

Our ref: Demolition of existing structures and construction of 3 X RFBs at 300 Burns Bay Road, Lane Cove (SSD-87925706)

Mr Charbel Kazzi
Head of Development
LANE COVE DEVELOPMENTS NO.1 PTY LTD
300 BURNS BAY ROAD
LANE COVE 2066

26 May 2026

Subject: Request for Information

Dear Mr Kazzi,

The exhibition of the development application and environmental impact statement (EIS) for the demolition of existing structures and construction of 3 X RFBs at 300 Burns Bay Road, Lane Cove (SSD-87925706) ended on 21 Apr 2026.

The Department is now seeking additional information as set out in **Appendix A**. All agency advice received is available via the Major Projects page. Please note that this request is in addition to the Response to Submissions request dated 30 April 2026.

Please provide a comprehensive Response to Submissions which address both Request for Further information (RFI) by **COB 23 June 2026**.

Note that the time between the date of this letter and the date the Planning Secretary received your response is not included in the 'assessment period' under section 94(1) of the Environmental Planning and Assessment Regulation 2021.

If you have any questions, please contact Gabriel Kim, on 02 9274 6248 or via email at Gabriel.kim@dpie.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read "K. Coyne".

Kelly Coyne

Team Leader, Housing Delivery Assessments

Department of Planning, Housing and Infrastructure



as delegate for the Planning Secretary

Appendix A

1. Design Quality

Design review

The current development proposal triggers the Design Quality requirements of Residential Apartment Development under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).

Based on a preliminary assessment undertaken by Department staff, the current proposal does not adequately demonstrate a level of design quality, residential amenity or built form response that would be considered representative of the Design Quality Principles of the Apartment Design Guide (ADG) under Schedule 9 of the Housing SEPP, particularly having regard to the cumulative impacts associated with the proposed height, bulk, scale, density and tower configuration.

2. Concurrent rezoning

The Department has significant concerns over the concurrent rezoning and the resulting impacts that it creates:

Height

The current proposal is not supported in its current form as the proposed heights of the three-tower configuration result in adverse amenity impacts to surrounding neighbouring properties and do not adequately demonstrate compliant residential amenity outcomes for several of the proposed units.

The proposed maximum building heights of part 38.5m, part 45m and part 54.5m (approximately 7–15 storeys) are considered excessive within the context of the site and surrounding built form character. The scale of development contributes to the cumulative adverse impacts identified throughout this letter, including overshadowing, view loss, visual privacy and pedestrian accessibility concerns. The proposal also demonstrates several inconsistencies with the objectives and design guidance of the Apartment Design Guide (ADG), including Parts 2F (Building separation), 2H (Side and rear setbacks), 3B (Orientation), 3F (Visual privacy), 4A (Solar and daylight access), 4B (Natural ventilation) and 4L (Ground floor apartments).

The proposed built form is to be substantially reviewed and amended. Any future design response should generally align with the previously declared Expression of Interest (EOI)

maximum building envelope of approximately 41.3m (12–13 storeys), noting that further reductions in height, FSR, site yield and tower configuration, including consideration of a two-tower scheme, may be required to achieve improved compliance with the ADG and acceptable residential amenity outcomes.

Floor Space Ratio (FSR)

The proposed FSR of 3.22:1 should be reconsidered to ensure the scale and density of the development achieves a more appropriate relationship with the surrounding streetscape and built form character of the immediate locality.

In this regard, the proposed FSR should be reduced to align with the 3.1:1 FSR identified within the original EOI submission, with any future design scheme to be developed generally within this density framework. Notwithstanding, a further reduction in FSR may be required if additional design refinement is necessary to achieve acceptable residential amenity, built form and environmental outcomes.

Further consideration is also required to demonstrate that the proposed development density does not result in unreasonable cumulative impacts, including traffic generation, parking demand, pedestrian safety and local road network capacity.

Any reduction in FSR should be accompanied by corresponding amendments to building height, tower configuration, bulk, scale and site yield, to improve consistency with the objectives and design guidance of the ADG and to address the residential amenity concerns identified throughout this letter.

3. Setback & Visual Privacy

While the justification provided for the non-compliance with the northern setback requirements for Towers A and B from Level 5 and above is noted, further information is required to demonstrate that appropriate visual privacy outcomes can be achieved for adjoining residential properties located at 292–298 Burns Bay Road.

In particular, additional detail relating to the location of windows, balconies and other openings within the adjoining apartment building is required to enable an adequate assessment of potential overlooking and privacy impacts arising from the reduced setback.

Additional / Amended Information Required

Provide additional survey information and detailed architectural elevation plans identifying the location of windows, balconies and openings within adjoining residential development at 292–298 Burns Bay Road.

Amended plans are to demonstrate that appropriate visual privacy and building separation outcomes can be achieved in accordance with the objectives and design guidance of Parts 2F (Building separation), 2H (Side and rear setbacks), 3B (Orientation) and 3F (Visual privacy) of the ADG, including consideration of:

- a) increased setbacks to the northern and southern boundaries,
- b) increased building separation distances from proposed towers;
- c) screening and privacy mitigation measures;
- d) reconsideration of the current three-tower arrangement, including further refinement of the built form to improve building separation, reduce bulk and achieve improved residential amenity outcomes; and

4. Solar Access

The proposal fails to demonstrate compliance with Part 4A (Solar and daylight access) of the ADG, which requires that no more than 15% of apartments receive no direct sunlight between 9am and 3pm at mid-winter. The submitted plans indicate that approximately 19% of apartments would not achieve direct solar access during this period, resulting in a non-compliant outcome that is not supported.

In addition, the submitted architectural plans, EIS and supporting solar analysis demonstrate that the proposal results in adverse overshadowing impacts to adjoining residential development to the south of the site. In particular, lower residential units within 300B and 300C Burns Bay Road, Lane Cove would be subject to overshadowing at mid-winter. Further, apartments within 300A Burns Bay Road, Lane Cove are not demonstrated to receive the minimum 2 hours of direct sunlight to north-facing living room windows between 9am and 3pm at mid-winter, contrary to Part 3B-2 of the ADG. This outcome is not supported.

Concerns relating to solar access and overshadowing were also consistently raised in submissions received during the public exhibition process, reinforcing the significance of these impacts

Additional / Amended Information Required

- a) Provide amended architectural plans and supporting solar access analysis demonstrating an improved and compliant (Minimum of 70% of living rooms and POS receive a minimum of 2 hours direct sunlight between 9am to 3pm at mid-winter and a maximum of 15% of apartments with no direct sunlight) solar access outcomes for the subject site as per Part 4A-1 of the ADG and adjoining residential properties as required under Part 3B-2 of the ADG.

5. Natural ventilation

The proposed development does not adequately demonstrate compliance with the objectives and design guidance of Part 4B of the ADG relating to natural cross ventilation.

While the proposal states that the minimum required number of naturally ventilated apartments has been achieved, the architectural plans and supporting analysis are unclear as shown below under Image 1.

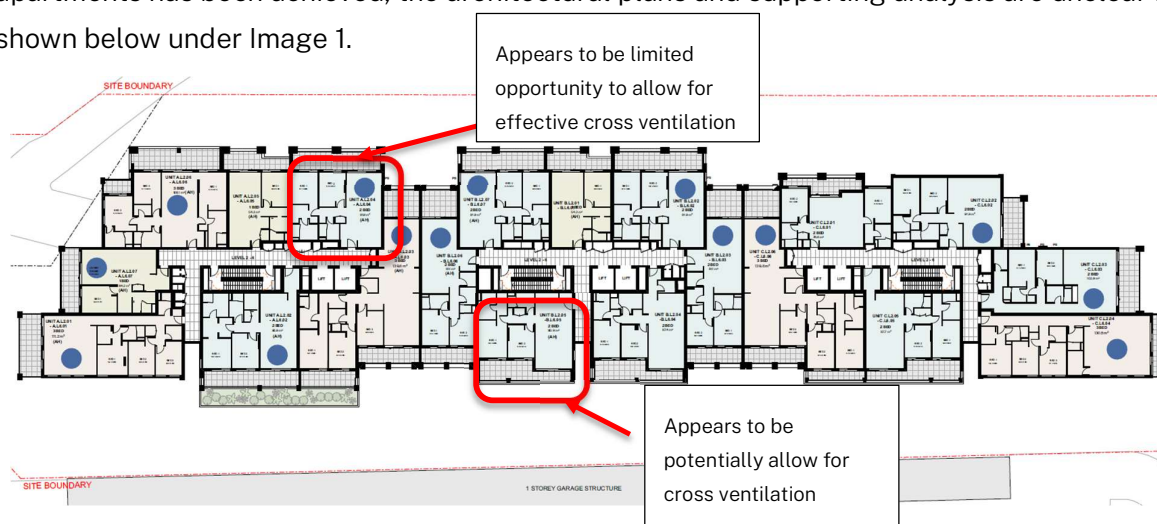


Image 1. DA530 – Cross Ventilation Diagram (Level 2- 6)

Several apartments appear capable of achieving natural cross ventilation, but this is not clearly shown in the submitted documentation. The documentation also does not include airflow arrows or sectional diagrams demonstrating cross ventilation outcomes and detailed plans to depict the inlet and outlet opening sizes, consistent with Figures 4B.3 and 4B.8 of the ADG.

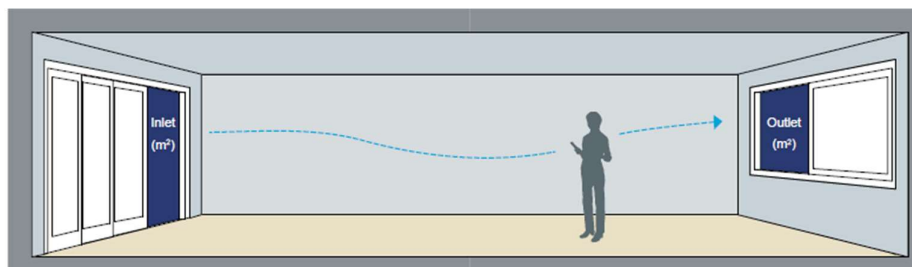


Image 2. Figure 4B.3

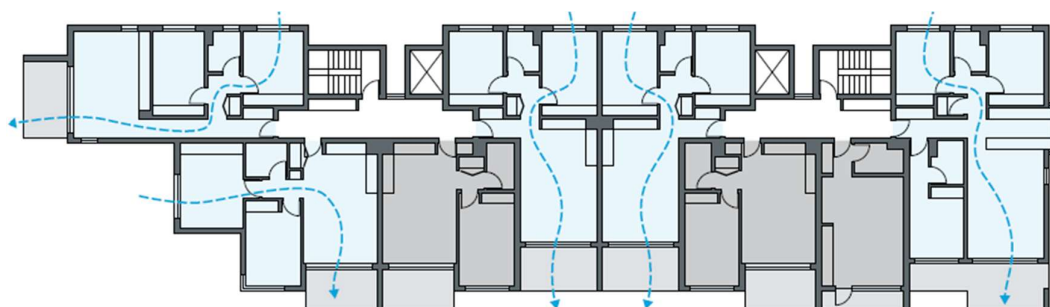


Image 3. Figure 4B.8

Further, as identified under Point 3 – Solar Access, several lower ground and ground floor north and south-facing apartments appear to have limited access to both direct sunlight and natural cross ventilation, resulting in suboptimal residential amenity outcomes of these units.

Additional / Amended Information Required

- a) Amend the architectural floor plans to replace the existing blue dot notation with airflow arrows demonstrating natural ventilation paths consistent with Figure 4B.8 of the ADG.
- b) Additional plans depicting the Inlet and Outlet openings and area size as per Figure 4B.3 of the ADG.
- c) Submit amended plans and supporting documentation clearly demonstrating compliance with Part 4B of the ADG.

6. View Loss

The submitted view loss assessment demonstrates that the proposal would result in significant view loss impacts to adjoining residential properties located to the north and upslope of the site. In particular, the documentation indicates that apartments within 292–298

Burns Bay Road would experience a substantial, and in some instances total, loss of existing views towards the Lane Cove River.

Given the proposal seeks significant uplift to the applicable maximum building height and floor space ratio controls, the extent of view loss generated by the scale, height and configuration of the proposed built form is not supported in its current form.

Further, the cumulative impacts associated with excessive height, bulk and tower massing, together with the identified solar access, natural ventilation and residential amenity concerns, indicate that the current design response has not adequately addressed the objectives and design guidance of the ADG. The identified non-compliances with the ADG are considered unacceptable in their current form and must be addressed through amended plans and supporting documentation as outlined throughout this letter.

Additional / Amended Information Required

Provide amended architectural plans and updated view loss analysis demonstrating improved view sharing outcomes for adjoining residential properties to the north of the site.

Design amendments should include consideration of:

- a) reduction in the overall height, scale and site yield of the development;
- b) revised tower orientation, siting and separation;
- c) increased setbacks to sensitive interfaces;
- d) reduction in tower width and bulk to maintain view corridors; and
- e) reconsideration of the number and configuration of tower elements proposed on the site.

7. Traffic and Transport

Concerns remain regarding the adequacy of the submitted traffic and transport assessment, particularly having regard to the cumulative impacts associated with the scale, density and site constraints of the proposal. A summary of the key traffic and transport matters requiring further review and clarification is provided below, with further detailed comments contained within the Appendix B of this letter.

Additional / Amended Information Required

a) **Intersection analysis**

Review the Signalized and Unsignalized Intersection Design and Research Aid (SIDRA) model

signal phasing setting having regard to the standard practice of applying user given phase time informed by historical Sydney Coordinated Adaptive Traffic System (SCATS) data. Given the close proximity of the two key intersections, undertake network analysis rather than isolated intersection assessment. Confirm that the updated model outputs support the Traffic Impact Assessment (TIA) findings in relation to overall network performance.

b) Loading dock design

Confirm Council waste collection vehicle size and access requirements and demonstrate that the proposed loading dock and access arrangements can safely accommodate waste collection operations.

8. Parking and Bicycle Facilities

While the proposal generally satisfies the minimum residential parking rates under the Housing SEPP, the submitted plans do not demonstrate compliance with the visitor parking requirements under the Lane Cove Council Development Control Plan (DCP), including the required 57 visitor parking spaces. Concerns are also raised regarding the provision and functionality of removalist loading spaces, car wash bays, and bicycle parking facilities.

The current parking and servicing layout, when considered alongside the broader concerns relating to site yield, built form intensity and traffic generation, indicates that the scale and density of the proposal may exceed the practical capacity of the site.

Further review and design refinement is required to demonstrate compliance with the objectives and design guidance of Parts 3C (Public Domain Interface), 3G (Pedestrian Access and Entries) and 3J (Bicycle and Car Parking) of the ADG.

Additional / Amended Information Required

Provide additional and or amended information addressing:

- a) Provide clarification to confirm that the number of accessible parking spaces are consistent with the number of adaptable dwellings and comply with the Building Code of Australia (BCA).
- b) Investigate the feasibility of complying with Council's requirements relating to the location and design of bicycle parking facilities for both residents and visitors and demonstrate that the relevant design objectives are satisfactorily achieved.
- c) visitor parking provision;

- d) adequate number of car wash bays (*1 car wash bay per 50 units for developments over 20 units*);
- e) removalist loading and servicing arrangements;
- f) pedestrian and vehicle circulation within the site; and
- g) opportunities to reduce site yield, basement intensity and tower configuration to improve site functionality and residential amenity outcomes.

9. Pedestrian access and site entries

The proposal does not adequately demonstrate compliance with the objectives and design guidance contained within Parts 3G of the ADG relating to pedestrian access and entries.

In particular, the proposed northern pedestrian entry from Burns Bay Road servicing Towers B and C is not supported in its current form. The entry arrangement does not provide a clear, direct or legible pedestrian connection and is considered to result in poor accessibility outcomes due to the excessive changes in direction, stairs, limited sight lines and overall lack of passive surveillance. The proposed pathway arrangement is not considered to provide a safe or easily identifiable primary building entry consistent with the objectives of the ADG.

Further, insufficient detail has been provided regarding the pedestrian interface with Burns Bay Road, including pedestrian pathways, crossings, landscaping, accessibility measures and potential conflict points between pedestrians and vehicles entering and exiting the site. The submitted documentation does not adequately demonstrate that safe and convenient pedestrian movement can be achieved across the site and surrounding public domain.

Additional / Amended Information Required

Provide amended architectural and landscape plans demonstrating compliance with Part 3G of the ADG.

Design amendments should include consideration of:

- a) a revised northern entry arrangement providing a more direct, legible and accessible pedestrian connection from Burns Bay Road;
- b) simplification of pedestrian pathways and reduction in stairs and unnecessary changes in direction;
- c) improved passive surveillance and sight lines to building entries;

- d) detailed pedestrian crossing and public domain interface plans; and
- e) broader amendments to the site layout, tower configuration and built form to improve pedestrian accessibility and overall site functionality.

10. Agency responses

Agencies were invited to review the proposed development. Agency advice in relation to the proposed development can be viewed on the Major Project Portal. Department staff have reviewed the agency advice and require you to:

- a) Respond to all comments raised by Lane Cove Council in correspondence dated 21 April 2026.
- b) Respond to all comments raised by Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) in correspondence dated 30 April 2026.
- c) Respond to all comments raised by Heritage Council of NSW in correspondence dated 14 April 2026.
- d) Respond to all comments raised by Transport, Housing Delivery Authority of Department of Planning, Housing and Infrastructure (DPHI) in correspondence dated 16 April 2026.

NOTE: *At the time of this RFI letter being drafted, advice from NSW Rural Fire Service (RFS) has not yet been received. This will be followed up by DPHI. Should any issues be raised by the RFS, these will be provided to you for consideration and response and will be made available on the Major Projects Portal.*

11. Conclusion

In summary, the Department considers that the current proposal requires substantial design changes and refinements to address the cumulative impacts associated with the proposed height, bulk, scale, density, site yield and three-tower configuration.

As outlined throughout this letter, the proposal presents a range of unresolved concerns relating to overshadowing, view loss, visual privacy, building separation, solar access, natural ventilation, pedestrian accessibility, site circulation, traffic, parking, servicing and overall

residential amenity outcomes. The proposal has also not adequately demonstrated consistency with several key objectives and design guidance provisions of the ADG.

In addition, all matters raised by Council and the relevant government agencies throughout the referral process must be satisfactorily addressed through amended plans and supporting documentation.

The Department would welcome the opportunity to meet with the applicant following receipt of this letter to discuss the issues raised and potential pathways toward an amended and more supportable development outcome.

Appendix B

Our ref: SSD-87925706

300 Burns Bay Road, Lane Cove

19 May 2026

Subject: Referral Response – Traffic and Transport - Demolition of existing structures and construction of 3 X RFBs at 300 Burns Bay Road, Lane Cove

To: Gabriel Kim, Senior Planning Officer Assessments, HDA

From: Qian Liu, Team Leader Assessments (Transport), HDA

CC: NA

Proposal

Location	300 Burns Bay Road, Lane Cove, Parramatta within Lane Cove LGA
SEARs	Industry-specific (housing)
Details	Demolition of existing commercial building and construction of 7-15 storey residential flat building comprising 225 residential dwellings, including 34 affordable dwellings.

Documentation

The following documents have been received and reviewed as part of this assessment.

Document	Reference	Prepared by	Date
Transport Impact Assessment	Rev 4	Genesis Traffic	18 February 2026
Green Travel Plan	Rev 2	Genesis Traffic	8 December 2025
Agency Response	SYD25/01079/02	TfNSW	22 April 2026
Council Submission	NA	Lane Cove Council	21 April 2026

Assessment

This transport assessment provides a review of the proposed development. All findings and conclusions are subject to change pending a detailed assessment of the revised documentation to be submitted.

1. Relevant details

The proposed development comprises a residential flat building with apartments distributed as follows:

Residential	
1 bedroom	39 dwellings (including 5 affordable)
2 bedrooms	123 dwellings (including 19 affordable)
3+ bedrooms	63 dwellings (including 10 affordable)
Total	225 dwellings (including 34 affordable)

Applicable Planning Instruments:

- State Environmental Planning Policy (Housing) 2021 (SEPP)
- Guide to Transport Impact Assessment (GTIA)
- Apartment Design Guide (ADG)
- Lane Cove Development Control Plan (LDGP).

2. Alignment with SEARs

The submitted TIA generally addresses the transport-related SEARs by:

- Providing a TIA consistent with GTIA requirements
- Supplying a preliminary CTMP and Green Travel Plan.

3. Parking

A parking assessment has been undertaken against Housing SEPP and LDGP requirements for car, bicycle and motorbike parking.

The proposed car parking provision meets the minimum non-discretionary requirements under Chapter 2 of the Housing SEPP (In-fill Affordable Housing).

In addition, the proposal meets the minimum DCP requirements for bicycle and motorcycle parking.

The TIA indicates that servicing would be accommodated by a medium rigid vehicle (MRV). It remains unclear whether the proposed MRV access can accommodate Council waste collection

vehicles, as confirmation of the size and operating requirements of Council's waste vehicle has not been provided.

The TIA has not assessed the adequacy of the accessible parking number. The provision must align with adaptable dwelling numbers and the BCA requirements.

4. Transport impacts

4.1 Traffic generation estimates

The TIA applies the GTIA traffic generation rates for high-density residential development with low public transport accessibility, which incorporate consideration of the site's parking provision. Based on these rates, the proposal is anticipated to generate approximately 37 vehicle trips in the AM peak hour and 47 vehicle trips in the PM peak hour.

It is also noted that the TIA adopts the aforementioned traffic generation to assess post-development conditions. Traffic associated with the existing commercial use of the site has not been deducted from this assessment, which is likely to result in a minor overestimation of the net increase in traffic generation.

Overall, the proposal results in low net increase in traffic generation.

4.2 Intersection analysis

The TIA assesses the performance of key intersections and indicates that under existing background traffic conditions both with and without the proposed development, two key intersections (Burns Bay Road / Burns Bay Road and Burns Bay Road / Waterview Drive) are forecast to operate at acceptable levels of service, with satisfactory degrees of saturation and queue performance. However, despite the reported acceptable performance, two concerns have been identified regarding the modelling setting. First, the model adopts a user-given cycle time for the Burns Bay Road / Burns Bay Road intersection, which may over-optimize the results. A more appropriate approach would be to apply user-given phase time informed by historical SCATS data to reflect the current operation conditions. Second, the two intersections are located approximately 50m apart and upstream/downstream interactions are therefore likely to influence intersection performance. As such, a network analysis rather than isolated intersection modelling would be more appropriate. Given these modelling limitations, the overall modelling results remain inconclusive.

4.3 Multimodal considerations

The Green Travel Plan includes a site audit focusing on the availability of existing public transport and active transport infrastructure in close vicinity, and identifies that reasonable infrastructure and services are currently in place to support sustainable travel choices. Future mode share targets

have been established based on the findings of the infrastructure audit and anticipated travel behaviours, with the aim of encouraging greater uptake of public transport and active transport modes. The assessment does not identify a need for upgrades to existing transport infrastructure or services.

5. Design review

The TIA includes a detailed design review and confirms that the proposal generally complies with the relevant requirements of AS 2890. While minor departures have been identified in relation to the car park control point and the ramp geometry, appropriate justifications and mitigation measures have been provided, and any associated safety or operational risks are considered limited. Compliance is expected to be further reinforced through the recommended Conditions of Consent.

In its submission, Council identified two design matters requiring further consideration and refinement. These relate to the location and design of bicycle parking facilities for both residents and visitors.

Specifically, Council recommends that resident bicycle parking be located on the uppermost basement level, positioned as close as practicable to the primary vehicular access point (driveway), and subject to security camera surveillance where such systems are provided. In addition, visitor bicycle parking is required to be located at-grade in an accessible location near a major public entrance to the development. This parking should preferably be provided undercover, be capable of passive surveillance from the public domain and/or adjoining development, be well lit to enable safe use during night-time, and be clearly signposted.

The applicant is required to investigate the feasibility of accommodating these requirements and demonstrate that the relevant design objectives are satisfactorily achieved.

6. Construction traffic impacts

The TIA includes a preliminary Construction Traffic Management Plan (CTMP) to identify potential impacts and outline mitigation measures during the construction period which addresses the SEARs requirements. The plan incorporates standard CTMP elements.

The preliminary CTMP outlines that the peak construction activity is expected to generate around 20 vehicle trips per day. The proposed construction vehicle routes via Burns Bay Road offer direct access to the broader state road network, helping to minimise impacts on the local road network.

The preliminary CTMP does not exhibit any issues that require resolution prior to, or that would materially affect, the planning determination. As CTMPs primarily address temporary traffic and access impacts during the construction phase, they are typically subject to oversight by road

authorities, including Council and TfNSW. A detailed CTMP is generally required as a condition of development consent, to be developed in consultation with the relevant road authorities prior to the commencement of works. This process allows any outstanding or site-specific issues identified in the preliminary CTMP to be addressed in greater detail, ensuring construction activities are managed safely and efficiently. In this context, the preliminary CTMP serves as a high-level framework and its current form is considered acceptable.

Recommendation

Based on the review of the residential flat building at 300 Burns Bay Road, Lane Cove, the following matters require clarification or amendment prior to finalising the transport response:

1. Intersection analysis

Review the SIDRA model signal phasing setting having regard to the standard practice of applying user-given phase time informed by historical SCATS data. Given the close proximity of the two key intersections, undertake network analysis rather than isolated intersection assessment. Confirm that the updated model outputs support the TIA findings in relation to overall network performance.

2. Loading dock design

Confirm Council waste collection vehicle size and access requirements and demonstrate that the proposed loading dock and access arrangements can safely accommodate waste collection operations.

3. Accessible parking provision

Provide clarification to confirm that the number of accessible parking spaces are consistent with the number of adaptable dwellings and comply with the BCA.

4. Bicycle parking design

Investigate the feasibility of complying with Council's requirements relating to the location and design of bicycle parking facilities for both residents and visitors and demonstrate that the relevant design objectives are satisfactorily achieved.