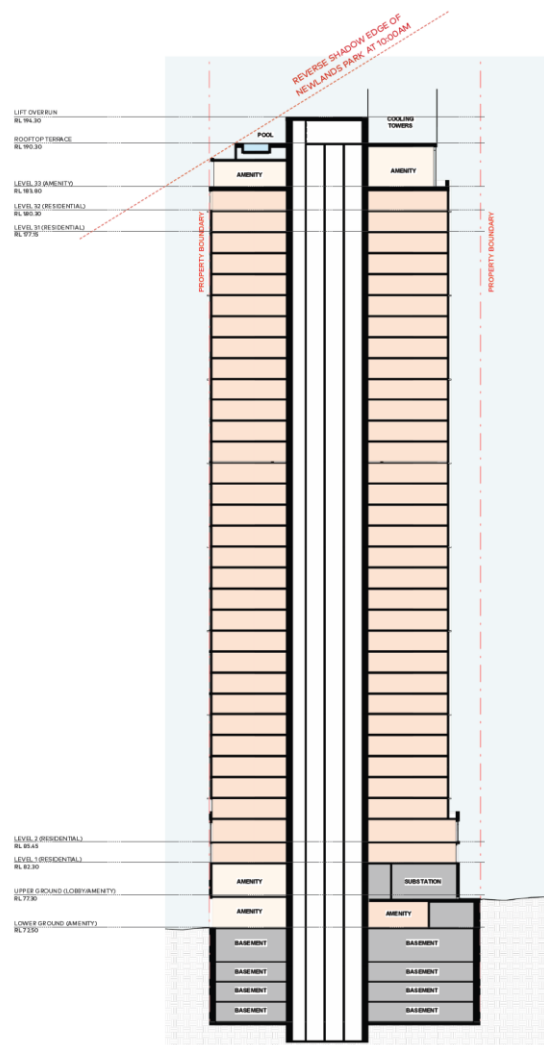


Figure 2 Proposed Section (Cox Architecture)



Figure 3 Excerpt of Upper Ground Level amenities (Cox Architecture)



Figure 4 Overshadowing analysis of Newlands Park at 10am mid-winter (Cox Architecture)

3.1 Proposed Amendment to the LCLEP

A key component of the HDA229419 recommendation was the recommendation for DPHI to “consider a concurrent rezoning where the application is pursuing uplift in development standards”. As such, the Proponent has been involved in considerable engagement with DPHI in this regard, as detailed in **Section 5.1**.

In accordance with the HDA program and engagement with DPHI, a concurrent Planning Proposal will be submitted to amend the LCLEP ‘Height of Buildings Map’ and ‘Floor Space Ratio Map’ to align to the proposed building height and floor space ratio sought.

An initial strategic merit assessment for the proposed amendment to the NSLEP 2013 is provided at **Section 2.0** of this Scoping Report.

3.2 Affordable Housing requirements

Under Part 8 of LCLEP, developments with a GFA of at least 200 sqm used for the purposes of residential accommodation are required to provide at least 3% of the total GFA as affordable housing to be managed by a registered community housing provider, in perpetuity. This can be achieved via dedication to consent authority or a monetary contribution.

3.3 Estimated Development Cost

An EDC Report prepared by a suitably qualified professional will be provided as part of lodgement.

3.4 Primary purpose of the proposal

Development for BTR housing with an EDC of more than \$50 million in Greater Sydney, and where the tenanted component comprises at least 60% of the proposed development’s EDC, is SSD under Schedule 1, Section 27 of the Planning Systems SEPP. The proposal’s tenanted component will represent 100% of the proposed development’s EDC. Additionally, the development as a Development for the purposes of residential accommodation on land identified as an “Accelerated TOD Precinct” on the *Accelerated Transport Oriented Development Precincts Rezoning Areas Map*, if the development has an estimated development cost of more than \$60 million, is SSD under Schedule 2, Section 19 (1) of the Planning Systems SEPP. Therefore, the proposal is declared to be SSD for the purposes of the EP&A Act.

The building will achieve the State Government’s objectives of jobs closer to home, in a location which is highly serviced by public transport and provide a significant contribution to both housing and jobs targets at the site. Therefore, the development in its entirety is considered to be SSD pursuant to Clause 2.6(2) of the Planning Systems SEPP.

Permissibility of the proposed land use is detailed in **Table 4** of **Section 4.0**.

4.0 Statutory Context

This section provides an overview of the key statutory requirements for the proposal.

Table 4 Statutory Context

Matter	Comments
<i>Power to Grant Consent</i>	The proposal is a BTR development: • With a capital investment value of more than \$50 million within the Six Cities Region, • The tenanted component will have a value of at least 60% of the estimated development cost, • Is located in the E2 Commercial Centre (B3 Commercial Core) land but does not include any prohibited land uses, and • And thus, is declared to be State Significant under Schedule 1, Section 27 of the Planning Systems SEPP. Therefore, the development, in its entirety is considered to be SSD pursuant to Clause 2.6(2) of the Planning Systems SEPP. Additionally, the development is also declared to be SSD under Schedule 2, Section 19 (1) of the Planning Systems SEPP as it meets the following: <i>Development for the purposes of residential accommodation on land identified as an “Accelerated TOD Precinct” on the <u>Accelerated Transport Oriented Development Precincts Rezoning Areas Map</u>, if the development has an estimated development cost of more than \$60 million.</i>
<i>Permissibility</i>	The proposal is located on land which is subject to the LCLEP and zoned E2 Commercial Centre. BTR is the proposed land use for the site and is permissible by the following: BTR permissibility Chapter 3, Part 4, Section 72(2(ia)) and (3) of the Housing SEPP permits the development of BTR housing in land zoned E2 as the proposal satisfies the following: • The development results in at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, and • All buildings containing the dwellings are located on the same lot. The proposal satisfies the above and therefore, the development of BTR housing is permitted with consent on the site.
<i>Other Approvals</i>	The following approvals and/or referrals will be required in order to permit the proposal to occur: • Referral to the RMS under Section 2.121 of the Transport and Infrastructure SEPP, • Approval for OLS Protrusion under the Airports (Protection of Airspace) Regulations, • Roads Act 1993 (including Section 138 approvals), and • Sydney Water Act 1994 under Section 73 (compliance certificate).
<i>Pre-conditions to exercising the power to grant consent</i>	• Biodiversity Conservation Act 2016 • State Environmental Planning Policy (Sustainable Buildings) 2022, • State Environmental Planning Policy (Resilience and Hazards) 2021, • State Environmental Planning Policy (Transport and Infrastructure) 2021, • State Environmental Planning Policy (Housing) 2021, and • State Environmental Planning Policy (Biodiversity and Conservation) 2021.
<i>Mandatory matters for consideration</i>	• Section 1.3 and 4.15 of Environment Planning and Assessment Act 1979, • Environmental Planning & Assessment Regulations 2021, • Chapter 3, Part 4; Chapter 2, Part 2 and Chapter 4 of State Environmental Planning Policy (Housing) 2021, and • Section 2.1, 4.3, 4.4, 5.10, 5.21, 6.1, 6.1A, 6.7, 6.10 and Part 8 of LCLEP.

<i>Relevant changes to development controls through the application of State Environmental Planning Policy Amendment (Crows Nest Transport Oriented Development Precinct) 2024 and State Environmental Planning Policy (Exemptions) 2024</i>	The following any changes that have affected the site enforced by State Environmental Planning Policy amendments. • <i>State Environmental Planning Policy Amendment (Crows Nest Transport Oriented Development Precinct) 2024</i> <u>Amendment to LCLEP:</u> – The site is land identified as “Crows Nest Transport Oriented Development Precinct” on the Key Sites Map and “Affordable Housing Contribution Area” on the Affordable Housing Map. – Therefore, the SSDA must satisfy the relevant sections 8.4, 8.5, 8.6 of LCLEP. • <i>State Environmental Planning Policy (Exemptions) 2024</i> <u>Amendment to Housing SEPP:</u> – The site is land identified as an “Accelerated TOD Precinct” on the Accelerated Transport Oriented Development Precincts Rezoning Areas Map. – Section 15C (2A) enforced that Part 2, Division 1 In-fill affordable housing no longer applies to land identified as “Accelerated TOD Precinct” on the <i>Accelerated Transport Oriented Development Precincts Rezoning Areas Map</i>. – Therefore, height and FSR bonuses associated with section 16 and 18 of this Division do not apply to the site. <u>Amendment to Planning Systems SEPP:</u> – The site is land identified as an “Accelerated TOD Precinct” on the Accelerated Transport Oriented Development Precincts Rezoning Areas Map. – Schedule 2 State significant development – identified sites, Section 19 (1) states: <i>Development for the purposes of residential accommodation on land identified as an “Accelerated TOD Precinct” on the Accelerated Transport Oriented Development Precincts Rezoning Areas Map, if the development has an estimated development cost of more than \$60 million.</i> – Therefore, the development for this proposal is considered SSD under Section 2.6 of the Planning Systems SEPP.
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5.0 Engagement

5.1 Engagement Undertaken

We note that the previous owners of the site undertook extensive engagement throughout the Concept SSD process for the site. Outcomes of these processes are still applicable for the SSDA.

The Proponent has engaged with DPHI on multiple occasions to discuss the SSDA and Planning Proposal pathway as outlined in the table below.

Date	Forum	Outcome
26 February 2025	MS Teams	Overview of proposed planning outcomes associated with HDA recommendation for the Department to consider concurrent rezoning with proposal. Summary of proposed height, FSR and affordable housing provision.
3 April 2025	MS Teams	Clarification on concurrent rezoning elements and items to consider as part of SSD including overshadowing to Newlands Park and justification.
1 May 2025	MS Teams	Presentation to GANSW representative, DPHI State Rezoning team and DPHI Assessments team on affordable housing delivery, visual analysis and overshadowing. Analysis of strategic context was also discussed and alignment with the St Leonards and Crows Nest 2036 Plan
1 July 2025	In person	Presentation to GANSW, DPHI State Rezoning team and DPHI Assessments team on affordable housing delivery, visual analysis and overshadowing to canopy cover of Newlands Park and not the usable open space area.

An early consultation with the State Design Review Panel (**SDRP**) with the Government Architect NSW (**GANSW**) has been requested to ensure independent design quality advice is considered early into the proposal. However, according to the *NSW State Design Review Panel Guidelines for Project Teams*¹, for private projects on private land, pre-lodgement review by the NSW SDRP is not required if no sessions are available within 12 weeks of the application. The SDRP at the time of request had advised that it could not meet the 12 week timeframe and therefore waived the requirement.

The proponent is willing to undertake the SDRP process post exhibition if necessary – however it is noted that the Concept SSD had been subject to two separate SDRP processes. The proposed design is essentially working off the work completed for the Concept SSDA including retaining the same architect.

5.2 Identified Key Stakeholders

The Proponent proposes to engage with the following stakeholders (which may include, but is not limited to):

- DPHI,
- Lane Cove Council,
- GANSW (as part of the SDRP process),
- Transport for NSW,
- Relevant services and utilities providers (e.g. Sydney Water, Jemena, Ausgrid),
- Sydney Airport Corporation, Airservices Australia and the Civil Aviation Safety Authority (CASA),
- Commonwealth Department of Infrastructure, Transport, Regional Development and Communications, and
- The local community and surrounding properties.

5.3 Future Engagement Actions

Future engagement will be undertaken on an ongoing basis and may include publicly accessible on-line engagement and stakeholder briefings. All issues raised will be documented in an engagement report which will report to the community on findings of any engagement and the assessment of the impacts of the project. This will

¹ [NSW State Design Review Panel: Guidelines for Project teams – Advisory note](#)

accompany the EIS. The public exhibition process will allow further opportunities for the public, agencies, and other stakeholders to comment and provide submission on the DA.

6.0 Proposed Assessment of Impacts

The following matters are requiring further assessment in the EIS.

Table 5 Matters Requiring Further Assessment in the EIS

Assessment Matter	Proposed Approach
Built Form and Urban Design	The Proposal will be accompanied by Architectural Plans, Architect Design Statement, and Urban Design Report that support the proposed built form and urban design outcomes and will remain consistent with the submitted existing Concept SSDA Plans. These reports will assess the impact of the proposed form and urban structure proposed within its context.
Environmental Amenity	The following environmental amenity considerations will be addressed in the design of Architectural Plans: - Natural daylight and ventilation, - Private, communal and outdoor spaces, - Reflectivity, - Solar access, - Visual privacy, and - Wind impact.
Public Infrastructure and Public Domain	The Proposal will address and plan for the interfaces of the Proposal with the public domain and its integration with the surrounding context. Key considerations will include access and connectivity with key public transport hubs including the Crows Nest metro station and St Leonards railway station.
Traffic, Parking and Access	A Transport Impact Assessment will accompany the SSD and have specific regard for the Proposal's impact on traffic generation, cumulative traffic impacts, traffic modelling and management including key intersections, parking provision, site access, loading/servicing, public transport, and construction impacts.
Visual impact and overshadowing	Shadow diagrams, a visual impact analysis, and a pedestrian wind assessment will accompany the EIS which will analyse the impact of the proposal on the following: - Impacts on surrounding public domain, including streets and key open spaces such as Newlands Park, - Overshadowing impacts on adjacent properties and places - Visual/view sharing impacts on surrounding high-density residential development, and - Wind impacts and pedestrian comfort.
Trees and Landscaping	An Arboricultural Impact Assessment (AIA) will be conducted to confirm the viability for long term retention of trees identified in the previous AIA to be retained. A Landscape Plan will be consistent with the Landscape Report submitted with the existing Concept SSDA and will include: - Deep soil and landscaped areas, - Details on proposed site planting, - Evidence that opportunities to retain significant trees have been explored and informs the plan, and - Demonstrates the contribution to long term landscape setting for the site and context, mitigating the urban heat island effect, the objective of urban tree canopy cover, and maximise opportunities for green infrastructure.
Environmentally Sustainable Development	The Proposal will be consistent with the Environmental Sustainable Development (ESD) framework that was prepared for the Concept SSDA including the ESD objectives established (that include relevant Green Star, BASIX and NatHERS ratings). A BASIX certificate will accompany the EIS.
Noise and Vibration	An Acoustic Assessment will accompany the SSDA having regard to the impact of road and rail noise and vibration on future dwellings and the implementation of mitigation measures/ design measures that will need to be incorporated to maximise amenity.
Biodiversity	A BDAR waiver was obtained and submitted and as part of the existing Concept SSDA meeting the requirements of Section 7.9 of the <i>Biodiversity Conservation Act 2016</i>. Similarly, the

	development will not generate significant impacts on biodiversity values given the site at present in currently devoid of significant vegetation.
Flooding	A Flood Risk Assessment will accompany the EIS to demonstrate that the proposal will not generate unacceptable flooding impacts against the 1% AEP and PMF flood scenarios.
Geotechnical	A Geotechnical Assessment will accompany the EIS to confirm there have been no changes to site conditions since the last assessment for the purposes of the existing Concept SSDA.
Construction	Construction impacts including traffic, noise and vibration, and construction waste management will be assessed as part of the proposal having regard to Council DCP requirements.
Operational Details	Plans in relation to operational management such as operational waste and operational noise and vibrations management will accompany the EIS.
Heritage	Aboriginal - The Proponent intends to engage with Heritage NSW at the Department of Climate Change, Energy, the Environment and Water, following receipt of SEARs to confirm whether a Aboriginal Cultural Heritage Assessment Report (ACHAR) is necessary for the site – or to update that previously issued for the Concept SSDA. Furthermore, it is noted the updated industry specific SEARs for housing note ACHAR as an <i>if required</i> item, subject to the advice of a heritage specialist. - The existing Concept SSDA submitted an ACHAR (dated July 2023), which was supported by a Historical Archaeological Assessment. It concluded that there are no Aboriginal heritage constraints to the development proceedings and works may proceed in accordance with the scope of works proposed. The SSDA will be consistent with the Concept SSDA and thus the recommendations of ACHAR remain valid. European - A Heritage Impact Statement for European heritage has been determined as unnecessary as the site of the proposal does not contain any heritage items, nor is it located in heritage conservation area, nor is it in proximity to any other heritage items (nearest is 283 Pacific Highway).
Social Impacts	A Social Impact Assessment has been submitted as part of the existing Concept SSDA. The Proposal will remain consistent with meeting the objectives established in the report.
Infrastructure and Servicing	An Infrastructure and Services Management Plan was provided with the submitted with the existing Concept SSDA. The Proposal will remain consistent and satisfy the provision of infrastructure and services as required.

6.1 Other Matters

The EIS will also consider:

- Capital investment and employment,
- BCA and DDA items,
- Water quality and stormwater management, and
- Site suitability and the public interest.

7.0 Conclusion

This submission provides the relevant information to assist in the preparation of Industry Standard SEARs and rezoning requirements for a BTR development at 46-52 Nicholson Street and 57-67 Christie Street, St Leonards.

This Scoping Report has outlined preliminary information regarding the site, the proposed development including the proposed amendments to the LCLEP, the strategic and statutory context and planned and ongoing stakeholder engagement. The scoping of the proposed assessment of impacts within the EIS will permit DPHI and other government agencies to prepare and issue the SEARs and rezoning requirements for the Proposal.