

13 October 2025

Keiran Thomas
Director, Housing Delivery Assessments

Department of Planning, Housing and Infrastructure
Level 31, 4 Parramatta Square
Parramatta NSW 2124

Dear Mr Thomas,

**RE: REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARs)
569-575 PRESIDENT AVENUE AND 822-826 OLD PRINCES HIGHWAY, SUTHERLAND**

1. INTRODUCTION

This report has been prepared by Mecone Group (**Mecone**) on behalf of K2 Property Development Group Pty Ltd (the **applicant**) in support of a State Significant Development Application (**SSDA**) and concurrent rezoning under the Housing Delivery Authority (**HDA**) pathway. The project seeks approval for a 16-20-storey shop top housing development with approximately 368 apartments, including 15% affordable housing (of total residential yield) and non-residential floor space for retail and a supermarket (the **proposal**) at 569-575 President Avenue and 822-826 Old Princes Highway, Sutherland (the **site**).

The project has been declared State Significant Development under Section 4.36 of the *Environmental Planning and Assessment Act 1979* following nomination by the HDA. The proposed development has been declared as SSDA in accordance with the Environmental Planning and Assessment (Housing Delivery Authority) Order 2024 (**HDA Order**), following acceptance of an Expression of Interest (**EOI**) submitted to the HDA on 2 June 2025 (reference 267721). The site and project were declared as SSDA by the Minister for Planning on 29 August 2025.

This report seeks industry-specific Secretary's Environmental Assessment Requirement (**SEARs**) for the preparation of an Environmental Impact Statement (**EIS**) that will accompany a SSDA and concurrent rezoning. As part of this request for SEARs, this report provides an overview of the proposal, relevant planning instruments, site suitability and the key likely impacts of the proposal. An Architectural package (**Attachment 1**) has been prepared by PBD Architects which supports this report and provides further detail on the proposal.

We understand the proposed SSDA qualifies for the issue of Industry-Specific SEARs relating to Housing, as outlined in the "*State Significant Development Guidelines – Preparing a Scoping Report 2021*", on account of the following:

- The proposed development is wholly permissible on the site;
- It does not meet the criteria for designated development; and
- The SSDA does not seek consent for a concept approval.

2. SITE DETAILS

The site is located at 569-575 President Avenue and 822-826 Old Princes Highway, Sutherland, within the Sutherland Local Government Area (**LGA**). The site, as amalgamated, has a total area of approximately 7,014m² and consists of the following lots:

TABLE 1: LOTS AND LEGAL DESCRIPTIONS

Stage	Street Address	Legal Description
1	569 President Avenue, Sutherland	24/2/DP1688
		23/2/DP1688
		22/2/DP1688
		21/2/DP1688
		20/2/DP1688
	571 President Avenue, Sutherland	19/2/DP1688
	573 President Avenue, Sutherland	18/2/DP1688
	575 President Avenue, Sutherland	17/2/DP1688
2	822-826 Old Princes Highway, Sutherland	1/DP1156899

An aerial image of the site is provided below at **Figure 1**.



FIGURE 1: SITE AERIAL

Source: Mecone

The site is located approximately 200m south of the Sutherland Train Station (at its closest point) and has a frontage to Boyle Lane to the north, President Avenue to the south, Old Princes Highway to the west and Eton Street to the east.

The site is zoned E2 Commercial Centre under *Sutherland Local Environmental Plan 2015 (SLEP 2015)* as shown in **Figure 2**, with a maximum height of building standard ranging between 30-40m and a maximum Floor Space Ratio (**FSR**) standard of 3.5:1.

Existing development on the site comprises of Coles supermarket (with at-grade customer parking underneath), Liquorland, LIVE Music School, a hair salon, IGA and various restaurants/food outlets. There is also a small and ageing car park positioned towards the centre of the site. Development on the site is dated in style and largely features a 1-2 storey-built form.

A map of the local context is provided below at **Figure 2**.

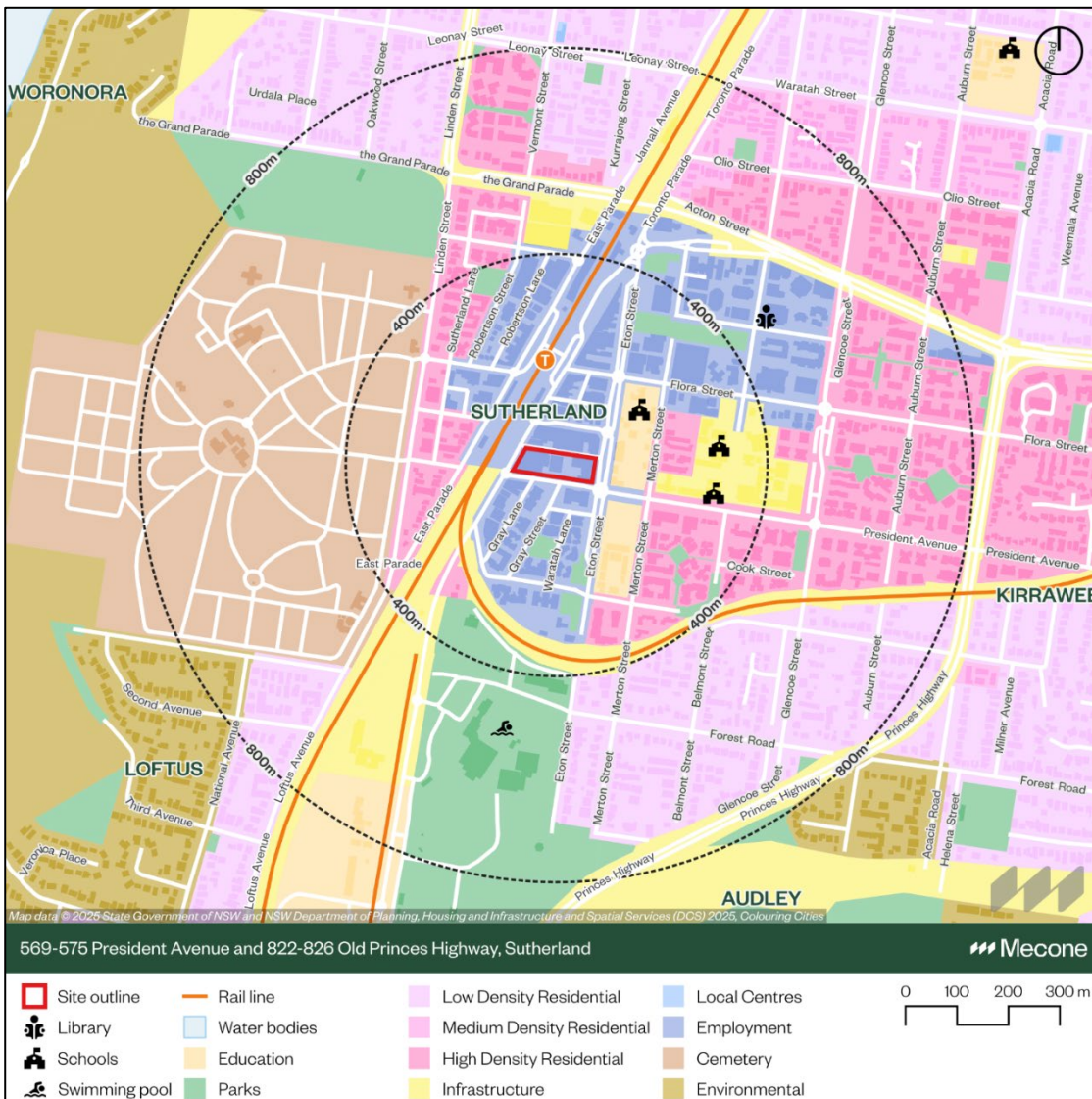


FIGURE 2: LOCAL CONTEXT

Source: Mecone

3. PLANNING CONTEXT

NATIONAL HOUSING ACCORD 2022

In October 2022, the Federal Government announced the National Housing Accord (**the Accord**), which committed to delivering 1 million new homes in well-located areas in the 5 years starting from the year 2024. This was updated by National Cabinet in August 2023 to 1.2 million homes. The Accord includes a target to support the delivery of 20,000 affordable homes across Australia. For the Sutherland LGA, a target of 6,000 dwellings is required over the next five years, to 2029.

The production of affordable housing is being encouraged by the NSW Government (supported by the Accord) by introducing the new in-fill affordable housing provisions to the Housing SEPP.

The proposed development is committed to providing market and affordable housing to contribute to achieving NSW's Accord targets. This will be achieved by providing well-connected homes and affordable housing, with access to public transport, retail and a supermarket, social infrastructure (schools and a library), open spaces and recreational facilities.



On this basis, the proposed development, being well-located within the Sutherland Shire and delivering new and affordable homes, is in alignment with the Accord.

HOUSING 2041 – HOUSING STRATEGY

Housing 2041 represents a 20-year vision for housing across NSW. It embodies the Government's goals and ambitions to deliver better housing outcomes by 2041— housing in the right locations, housing that suits diverse needs and housing that feels like home. This vision for housing across the state is reflected in four key pillars being supplied, diversity, affordability, and resilience.

The proposal has the potential to facilitate the delivery of up to approximately 368 apartments, including up to approximately 15% affordable housing (of total residential yield) subject to concept approval and detailed design), which is a significant boost to the supply of housing including affordable housing within the Sutherland Shire LGA.

GREATER SYDNEY REGION PLAN AND SOUTH DISTRICT PLAN

The Greater Sydney Region Plan and South District Plan were released in 2018 by the Greater Sydney Commission. These strategies note that Sutherland presents a diversity of retail, entertainment, commercial and community services, and has a civic role as the location of a District Court. The University of Wollongong satellite campus and Sutherland College Sydney TAFE are located nearby. The strategies articulate that building on these strengths and activating streets will provide opportunities to grow local jobs and the night-time economy.

Sutherland is identified as a Strategic Centre within the Region and District Plan. The Region Plan sets the following expectations for Strategic Centres, including:

- high levels of private sector investment,
- flexibility, so that the private sector can choose where and when to invest,
- co-location of a wide mix of land uses, including residential,
- high levels of amenity and walkability and being cycle friendly,
- areas identified for commercial uses, and where appropriate, commercial cores.

SUTHERLAND LOCAL STRATEGIC PLANNING STATEMENT AND PLACE PLANNING

Council's Local Strategic Planning Statement (**LSPS**) recognises that Sutherland is a designated Strategic Centre, in close proximity to and with links to Kirrawee centre. It notes that place-based planning will explore how these can be planned as one centre and offer a more welcoming and enjoyable experience for residents and visitors.

It is understood that planning for centres (such as Sutherland) will respond to the unique characteristics of each place: the local character, materials, landscape, and environmental context, as well as an understanding of how the local community and local economy may be supported.

The LSPS includes an Action (Action 11.1) that requires Council to prepare place-based plans including liaising with landowners for the strategic centres of Miranda and Sutherland/Kirrawee. This is identified as a short-term action. Preliminary community consultation was undertaken by Council in late 2021 to explore options for the future of three key strategic centre precincts, including Sutherland and Kirrawee. It is understood the results from this early consultation will inform centre plans which will provide the framework for improvements to public spaces and future planning controls within each centre.

LOCAL HOUSING STRATEGY

The Local Housing Strategy sets long-term goals for housing in the Sutherland Shire and supports the NSW Government's target to create 6,000 new homes by 2029. The strategy focuses on building homes in areas that already have good roads, schools, and services. These homes will include:



- Dual occupancy and secondary dwellings (like granny flats)
- Villas and townhouses
- Low-rise and high-rise apartments in and around town centres

Council will develop Place Plans to put the Local Housing Strategy 2041 into action. These are being prepared for several centres within the Sutherland Shire, including Sutherland-Kirrawee.

SUTHERLAND SHIRE AFFORDABLE HOUSING CONTRIBUTION SCHEME

The Sutherland Shire Affordable Housing Contribution Scheme (**AHCS**) outlines council's approach to collecting contributions to support the provision of affordable housing within the LGA. It aims to enable low-income households to continue living and working in the Sutherland Shire.

The AHCS applies to all land within the Sutherland Shire where:

- A planning proposal for residential or mixed-use development increases the residential yield of the land; and
- Where a contribution towards affordable housing is financially viable

Specific contribution rates will apply to land identified under this scheme via a planning proposal. This rate will be incorporated into the LEP and is additional to any existing development contributions which apply. The contribution may be satisfied by the dedication of dwellings or by making an equivalent monetary contribution in accordance with this scheme.

Council will prepare Place Plans for key centres to establish the desired future character of each place. This will include reviewing permissible building heights and densities around centres, which will subsequently be tested to ensure redevelopment is financially feasible. Where feasibility is demonstrated, an affordable housing contribution rate will be set as a percentage of the uplift.

DEVELOPMENT APPLICATIONS

While there have been several development applications (**DAs**) submitted for the site overtime, they will not have a direct impact on the current proposal. While we acknowledge the history of these applications, they are minor DAs associated with existing operators on the site and not for wholesale redevelopment of the site. Therefore, these DAs are not considered relevant to this proposed SSD.

4. SUMMARY OF THE PROPOSAL

The SSDA will seek consent for a shop top housing development with ground floor retail and a supermarket and residential above. In accordance with the HDA program, a concurrent rezoning application will be submitted to increase the Height of Building and FSR development standards under the SLEP 2015 to match those proposed under the SSDA.

The proposed development includes demolition of the existing buildings and structures and development of a 16-20-storey shop-top housing development comprising of:

- 368 residential apartments with 15% affordable housing of total residential yield (approximately 55 apartments)
- Retail (shops and food and drink premises) and a supermarket at ground level
- 3 levels of basement parking
- Associated landscaping

The construction will be delivered in two stages. **Stage 1** will involve commencement of works on the two eastern towers, enabling the existing supermarket to remain operational. **Stage 2** will commence once the supermarket has been relocated, allowing completion of the remaining works.

Details of the numerical particulars of the proposal are summarised in **Table 1** below.

TABLE 2 – NUMERICAL OVERVIEW OF DEVELOPMENT

COMPONENT	PROPOSED
Site area	7,014m ²
Land use	Shop top housing, commercial premises <i>*Note: both of these uses are permitted with consent in the E2 zone.</i>
Gross floor area	Total: 41,712.5m ² Residential: 36,752.8m ² Non-Residential: 4,959.7m ² Affordable Housing: 2,457.84m ²
Total FSR	5.95:1
Height of building	58m (569-575 President Avenue); and 70.4m (822-826 Old Princes Highway)
Number of dwellings (approximate)	Market housing: 313 Affordable housing: 55 Total: 368
Unit Mix (approximate)	1 bed: 55 units 2 bed: 219 units 3 bed: 94 units

Indicative floor plans and perspectives of the proposed are shown in **Figures 4-7**

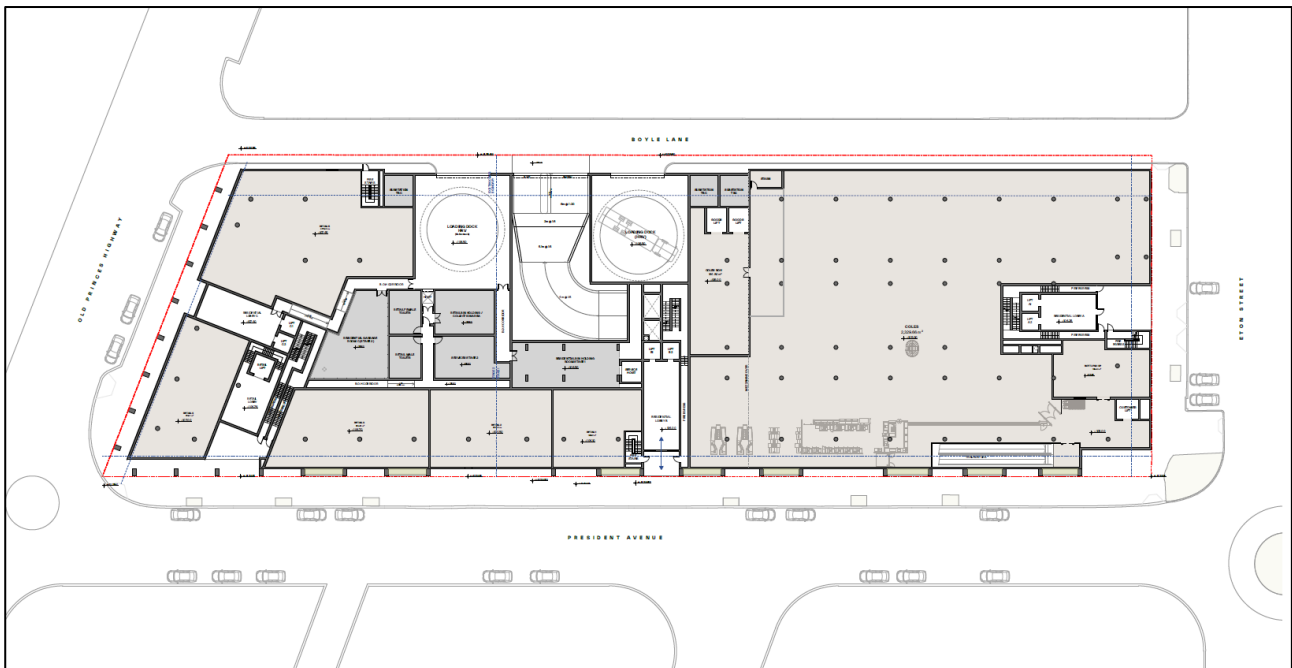


FIGURE 3: INDICATIVE GROUND FLOOR PLAN

Source: PBD Architects



FIGURE 4: PROPOSED TYPICAL RESIDENTIAL FLOOR PLAN

Source: PBD Architects



FIGURE 5: PERSPECTIVE OF PROPOSED DEVELOPMENT

Source: PBD Architects



FIGURE 6: PERSPECTIVE OF PROPOSED DEVELOPMENT
 Source: PBD Architects

5. STATUTORY PLANNING FRAMEWORK

A summary of the key provisions of the statutory planning framework is provided in **Table 3** below.

TABLE 3 - STATUTORY CONSIDERATIONS

ITEM	COMMENT												
SSD eligibility	The proposed development has been declared as SSDA in accordance with the HDA Order, following acceptance of an EOI submitted to the HDA on 2 June 2025 (reference 267721). The project was declared as SSD by the Minister for Planning on 29 August 2025.												
Land use permissibility	The site is located within the E2 zone and the proposal for 'shop top housing' and 'commercial premises' is permitted with consent within the E2 zone under the SLEP 2015.												
Key LEP planning controls	An assessment against the key SLEP 2015 development standards is provided below. Table 3.1 – SLEP 2015 Development Standards												
	<table border="1"> <thead> <tr> <th>Provision</th> <th>Control</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>4.3 Height of building</td> <td>40m and 30m</td> <td>The proposal seeks a maximum building height of 58m and 70.4m under the proposed rezoning.</td> </tr> <tr> <td>4.4 Floor space ratio</td> <td>3.5:1</td> <td>The proposal seeks a FSR of 5.95:1 under the proposed rezoning.</td> </tr> <tr> <td>6.2 Earthworks</td> <td>Applies to all development that impacts on requires earthworks.</td> <td>The proposal will be accompanied by a geotechnical investigation</td> </tr> </tbody> </table>	Provision	Control	Comment	4.3 Height of building	40m and 30m	The proposal seeks a maximum building height of 58m and 70.4m under the proposed rezoning.	4.4 Floor space ratio	3.5:1	The proposal seeks a FSR of 5.95:1 under the proposed rezoning.	6.2 Earthworks	Applies to all development that impacts on requires earthworks.	The proposal will be accompanied by a geotechnical investigation
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6.2 Earthworks	Applies to all development that impacts on requires earthworks.	The proposal will be accompanied by a geotechnical investigation											



		which will assess the acceptability of any earthworks proposed.
6.4 Stormwater Management	Development must be designed to maximise the use of water permeable surfaces, include on-site stormwater retention for use as an alternative supply (if practicable) and avoids any significant adverse impacts of stormwater.	This will be addressed in the EIS.
6.13A Green grid links	Development must aim to: <ul style="list-style-type: none"> • retain and enhance tree canopy cover, and • facilitate and prioritise pathways for pedestrians and cyclists that run between and through open spaces and along waterways. 	The green grid map is applicable to the site and will be addressed in the EIS.
6.16 Urban Design-General and 6.17 Urban design – residential accommodation.	Requires that development consider and respond to matters of design such as streetscape, landscaping, built form, interface with public domain, and the character of the locality.	This will be addressed in the EIS.
Other statutory and planning matters	<p>Other statutory matters relevant to the SSDA, to be addressed in the application and EIS will include the following:</p> <p><i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></p> <p><i>Biodiversity Conservation Act 2016</i> – a waiver for a Biodiversity Development Assessment Report (BDAR) will be obtained and submitted in support of the EIS.</p> <p><i>National Parks and Wildlife Act 1974</i> – a preliminary Aboriginal Cultural Heritage Assessment Report will be prepared in support of the EIS.</p> <p>Apartment Design Guide (ADG) – a detailed ADG assessment will be provided as part of the EIS.</p>	

6. SITE SUITABILITY

The site is suitable for the proposed development as it is identified as a Strategic Centre within the Region and District Plan. These are areas with substantial redevelopment opportunities that will require high levels of private sector investment to reach their full potential.

The site is a large, consolidated land holding strategically located approximately 200m south of Sutherland Train Station (at its closest point). The site’s central location within the Sutherland Strategic Centre will facilitate the delivery of housing in an accessible location and assist in meeting the need for more homes from the growing population by boosting housing supply.

The site is also not inhibited by any significant environmental constraints that would prevent the provision of a shop top housing development. The potential environmental impacts associated with the proposal will be adequately managed through the implementation of mitigation measures. These will be further addressed in the EIS.



7. ENGAGEMENT

A previous Infill Affordable Housing proposal for the site was progressed, during which a scoping meeting was held with the Department of Planning, Housing and Infrastructure (DPHI) on 12 March 2024, following the submission of the scoping documents on 4 March 2024. Subsequent to this meeting, DPHI officers invited the proponent to submit a SEARs request. DPHI also confirmed that, once the SEARs were issued, the proposal would not require referral to the State Design Review Panel (SDRP).

Given the site is not subject to any design excellence or design competition requirements under the SLEP 2015, we understand that the project would not be subject to SDRP review, as per the previous Infill Affordable Housing proposal.

Since that time, the proponent has elected to progress the project under the HDA pathway, with the project being declared State Significant on 29 August 2025. This SEARs request has been prepared and informed by further discussions with the DPHI assessment team on 22 September 2025.

Ongoing consultation with relevant government agencies and community engagement will be undertaken throughout the project, in accordance with DPHI's *Undertaking Engagement Guidelines for State Significant Projects (2021)*, to inform the refinement of the proposal and the preparation of the SSDA.

8. MATTERS FOR ASSESSMENT IN THE EIS

This section provides a high-level review of the likely impacts associated with the proposal, key matters requiring further assessment in the EIS and proposed approach to assessing these matters.

- **Traffic and Transport:** The site is conveniently located approximately 200m south of the Sutherland Train Station (at its closest point). The EIS will be informed by a Traffic and Accessibility Impact Assessment and Green Travel Plan to assess the impacts of the uplift to height and FSR, and outline measures to mitigate any traffic impacts. However, the proposal is not anticipated to have any unacceptable traffic implications in terms of road network capacity.
- **Heritage:** There are heritage items within the vicinity of the site, including Item 3633 *Commonwealth Bank*, located to the north and Item 3618 and 3614 *Sutherland Primary School, including original building and grounds, and Former Sutherland Intermediate High School building*, located to the east. These heritage items will be considered within the EIS and are not anticipated to be impacted by the proposal.
- **Overshadowing:** The EIS and supporting documentation will include solar access diagrams considering the overshadowing impacts to the southern properties. In particular, it will consider overshadowing impacts to the southern properties with north facing apartments and communal open space areas.
- **ADG Compliance:** A compliance assessment with the ADG requirements will be undertaken as part of the supporting material for the EIS. This will include elements such as building separation, privacy and solar access.
- **Acoustic impacts:** The site is located in close proximity to the Illawarra Train line and traffic along President Avenue, both of which are potential sources of acoustic impact. An Acoustic Impact Assessment will be undertaken to evaluate and address any potential noise-related effects on the proposed development.
- **Sydney Trains Rail corridor:** The site is adjacent to the rail corridor and therefore the Transport



and Infrastructure SEPP will be considered and addressed in the EIS.

- **Public domain design:** Council will be consulted regarding the design of the public domain. In particular, the EIS will further address the Green Grid connections identified along President Avenue and the Old Princes Highway, as well as the proposed widening of Boyle Lane.
- **Through site link:** The Sutherland Development Control Plan 2015 identifies a through site link from Boyle Lane to President Avenue, the EIS will consider this further.

CONCLUSION

As outlined in this report, the proposed shop top housing development including affordable housing is declared as SSD under the Environmental Planning and Assessment (Housing Delivery Authority) Order 2024.

A summary of the proposal is provided, together with other relevant statutory provisions, and an outline of the proportionate approach to be taken to the EIS and engagement.

We trust this is sufficient to enable the Industry-Specific Housing SEARs to be issued, but should any further details or clarification be required, please do not hesitate to contact myself at tcook@mecone.com.au or Lauren Manias, Associate Director at lmánias@mecone.com.au.

Kind regards,

Tom Cook
Director