



Project Name: Shop Top Housing with Infill Affordable Housing - 253 - 265 Pacific Highway, North Sydney

Case ID: SSD-84416958

Applicant Details

Project Owner Info

Title	Mr
First Name	Peter
Last name	Navratil
Role/Position	Project Director
Phone	0417232224
Email	pnavratil@legacyproperty.com.au
Address	Level 45, 25 Martin Place
	Sydney , New South Wales, 2000 , AUS

Company Info

Are you applying as a company/business?

Yes

Company Name	The Trustee for LegPro 45 Unit Trust
ABN	93611847188

Primary Contact Info

Are you the primary contact?

Yes

Title	First Name	Last Name
Mr	Giovanni	Cirillo
Phone	Email	Role/Position
0447755799	lodgements@planninglab.com.au	Managing Director

Address

Suite 195
20-40 Meagher Street
Chippendale, New South Wales 2008
AUS

Political Donations

Do you need to disclose a political donation?

No

Development Details

Project Info

Project Name	Shop Top Housing with Infill Affordable Housing - 253 - 265 Pacific Highway, North Sydney
Industry	Residential & Commercial
Development Type	Residential & Commercial (Mixed use)
Estimated Development Cost (excl GST)	AUD90,762,227.00
Indicative Operation Jobs	25
Indicative Construction Jobs	80
Number of Occupants	65
Number of Dwellings	35
Gross Floor Area (GFA) sqm	6,491
Net Lettable Area (NLA) sqm	900

Description of the Development/Infrastructure

Demolition of existing buildings at 253-265 Pacific Highway, retention and reuse of the existing building at 265 Pacific Highway, construction of a new, part 11, part 14 storey, mixed use, shop top housing development including a 2 level podium, consisting of ground and first storey commercial tenancies and ground level communal open space, a tower above consisting of 35 residential apartments and communal roof garden, excavation, basement car parking and strata and stratum subdivision.

Description of Changes

Briefly describe the proposed changes to the application

Concept Development

Are you intending to submit a concept or staged application?

No

Site Details

Site Information

Site Name	Shop Top Housing including Infill Affordable Housing
Site Address (Street number and name)	253-265 Pacific Highway, North Sydney
Site Co-ordinates - Latitude	-33.834030
Site Co-ordinates - Longitude	151.205

Local Government Area

Local Government	District Name	Region Name	Primary Region
North Sydney	North District	Sydney	

Lot and DP

Lot and DP

SP16134,SP22870,51/DP 714323,B/DP 21904

Site Area

What is the total site area for your development?

Site Area sqm

1,099

Landowners Consent

Is Landowner's consent required?

Yes

Do you have the written consent of all landowners?

No

Does the development application relate to land owned by a Local Aboriginal Land Council?

No

Statutory Context

Justification and Permissibility

Reason why the proposal is State significant

Development to which the Housing SEPP, Chapter 2, Part 2, Division 1 applies (the site is located within the Six Cities Region, and is an “accessible area” defined by the SEPP, within 300m of the new Victoria Cross Metro Railway Station); includes residential development that has a capital investment value of more than \$75 million ; and Shop Top Housing is permissible with development consent under the Mixed Use MU1 zone.

Which State Environmental Planning Policy (SEPP) does your application relate to?

Schedule 1: SSD - General (Planning Systems SEPP 2021)

Schedule 1: SSD - General

Section under selected Schedule

Section 26A - In-fill Affordable Housing

Permissibility of Proposal

Permissible with consent

Land Use Zones

What land use zone/s is the development in?

Land use zones (select all that apply)

MU1 Mixed Use

Critical Habitat and Threatened Species

Is the land, or part of the land, critical habitat?

No

Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats?

No

Is the development biodiversity compliant? (refer to [section 28 of the Environmental Planning and Assessment Regulation 2021](#))

No

Sustainable Buildings SEPP

Exemption from Sustainable Buildings SEPP

Is the development exempt from the State Environmental Policy (Sustainable Buildings) 2022 as per Chapter 3, relating to non-residential buildings?
No

Is the development a prescribed state significant development in the Sustainable Buildings SEPP?

- Cultural, recreation or tourist facility
- Hospital, medical centre or health research facility
- Educational establishment

No
Is the development a prescribed large commercial development in the Sustainable Buildings SEPP?

- Hotel or motel with 100 rooms or greater
- Serviced apartments with 100 apartments or greater
- Office premises with 1000 sqm net lettable area (NLA) or greater

No

Sustainability Requirements A

General Sustainability provisions

Has the proposed development been designed to enable any of the following:

The minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials?

Yes
A reduction in peak demand for electricity, including through the use of energy-efficient technology?

Yes
A reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design?

Yes
The generation and storage of renewable energy?

Yes
The metering and monitoring of energy consumption?

Yes
The minimisation of the consumption of potable water?

Yes
Other?

No
List the supporting document(s) that consider these provisions.

ESD Report - Appendix 9
Is the development seeking certification from a sustainability rating system?
No

Embodied Emission Reporting

Is the application accompanied by a NABERS Embodied Emissions Materials Form?

Yes
Provide details of the qualified person certifying the amounts disclosed in the form

First Name	Steven
Last Name	Bregovic
Professional Qualification	Quantity surveyor
Registration details	Director; BConMgt (Build)(Hons); MAIQS (CQS)
Business Name	NEWTON FISHER GROUP
Australian Business Number (ABN)	62164134383

Is there a NABERS Agreement to Rate for embodied emissions in this development?
No

Low Emissions Construction Technologies

Describe any low emissions construction technologies incorporated in the development

As identified in the Appendix 9 ESD report, the proposal incorporates a range of passive solar efficient design measures, including a combination of blinds, screens, and fixed shading, high efficiency glazing, insulation, and use of use of operable windows and sliding doors to allow natural and cross ventilation.

In terms of active design, low emission measures include, provision of high output LED light fitting to all lighting systems, motion sensor lighting, a HVAC system will be installed for all conditioned areas, provision of insulation to the service pipes, electrical appliances at the highest practical efficiency, solar water heating for hot water (should this be not feasible for the project, heat pump or condensing boiler type to be used instead), future provision of solar photovoltaic panels to offset grid power to be assessed, and highest practical efficiency WELS rating fittings and fixtures.

Is the development designed to retain or reuse an existing building on site?

No

Is the development designed to use recycled materials from the site or elsewhere?

No

Has a whole of Life Cycle Analysis (LCA) been prepared for this development?

No

Other Requirements - Part1

Is the application accompanied by a biodiversity development assessment report (BDAR)?^{*}

No

Has a BDAR waiver been issued?^{*}

Yes

Is the land subject to a private land conservation agreement under the Biodiversity Conservation Act 2016?^{*}

No

Does the application include a site plan of the land, which indicates:

- the location, boundary dimensions, site area and north point of the land
- any existing vegetation and trees on the land
- the location and uses of existing buildings on the land
- the existing levels of the land in relation to buildings and roads
- the location and uses of buildings on sites adjoining the land ?

Yes

Does the application relate to residential apartment development to which State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development applies?^{*}

Yes

Does the application include:

- an explanation of how—
 - the design quality principles are addressed in the development
 - in terms of the Apartment Design Guide, the objectives of that guide have been achieved in the development
- drawings of the proposed development in the context of surrounding development, including the streetscape
- the development compliance with building heights, building height planes, setbacks and building envelope controls (if applicable) marked on plans, sections and elevations
- drawings of the proposed landscape area, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context
- photomontages of the proposed development in the context of surrounding development
- a sample board of the proposed materials and colours of the facade
- detailed sections of proposed facades
- if appropriate, a model that includes the context
- if the proposed development is within an area in which the built form is changing, statements of the existing and likely future contexts?

Yes

Does the development involve any subdivision work?^{*}

Yes

Does the application include preliminary engineering drawings of the work to be carried out?^{*}

Yes

Does any environmental planning instrument require arrangements for any matter to have been made before development consent may be granted (such as arrangements for the provision of utility services)?^{*}

No

Does the development involve a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure)?^{*}

No

Is the development within a wilderness area and the subject of a wilderness protection agreement or conservation agreement within the meaning of the *Wilderness Act 1987*

?*

No

Other Requirements - Part2

Does the development involve the erection of a temporary structure?*

No

Does the development involve the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant?*

No

Is the development for the purposes of a manor house or multi dwelling housing (terraces) to which Part 2, Division 1 of Chapter 2 of the State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) applies?*

No

Is the development referred to in [section 47\(1\)](#) of the Housing SEPP?*

No

Is the development [BASIX optional development](#)?*

No

Is the development [BASIX optional development](#) and accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under [section 27](#) of the Environmental Planning and Assessment Regulation 2021 for it to be so accompanied)?*

No

Approvals - Part1

Would the development otherwise, but for [Section 4.41](#) of the Environmental Planning and Assessment Act 1979, require any of the following:

A permit under Section [201](#), [205](#) or [219](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Part 4](#), or an excavation permit under [Section 139](#), of the [Heritage Act 1977](#)?*

No

An Aboriginal heritage impact permit under [Section 90](#) of the [National Parks and Wildlife Act 1974](#)?*

No

A bush fire safety authority under [Section 100B](#) of the [Rural Fires Act 1997](#)?*

No

A water use approval under [Section 89](#), a water management work approval under [Section 90](#) or an activity approval under [Section 91](#) of the [Water Management Act 2000](#)?*

No

Approvals - Part2

Do you require any of the following approvals from [Section 4.42](#) of the Environmental Planning and Assessment Act 1979, in order to carry out the development:

An aquaculture permit under [Section 144](#) of the [Fisheries Management Act 1994](#)?*

No

An approval under [Section 15](#) of the [Mine Subsidence Compensation Act 1961](#)?*

No

A mining lease under the [Mining Act 1992](#)?*

No

A petroleum production lease under the [Petroleum \(Onshore\) Act 1991](#)?*

No

An environment protection licence under [Chapter 3](#) of the [Protection of the Environment Operations Act 1997](#) (for any of the purposes referred to in [Section 43](#) of that Act)?*

No

A consent under [Section 138](#) of the [Roads Act 1993](#)?*

No

A licence under the [Pipelines Act 1967](#)?*

No

REAP Declaration

Does the EIS include a declaration signed by a REAP?

Yes

I confirm that the above information is correct and matches the declaration contained in the EIS for the project.

Yes

Attachments

Attachments

File Name	GIS Data
File Name	Appendix_39_Services Report
File Name	Appendix 41_Qualitative Natural Ventilation Study
File Name	Appendix 40_NABERS Embodied Emissions Materials Form
File Name	Appendix 38_Owners Letter of Authority to Lodge SSDA
File Name	Appendix 37_BDAR Waiver Request Report
File Name	Appendix 36_Registered Community Housing Provider Letter
File Name	Appendix 35_Draft Strata-Stratum Subdivision Plans
File Name	Appendix 34A_Underground Services Investigation Report
File Name	Appendix 34_Land Survey
File Name	Appendix 33_Pedestrian Wind Comfort Certificate
File Name	Appendix 32_Construction and Recycling WMP
File Name	Appendix 31_Operational Waste Management Plan
File Name	Appendix 29_Engagement Outcomes Report
File Name	Appendix 30_Estimated Development Cost Report
File Name	Appendix 28A_Landscape Architectural Design Report
File Name	Appendix 28_Landscape Drawing Set
File Name	Appendix 27_Heritage Impact Statement
File Name	Appendix 26A_Groundwater Impact Assessment Report
File Name	Appendix 26_Geotechnical Report
File Name	Appendix 24_Traffic – Preliminary CMP
File Name	Appendix 23_Traffic Impact Assessment
File Name	Appendix 22_Civil Engineering Report
File Name	Appendix 21_Flood Statement
File Name	Appendix 20_Remedial Action Plan
File Name	Appendix 19_Detailed Site Investigation
File Name	Appendix 18_Structural Review Existing Heritage Item
File Name	Appendix 17_BCA Assessment Report
File Name	Appendix 16_Structural Impact Western Harbour Tunnel
File Name	Appendix 15_Clause 4.6 Variation Request FSR
File Name	Appendix 14_Clause 4.6 Variation Request Report Height
File Name	Appendix 13_Design Report
File Name	Appendix 12_Housing SEPP - Design Verification Report
File Name	Appendix 11_Architectural Drawings Set
File Name	Appendix 10_Section J Report
File Name	Appendix 9B_Efficient Use of Resources Commitment Table
File Name	Appendix 9A_BASIX and Thermal Assessment Report
File Name	Appendix 9_ESD Report
File Name	Appendix 8_Consolidated NatHERS Certificate Package
File Name	Appendix 7_BASIX Certificate
File Name	Appendix 6_Access Assessment Report
File Name	Appendix 5_Accoustic Assessment Report
File Name	Appendix 4_Mitigations Measures Table
File Name	Appendix 3_Statutory Compliance Table
File Name	Appendix 2_SEARs Compliance Table
File Name	Appendix 1B_SEARs Industry Specific Cover Letter
File Name	Appendix 1A_Industry Specific SEARs Housing