



7 October 2025

2240339

Ms Kiersten Fishburn
Planning Secretary
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street,
Parramatta NSW 2150

Attention: Mr Lachlan Hutton, Senior Planning Officer

Dear Ms Fishburn

**Request for Project-Specific SEARs – Mixed-Use Development SSDA
255-257, 259 and 271 Parramatta Road 255-271 Parramatta Road; 2-18 Taylor Street; 131-135 Queens Road and 1-11 Walker Street, Five Dock**

This Project Specific SEARs Request letter (letter) has been prepared by Colliers Urban Planning on behalf of Muir Burnside Group (the Applicant) in support of a concurrent Concept State Significant Development Application (SSDA), detailed first stage State Significant Development Application (SSDA) and concurrent Planning Proposal (LEP Amendment) for a mixed-use development containing residential flat buildings and a component of affordable housing on the land at 255-257, 259 and 271 Parramatta Road 255-271 Parramatta Road; 2-18 Taylor Street; 131-135 Queens Road and 1-11 Walker Street, Five Dock (the site). This letter is to enable the preparation and issue of project-specific Secretary's Environmental Assessment Requirements (SEARs) and rezoning study requirements.

On 24 March 2025, the Housing Delivery Authority (HDA) recommended the proposed development for the purpose of a mixed used development containing affordable housing and including the construction of indicatively 475 dwellings at the site be declared State Significant Development (SSD) under section 4.36(3) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

It is noted that in light of further design testing that has been considered in consultation with DPHI the proposal has been amended following the HDA recommendation to propose 781 dwellings.

The proposal will be a:

- A concept SSDA for all of the site outlining the concept proposal and concept building envelopes (pursuant to Section 4.22 of the EP&A 1979), and
- In accordance with Section 4.22 (2) of the EP&A Act 1979, proposes a detailed stage 1 SSDA for part of the site providing for a minimum of 100 dwellings). The proposed Stage 1 area of works includes the 11 storey and 6 storey elements, in addition to the communal open space facing Queen Street. The proposal for Stage 1 is discussed in **Section 4**.

We note the specifics in terms of what will be being delivered under stage 1 is still in progress. We understand the project team would likely need to develop a mechanism for how subsequent stage DAs are guaranteed to be lodged in the housing accord period (to 2029), in order to meet the expectations of the HDA.

The Applicant is also exploring alternative residential typologies, including co-living, seniors housing and Build to Rent as land use options in the Concept SSDA. The Concept SSDA incorporating this broader range of residential land uses will allow the Applicant to carry out further market demand analysis, explore agreements with operators and development of detailed floor plans with those operators, as the project progresses post Concept SSDA approval.

The Minister issued State Significant Development Declaration Order (No 9) 2025 on 26 May 2025, formally declaring the proposal as SSD. The proposal will be facilitated by a concurrent amendment to the applicable Environmental Planning Instrument (EPI), being the *Canada Bay Local Environmental Plan 2013* (CBLEP).

This proposal has therefore been declared to be SSD for the purposes of the EP&A Act and requires the issue of Project-Specific SEARs to enable its assessment.

This letter has been prepared with regard to section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the NSW Department of Planning, Housing and Infrastructure's (DPHI's) Local Environmental Plan Making Guideline.

The letter provides a description of the site, the proposed development and statutory planning considerations, including eligibility for the State Significant Development (SSD) and project-specific SEARs pathway. It should be read in conjunction with the Architectural Concept Plans, prepared by Terroir (**Attachment A**).

1.0 Applicant Details

The Applicant's details are presented in **Table 1** below.

Table 1 *Applicant Details*

Applicant:	Muir Burnside Group
Address:	3 Waratah Road, Palm Beach
ABN:	139795029

1.1 Project Overview

This project seeks to provide additional housing in a highly accessible location, noting that the Burwood North Metro Station is approximately 700m west of the site (10-minute walk) and is anticipated to be operational shortly after the development is complete. It will anchor renewal of the site by replacing ageing single story residential dwellings with 781 new dwellings over four buildings that will be designed to exhibit design excellence. The proposed rezoning and development are driven by the following principles:

- Demonstrate the strategic and site-specific merit of accommodating the proposed mixed-use residential development on the site.
- Respond to the housing challenges facing Sydney by boosting the provision of housing, including affordable housing, in a highly accessible location.
- Demonstrate that the site is capable of accommodating an uplift in planning controls, while maintaining appropriate amenity outcomes to adjacent publicly accessible open spaces and residential development.
- Demonstrate design excellence through an overarching design excellence strategy for the site.
- Deliver public benefits by:
 - Increase site permeability through the provision of a site through link from Taylor Street to Walker Street which is connected to another site through link providing access to Parramatta Road.
 - Leveraging the opportunity to enhance the public domain, to enhance the urban design outcome on the ground plane.

1.2 Site Overview

The land subject to this SEARs request is located on Parramatta Road, Taylor Street, Walker Street and Queens Road Five Dock, within the Canada Bay Local Government Area (LGA). The site is approximately 10.8km west of the Sydney Central Business District (CBD).

The site has an area of 11,367m² and is legally described as comprising of the following lots in **Table 2**.

Table 2 *Site Lots*

Address	Lot and DP No.
255-257, 259 and 271 Parramatta Road	SP 1281397
2 Taylor Street	Lot 29 DP12158
4 Taylor Street	Lot 28 DP 12158

Address	Lot and DP No.
6 Taylor Street	Lot 27 DP 12158
8 Taylor Street	Lot 26 DP12158
10 Taylor Street	Lot 25 DP 12158
12 Taylor Street	Lot 24 DP 12158
14 Taylor Street	Lot 23 DP 12158
16 Taylor Street	Lot 22 DP 12158
18 Taylor Street	Lot 21 DP 12158
131 Queens Road	Lot 18 DP 12158
133 Queens Road	Lot 19 DP 12158
135 Queens Road	Lot 20 DP 12158
1 Walker Street	SP 1281397
3 Walker Street	Lot 13 DP 12158
5 Walker Street	Lot 14 DP12158
7 Walker Street	Lot 15 DP 12158
9 Walker Street	Lot 16 DP 12158
11 Walker Street	Lot 17 DP 12158

The site is regular in shape and has frontage to Queens Road to the north, Walker Street to the east, Parramatta Road to the south and Taylor Street to the west. It is noted that vehicular access to the existing residential dwellings on the site is currently provided from Parramatta Road, Queens Road, Taylor Street and Walker Street.

The site is well serviced by public transport. Burwood Station is also approximately a 20-minute walk from the site, which is served by the T1, T2, T3, T7 and T9 lines. Further, as previously noted, the Burwood North Metro Station is approximately 700m west of the site (10-minute walk). In addition, the site is well served by a number of regular bus services that provide access to Chatswood Station (530), Burwood Station (461X) and Campsie (415)

The site's location and metropolitan context is shown in **Figure 1**.

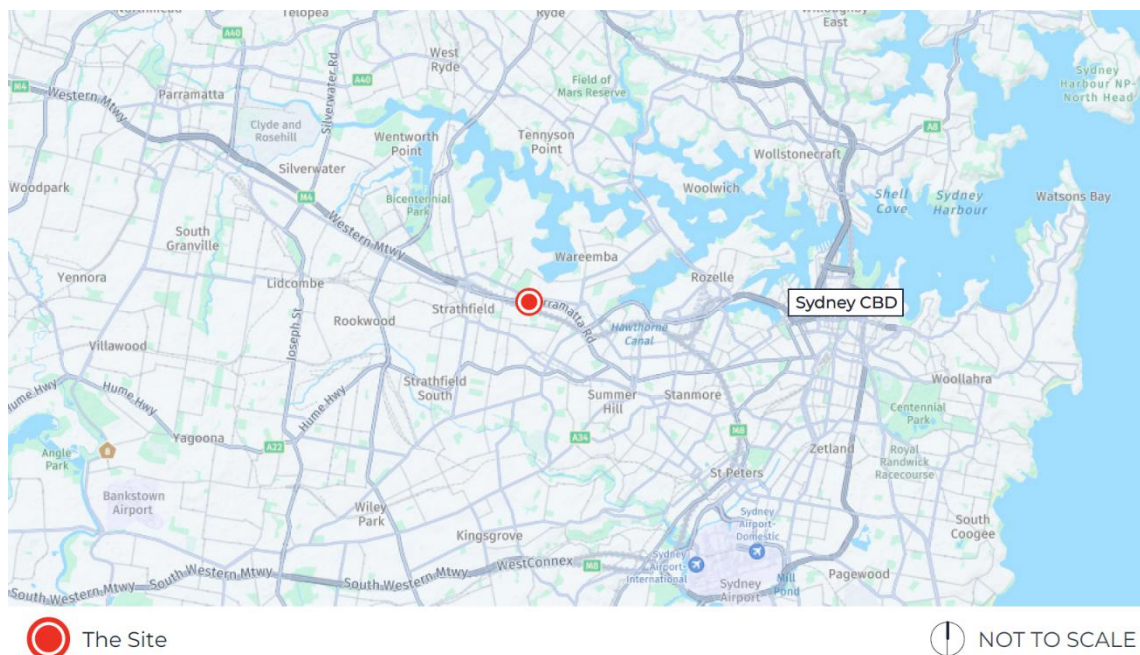


Figure 1 Site Context (site identified by red pin)

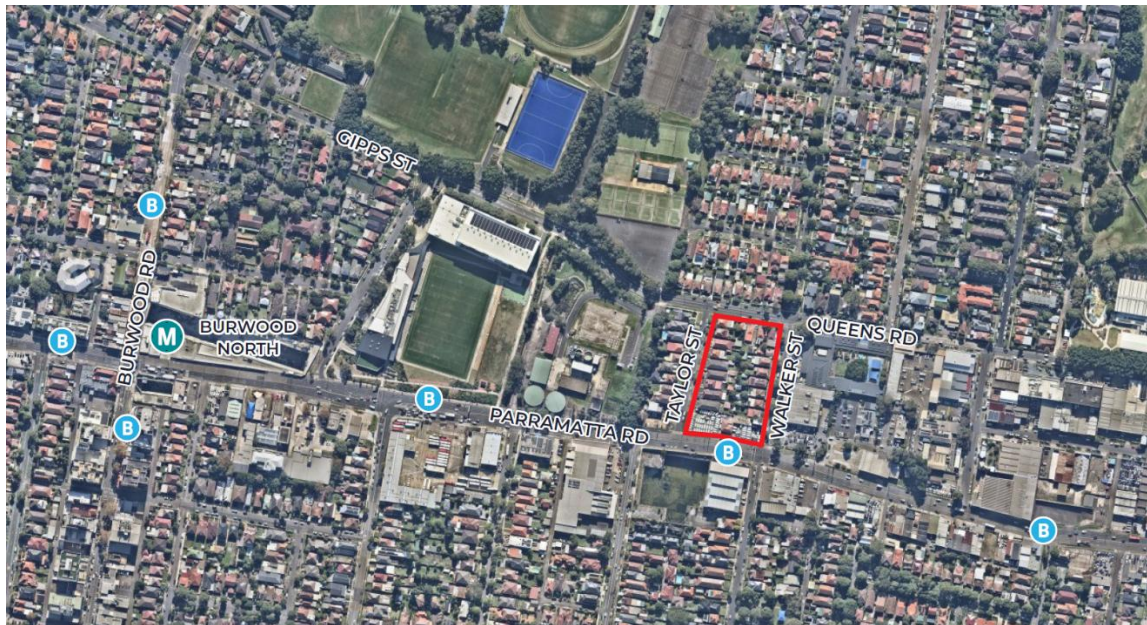
Source: Google Maps

2.0 Site Description

An overview of the key components of the site are described in Table 3 below.

Table 3 Site Description

Component	Description
Site Address	255-257, 259 and 271 Parramatta Road 255-271 Parramatta Road; 2-18 Taylor Street; 131-135 Queens Road and 1-11 Walker Street, Five Dock
Legal Description	Lot 13 - 29 of DP 12158 and SP 1281397 Lot 18-28 DP 12158
Local Government Area	Canada Bay
Land Ownership	Muir Burnside Group
Existing Zoning	R2 Low Density Residential and E3 Productivity Support
Site Area	11,367m ²
Street Frontages	• North: Queens Road • East: Walker Street • South: Parramatta Road • West: Taylor Street
Existing Development	The site comprises 18 single detached dwelling houses (with the majority including an outbuilding), as well as a car dealership fronting Parramatta Road.
Site Context	The site is surrounded by a mix of low-density residential dwellings in its immediate context, with recreational areas to further west comprising of Concord Oval and St Luke's Park and an educational establishment to the east known as Lucas Gardens School. The site is directly west of the Kings Bay Precinct Stage 1 rezoning, which was gazetted in 2021.
Surrounding Development	• North: Directly to the north of the site is Queens Road which is a State-controlled road. Further north of the site, development is characterised by low-to-medium density residential development, comprising detached dwellings and residential flat buildings. • East: The site is bounded to the east by Walker Street which adjoins Lucas Gardens School. Further to the east is a mix of residential development and industrial uses fronting Parramatta Road. Directly east of the site is the Kings Bay Precinct Stage 1 rezoning, which was gazetted in 2021. • South: The site is bound by Parramatta Road to the south. Along Parramatta Road, the streetscape is predominantly characterised by commercial and light industrial uses, interspersed with showrooms, warehouses, and automotive-related services. Also to the south of Parramatta Road is the residential suburb of Concord. • West: To the immediate west of the site is Taylor Street which adjoins low density residential dwellings. Further west is Concord Oval and St Luke's Park which comprises a variety of social infrastructure including tennis courts and netball courts.
Other Matters	The site is not physically constrained by heritage or significant vegetation. The site slopes in a gentle westerly direction.



 The Site

 NOT TO SCALE

Figure 2 **Site Aerial Map**

Source: Nearmap, edits by Ethos Urban

3.0 Strategic Merit

This section sets out the relevant strategic planning documentation that is relevant to the project justification and evaluation. In accordance with the DPHI's 'Scoping Report Template' dated December 2021, the following documents have been considered:

- The relevant region and district strategic plan (Greater Sydney Region Plan and Eastern City District Plan);
- The relevant local strategic planning statement (Canada Bay Local Strategic Planning Statement);
- Other relevant approved local planning strategies (Canada Bay Housing Strategy); and
- Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).

It is noted that these matters will be assessed in more detail in the EIS.

As a major residential project that includes a component of affordable housing units, is within proximity to Burwood North Metro Station and provides site linkages, the proposed development demonstrates high strategic merit. The development is anticipated to deliver ~781 dwellings. The Applicant is also committed to contributing a minimum of 3%-10% (with the final feasibility still being modelled) which is consistent with the rest of the rezoned Canada Bay land in the Parramatta Road Corridor Transformation Strategy (PRCUTS). This provision of housing, particularly affordable housing, in an area well serviced by public transport, strongly aligns with National and State housing strategies.

The proposed amendments to the CBLEP align with and give effect to the proposed master plan for the site, as evidenced by the acceptance of the proposal by the HDA and its declaration as State significant. The proposal is a direct response to the current housing crisis and the State's commitments to the National Housing Accord, which highlights that the need to deliver housing is urgent.

A summary of the key strategic plans that identify the strategic context of the project is provided in **Table 4**.

Table 4 Summary of alignment with key strategic plans

Strategic Plan / Strategy	Analysis
NSW Housing Strategy: Housing 2041	The NSW Housing Strategy supports the provision of new housing stock in NSW. Within the Strategy, residential flat buildings are identified as a housing typology to support the diversity and affordability of the rental market. Affordable housing provision will also directly deliver this pillar. Housing supply relates to the delivery of housing in the right location at the right time. The proposal seeks to increase housing supply in the right location (excellent access to the future Burwood North Metro Station) and at the right time (delivery will be accelerated through the HDA process, in a direct response to the NSW housing crisis). The proposal will be delivered in accordance with long term resilience and sustainability principles, including compliance with minimum energy efficiency standards and high-quality public domain improvements. These features support climate resilience, long-term housing quality, and enhanced liveability outcomes for future residents. Accordingly, the project has the capacity to support all of the four key pillars of the NSW housing system, demonstrated in Figure 3 below.



Figure 3 NSW Housing Strategy Key Pillars

Source: Housing 2041, NSW Government

Strategic Plan / Strategy	Analysis
National Housing Accord 2022	The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1.2 million houses in well-located areas in the 5 years starting from July 2024. There is a combined Federal and State Government commitment to deliver up to 20,000 additional new, affordable dwellings. The Accord lays the groundwork to improving housing supply and affordability by addressing Australia's housing supply challenges and enabling the delivery of more social and affordable housing. The Housing Accord includes: • an initial, aspirational national target of delivering a total of 1.2 million new, well-located homes over 5 years from 2024, and • immediate and longer-term actions for all parties to support the delivery of more affordable homes. The proposed development is aligned with the National Housing Accord as it seeks to deliver additional housing, including a contribution to the provision of affordable housing, in a well-serviced location, that is within walking distance of the future Burwood North and Five Dock metro stations, public schools, and other social infrastructure.
NSW Housing Targets	The NSW Government has recently released 5-year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and one target for regional NSW. These targets replace outdated targets and reflect NSW's commitment to deliver 377,000 new homes across the State by 2029 under the National Housing Accord. A 5-year target of 5,000 new dwellings has been identified for Canada Bay LGA. Acknowledging the commitment to quickly deliver as a part of the EOI process, this project will assist delivery of this target by 2029. Solely, the project can indicatively delivery 9.5% of the total dwellings identified in the LGA's housing target (including a proportion of affordable dwellings).
Greater Sydney Region Plan – A Metropolis of Three Cities	The proposal will give effect to the goals and directions of <i>The Greater Sydney Region Plan – A Metropolis of Three Cities</i>. The Plan sets out key directions that collectively form a framework for liveability, productivity and sustainability that underpins the growth of Sydney. Five Dock is identified as a local centre within the broader 'Eastern Harbour CBD' with the site positioned between Five Dock and Burwood North which is also identified as being on the periphery on of the Burwood TOD and renewal area. Key themes and directions applicable to the proposal include: • Accelerating housing supply across Sydney. • Improving housing choices to suit affordability and diversity. • Design great places that bring people together. • Integration of land use and transport planning to foster a '30-minute city'. • Creating healthy built environment and encouraging the adaption to the impacts of urban and natural hazards and climate change. The site is located within the Eastern City District, in which an additional 92,000 dwellings are required between 2016-2036. The proposed amendments to the Canada Bay LEP will support and facilitate the direction of the Greater Sydney Region Plan, including, but not limited to the following objectives: • <i>Objective 7: Communities are healthy, resilient and socially connected.</i> • <i>Objective 10: Greater housing supply.</i> • <i>Objective 11: Housing is more diverse and affordable.</i> • <i>Objective 12: Great places that bring people together.</i> • <i>Objective 18: Harbour CBD is stronger and more competitive.</i> • <i>Objective 22 – Investment and business activity in centres.</i> • <i>Objective 31: Public open space is accessible, protected and enhanced.</i> Specifically, the development will facilitate the above priorities by virtue of the following: • The proposal will contribute to a primarily residential (with some mixed-uses) neighbourhood within Five Dock Kings Bay Precinct and in close proximity to current and future planned public transport. This improves the opportunity to walk to commercial uses and services, which has benefits including healthier people, and reducing traffic congestion.

Strategic Plan / Strategy	Analysis
	• The proposal is recognised to be of State significance, through the provision of 781 dwellings, including an affordable housing contribution of 3-10%. (with final feasibility numbers currently being). There is a direct delivery of housing supply through the proposal. • The proposal responds to the critical need for additional dwellings to be provided within the Eastern City District by 2036. • The proposal provides for high quality housing and amenities including public open space within walking distance of nearby services and public transport. • The proposal will grow the vibrancy of the Eastern broader Harbour CBD and Health and Education precinct of Rhodes by providing residential development in proximity to these centres without compromising commercial development. Retail uses will activate the Parramatta Road street frontage, further enhancing its vibrancy. • The proposal will support the delivery of walkable and socially connected places, through predominantly residential uses (with some mix of retail uses), and new through site links.
<i>Our Greater Sydney 2056 – Eastern City District Plan</i>	The Eastern City District Plan (District Plan) supports the Greater Sydney Region Plan and is a 20-year plan to manage growth. The location and size of the site support the proposal and assists in giving effect to the strategic objectives of the District Plan. The proposal responds to the applicable priorities, strategies and actions of the District Plan as: • It responds to the critical need for additional housing supply within the Eastern District by 2036. • It supplies housing that has optimal access to public transport. • It leverages the site's walking distance to public transport options, including the future Burwood North Metro Station and Five Dock Metro Station and bus services adjacent to the site. • It will provide a well-designed development that will contribute positively to its setting, which includes contributions to street activation, land use mix, enhancements to the public domain including the provision of site through links, and the potential to provide upgrades to the public domain. • It will complement the Rhodes Precinct offering by delivering high-amenity residential development with commercial uses that will provide residential development for workers to this commercial precinct. Specifically, the following planning priorities will be achieved through the proposed development: • <i>Planning Priority E1: Planning for city support by infrastructure.</i> • <i>Planning Priority E3: Providing services and social infrastructure to meet people's changing needs.</i> • <i>Planning Priority E4: Fostering healthy, creative, culturally rich and socially connected communities.</i> • <i>Planning Priority E5: Providing housing supply, choice and affordability, with access to jobs, services and public transport.</i> • <i>Planning Priority E6: Creating and renewing great places and local centres and respecting the District's heritage.</i> • <i>Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city.</i> • <i>Planning Priority E17: Protecting and enhancing scenic and cultural landscapes.</i>
<i>Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)</i>	Urban Growth NSW released the PRCUTS together with a package of implementation and reference documents in November 2016. Direction 7.3 issued by the Minister for Planning under Section 9.1 of the EP&A Act gives the Strategy and Implementation Tool Kit statutory weight. The proposal aligns with PRCUTS in that it is identified as a Key Site as a part of Stage 2 of PRCUTS and supports Parramatta Road to be socially and economically activated through the proposed ground floor retail frontage. Furthermore, the proposal aligns with the intent of PRCUTS in that the public domain is enhanced through the implementation of an east west connection and north south connection to Parramatta Road enabling a well-designed, sustainable, and resilient domain.

The proposal has considered the design principles within PRCUTS which have informed the overall built form of the development. This is discussed in **Section 3.1.1** below.

Canada Bay Local Strategic Planning Statement

The Greater Sydney Commission (GSC) endorsed the Canada Bay Local Strategic Planning Statement (LSPS) on 25 March 2020. The LSPS sets out Council's vision for how the LGA will respond to significant residential growth, including new housing and jobs to be delivered under the PRCUTS. The proposal is generally consistent with the relevant planning priorities as outlined below:

Local Planning Priority	Assessment
P1: Planning for a City that is supported by infrastructure	The proposal will support this priority through the delivery of new infrastructure, including high-quality walking and cycling paths, and an east west and north south site through link, as well as activated land use mixes. The proposal provides higher density residential in walking distance of planned West Metro stations.
P4: Foster safe, health, creative, culturally rich and socially connected communities	The proposal is consistent with this priority as it provides additional housing supply in the form of high-density mixed-use development which is accessible and useable. The proposal will deliver on a range housing options (market housing and affordable housing), and well as a differing apartment typologies and potentially alternate housing typologies (co-living, seniors, build to rent). The proposed housing will be in the right location, being in immediate proximity to Burwood North Metro Station, with good access to, local bus services, and open space.
P5: Provide housing supply, choice and affordability in key locations	The proposal is consistent with this priority as it provides additional housing supply in the form of high-density mixed-use development which is accessible and useable. The proposal will deliver on a range housing options (market housing and affordable housing), and well as a differing apartment typologies. The proposed housing will be in the right location, being in immediate proximity to North Burwood Metro, with good access to Five Dock Metro, local bus services, and open space.
P9: Enhance employment and economic opportunities in Local Centres	The proposal will respond to this priority by providing some employment opportunities in the form of a modest amount of supporting non-residential floorspace (i.e. retail and cafes). This will grow the vibrancy of the Kings Bay Precinct, by providing uses that will activate Parramatta Road, thereby strengthening its position within the broader Eastern Harbour region.
P12: Improve connectivity throughout Canada Bay by encouraging a modal shift to active and public transport	By delivering high density housing within proximity to the future North Burwood Metro, and in proximity to Five Dock Metro and bus services, will further encourage the use of public transport.

City of Canada Bay Local Housing Strategy (LHS)

The City of Canada Bay Local Housing Strategy (LHS) (May 2019) sets out the strategic direction for housing in the Canada Bay LGA over the next 20 years. As of 2016, the LGA had a residential population of 92,382, which is expected to increase to 119,859 (+27,477) by 2036. Between 2016 to 2036, there is expected to be an increase in 12,800 dwellings.

Strategic Plan / Strategy	Analysis
	The LHS identifies the need for new, diverse and affordable housing within the LGA. The LHS estimates that most of the new housing will be delivered under the PRCUTS, including within the Kings Bay Precinct.

3.1.1 Ministerial Planning Directions

The following points provide a summary response indicating how the proposal/EIS will address the relevant Ministerial Directions:

- **Direction 1.1** (Implementation of Regional Plans) – As noted above the proposal achieves the overall intent of the Greater Sydney Regional Plan and does not undermine the achievement of the vision, land use strategy, goals, directions and actions of the Plan. Further, the proposal will support the redevelopment of strategically identified land, and the realisation of the residential focussed outcomes of the State Government's Eastern City District Plan and the PRCUTS, as well as Council's LSPS and LHS.
- **Direction 1.3** (Approval and Referral Requirements) – The proposal does not seek to increase requirements for concurrence, consultation or referral provisions and does not identify any developments as designated development.
- **Direction 1.4** (Site Specific Provisions) – the proposal will not create unnecessarily restrictive or complicated planning controls.
- **Direction 1.5** (Parramatta Road Corridor Urban Transformation Strategy) - As outlined above, the proposal facilitates redevelopment of the site in a manner sympathetic with the land use and urban design principles of PRCUTS, including adopting a 6m 'green edge' setback to Parramatta Road and Queens Road and a four (4)-storey street wall along Queens Road, Taylor Street, Walker Street and Parramatta Road. However, it is noted that the PRCUTS controls are now more than nine years old, outdated, and no longer fit for purpose. Importantly, detailed design testing has demonstrated that the site can accommodate additional FSR and building height within a high-quality urban design outcome, without adverse impacts. In the context of the current housing crisis in NSW, it is both reasonable and necessary to revisit and amend these controls to better respond to contemporary housing supply and urban renewal needs.
- **Direction 4.4** (Remediation of Contaminated Land) – the proposal will undertake and provide the necessary investigations to demonstrate the site, if contaminated, will be made suitable through remediation works (as necessary) for its intended use.
- **Direction 5.1** (Integrating Land Use and Transport) – the proposal improves access to housing and jobs by walking, cycling and transport, by taking into consideration the proximity of the site to existing transport networks, including the future Burwood North and Five Dock Metro Station and local bus stops.
- **Direction 6.1** (Residential Zones) – the proposal provides for a diversity of housing types and makes efficient use of existing infrastructure by increasing density at a suitable location, where it can be accommodated without any significant environmental impact.

3.1.2 Cumulative Impacts

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

The proposal has been designed to have regard to the future redevelopment of surrounding properties and will consider cumulative impacts as part of the Environmental Impact Statement (EIS). This also includes surrounding development recently approved and currently under construction as highlighted in **Table 5**.

Table 5 Surrounding Developments

Address	Description	Status
129-153 Parramatta Road and 53-75 Queens Road, Five Dock (SSD-73228210)	Excavation, tree removal, remediation, subdivision and construction of a mixed-used development ranging in 6 – 31 storeys with 1185 apartments including 219 affordable housing apartments and commercial, retail, an indoor recreational facility and public park land uses	Approved on 30 on June 2025

Address	Description	Status
51-55 Parramatta Road, Five Dock (SSD-89477725)	Mixed-use development consisting of 3 x shop top housing buildings, commercial premises, and 1 x co-living / built-to-rent building with heights ranging 8-28 storeys and a total of 674 dwellings (inclusive of 50 affordable living units).	Prepare EIS
79-81 Queens Road/2-8 Spencer Street, Five Dock (PP-2025-145)	The Planning Proposal sought to amend the CBLEP 2013 to exclude the adjoining land at 10-12 Spencer Street from Area 17 and prescribe new development standards for each site. A new site-specific provision will apply allowing a height of building of 19m and floor space ratio of 2.17:1 subject to relevant requirements being met at 10-12 Spencer Street.	Under Assessment
166-204 Parramatta Road, Croydon and 1-1A Cheltenham Road, Croydon	Planning Proposal sought to amend the Burwood LEP 2012, to provide an Alternate Floor Space Ratio Map to change the maximum permissible floor space ratio (FSR) across the site to 3.4:1 (including a range of land uses) and a new Burwood LEP 2012 Alternate Height of Buildings Map to allow maximum building height from 8.5m to 72.5m (maximum 22 storeys) to allow for, and control, the delivery of proposed built form in line with the design principles for the site.	Currently has been proceeded to Gateway
Burwood North Precinct	On Monday 11 August 2025, the NSW Government announced that it will take the lead in rezoning the Burwood North Metro Precinct, to deliver new homes near the future Burwood North Metro station. The controls under the Burwood North Masterplan include FSR controls up to 6.1:1 and building heights up to 98m.	Under assessment under the State-led rezoning of Burwood North Precinct
Kings Bay Precinct	The Kings Bay Precinct is located between the established centres of Burwood and Five Dock. Masterplans for Kings Bay have been developed to consolidate information presented in the PRCUTS and other studies and plans to guide the future built form and urban environment and to inform amendments to the Canada Bay LEP 2013. Under the Canada Bay LEP, Stage 1 of the Kings Bay Precinct, which adjoins the site currently allows for incentive building height of up to 79m and incentive FSR of up to 3:1. We note that amendments Canada LEP to rezone the Stage 2 PRCUTs area, where the site is located, are in progress.	Controls adopted for the Kings Bay Precinct under the Canada Bay LEP, with Stage 2 controls in progress.

4.0 The Proposal

An overview of the key components of the project is described in **Table 6** below.

Table 6 Project Detail

Component	Description
Land Use	Mixed Use Development (containing residential flat buildings, affordable housing and non-residential uses (retail and cafes))
Project Description	In accordance with Section 4.22 of the EP&A Act 1979, the proposed development will seek Concept DA consent for: • Demolition of existing structures on the site, tree removal and site excavation for new 6 storey basement; • Construction of a new mixed-use development consisting of: - Ground floor retail premises consisting of 1,005sqm of GFA; - Four residential towers, ranging from four (4) to 30 storeys and comprising a total of 781 apartments - Residential lobbies and a podium; and - Communal open space. • Car, motorcycle and bicycle parking for residents, workers and visitors across 6 (4 levels to service the southern portion of the site, 2 levels to service the northern portion of the site) basement levels including: - 521 car parking spaces, inclusive of accessible spaces; - Garbage storage; and - Plant rooms and other associated services. • The provision of a site through link from Taylor Street to Walker Street and from Parramatta Road into the site. • Associated landscaping and public domain works. In accordance with Section 4.22 (2) of the EP&A Act 1979, proposes a detailed stage 1 SSDA for part of the site providing for a minimum of 100 dwellings). The proposed Stage 1 area of works is indicated in Figure 4 below and includes the 11 storey and 6 storey elements, in addition to the communal open space facing Queen Sreet. The concurrent Rezoning seeks the following amendments to the CBLEP 2013 to facilitate the proposed development: • Amend the Land Zoning Map under Clause 2.2 from E3 Productivity Support and R2 Low Density Residential to either R4 High Density Residential with additional permitted uses for the ground floor commercial premises, or MU1 Mixed Use across the entirety of the site. • Amend the Height of Buildings Map under Clause 4.3 to increase the building height from 8.5m and 12m to 100m across the entirety of the site (Noting that there will be variation across the site as envisioned as part of the Concept DA); • Amend the Maximum Floor Space Ratio Map under Clause 4.4 to change the maximum Floorspace Ratio (FSR) from 0.5:1-1.1 to 5.42:1; and • Amend the Design Excellence Map under Clause 6.14 to include the entirety of the subject site.
Gross Floor Area	61,640m ²
Floor Space Ratio	5.42:1
Building Height	Maximum height approximately 100m, reaching an indicative height of RL107 Building heights distributed across the site as follows: • 30 storeys (RL 107) • 25 storeys (RL 90.92) • 18 storeys (RL 67.74) • 11 storeys (RL 43.15)
Landscaping	2,556m ² (22.48%)
Deep Soil	1, 394m ² (12%)

Solar Access	547/781 apartments (70%)
Cross Ventilation	598/781 apartments (76.5%)
Parking	521 car parking spaces (including accessible parking spaces) will be provided within six basement levels, in accordance with the Canada Bay Development Control Plan provisions. It is noted that this will be dependent on the final non-residential and residential unit mix.
Estimated Development Cost	\$650 million (excluding GST). It is noted that this is indicative only and subject to more detailed cost reporting to be provided as part of the SSDA.

The proposal will generally be undertaken in accordance with the indicative concept plans prepared by Terroir (refer **Appendix B**). This includes a preliminary concept design scheme for the redevelopment of the site, which demonstrates that the site can be redeveloped in the future under proposed new/amended CBLEP controls.

An Indicative Reference Scheme is illustrated in **Figure 4**, which demonstrates a potential built form outcome within the proposed CBLEP controls. This concept plan reflects recent feedback provided by the HDA as part of pre-scoping engagement.

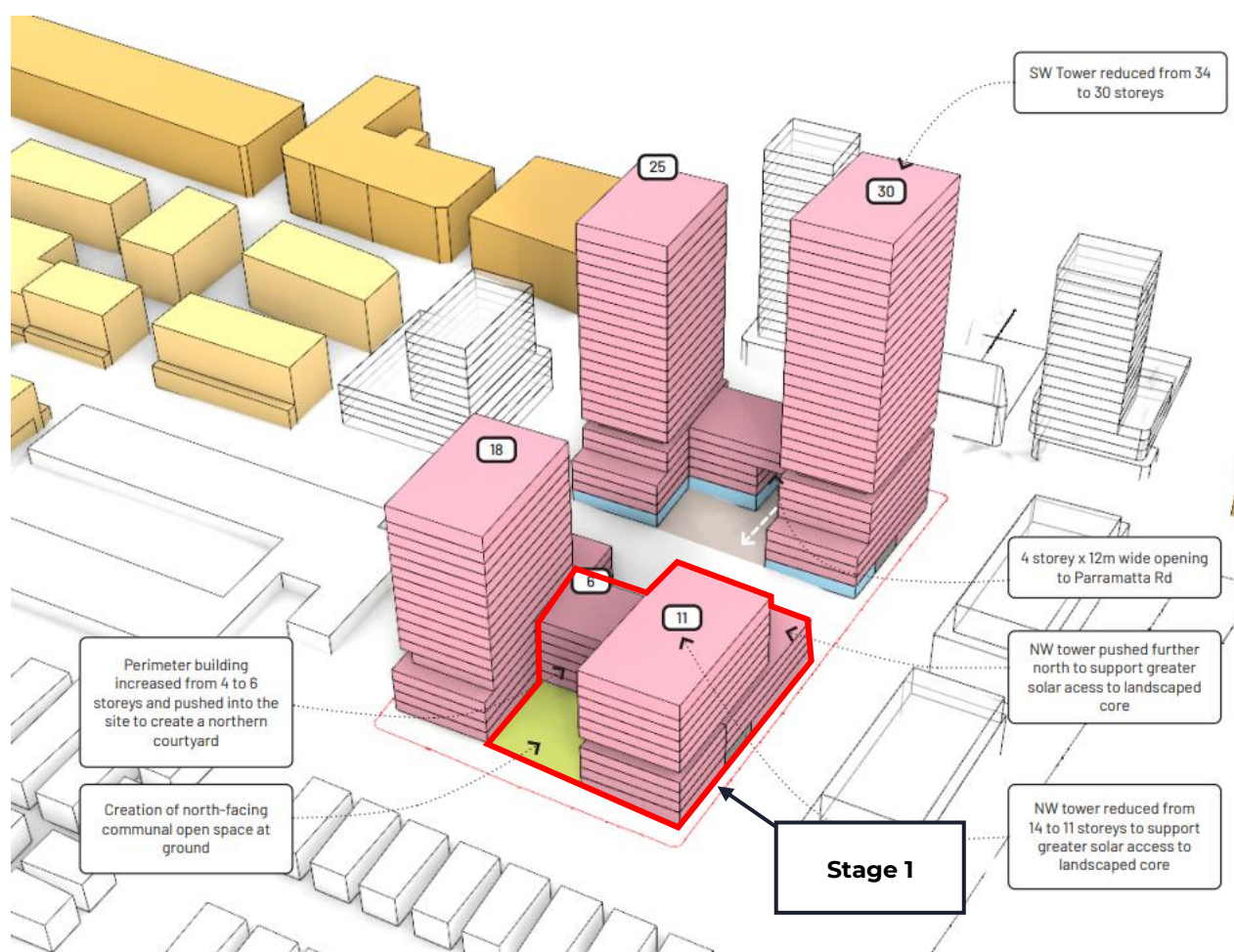


Figure 4 Indicative Massing of Proposed Development with stage 1 indicated

Source: Terroir

4.1 Overview of Alternatives

In deciding the appropriate path for the proposed development, a number of options and alternatives were presented and considered. The development of the project was driven by the focus to provide the most appropriate design response to the environmental opportunities and constraints of the site.

An overview of alternatives considered is provided in **Table 7**.

Table 7 **Overview of alternatives**

Alternative	Consideration
'Do Nothing'	Leave the site as it currently exists with an industrial car dealership fronting Parramatta Road and single storey residential dwelling houses. This outcome does not align with the strategic merit of the site which provides a unique opportunity to deliver a high-density mixed-use development in proximity to the future Burwood North Metro. The site is well positioned to deliver a range of housing options that will leverage its proximity to existing transport infrastructure, employment opportunities, and access to services. Doing nothing would entail not lodging a SSDA or concurrent rezoning proposal. This would be contrary to the commitment made by the Applicant in submitting a HDA EOI, particularly 'capability to lodge application quickly – within 9 months of SEARs issued'.
Delaying the Development	Considering the current demand for housing in areas close to centres and high frequency public transport, delaying the development is contrary to housing delivery objectives of the State and Federal governments. Termination of existing leases upon the site are aligned with the delivery of this project. Delaying the development would also be contrary to the commitment made by the Applicant in submitting a HDA EOI, particularly 'capability to lodge application quickly – within 9 months of SEARs issued', and 'capability to commence development quickly – within 12 months of approval'.
HDA SSDA and Rezoning (this proposal)	The proposed development represents the most suitable and appropriate pathway to achieve the strategic objectives and additional housing density for the site. This pathway enables a fast-tracked assessment and delivery of well-designed housing to respond to Sydney's housing crisis. This pathway is consistent with the commitment made by the Applicant in the HDA EOI, noting that the Applicant maintains its commitment to lodge the application quickly, being within 9 months of SEARs issued. This Scoping Proposal will assist DPHI in issuing Project-Specific SEARs.

4.2 High Level Opportunities and Constraints Analysis

Opportunities

- Ability to provide a significant uplift in new infill housing in an area that is well serviced by public transport.
- Deliver both market housing and an affordable housing product in the form of infill dwellings to the Canada Bay market.
- Achieve public benefit through the provision of an east-west site link from Walker Street through to Taylor Street and from Parramatta Road into the site.
- Provide residential accommodation to supplement the variety of surrounding uses and social infrastructure, while providing active street frontages, enhancing street life before/after business hours.
- The site is highly visible due to its proximity to Burwood North Metro, emphasising the need for design quality.

Constraints

- Overshadowing impacts to approved residential development to the west and south of the site, though able to be effectively managed due to the site's location north of the major arterial (Parramatta Road).
- Noise sensitivity from Parramatta Road.
- Adjacent heritage items and heritage conservation areas which will be sensitively considered.

5.0 Statutory Planning Considerations

The relevant statutory considerations at this stage of the project, including eligibility for the SSD and project specific SEARs pathways are outlined in **Table 8** below.

Table 8 Statutory Planning Considerations

Component	Assessment
Power to Grant Consent	Development consent will be sought under 'Division 4.7 Stage Significant Development' of the EP&A Act. Section 4.36(3) of the EP&A Act states that: <i>(3) The Minister may, by a Ministerial planning order, declare specified development on specified land to be State significant development, but only if the Minister has obtained and made publicly available advice from the Independent Planning Commission about the State or regional planning significance of the development.</i> The HDA Order establishes the HDA as a panel under section 2.3(2) of the EP&A Act in which they have the delegated authority from the Independent Planning Commission (IPC) to recommend the declaration of projects which meet the specific requirements for the HDA assessment pathway as SSD. On 7 March 2025, the HDA recommended the proposed development be declared SSD and be concurrently rezoned under section 4.36(3) of the EP&A Act. This proposal is therefore declared to be SSD for the purposes of the EP&A Act. Section 4.5 of the EP&A Act and section 2.7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> stipulate that the consent authority is the Minister for Planning and Public Spaces (or the HDA as their delegate) unless the development triggers the matter set out in section 2.7(1), in which case, the consent authority will be the IPC.
Permissibility	The proposed development is defined as comprising two (2) residential flat buildings with ground floor retail uses fronting Parramatta Road and two (2) residential flat buildings fronting Queens Road, as defined under the Standard Instrument LEP. The site is currently zoned R2 Low Density Residential and E3 Productivity Support. Shop top housing is not permissible with consent under the R2 Low Density Residential zone. The HDA application includes the concurrent rezoning of the site under Division 3.4 of the EP&A Act, as outlined in Section 6.0, which seeks to rezone the site to MU1 Mixed Use where shop top housing is permitted with consent, or R4 High Density Residential with an additional permitted use for the ground floor commercial uses. This is discussed further in Section 6.0.
Pre-conditions to exercising the power to grant consent	<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> – A consent authority must be satisfied that the land is suitable in its contaminated state - or will be suitable, after remediation - for the purpose for which the development is proposed to be carried out. This matter is relevant at the detailed DA stage and not the rezoning stage.
Other Approvals	Approvals not required for SSD, otherwise required • Fisheries Management Act 1994 – Not required • Heritage Act 1977 – Not required • National Parks and Wildlife Act 1974 – Not required • Rural Fires Act 1997 – Not required • Water Management Act 2000 – Only proposed if the basement is not tanked. This is yet to be confirmed. Approvals that must be applied consistently • Nil EPBC Act Approval The Project is not likely to impact a matter of National Environmental Significance. Therefore, the Project is not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies. A BDAR waiver will be prepared and submitted.
Mandatory Matters for Consideration	• <i>The following sections of the relevant legislation are expected to be relevant to the assessment of the EIS:</i> • <i>Environmental Planning & Assessment Act 1979 – section 1.3, section 4.15;</i> • <i>Biodiversity Conservation Act 2016 – Section 7.9;</i> • <i>State Environmental Planning Policy (Housing) 2021 – Chapter 3 (Part 3 Co-living) and Chapter 4;</i>

- State Environmental Planning Policy (Planning Systems) 2021 – Chapter 2, Part 2.2;
- State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4, clause 4.6;
- State Environmental Planning Policy (Sustainable Buildings) 2022 – Chapter 2, clause 2.1;
- State Environmental Planning Policy (Transport and Infrastructure) 2021 – Chapter 2, clause 2.98, clause 2.99, clause 2.100 clause 2.122; and
- State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 6.

5.1.1 Apartment Design Guide

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

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

Specifically, the requirements of the ADG are detailed in

Table 9 below, and it is noted that the proposed development is capable of demonstrating compliance with these provisions.

Table 9 Preliminary compliance with the Apartment Design Guide

Criteria			Comment
Part 3 – Sitting the Development			
Part 3D – Communal and Public Open Space			
Communal open space has a minimum area equal to 25% of the site.			Capable of compliance. Subject to further design development.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).			Capable of compliance. Subject to further design development.
Part 3E – Deep Soil Zones			
Deep soil zones are to meet the following minimum requirements:			Capable of compliance. Subject to further design development
Site Area	Min. dimension	Deep soil zone	
Greater than 1,500m ²	6m	7%	

Design guidance: Achieving the design criteria may not be possible on some sites including where:

- the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)
- there is 100% site coverage or non-residential uses at ground floor level

Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure.

Part 3F – Visual Privacy

Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

Capable of compliance. Subject to further design development.

Building height	Habitable rooms and balconies	Non-habitable rooms
Up to 25m (5-8 storeys)	9m	4.5m

Part 3J – Bicycle and Car Parking

For development in the following locations:

- on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or
- on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre, the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.

Capable of compliance. Subject to further design development.

Part 4 – Designing the Building

Part 4A – Solar and Daylight Access

Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.

Capable of compliance. Subject to further design development.

In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter.

N/A

A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.

Capable of compliance. Subject to further design development.

Part 4B – Natural Ventilation

At least 60% of apartments are naturally cross ventilated in the first 4 storeys of the building. Apartments at 8 storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.

Capable of compliance. Subject to further design development.

Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.

Capable of compliance. Subject to further design development.

Part 4C – Ceiling Heights

Measured from finished floor level to finished ceiling level, minimum ceiling heights are:

Capable of compliance. Subject to further design development.

Minimum ceiling height	
Habitable rooms	2.7m
Non-habitable rooms	2.4m
If located in mixed use areas	3.3m for ground floor and first floor to promote future flexibility of use

Part 4D – Apartment Size and Layout

Apartments are required to have the following minimum internal areas:

Capable of compliance, as illustrated in the indicative floor

Apartment type	Minimum internal area
----------------	-----------------------

1 Bed	50m ²	plans. Subject to further design development.
2 bedrooms	70m ²	
3 bedrooms	90m ²	
4 bedrooms	102m ²	

The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.

Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	Capable of compliance. Subject to further design development.
Habitable room depths are limited to a maximum of 2.5m x the ceiling height.	Capable of compliance. Subject to further design development.
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	Capable of compliance. Subject to further design development.
Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).	Capable of compliance. Subject to further design development.
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	Capable of compliance. Subject to further design development.
Living rooms or combined living/dining rooms have a minimum width of: 3.6m for studio and 1 bedroom apartments 4m for 2 and 3 bedroom apartments	Capable of compliance. Subject to further design development.
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	Capable of compliance. Subject to further design development.

Part 4E – Private Open Space and Balconies

All apartments are required to have primary balconies as follows:

Dwelling type	Min. area	Min. depth
1 Bed	4m ²	-
2 beds	10m ²	2m
3 beds +	12m ²	2.4m

Capable of compliance. Subject to further design development.

Part 4F – Common Circulation Spaces

The maximum number of apartments off a circulation core on a single level is eight.
Design guidance: Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level.

The indicative current design seeks circa 11 apartments per floor. This is subject to further design development.

Part 4G – Storage

In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:

Apartment type	Storage size volume
1 bedroom	6m ³
2 bedrooms	8m ³
3 + bedrooms	10m ³

Capable of compliance. Subject to further design development.

At least 50% of the required storage is to be located within the apartment.

5.2 Canada Bay Local Environmental Plan 2013

A preliminary assessment of consistency with the CBLEP clauses is provided in **Table 10**.

Table 10 *Assessment against NS LEP*

Clause	Provision/standard	Comment
Clause 2.2 Land Use Zoning	Split Zoning being partly E3 Productivity Support fronting Parramatta Road and the remainder of the site being R2 Low Density Residential	The Rezoning Proposal aims to amend the Land Zoning Map for the site to reflect either a R4 High Density Residential zone with additional permitted uses/ or MU1 Mixed Use zone.
Clause 4.3 Height of Buildings	• 12m maximum (southern portion of the site). • 8.5m maximum (remainder of the site).	The rezoning proposal seeks to amend the maximum building height to 100m (indicative RL107).
Clause 4.4 Floor Space Ratio	• 1:1 maximum (southern portion of the site). • 0.5:1 maximum (remainder of the site).	The rezoning proposal seeks to amend the maximum FSR to 5.42:1 across the entirety of the site.
Clause 5.10 Heritage Conservation	(2) Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— i. a heritage item, ii. an Aboriginal object, iii. a building, work, relic or tree within a heritage conservation area, altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.	The site is not identified as a heritage item or within a heritage conservation area. However, the site is in proximity to one heritage conservation area being the Philip Street Heritage Conservation Area (C16). The development of the site is not expected to undermine the heritage values of the surrounding HCA. This will be further assessed in the Rezoning Proposal and SSDA.
Clause 6.1 Acid Sulfate Soils	The site is identified as comprising Class 5 acid sulfate soils.	The site is identified as containing Class 5 Acid Sulfate Soils. Accordingly, a Geotechnical Report will be prepared to accompany the EIS, informing any requirement for an Acid Sulfate Soils Management Plan.
Clause 6.2 Earthworks	Consent is required for earthworks	• Earthworks will be ancillary to the development in order to accommodate for the proposed basement excavation. • A Geotechnical Report will be prepared to accompany the EIS, informing any mitigation measures required for excavation.
Clause 6.14 Design Excellence	(1) The objective of this clause is to deliver the highest standard of sustainable architecture and urban design. (2) This clause applies to development— (a) on land identified as “Design Excellence Area” on the Design Excellence Map, and (b) involving the erection of a new building, or external alterations to an existing building, that— (i) is higher than 12m or 3 storeys, or both, or (ii) will be as a result of the development.	The site is not currently identified as being within a ‘Design Excellence Area’ within the CBLEP. However, in order to undertake a competition exemption pathway with the requirement for design review by the SDRP/DRP in accordance with clause 6.14(6)(b) and (c), the development proposes to be included within the Design Excellence Area.’ Accordingly, the proposed development will exhibit design excellence, and a design excellence strategy will be submitted with the EIS.

Clause	Provision/standard	Comment
	(3) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence. (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the matters specified in clause 7.2(3). (5) Development consent must not be granted to development to which this clause applies that involves a building higher than 28m or 8 storeys, or both, unless— (a) a competitive design process is held in relation to the development, and (b) the consent authority takes into account the results of the competitive design process. (6) Subclause (5) does not apply if— (a) the consent authority certifies in writing that a competitive design process is not required, and (b) a design review panel reviews the development, and (c) the consent authority takes into account the findings of the design review panel.	

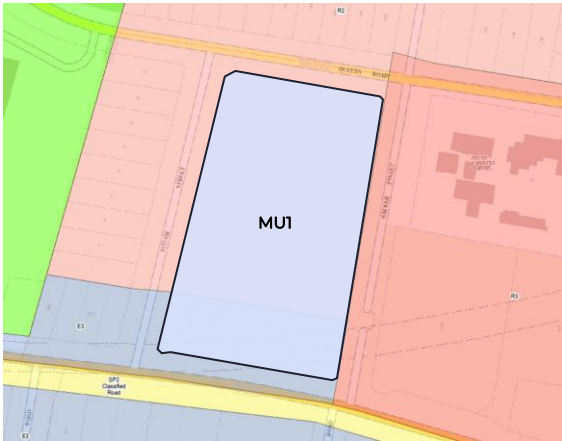
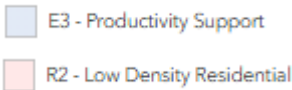
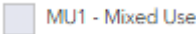
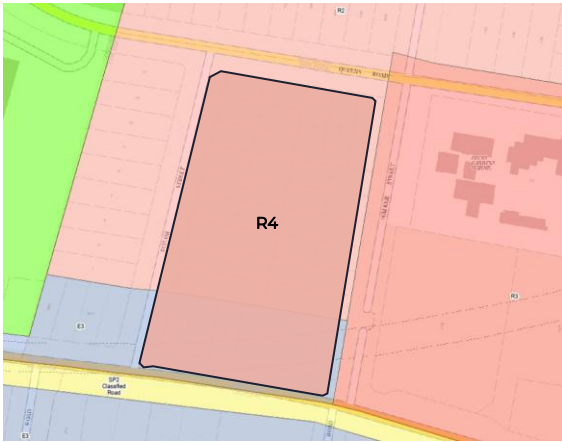
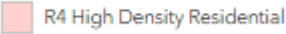
6.0 Rezoning Proposal

6.1 Amendments to the Canada Bay Local Environmental Plan 2013

- The concurrent Rezoning seeks the following amendments to the Canada Bay Local Environmental Plan 2013 (CBLEP 2013) to facilitate the proposed development:
- Amend the Land Zoning Map under Clause 2.2 from E3 Productivity Support and R2 Low Density Residential to either R4 High Density Residential with additional permitted uses for the ground floor commercial premises or MU1 Mixed Use across the entirety of the site.
 - Amend the Height of Buildings Map under Clause 4.3 to increase the building height from 8.5m and 12m to a maximum of 100m, distributed across the site as follows:
 - 30 storeys (RL 107)
 - 25 storeys (RL 90.92)
 - 18 storeys (RL 67.74)
 - 11 storeys (RL 43.15)
 - Amend the Maximum Floor Space Ratio Map under Clause 4.4 to change the maximum Floorspace Ratio (FSR) from 0.5:1-1.1 to 5.42:1; and
 - Amend the Design Excellence Map under Clause 6.14 to include the entirety of the subject site.

A summary of the existing and proposed planning control amendments to the CBLEP is provided in **Table 11**.

Table 11 Existing and proposed controls under the CBLEP

Clause	Existing CBLEP Map	Proposed CBLEP Map
Clause 2.2 Land Use Zoning Land Zoning Map (Digital)		
		
		
		

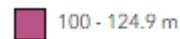
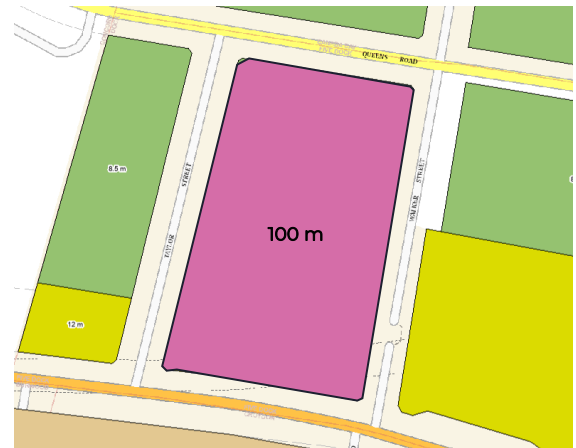
Clause

Existing CBLEP Map

Proposed CBLEP Map

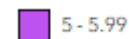
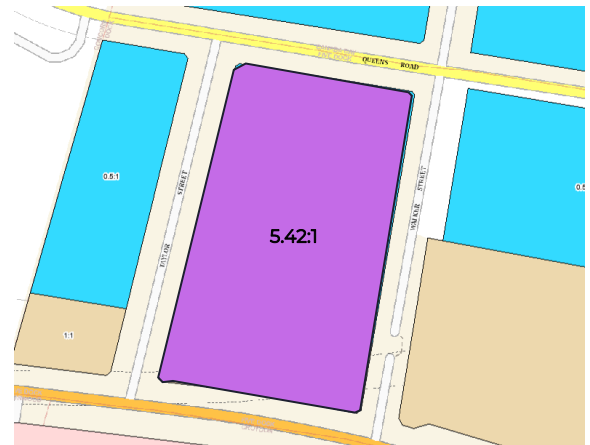
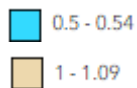
Clause 4.3 Height of Buildings Map

Height of
Buildings
Map - Sheet
HOB_002A

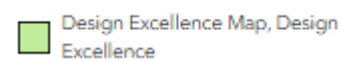
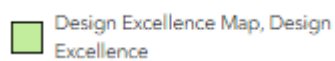


Clause 4.4 Floor Space Ratio Map

Floor Space
Ratio Map -
Sheet
FSR_002A



Clause 6.14 Design Excellence Map



7.0 Community Engagement

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

"Engagement is to be:

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

7.1.1 Key Stakeholders

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

- Local community, including
 - Immediate and wider neighbours, and
 - Local schools and adjoining churches.
- City of Canada Bay Council and Elected Officials.
- Government agencies, including:
 - DPHI,
 - Transport for NSW,
 - Relevant Commonwealth body associated with Sydney Airport, and
 - Service providers such as Ausgrid and Sydney Water.

The SSDA process will provide further opportunities for community input and for the Applicant to respond to any issues raised. The project team remains committed to continuing dialogue with the relevant stakeholders and agencies throughout the development assessment process.

7.1.2 Proposed Community Consultation Actions

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

The Proponent will continue to engage with community stakeholders following the determination of the proposal to provide information and seek feedback on the design process and project delivery phases. The Outcomes Report will also include details of strategies to monitor, review and adapt engagement methodologies over the course of the project. This engagement will be complementary to and independent of Department-led consultation during their assessment of the DA.

The engagement techniques adopted during the preparation of the EIS may include letterbox drops, agency and stakeholder briefings and the maintenance of a project email.

8.0 Proposed Assessment of Impacts

This section provides an overview of the key matters requiring and not requiring further assessment in the EIS and the proposed approach to assessing each of these matters. The purpose of considering these factors at this stage is to inform the preparation of the SEARs which will guide the preparation of the EIS.

8.1 Matters Requiring Further Assessment in EIS

8.1.1 Height, bulk, scale

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

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

The concurrent rezoning seeks to amend the building height to maximum 100m maximum across the site. The concurrent rezoning will facilitate a built form outcome that responds to the surrounding context, including the future Burwood North Metro which is within 700m of the site. The Concept Plans (**Attachment A**) by Terroir demonstrates how a separated tower form fronting Parramatta Road can be accommodated for and continue through to Queens Road, enabling continuity in the dual tower form. Accordingly, sufficient sunlight is provided to the development and surrounding developments still retain adequate solar access and sky access.

Additionally, as demonstrated in the Concept Plans, a northern courtyard has been created in order to increase residential amenity and provide sufficient solar access to the proposed communal open space.

8.1.2 Overshadowing

Preliminary overshadowing drawings are provided as part of this Scoping Proposal (**Attachment A**) and demonstrate the extent of potential additional shadows cast by the proposal between 9am and 3pm on June 21. The Design Report supporting the EIS will assess the overshadowing impact of the proposal. It will demonstrate through the indicative concept design that the proposed LEP amendments are capable of facilitating a built form that does not generate unreasonable overshadowing onto adjacent properties. It should be noted that the shadows predominantly fall onto Parramatta Road to the south.

The Indicative Reference Scheme demonstrates that built form can be concentrated on the perimeter of the site, which allows for solar access to penetrate into the site through link/public domain as well as landscaped areas. In the north, a new communal open space for residents at ground has been formed. This receives good solar access throughout the day 10am-3pm. In the south, the "urban plaza" portion of the site receives approximately 50% solar access from 12 noon to 3pm.

8.1.3 Residential amenity

The EIS will demonstrate through the indicative concept design that the residential dwellings to be delivered at the site will provide a high degree of residential amenity. Further, the EIS will demonstrate that by virtue of the proposed LEP amendments, the proposal will be capable of responding to the relevant provisions of Chapter 3 and Chapter 4 of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) and its accompanying Apartment Design Guide.

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

8.1.4 Traffic and transport

The Planning Proposal will be accompanied by a Traffic Impact Assessment (TIA) that will consider all transport and traffic matters that are relevant to the context of the site. It will assess the impact of additional traffic as a result of the proposed residential mixed use development on the surrounding area, assess the performance of the road network and include a preliminary assessment of the future parking requirements. A request has been made with Council to clarify the appropriate benchmark for car parking and we are awaiting feedback.

In accordance with Schedule 3 of the State Environmental Planning Policy (Transport and Infrastructure) 2021, the site is identified as 'traffic generating development' as more than 300 dwellings are proposed. Referral to TfNSW is required to assess the appropriateness of proposed accessibility at the site and any potential traffic impacts of the development prior to granting development consent.

8.1.5 Affordable Housing

In accordance with Chapter 2, Part 2 of the Housing SEPP, the project will provide 3-10% of total residential FSR as affordable housing for a period of 15 years (based on feasibility). The specific allocation of apartments designated as affordable housing, and the related management measures is subject to ongoing design development and engagement with a preferred Community Housing Provider (CHPs). The allocations of these apartments have not yet been determined, however, they will be considered in light of achieving equitable residential amenity across the development.

8.1.6 Other matters

The following matters will be further provided/assessed as a part of the EIS:

- Estimated Development Cost Report;
- Engagement Report;
- Survey Plan;
- Architectural Drawings, Design Report, Schedule of Colours, Materials and Finishes, Design Verification Statement, Shadow Diagrams, Chapter 4 Housing SEPP Assessment (ADG);
- Landscape Plan;
- Arboricultural Impact Assessment – which will also assess impacts upon street trees adjacent to the site;
- Integrated Water Management Plan;
- Preliminary Site Investigation Report;
- ESD Report;
- Flood Certificate;
- Acoustic Report;
- BASIX Certificate; and
- Waste Management Plan.

8.2 Matters not Requiring Further Assessment in the EIS

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

An assessment of the matters not requiring further assessment in the EIS is provided in **Table 12**.

Table 12 *Matters not requiring further assessment in the EIS*

Matter	Assessment	Anticipated Deliverable/s
Design Excellence Strategy (DES) Competition Report Design Review Report	DES – Design excellence is not required by an EPI. However, the principles of design excellence will be suitably addressed in the Design Report. Competition Report – A competition design process will not be held. Design Review Report – As a HDA declared site, it is understood that the project will not be reviewed prior to lodgement. Further to discussion with the HDA the concurrent rezoning will Amend the Design Excellence Map under Clause 6.14 to include the entirety of the subject site. The applicant will then seek a Design Competition exemption by preparing an Alternative Design Excellence Strategy for the project.	N/A.
Biodiversity	There is no vegetation upon the site. A BDAR Waiver Request will be lodged to confirm the site has no biodiversity value.	N/A.

Matter	Assessment	Anticipated Deliverable/s
Groundwater Impact Assessment Salinity Management Plan Management Plan	The site is not identified mapped on the NSW Spatial Viewer Groundwater Vulnerability Map, nor the Salinity Map.	N/A.
Flood	The Section 10.7 Certificate states that the site is not within a flood planning area.	N/A.
Bushfire	The site is not affected by bushfire prone land.	N/A.
Aboriginal Cultural Heritage Assessment Report Archaeological Assessment	Land beneath the site has been highly disturbed because of the railway corridor. Accordingly, potential Aboriginal cultural sites and potential archaeological sites are unlikely.	N/A.
Hazard Analysis	From a preliminary analysis, it appears that the development is not affected by above ground dangerous goods storages from surrounding developments nor are there underground high-pressure dangerous goods pipelines in the vicinity of the site.	N/A.

9.0 Conclusion

This Project Specific SEARs Request letter has been prepared by Ethos Urban on behalf of Muir Burnside in support of a SSDA and concurrent rezoning for a mixed-use shop-top housing development on the land at 55-257, 259 and 271 Parramatta Road 255-271 Parramatta Road; 2-18 Taylor Street; 131-135 Queens Road and 1-11 Walker Street, Five Dock.

It seeks to inform the HDA for issue of the project-specific SEARs and rezoning requirements to enable the preparation of an EIS that will accompany a Concept SSDA/Detailed first Stage SSDA and concurrent Planning Proposal/rezoning. It has outlined preliminary information regarding the project including the site, the proposed development, the relevant strategic and statutory context and planned stakeholder engagement. The scoping of the proposed assessment of impacts within the EIS and rezoning report for the proposed development will enable the HDA with input from other government agencies to prepare and issue project-specific SEARs.

As discussed throughout this report, the proposal is considered to have strategic merit as it will:

- Facilitate the provision of additional housing supply, including affordable housing, in an area that is very well serviced by public transport.
- Directly respond to recent National and State housing targets and strategies.
- Enable development that can effectively minimise any potentially adverse environmental impacts.
- Deliver public benefits including the provision of an east-west site through link from Taylor Street to Walker Street and a through site link from Parramatta Road into the site.
- Replace ageing single dwelling housing stock with a mixed-use development of high design quality.

We trust that the information provided is sufficient to enable the Secretary to issue SEARs for the preparation of the EIS and will enable a productive discussion with the relevant agencies in due course.

Should you have any queries about this matter, please do not hesitate to contact the undersigned.

Yours faithfully,

Chantelle Pepper
Junior Planner
cpepper@ethosurban.com

Katie Waters
Senior Planner
kwaters@ethosurban.com

Clare Swan
Director
cswan@ethosurban.com

