

Rezoning Proposal

Build to Rent Development

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

15 October 2025

Project 240125

planning&co

Version	Issue Date	Prepared/ Reviewed By	Approved By
Draft	8 September 2025	Sarah Lee / Stephanie Wu   Jim Murray 	Tom Goode 
Final	12 September 2025	SL/ SW  	Tom Goode 

planning&co

ABN 53 669 617 770

80 William Street

Woolloomooloo NSW 2011

<https://planningandco.com/>

Contact:

Tom Goode - Director

tgoode@planningandco.com

© Planning&Co

All Rights Reserved. No part of this document may be reproduced, transmitted, stored in a retrieval system, or translated into any language in any form by any means without the written permission of Planning&Co. All Rights Reserved. All methods, processes, commercial proposals, and other contents described in this document are the confidential intellectual property of Planning&Co and may not be used or disclosed to any party without the written permission of Planning&Co.

TABLE OF CONTENTS

1.0	Introduction.....	3
1.1	Site Description.....	4
1.2	Local Context.....	5
1.3	Planning History	6
2.0	The Proposed Development	9
2.1	Public Benefit Offer	9
3.0	Existing Planning Framework.....	10
3.1	Lane Cove Local Environment Plan 2009	10
4.0	Proposed Amendments.....	12
4.1	Objectives and Intended Outcomes	12
4.2	Explanation of Provisions	13
5.0	Strategic and Site-Specific Merit	14
5.1	Strategic Merit.....	14
5.2	Site-Specific Merit	22
6.0	Technical Studies and Assessments	24
6.1	Connecting with Country	24
6.2	Environment	24
6.3	Urban Design and Amenity	25
7.0	Consultation.....	38
7.1	Stakeholders Identified	38
7.2	Engagement Undertaken	38
7.3	Community Engagement	39
7.4	Key Issues and Project Responses.....	39
7.5	Engagement to be Carried Out	39
8.0	Mapping and Data	40
8.1	Proposed Maps	40
9.0	Project Timeline.....	41
10.0	Conclusion	42

FIGURES

Figure 1: The Site	4
Figure 2: Approvals and Significant Sites	6
Figure 3: Current Height of Buildings Map.....	10
Figure 4: Current Floor Space Ratio Map	10
Figure 5: Building Core and Tower Form Options.....	15
Figure 6: Massing Evolution	16
Figure 7: Precinct Vision with Proposed Built Form	19
Figure 8: Detailed Plan of the Plaza	25
Figure 9: Photomontage of Public Plaza - View from Northern Corner of Nicholson and Christie Streets.....	26
Figure 10: Proposal within the context of Christie Street.....	27
Figure 11: Proposal within the Context of Nicholson Street.....	28
Figure 12: Podium Built Form Response	29
Figure 13: Safeguarding solar access to Newlands Park	30
Figure 14: Tower Urban Design Principles.....	30
Figure 15: Shadows Analysis	31
Figure 16: Visual Impact Viewpoint Locations.....	32
Figure 17: Viewpoint Locations	33
Figure 18: Net Increase in Dwellings	35

Figure 19: Excerpt of Proposed Height of Buildings Map 40

Figure 20: Figure 5: Excerpt of Proposed Floor Space Ratio Map 40

TABLES

Table 1: Legal Descriptions of Site 4

Table 2: Existing and Proposed LEP Controls 13

Table 3: Consistency with State Environmental Planning Policies 20

Table 4: Consistency with relevant Section 9.1 Ministerial Directions..... 21

Table 5: Summary of Significance of Visual Impact 32

Table 6: Trip generation by mode 36

Table 7: Consultation with Utility Service Providers..... 37

Table 8: Engagement Undertaken with DPHI (extracted from Gyde Consulting) 38

Table 9: Proposed Project Timeline 41

1.0 INTRODUCTION

This Rezoning Proposal has been submitted on behalf of St Leonards Property Unit Trust (**the Applicant**) concurrently with an Environmental Impact Statement (**EIS**) for the State Significant Development Application (**SSDA**), SSD-88113706, on the site known as 46-52 Nicholson Street and 59–67 Christie Street, St Leonards (**the site**). It is submitted to the NSW Department of Planning, Housing and Infrastructure (**DPHI**) to provide the justification for amendments to the *Lane Cove Local Environmental Plan 2009 (LCLEP 2009)*, specifically Clause 4.3 (height of buildings), Clause 4.4 (floor space ratio), and the site-specific provisions under Clause 6.10 (development at 46-50 Nicholson Street and 59–67 Christie Street, St Leonards).

The Housing Delivery Authority (**HDA**) considered the Expression of Interest (**EOI**) for the site on 7 February. The outcome of the HDA recording noted that the proposal has state significance, confirmed the BTR housing SSD pathway as the correct development pathway for this application, and recommended the Department consider a concurrent rezoning where the applicant is pursuing uplift in development standards.

Following the HDA briefing, the Applicant has worked with DPHI over several months to refine the scope and extent of the rezoning proposal, which is submitted concurrently with SSD-88113706.

This SSDA seeks approval for the construction of a build-to-rent (**BTR**) development at the site to provide much needed BTR housing within the Crows Nest Accelerated Transport Oriented Development (**TOD**) Precinct within the Lane Cove Municipal Council Local Government Area (**LGA**) as well as commit to funding much needed affordable housing beyond the 3% required in the recent TOD rezoning.

This Concurrent Rezoning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning & Assessment Act 1979*, and
- DPHI's 'LEP Making Guideline' (August 2023) and,
- the DPHI's 'Concurrent Rezoning Proposal Requirements' for SSD-88113706

It addresses the following:

- The objectives and intended outcomes of the amendment to the LCLEP 2009 (**Section 4.1**)
- An explanation of provisions (**Section 4.1**)
- Justification of strategic and site-specific merit (**Section 5.0**)
- Consultation (**Section 7.0**)
- Statutory planning maps (**Section 8.0**)
- The project timeframe (**Section 9.0**)

Appendix A provides a SEARs and Rezoning Requirements Compliance Table that indicates where the Rezoning Requirements have been addressed in this Concurrent Rezoning Proposal and supporting technical reports prepared.

Appendices referred to in this Rezoning Proposal follow the same appendix references as the EIS.

1.1 Site Description

As noted above, the site is located at 46-52 Nicholson Street and 59 – 67 Christie Street, St Leonards, within the Crows Nest Accelerated TOD Precinct, approximately 280m walking distance from the St Leonards train station and 300m walking distance from the Crows Nest metro station.

The site consists of eight allotments and is irregular in shape (**Figure 1**). The legal description of each lot is identified in **Table 1** below. The total site area of the site is 2,300.291sqm.

Table 1: Legal Descriptions of Site

Address	Legal Description	Approximate Area (sqm)
46 Nicholson Street	Lot 11/ DP654462	281
48 Nicholson Street	Lot A/ DP334878	258
50 Nicholson Street	Lot CP/ SP54127	254
59 Christie Street	Lot 1/ DP949064	280
61 Christie Street	Lot B/ DP 334878	257
63 Christie Street	Lot 2/ DP528060	262
65 Christie Street	Lot 2/ DP945933	370
67 Christie Street	Lot 4/ SP18047	339

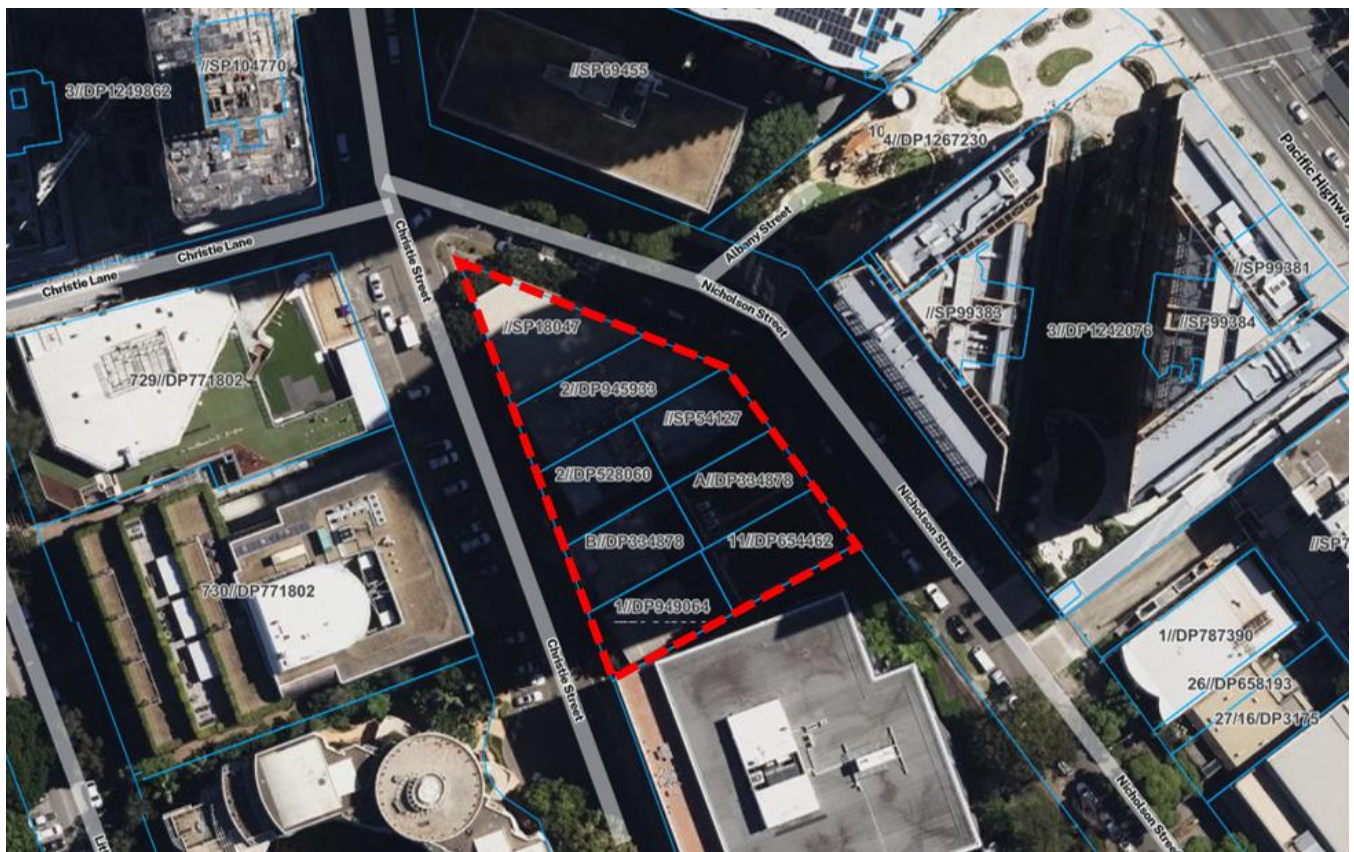


Figure 1: The Site

Source: SDT Explorer, edited by Planning & Co

1.1.1 Existing Development

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

1.1.2 Current Site Demolition

The site is now under demolition, consistent with a development application (DA), DA 32/2025, which was approved by Lane Cove Local Planning Panel on 29 July 2025 pursuant to Section 16(1)(a) of the EP&A Act, for *Demolition of existing structures and the removal of trees*. The removal of 16 identified trees (1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 17, 18, 19, 21, 22, 23) has been approved.

A modification application has been submitted for DA32/2025 for the removal of additional trees (27, 28, Group 30-39, 43-52) which are all considered 'low retention value'.

An early works development application was submitted to Lane Cove Council in early September 2025, for excavation, shoring wall and capping beam to facilitate a future mixed-use development.

1.2 Local Context

St Leonards is approximately 5km north of the Sydney Central Business District (CBD). The precinct has been undergoing a transition from smaller scale commercial buildings to high-density mixed use and residential development. Much of the land on the north and south side of the Pacific Highway has already been redeveloped with larger mixed-use buildings. There are several underutilised properties in the surrounding area that are proposed to be re-developed for higher density mixed use and residential buildings.

The site is highly accessible to health, education, retail and commercial uses along Pacific Highway. The site is 750m walking distance from Royal North Shore Hospital and 900m from St Leonards Health and Education Precinct along with accompanying ancillary health and supportive services in the vicinity.

The importance of the St Leonards Crows Nest Strategic Centre has been recognised by the State Government in endorsing the release of the St Leonards Crows Nest Plan 2036 (**2036 Plan**) in September 2020 which identifies the plan for strategic growth in response to areas proximity to public transport and the Strategic Health and Education Centre focussed on Royal North Shore.

This has been further reinforced by the identification of Crows Nest as an Accelerated Precinct under the State Government's TOD program and its subsequent State-led rezoning which was finalised in November 2024. The site's planning history is discussed in further detail below.

1.2.1 Public Transport

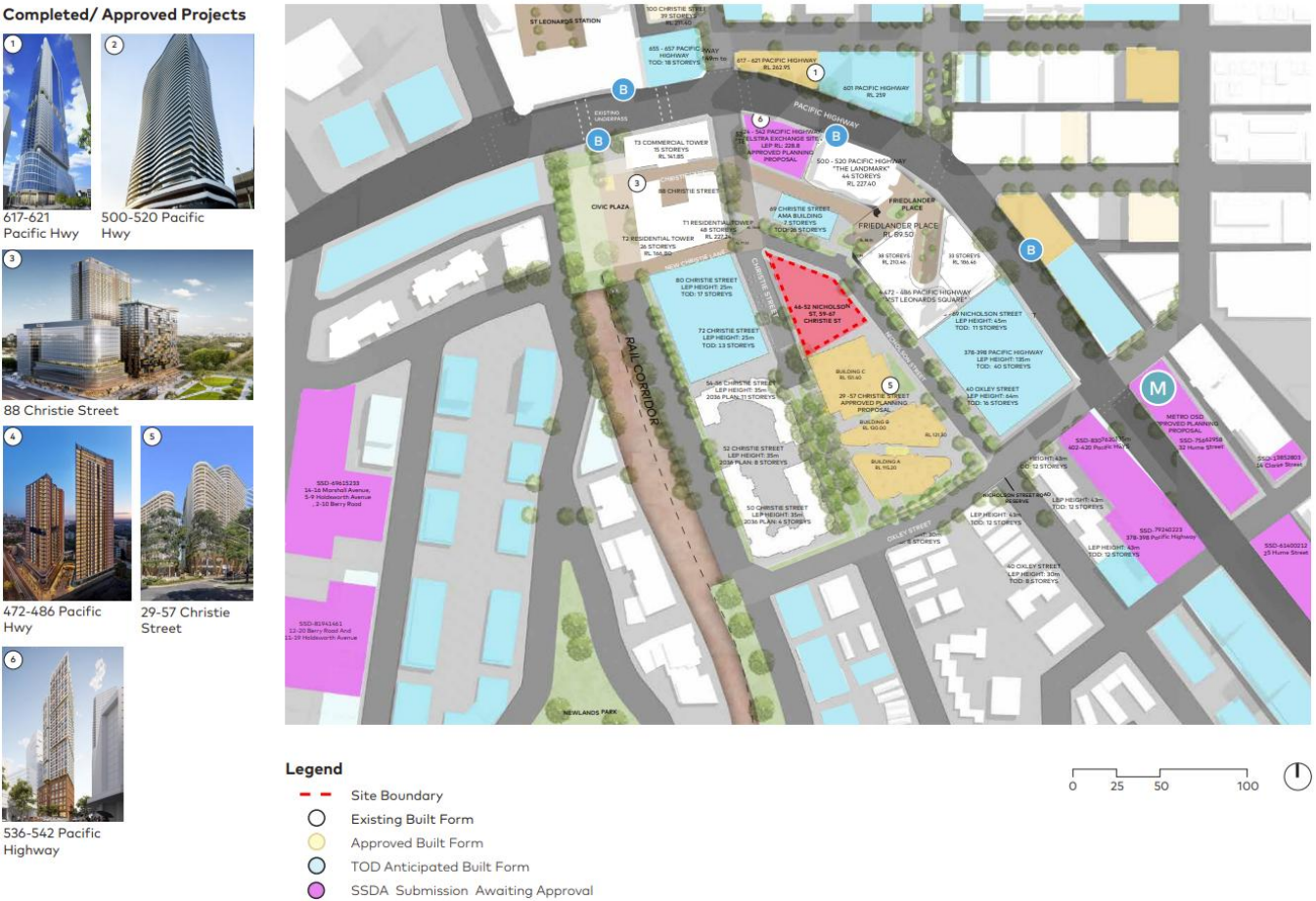
The site is located approximately 280m walking distance south of St Leonards train station providing local rail services and onward connections for regional services and 300m walking distance to Crows Nest metro station providing direct links to North Sydney, Barangaroo and Martin Place. St Leonards/Crows Nest is one of a few centres in Greater Sydney that is serviced by both heavy rail and metro servicing - and therefore, is considered to be a transport rich location.

The site is in walking distance to a number of frequent bus stops. The M20 bus service provides access to the city via the Pacific Highway, while the other buses serve various suburbs regionally.

1.2.2 Surrounding Development

Broadly, development surrounding the site currently comprises high density, mixed-use buildings comprising a combination of ground-floor retail, commercial office, and residential development in buildings of varying heights, styles, and ages. It is a centre undergoing significant transition.

Given the changing nature of St Leonards following the 2036 Plan and the State-led TOD Rezoning, land surrounding the site is likely to continue to be renewed for mixed use residential development. **Figure 2** demonstrates how the surrounding area is actively undergoing developmental change at present.



1.3.1 Planning Proposal (PP-2021-2071)

A site-specific Planning Proposal (PP-2021-2071) was gazetted on 26 November 2021 to amend the LCLEP 2009 to generally align with the density envisioned for the site under the DPHI St Leonards and Crows Nest 2036 Plan, namely:

- Increase the maximum floor space ratio from 4.5:1 to 15:1 through the introduction of a site-specific clause (Clause 6.10 of the LCLEP 2009), and
- Increase the maximum building height from 25 metres to RL 174.95 metres.

Part D of the Lane Cove Development Control Plan 2010 (**LCDCP 2010**) was also amended to include site-specific development controls relating to “Block 4: Nicholson Precinct”.

A structural shift from primarily commercial to an integration of residential uses has been evident for the St Leonards area over recent years. An employment lands analysis (refer to the Economic Impact Assessment, **Appendix T**) indicates that the St Leonards / Crows Nest office market is among the weakest in metropolitan Sydney with vacancy rates exceeding 30% with a negative net absorption. The subject site itself has been long-term underutilised, with occupancy at just 15% for over a year before becoming fully vacant. The proposed development instead realigns land use with market demand, providing housing in place of offices that have little prospect of being occupied in the foreseeable future.

1.3.2 Concept SSDA (SSD-56527976)

A Concept SSDA (SSD-56527976) was approved by DPHI on 20 February 2025 for a:

“Concept development application for a mixed-use development including build-to-rent residential, commercial office and a retail premise with a maximum height of RL 174.95”.

The application sought concept approval for:

- A building envelope with maximum height of RL 174.95,
- A mix of residential (BTR), commercial office, and retail land uses,
- Vehicular access from Christie Street and loading access from Nicholson Street,
- Associated tree removal (and replacement), landscaping and public domain upgrades.

While the Concept SSDA has been approved, there is no statutory requirement for a Concept SSD for the site, nor does this SSDA rely on the concept approval. However, it expands on the technical and design analysis undertaken under the Concept SSD.

The SSDA to be assessed concurrently with this Concurrent Rezoning Proposal seeks to rescind the development consent for the Concept (SSD-56527976) approval dated 20 February 2025, upon receipt of the approval of the SSDA and Concurrent Rezoning.

1.3.3 Tier 1 Accelerated TOD Precinct

On 15 December 2023 the State Government announced the establishment of the TOD program as part of planning reforms to address the housing crisis. Tier 1 relates to 8 Accelerated Precincts to create infrastructure and capacity for 60,000 new homes over 15 years.

Crows Nest was identified as an accelerated precinct due to its close proximity to the metro station and key public transport interchanges, promoting walking and cycling opportunities. The Precinct could leverage on the work already undertaken by the State Government for the 2036 Plan.

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

1.3.4 Crows Nest TOD Rezoning

Following its identification as an Accelerated Precinct under the TOD program due to its capacity to support an increase in population, additional housing, and proximity to public transport services, DPHI prepared a state-led rezoning proposal to determine areas of the precinct suitable to support more homes.

The proposal for the Crows Nest TOD Rezoning (**TOD Rezoning**), which includes the subject site, was exhibited between July to August 2024 and came into effect on 27 November 2024. The rezoning has planned for capacity for up to 3,255 new homes, 2,600 new jobs, and delivery of 325-488 affordable homes.

Unlike most sites in the TOD precinct, the subject site was not reviewed as part of any uplift strategy under the TOD Rezoning proposal due to the previous site-specific planning proposal. As a result of the rezoning, the planning controls for the site in relation to zoning, floor space ratio (**FSR**), non-residential FSR, and height of building remained unchanged.

During the finalisation stage of the assessment of the Concept SSDA (SSD-56527976), Coronation, who are NSW's largest builder, developer and operator of BTR assets, purchased the site from previous owners, Jemalong, with the view to establish a renewed vision for the site.

The concurrent SSDA proposal plans to provide approximately 541 BTR apartments and a 4% monetary contribution towards affordable housing, which supports the overall intent and targets of the TOD Rezoning.

1.3.5 Housing Delivery Authority

Since 8 January 2025, applicants have been able to submit an EOI to the HDA, which provides a pathway for SSDAs that address criteria for major residential developments alongside a concurrent rezoning. These include projects valued at over approximately \$60 million in Greater Sydney (on average 100 or more homes).

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

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

The Applicant submitted a Scoping Report to the DPHI for the proposed development in July 2025. The DPHI issued industry specific SEARs and Concurrent Rezoning Proposal Requirements under SSD-88113706 on 31 July 2025.

Following the HDA's recommendation, the applicant has engaged with the DPHI over several months to, to reach an agreed approach to building height to minimise overshadowing impacts on Newlands Park in St Leonards. Refer to **Section 6.0** is further detailed in **Section 7.0**.

2.0 THE PROPOSED DEVELOPMENT

This Rezoning Proposal accompanies an EIS and supporting documents prepared for a detailed SSDA (SSD-88113706).

Under Division 4.7 State Significant Development of the EP&A Act, the proposed development seeks approval for the construction of a BTR development.

Specifically, the SSDA seeks approval for:

- A single 36-storey tower including a 4-storey podium comprising 541 units,
- Three levels of basement parking,
- BTR amenity provided in lower ground, upper ground, podium, tower and rooftop levels,
- Vehicular access from Christie Street and loading access from Nicholson Street,
- Site landscaping and public domain improvements,
- Amalgamation of existing allotments to create one consolidated lot and extinguishment of Easement (B) upon consolidation, and
- Utility and services augmentation as required.

The site has an existing concept SSDA (SSD-56527976). The proposed development does not rely on this approval, and it will be surrendered upon consent being granted.

Further details of the proposal are provided in the EIS and supporting documents including the Architectural Plans prepared by Cox Architecture (**Appendix B**).

2.1 Public Benefit Offer

The proposal includes a proposition to make a monetary contribution towards the provision of affordable housing that is equivalent to 4% of the approved GFA made up the following:

- The 3% affordable housing contribution required under Section 8.6 of the LCLEP 2009.
- An additional monetary contribution towards the provision of affordable housing that is equivalent to the value of 1% of the approved GFA. This is proposed in recognition of the additional built form being sought in this Concurrent Rezoning Proposal.

3.0 EXISTING PLANNING FRAMEWORK

3.1 Lane Cove Local Environment Plan 2009

The LCLEP 2009 is the principal planning instrument for the Lane Cove LGA and applies to the site. The relevant LEP provisions proposed to be amended pursuant to the concurrent rezoning and SSDA process are outlined below.

3.1.1 Maximum Building Height

The site has a maximum building height of 174.95m (RL) pursuant of Clause 4.3 of the LCLEP 2009. **Figure 3** provides an excerpt of the relevant current LCLEP mapping.

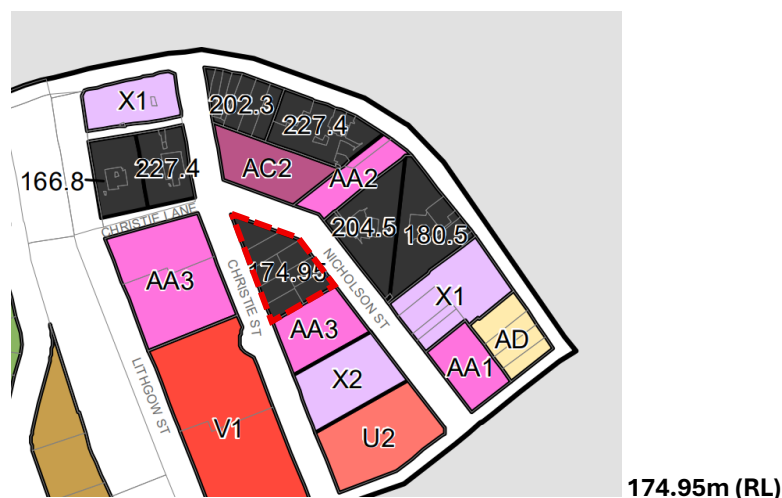


Figure 3: Current Height of Buildings Map
Source: LCLEP 2009

3.1.2 Maximum Floor Space Ratio

The site has a maximum floor space ratio of 4.5:1 pursuant of Clause 4.4 of the LCLEP 2009. **Figure 4** provides an excerpt of the relevant current LCLEP 2009 mapping.

Note Site Specific Provision (**Section 3.1.3**) allows for an FSR of 15:1 for non-residential floor space for commercial premises.

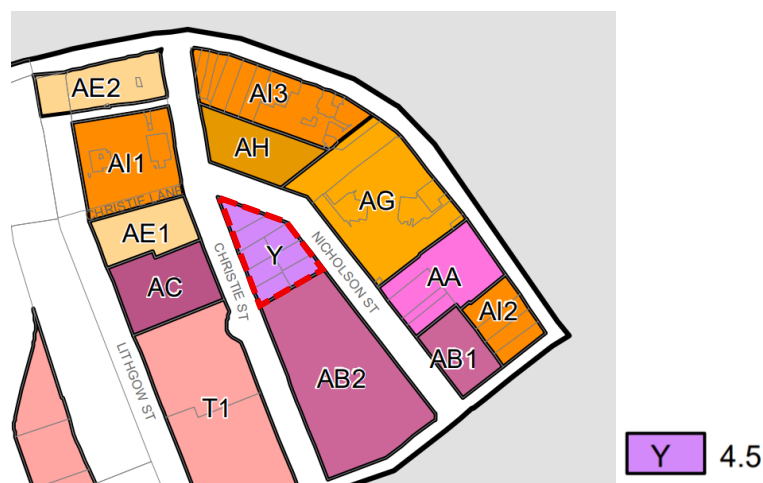


Figure 4: Current Floor Space Ratio Map
Source: LCLEP 2009

3.1.3 Site Specific Provisions

The site is subject to site-specific provisions under Clause 6.10 of the LCLEP 2009. Clause 6.10 is provided below:

6.10 Development at 46–50 Nicholson Street and 59–67 Christie Street, St Leonards

(1) This clause applies to the following land at 46–50 Nicholson Street and 59–67 Christie Street, St Leonards—

- (a) Lot 11, DP 654462,*
- (b) Lots A and B, DP 334878,*
- (c) SP 54127,*
- (d) Lot 1, DP 949064,*
- (e) Lot 2, DP 528060,*
- (f) Lot 2, DP 945933,*
- (g) SP 18047.*

(2) A building on land to which this clause applies may have a floor space ratio exceeding the maximum floor space ratio shown for the land on the Floor Space Ratio Map if—

- (a) the building will be used for the purposes of commercial premises, and*
- (b) the non-residential floor space ratio for the buildings on the site will not exceed 15:1.*

4.0 PROPOSED AMENDMENTS

4.1 Objectives and Intended Outcomes

The objective of this Concurrent Rezoning Proposal is to amend the LCLEP 2009 as follows:

- It is proposed to increase the maximum building height from 174.95m (RL) to 197m (RL) by amending the Height of Buildings Map (refer to the proposed Height of Buildings Map in **Section 8.0** and **Appendix FF**).
- It is proposed to increase the maximum floor space ratio from 4.5:1 to 17.2:1 by amending the Floor Space Ratio Map (refer to the proposed Floor Space Ratio Map in **Section 8.0** and **Appendix FF**).
- Delete Clause 6.10 Development at 46–50 Nicholson Street and 59–67 Christie Street, St Leonards.

The intended outcomes are the following:

- Deliver 541 new BTR homes on an underutilised site that will contribute to the achievement of the State Government's housing targets in a highly accessible location with direct transport connections to other major employment destinations.
- Provide a high-density BTR development that includes substantial BTR amenities for residents and an activated ground floor public plaza at the northern corner of the site at 46-52 Nicholson Street and 59-67 Christie Street, St Leonards.
- Deliver a built form response that integrates with, and is sensitive to, the contemporary urban landscape established by high-density residential development including 88 Christie Street (Mall 88), 486 Pacific Highway (St Leonards Square) and 500 Pacific Highway (The Landmark).
- Facilitate a design that is considerate of environmental impacts to surrounding development in an area that is undergoing significant transformation.
- Facilitate a design response that is compatible with the strategic vision of the TOD and minimises impacts to Newlands Park.
- Maximise the residential amenity available within a high-density urban environment.
- Provide a substantial monetary contribution towards affordable housing.

4.2 Explanation of Provisions

This Concurrent Rezoning Proposal seeks to amend the LCLEP 2009 to facilitate the BTR development outlined in this report and the EIS. The existing and proposed LEP controls are identified in **Table 2**, and are followed by the recommended amendments in following subsections.

Table 2: Existing and Proposed LEP Controls

Provision	Existing LEP Control	Proposed Amendment to LEP
Building Height	174.95m (RL)	197m (RL)
Floor Space Ratio	4.5:1	17.2:1
Additional Local Provisions	Clause 6.10 Development at 46–50 Nicholson Street and 59–67 Christie Street, St Leonards	Nil

4.2.1 Building Height

It is proposed to increase the maximum building height from 174.95m (RL) to 197m (RL) by amending the Height of Buildings Map (refer to the proposed Height of Buildings Map in **Section 8.0** and **Appendix FF**).

4.2.2 Floor Space Ratio

It is proposed to increase the maximum floor space ratio from 4.5:1 to 17.2:1 by amending the Floor Space Ratio Map (refer to the proposed Floor Space Ratio Map in **Section 8.0** and **Appendix FF**).

4.2.3 Additional Local Provisions

It is proposed to remove Clause 6.10 as an additional local provision that applies to the site consisting of the following lots: Lot 11, DP 654462; Lots A and B; DP 334878; SP 54127; Lot 1, DP 949064; Lot 2, DP 528060; Lot 2, DP 945933; and SP 18047.

This clause no longer reflects the development that is being proposed for the site, as justified in the SSDA.

5.0 STRATEGIC AND SITE-SPECIFIC MERIT

5.1 Strategic Merit

Section A – Need for the Planning Proposal

Question 1: Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

This Concurrent Rezoning Proposal is a result of a recommendation by the HDA, which considered the EOI (HDA229419) for 46-50 Nicholson Street and 59-67 Christie Street, St Leonards.

The HDA briefing recommended that “*the Department consider a concurrent rezoning where the applicant is pursuing uplift in development standards.*” The DPHI subsequently issued industry specific SEARs and Concurrent Rezoning Proposal Requirements, acknowledging the site possessed both strategic and site-specific merit to deliver additional housing.

This proposal directly responds to the objectives of the National Housing Accord through the provision of an additional 541 well-located BTR dwellings.

The proposed amendments also give effect to the endorsed Lane Cove Local Strategic Planning Statement (**LSPS**) which has been endorsed by the Planning Secretary in accordance with Section 3.9 of the EP&A Act. This is further detailed under Question 4 of this report.

Further, the proposed amendments are aligned to the strategic intent of the Crows Nest Accelerated TOD and State-led rezoning.

Question 2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. This Planning Proposal is the best means of achieving the objectives and intended outcomes as it will facilitate the development approval of 541 new well-located homes within the Housing Accord period (by June 2029).

Alternatives were considered to facilitate the intended outcomes including:

- Do nothing,
- Redevelopment of the site under the approved concept envelope (SSD-56527976),
- Alternative tower forms,
- Iterative massing, and
- The Proposal – SSDA and concurrent rezoning.

The scenarios are considered in further detail below.

Option 1 - Do nothing

Under the ‘do nothing’ scenario, the site would remain underutilised and fails to leverage the site’s location within walking distance of significant public transport and health infrastructure investments. This is not an appropriate outcome given the site's capacity to accommodate significant housing supply and public domain improvements. Retaining the site in its current underutilised state would fail to realise the potential for redevelopment to address the housing crisis, deliver public benefits, or respond to the site-specific merit of the site.

On this basis, the ‘do nothing’ scenario would therefore be inconsistent with the future uplift envisioned and planned for the Accelerated Crows Nest TOD Precinct by the NSW State Government and their position to prioritise housing supply close to public transport and well-serviced areas in line with the Federal Housing Accord.

Option 2 - Redevelopment of the site under the approved concept envelope (SSD-56527976)

Redevelopment under the approved concept envelope (SSD-56527976) would deliver a mixed-use development consisting of BTR (approximately 271 dwellings), commercial and retail uses within a 5-level podium and 21-level tower above. However, as demonstrated by the concurrent EIS, the site is capable of accommodating 541 dwellings. Therefore, Option 2 would not fully realise the site's potential to deliver strategic housing supply.

The Rezoning on the site (determined April 2021) and subsequent Concept DA (Request for SEARs dated March 2023 and SSDA submitted September 2023) both occurred well before the National Housing Accord that was introduced in mid-2024, with NSW committing to deliver 377,000 new dwellings by mid-2029.

In addition, the Concept SSDA was prepared by the previous landowner prior to the Applicant's acquisition of the site, and the associated indicative scheme was not tailored to Nation's needs as an operator. The proposed tower form and floorplate have been amended to be based on other Nation's BTR development, including the recently constructed Mason & Main development in Merrylands. This results in more modular floorplates which can be adapted to suit Nation's operational requirements.

Option 3 – Alternative tower forms

Studies of the building core location were undertaken during the design process, which impacts on the tower form. **Figure 5** below illustrates the various building core options considered which would result in different subsequent tower forms.

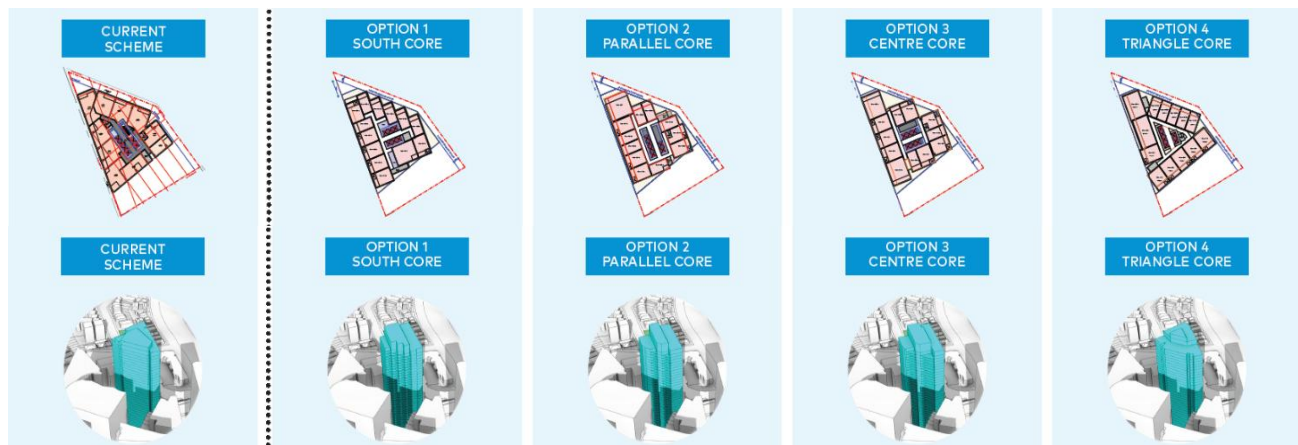


Figure 5: Building Core and Tower Form Options

Source: Cox Architecture

*Note: 'Current scheme' refers to the building envelope approved under the Concept SSDA.

The resulting proposal's tower form has been driven by both external structural advice and Coronation's internal structural team. Given that Coronation's building arm, MN Builders, will deliver the project, constructability has been a driver of the project while ensuring high quality and modular unit layouts (based on the success of Mason and Main) are provided.

Option 4 – Iterative massing

The Applicant has worked constructively with DPHI on an ongoing basis, since the HDA process, to reach an agreed approach to building height to minimise overshadowing impacts on Newlands Park in St Leonards.

Following consultation with DPHI, the height and scale of the proposal has been reduced from the originally proposed form at 47 storeys to the current 36 storey built form. This has been driven by the need to prevent any additional overshadowing to Newlands Park between 10 am and 3pm at mid-winter per the Crows Nest TOD Precinct Design Guide, noting this was a key issue raised by DPHI during various consultation.



Figure 6: Massing Evolution
Source: Cox Architecture

Option 5 - The Proposal

- A concurrent rezoning and SSDA offers the most efficient pathway to achieve the objectives and intended outcomes. The proposed amendments will facilitate the delivery of 541 dwellings which will contribute 270 more new homes than is possible under the concept approval.
- The EIS confirms that the environmental impacts of the proposal do not significantly differ from the impacts assessed as reasonable by the DPHI prior to approving the concept proposal. The environmental impacts of the proposal are assessed in detail in the EIS and discussed further in **Section 6.0** below.
- Alternative options were considered but they could not achieve the level of site-specific responsiveness that has been achieved by the preferred option. The resulting built form has site-specific and strategic merit and has been subject to consultation with state government agencies and the community. Refer to **Section 5.0** and **Section 7.0**.

Section B – Relationship to the Strategic Planning Framework

Question 3: Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Greater Sydney Region Plan

The *Greater Sydney Region Plan – A Metropolis of Three Cities* (**Region Plan**) sets out the overarching strategic plan for the Greater Sydney Region. The 40-year vision is supported by four key strategic directions: Infrastructure & Collaboration, Liveability, Productivity and Sustainability that form the framework for strategic planning decision making across Sydney.

By providing additional housing in a key strategic centre, the Planning Proposal will facilitate a development that will support the strategic function of St Leonards as a Planned Precinct and an Urban Renewal Area within the Eastern Economic Corridor, as identified in the Region Plan. Additional BTR housing will improve liveability by increasing housing diversity and security for long-term rentals in the area, which in turn will support productivity by increasing the number of people living in a well-located area which is a short walk from high frequency public transport connections to major strategic employment centres.

For these reasons, the Planning Proposal will give effect to the relevant objective of the Region Plan.

North District Plan

The *North District Plan* (**District Plan**) applies the strategic directions of the Region Plan at a District level. The site is in the St Leonards Strategic Centre, within the wider Eastern Economic Corridor and between other key strategic

centres (Harbour CBD, Chatswood and Macquarie Park) connected by the Sydney Metro. The Planning Proposal will give effect to the District Plan for the reasons provided in relation to the Region Plan.

Question 4: Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Lane Cove Local Strategic Planning Statement

The *Lane Cove Local Strategic Planning Statement (LSPS)*, outlines the Council's 20- year vision to 2040 and has regard to the District Plan priorities relevant to Lane Cove. The LSPS was endorsed by the GSC in March 2020, it includes the following relevant strategic principles:

- Consolidate housing around Strategic (St Leonards train station) centres to achieve transit orientated development,
- Locate higher density housing types within a 5-minute walk (400-metre radius) of the St Leonards Strategic Centre (train station) and Crows Nest Metro Station but not at the expense of the attraction and growth of jobs, retailing and services in existing B3 Commercial Core zoned land,

The Planning Proposal is consistent with the LSPS for the following reasons:

- The Planning Proposal will facilitate development that will contribute to the consolidation of housing around St Leonards train station, and
- The site has concept approval for BTR housing. Therefore, the Planning Proposal will not facilitate housing at the expense of attracting jobs.

Lane Cove Local Housing Strategy

The Lane Cove Local Housing Strategy (**LHS**) was approved by the then, NSW Department of Planning, Industry & Environment (**DPIE**) in July 2021 and sets out the strategic direction for housing in the Lane Cove LGA to 2041. The housing targets identified in the LHS have been superseded by the NSW Government's housing target of 3,400 new homes by 2029 for Lane Cove Council to achieve objective of the National Housing Accord.

Notwithstanding, the Planning Proposal is consistent with the key LHS priorities as it will:

- Prioritising growth in St Leonards strategic centre,
- Contributing to increased affordable housing through a monetary contribution of 4% of GFA, above the required 3% rate for the site,
- Contributing to community infrastructure in the area by providing a public plaza and street activation at the ground floor, located between and in proximity to St Leonards train station and Crows Nest metro station,
- Broadening universal and adaptable housing delivery, and
- Not intervening in the continued preservation and enhancement of existing areas of high character value or significant heritage.

Question 5: Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

Yes. The Proposal is consistent with the following applicable State and regional studies and strategies.

NSW Housing Strategy: Housing 2041

The *NSW Housing Strategy: Housing 2041 (NSW Housing Strategy)* was released in March 2021. This strategy sets out a 20-year strategy for better housing outcomes for NSW including more high-density housing and affordable housing to expand housing choice. This proposal is completely aligned with the NSW Housing Strategy as it will deliver 541 new BTR dwellings and an additional monetary contribution towards the provision of affordable housing.

NSW Future Transport Strategy

The *Future Transport Strategy* sets out a 40-year vision, directions and outcomes to guide transport investment and the movement of people in NSW. There is focus on the Six Cities Region to revitalise and connect neighbourhoods and key economics centres through improving access and connectivity between transport networks.

The Planning Proposal is consistent with the Future Transport Strategy as it supports the use of existing transport infrastructure by locating increased residential dwellings including affordable housing in a highly accessible location with good access to transport, jobs and services.

GANSW Better Placed

Better Placed is the Government Architect NSW design policy that establishes a baseline to achieve good design in the built environment. The EIS includes an assessment against the seven design objectives in Better Placed and concludes the proposal is consistent with the policy. The Urban Design Report attached as **Appendix K** further demonstrates consistency of the design response with the Better Placed objectives.

St Leonards and Crows Nest 2036 Plan

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

The Proposal aligns with the Vision of the 2036 Plan by leveraging the opportunity for enhances connectivity by introducing more residential uses to the precinct and integrating a greater “*variety of homes, jobs and activities with increased accessibility with a new world class metro service*”. The proposal will contribute to a vibrant community and enhancing the precinct as a more sustainable space through the provisions of a substantial new public plaza within walking distance of both St Leonards train station and Crows Nest metro station.

The Precinct Objectives of the 2036 Plan provide the framework for achieving the North District Priorities and delivering the vision for St Leonards and Crows Nest. Specifically, the Precinct is aligned to the precinct objectives as follows:

- **Infrastructure and Collaboration:** This proposed development supports the aims of the TOD program by delivering more homes within walking distance of St Leonards train station and Crows Nest metro station as well as frequent regional bus services to encourage the use of existing transport infrastructure.
- **Liveability:** The proposed development will deliver 541 new BTR dwellings in an accessible area. The proposed development has been designed to maximise residential amenity and has incorporated communal spaces to promote incidental social interactions and community cohesion.
- **Productivity:** The additional supply of residential dwellings will support the sustainable growth of the Lane Cove LGA, enabling workers, students and families to live close to work or school. Further, the contribution towards affordable housing assist in meeting the increasing demand for affordable housing for essential workers in the area.
- **Sustainability:** Landscaping and ESD principles have been incorporated into the design of the proposed development, in particular, through the provision of a new substantive public plaza which will enhance the public amenity of the area and establish a greener urban character.

The Proposal aligns with the actions outlined under the Precinct Objectives through a design response that is aligned to the urban design principles established in the 2036 Plan, in particular, its consistency with providing a height transition in the centre as well as a considered fine grain approach to the surrounding context and urban grain. Further, a site-specific response has ensured that potential environmental impacts are mitigated or minimised.

Further, the proposal will facilitate the proposed development which is aligned with Crows Nest TOD Precinct Design Guide requirements which have built on from the 2036 Plan and will deliver on the objectives that encompass the future vision for the Crows Next TOD Precinct.

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

St Leonards and Crows Nest represent a key opportunity to deliver build-to-rent housing given its accessible location and improvements to active and public transport links with the introduction of the Crows Nest Metro Station. Built-to-

rent housing has the potential to deliver key public benefits for the community, including greater housing choice in a stable-rental environment which can result in more established residents actively participating in the community.

This SSDA proposal is aligned to the 2036 Plan by providing a significant quantity of BTR floorspace, leveraging its proximity to St Leonards train station and Crows Nest metro station.

Crows Nest TOD Rezoning

In November 2024, the DPHI rezoned land around Crows Nest metro station under the TOD. Following its identification as an Accelerated Precinct under the TOD program, DPHI prepared a state-led rezoning proposal, which included the subject site, to determine areas of the precinct suitable to support more homes. The Crows Nest TOD Rezoning Proposal was exhibited between July to August 2024 and came into effect on 27 November 2024.

The rezoning has planned for capacity for up to 3,255 new homes, 2,600 new jobs, and delivery of 325 - 488 affordable homes. This SSDA proposal plans to provide 541 BTR dwellings, and a 4% monetary contribution, 1% beyond what is required, supporting the targets and overall intent of the TOD Rezoning.

The proposed rezoning of the site is consistent with the overall aim of the TOD program of delivering dwellings in well located areas and is compatible with the envisioned massing of the TOD Rezoning. Refer to **Figure 7**.



Figure 7: Precinct Vision with Proposed Built Form

Source: Cox Architecture

Summary

Overall, the site and proposal represent strong alignment with the strategic planning framework at both a State and local level by:

- Supporting the State Government's housing objectives by delivering increased dwellings with a diverse unit mix that are strategically located with strong transport connectivity,
- Establishing a high-density BTR community that enhances liveability through quality resident amenities and an activated plaza and streetscape,

- Reinforcing the emerging high-density urban character by delivering a built form that integrates the with massing envisioned as part of the TOD Rezoning while mitigating potential environmental impacts, including minimising impact on Newlands Park, and
- Advance housing affordability outcomes through a meaningful financial contribution to affordable housing initiatives.

Question 6: Is the Planning Proposal consistent with applicable State Environment Planning Policies?

Yes. The rezoning proposal is consistent with the relevant State Environmental Planning Policies (**SEPPs**) as outlined **Table 3**. A detailed assessment against the relevant provisions of each SEPP is provided in the Statutory Compliance Table attached as **Appendix L**.

Table 3: Consistency with State Environmental Planning Policies

State Environmental Planning Policy	Comment	Consistency
<i>SEPP (Biodiversity and Conservation) 2021</i>	Applicable to the concurrent SSDA. A BDAR Waiver (Appendix E) has been issued for the proposed development as part of the SSDA submission confirming that the development will not have any significant impact on biodiversity values of the site and surroundings. The Planning Proposal will not affect the operation of the SEPP.	Yes
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Not relevant to the Concurrent Rezoning Proposal or SSDA. Future development may utilise applicable sections of the SEPP. The Planning Proposal will not affect the operation of the SEPP.	Not Applicable
<i>SEPP (Housing) 2021</i>	Applicable to the concurrent SSDA which has been designed to meet the applicable requirements of the Housing SEPP, specifically build-to-rent provisions under Chapter 3, Part 4 and the accompanying Apartment Design Guide consistent with Chapter 4. Detailed considerations of key principles have been undertaken such as apartment size, layout, typology, solar access, natural cross ventilation, communal open space. Refer to the EIS and Statutory Compliance Table (Appendix L) for a detailed breakdown. It is noted that flexibility may be applied for BTR developments to the design criteria in the ADG set out in Part 4, items 4E, 4G and 4K, under Section 75 of the Housing SEPP. The Planning Proposal will not affect the operation of the SEPP.	Yes
<i>SEPP (Industry and Employment) 2021</i>	Applicable to the concurrent SSDA which seeks approval for signage on the proposed building under Chapter 3 of the SEPP. The indicative signage position is identified in the Architectural Plan (Appendix B) and the Urban Design Report (Appendix K). The Planning Proposal will not affect the operation of the SEPP.	Yes
<i>SEPP (Planning Systems) 2021</i>	Not relevant to the Concurrent Rezoning Proposal.	Not Applicable
<i>SEPP (Resilience and Hazards) 2021</i>	Applicable to the concurrent SSDA which includes a Detailed Site Investigation in accordance with Section 4.6 of the SEPP. The Planning Proposal will not affect the operation of the SEPP.	Yes
<i>SEPP (Sustainable Buildings) 2022</i>	Applicable to the concurrent SSDA which is subject to the provisions of Schedule 1 – Standards for erection of BASIX buildings. The Planning Proposal will not affect the operation of the SEPP.	Yes
<i>SEPP (Transport and Infrastructure) 2021</i>	The Planning Proposal will not affect the operation of the SEPP.	Not Applicable

Question 7: Is the Planning Proposal consistent with the applicable Section 9.1 Directions?

Yes. The Planning Proposal is consistent with the relevant Ministerial Directions under Section 9.1 of the EP&A Act as demonstrated in **Table 4** below.

Table 4: Consistency with relevant Section 9.1 Ministerial Directions

Ministerial Direction	Comment	Consistency
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	The Concurrent Rezoning Proposal is consistent with the Greater Sydney Region Plan and North District Plan (refer to Question 4 within this section of this report).	Yes
1.3 Approval and Referral Requirements	This direction aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. The relevant requirements of this direction have been considered in the preparation of this Concurrent Rezoning Proposal.	Yes
1.4 Site Specific Provisions	The proposal will remove the existing site-specific strategy in lieu of broader based controls. The proposal will not create unnecessarily restrictive or complicated planning controls and will facilitate the future delivery of a more efficient use on the site.	Yes
Focus area 1: Planning Systems – Place-based		
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	The Concurrent Rezoning Proposal is generally consistent with the St Leonards and Crows Nest 2036 Plan (2036 Plan). The proposal will facilitate a built form that is appropriate within the planned future context of the 2036 Plan. Page 63 of the 2036 Plan, under ‘A Planned Approach to the Future of St Leonards and Crows Nest’, states: <i>“This Section outlines the proposed changes to existing planning controls to support the objectives and actions within this plan. The identified changes are indicative and demonstrate the planning and other interventions which would give effect to the changes described in earlier sections of this Plan. These potential built form parameters have been developed to achieve the key urban design principles envisaged by the Plan. Final planning controls will be developed as part of any future rezoning process.”</i> This makes clear that the recommended planning controls are indicative only and may change, provided the proposal aligns with the Plan’s urban design principles. Consistency with these principles is provided under Question 5 in this Section. Furthermore, the Section 9.1 Ministerial Directions do not give legislative weight to the recommended built form changes and permit inconsistencies with the 2036 Plan. As such, the proposed development—being generally consistent with the Plan’s vision, objectives and actions—is considered appropriate and delivers public benefit through build-to-rent housing and the proposed 4% monetary contribution to affordable housing.	Generally consistent
Focus area 4: Resilience and Hazards		
4.4 Remediation of Contaminated Land	The concurrent SSDA includes a Detailed Site Investigation (DSI) (Appendix Q) and Remediation Action Plan (RAP) (Appendix R) which confirm that the site can be made suitable for the proposed development.	Yes
Focus Area 5: Transport and Infrastructure		
5.1 Integrated Land Use and Transport	The Planning Proposal improves access to housing and jobs by walking, cycling and transport, taking into consideration the proximity of the site to existing networks. Increasing density at this location also contributes toward a reduction in car dependency as alternative transport modes are readily available, including St Leonards station and the Crows Nest metro.	Yes
5.3 Development Near Regulated Airports and Defence Airfields	The concurrent SSDA includes an Aviation Report (Appendix BB) which confirms that the proposed development:	Yes

	- will marginally impact aviation safety in relation to Sydney (Kingsford-Smith) Aerodrome. This will require approval from aviation safety and airspace protection authorities/agencies, but will not be contentious. - will not impact adversely on the Royal North Shore Hospital HLS.	
5.5 High Pressure Dangerous Goods Pipelines	Upon review of the Before You Dig Australia (BYDA) plans, the proposal is not located in proximity to a high-pressure dangerous goods pipeline.	Yes
Focus Area 6: Housing		
6.1 Residential Zones	The Concurrent Rezoning Proposal broadens choice by facilitating the delivery of 541 BTR dwellings and makes efficient use of existing infrastructure by increasing density in St Leonards within walking distance of high frequency public transport. The Concurrent Rezoning Proposal will facilitate positive design outcomes and environmental impacts. These are discussed in Section 6.0 and further at Section 8.0 of the EIS.	Yes
Focus Area 7: Industry and Employment		
7.1 Employment Zones	The subject site is within the E2 zone in St Leonards. The Concurrent Rezoning Proposal does not seek to change the land use and the proposed uses for the SSDA are permitted with consent under Chapter 3, Part 4 provisions of the Housing SEPP. While the proposal seeks LEP amendments to facilitate a BTR development, it is nevertheless consistent with this direction in that it retains a zoning that permits all types of commercial premises with consent, including BTR as an employment generating land use. In this regard, this proposal remains consistent with Direction 7.1 (1)(d) which requires that a planning proposal must '<i>not reduce the total potential floor space area for employment uses and related public services in business zones</i>'.	Yes

5.2 Site-Specific Merit

Section C – Environmental, Social and Economic Impact

Question 8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitat, will be adversely affected as a result of the proposal?

No. The Proposal will not adversely affect critical habitat or threatened species, population, or ecological communities in their habitats as the amendment only impacts ownership and will not result in changes to physical outcomes that differ from what is already permissible on the site.

A BDAR Waiver has been granted for the site, attached as **Appendix E**, and is supported by a BDAR Waiver Request Report, attached as **Appendix F**.

Question 9: Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?

An assessment of the environmental impacts of the Proposal is provided at **Section 6.0** and further details are provided in Section 8.0 of the EIS. No unacceptable impacts will result from the achievement of the intended outcome.

Question 10: Has the planning proposal adequately addressed any social and economic effects?

Yes. Refer to **Section 6.3.4** for an assessment of the social and economic impacts of the Proposal.

Section D – Infrastructure (Local, State and Commonwealth)

Question 11: Is there adequate public infrastructure for the Planning Proposal?

Yes. The site benefits from existing public infrastructure including:

- Key public transport connections via Crows Nest metro station, St Leonards train station and bus routes along Pacific Highway.
- Established services infrastructure for water, sewer, electricity, stormwater and telecommunications which can be augmented as required to service the development.
- Royal North Shore Hospital and ancillary health services.
- Social infrastructure in the form of civic spaces and local centre, open spaces and parks as well as planned social infrastructure as part of the TOD Rezoning.
- Further, the Proposal will be subject to Section 7.11 Local Contributions to Lane Cove Council which will contribute to funding any deficiencies in local infrastructure and services as required.

Section E – State and Commonwealth Interests

Question 12: What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The Applicant has engaged with DPHI on multiple occasions to discuss the concurrent SSDA and rezoning pathway prior to the DPHI issuing the concurrent SSDA SEARs and rezoning requirements. The final views of state and federal authorities and agencies will be known following the formal consultation has been completed.

6.0 TECHNICAL STUDIES AND ASSESSMENTS

6.1 Connecting with Country

As identified in the Landscape Report prepared by 360 at **Appendix C**, the design of the proposed development has been influenced by the stories and knowledge shared over engagement with Country which resulted in the following Connection to Country principles for the site:

- **Responsive to Site:** Integrate First Nations land management knowledge to shape a sustainable landscape that is deeply connected to Country and reflective of the place history
- **Gather & Connect:** Inspired by the tradition of Boras (meeting places), meaningful spaces for gathering and cultural exchange are created beneath a canopy of deep-green planting.
- **Deep Root (Planting):** Anchor the design in Country with a rich, deep-green planting palette inspired by the Lane Cove River corridor, drawing on its unique ecology and character.
- **Curate Art & Objects:** Embed Indigenous stories through artworks, sculptures, and installations that reflect local narratives in form, planting, and materiality.

6.2 Environment

The recency of the approval of the Concept SSDA on 20 February 2025 demonstrates the suitability of the site for the proposed uses including BTR residential uses in the form of a high-density podium and tower development. Nevertheless, the following studies have been prepared to support the Proposal and summarised below.

- **Trees:** The removal of 16 trees have been approved under a local DA 32/2025 for demolition and tree removal only. A modification application has been submitted to approve the removal of 3 additional trees. This SSDA does not propose any additional tree removal.
- **Landscaping:** A Landscape Report attached at **Appendix C**, provides a harmonious landscape design that supports the proposed built form while retaining the remaining trees on the site.
- **ESD:** The ESD principles are addressed in the ESD Report attached at **Appendix D** in accordance with the requirements under Section 191 of the EP&A Regulation.
- **Biodiversity:** A BDAR Waiver supports this SSDA, attached at **Appendix E** and supported by a BYDA Waiver Request, attached as **Appendix F**, confirming that the development will have insignificant impacts on the biodiversity values on the site.
- **Flood Risk:** The site is identified for PMF event. A flood impact and risk assessment attached at **Appendix G** assesses the impact to the proposed development and provides mitigation measures for potential risk.
- **Bushfire Risk:** The site is not identified as bushfire prone land.

6.3 Urban Design and Amenity

6.3.1 Urban Design Principles

The proposal has been developed to achieve a high-quality built form that aligns with the vision for the Crows Nest TOD precinct, as outlined in the TOD Design Guide. The design has been informed by the provisions of the Housing SEPP, LCLEP 2009, the Apartment Design Guide (**ADG**), and, where relevant, the LCDCP 2010 (noting that DCPs do not apply to State Significant Development Applications).

6.3.2 Public Domain and Open Space

A new public plaza is proposed as a public benefit as part of the SSDA at the northern corner of the site. This space is envisioned as an activated space that enhances pedestrian connectivity as a key node or through site link between St Leonards train station and Crows Nest metro station. The public plaza also provides connection to the Mall 88 Precinct, New Christie Lane and the underpass to St Leonards station, as well as providing an axis from Friedlander Place to Christie Street, and down to Christie Street Green.

It is part open to the air and part under croft. Refer to **Figure 8** for a detailed plan of the plaza.





Figure 9: Photomontage of Public Plaza - View from Northern Corner of Nicholson and Christie Streets
Source: Cox Architecture

6.3.3 Built Form and Shadowing

As mentioned in **Section 5.1** in the discussion of alternatives considered under Option 4 – Iterative Massing, the massing approach proposed in this Rezoning proposal and SSDA is a result of a series of detailed consultations with DPHI.

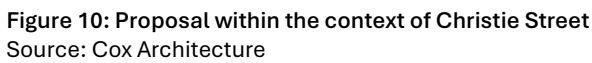
Proposed Height

The proposed building height as part of this Rezoning Proposal is 197m (RL) to accommodate the maximum building height proposed for the SSDA at 196.80m (RL). The detailed consultations with DPHI considered various heights, ranging from the originally proposed 47 storeys to the current 36 storey built form, to reach an agreed approach to building height, with particular focus placed on minimising overshadowing impacts on Newlands Park in St Leonards.

Notwithstanding, the building height has been designed to respond to the existing and surrounding context. In particular, the proposed building height results from the following key considerations:

- Prioritising solar access to maximise solar access to units, within the constraints of the site,
- Retaining solar access to Newlands Park (between 10am to 3pm at mid-winter) with no additional overshadowing to the park, and surrounding residential areas,
- Maximising views to Sydney CBD skyline and Sydney Harbour, to the south, whilst facilitating view sharing with the surrounding developments of the north and northwest. The View and Visual Impact Assessment (**Appendix X**) identifies that the proposal has an acceptable view impact as the nature and scale of the proposal is in keeping with the existing and desired future character of the St Leonards CBD and Crows Nest TOD Precinct. Any development with these attributes on this site will inherently have considerable view impacts on neighbouring properties.
- Creating a tower that fits within the surrounding context of the Crows Nest TOD Precinct and sits comfortably within the context of the skyline along Christie Street, Nicholson Street and Pacific Highway. The tower massing

- Intersection of Christie and Nicholson Streets and its exposure from the key movement corridor from Pacific Highway creates an opportunity for the tower to act as a precinct marker for the growing residential precinct to the south towards Newlands Park.



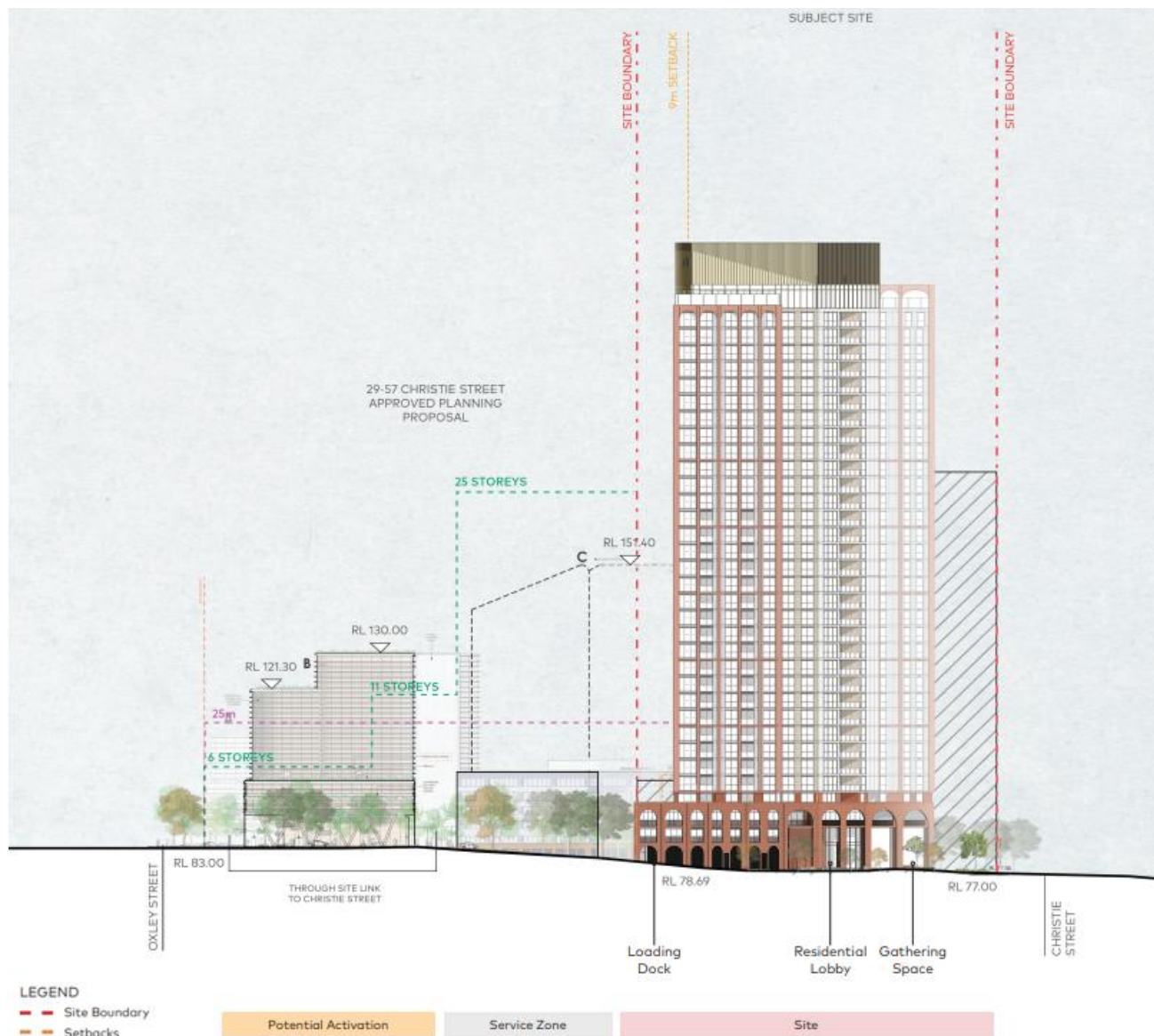


Figure 11: Proposal within the Context of Nicholson Street

Source: Cox Architecture

The proposal is therefore considered to be of appropriate height and scale that responds to the contextual constraints of the site, whilst being consistent with the desired future character and vision of the St Leonards CBD and the Crows Nest TOD Precinct as stipulated in the St Leonards and Crows Nest 2036 Plan and Crows Nest TOD Precinct Guide.

Proposed Bulk and Scale

The proposal has been designed to deliver additional housing and improved outcomes by increasing the building height and FSR standards of the site beyond those prescribed in LCLEP 2009 per the HDA's recommendation. Cox Architecture has undertaken detailed analysis of the site conditions and surrounding changing context, as well as multiple design modelling and testing to inform the proposed built form and urban design response.

Ground Plane and Podium

The approach to the podium and interface with the surrounding public realm has been carefully curated to provide a positive contribution to the public domain. The proposal provides a new public open space at the northern most point of the site to create opportunities for connection, social gathering, whilst also creating a strong marker for the transition from the Pacific Highway commercial corridor to the residential precinct to the south.

The public plaza has been carefully positioned with a strong connection to the Mall 88 precinct to the north, featuring an accessible entry at the northern corner of the site. The ground plane design has taken into consideration solar access, pedestrian movement and spatial planning. The design prioritises pedestrian access by locating loading and basement carpark entries in the south. This frees up the northern corner as a central node in the precinct and encourages pedestrian movement through the site.



Figure 12: Podium Built Form Response

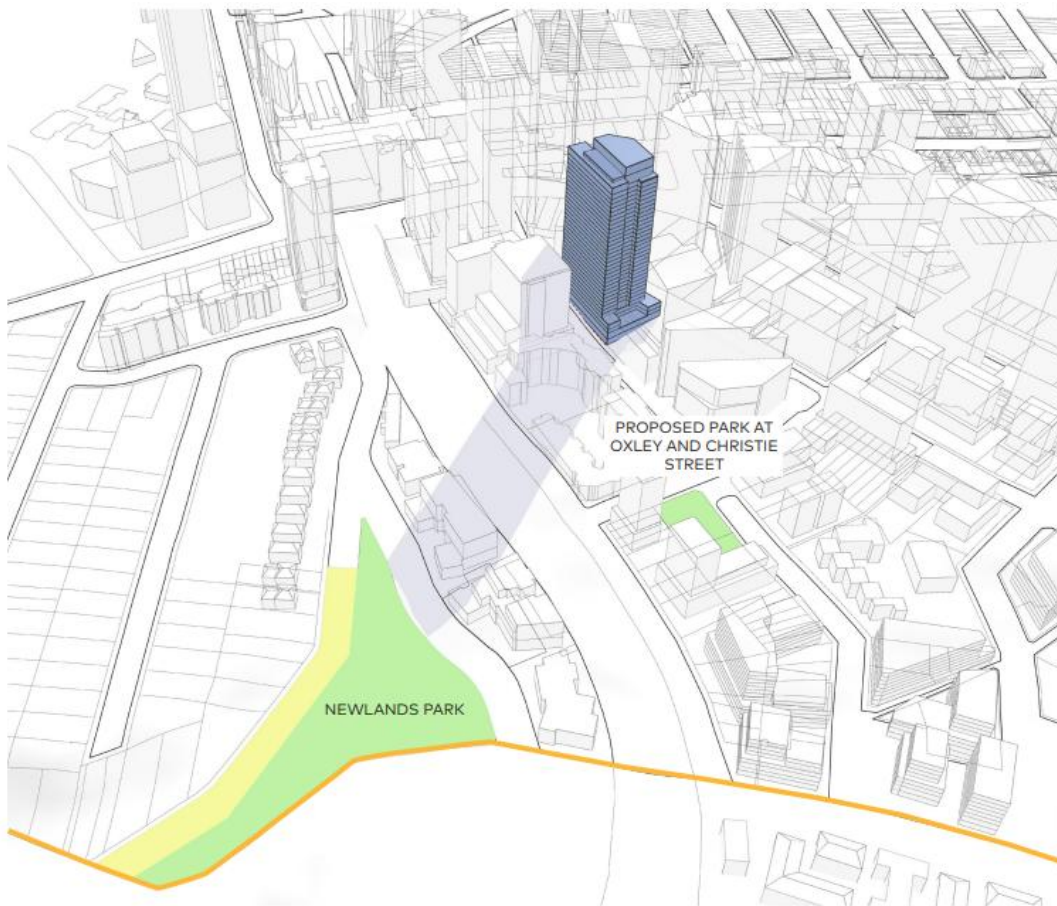
Source: Cox Architecture

Tower Form and Massing

The proposed tower form and massing have been designed to respond to the context and surrounds, as well as relevant controls. Setbacks have been developed to ensure consistency with the ADG design criteria where appropriate.

The height of the tower aligns with the Crows Nest TOD Precinct controls for public spaces (TOD Design Guide Section 3.4.1), of which Newlands Park and the proposed open space at Oxley and Christie Street are required to be protected.

As seen in the below, the shadow cast by the proposed tower does not impact Newlands Park.



Building Shadow | Winter Solstice (21st June) | 10:00am

Legend

- Proposed Massing Envelope
- Existing Park Boundaries
- Future Proposed Extension of Newlands Park

Figure 13: Safeguarding solar access to Newlands Park

Source: Cox Architecture

Panoramic views toward the Sydney CBD skyline, Sydney Harbour and key iconic markers provides the building a unique setting and amenity for the residents. Maximising these views whilst prioritising solar access within the site constraints drive the approach to the tower massing and planning. These are further discussed further in the below.

The tower has been designed to fit within the context of the surrounding urban realm, as well as within the context of the surrounding tower forms proximate the site.

Figure 14 below illustrates the urban design principles of the tower form.



Figure 14: Tower Urban Design Principles

Source: Cox Architecture

Shading

Section 3.4.1 of the Crows Nest TOD Precinct Design Guide provides the following overshadowing controls:

- No additional overshadowing to Newlands Park between 10am and 3pm in winter solstice (June 21)
- Minimum 3 hours to 50% of the area of the Potential Park at the corner of Oxley and Christie Street between 10am and 3pm in winter solstice (June 21)
- Minimum 2 hours 9am to 3pm in winter solstice (June 21) to residential areas within the Precinct Plan boundary

Item 4A of the ADG recommends a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter to living rooms and private opens spaces of at least 70% of apartments and 50% of the principal usable part of the communal open space.

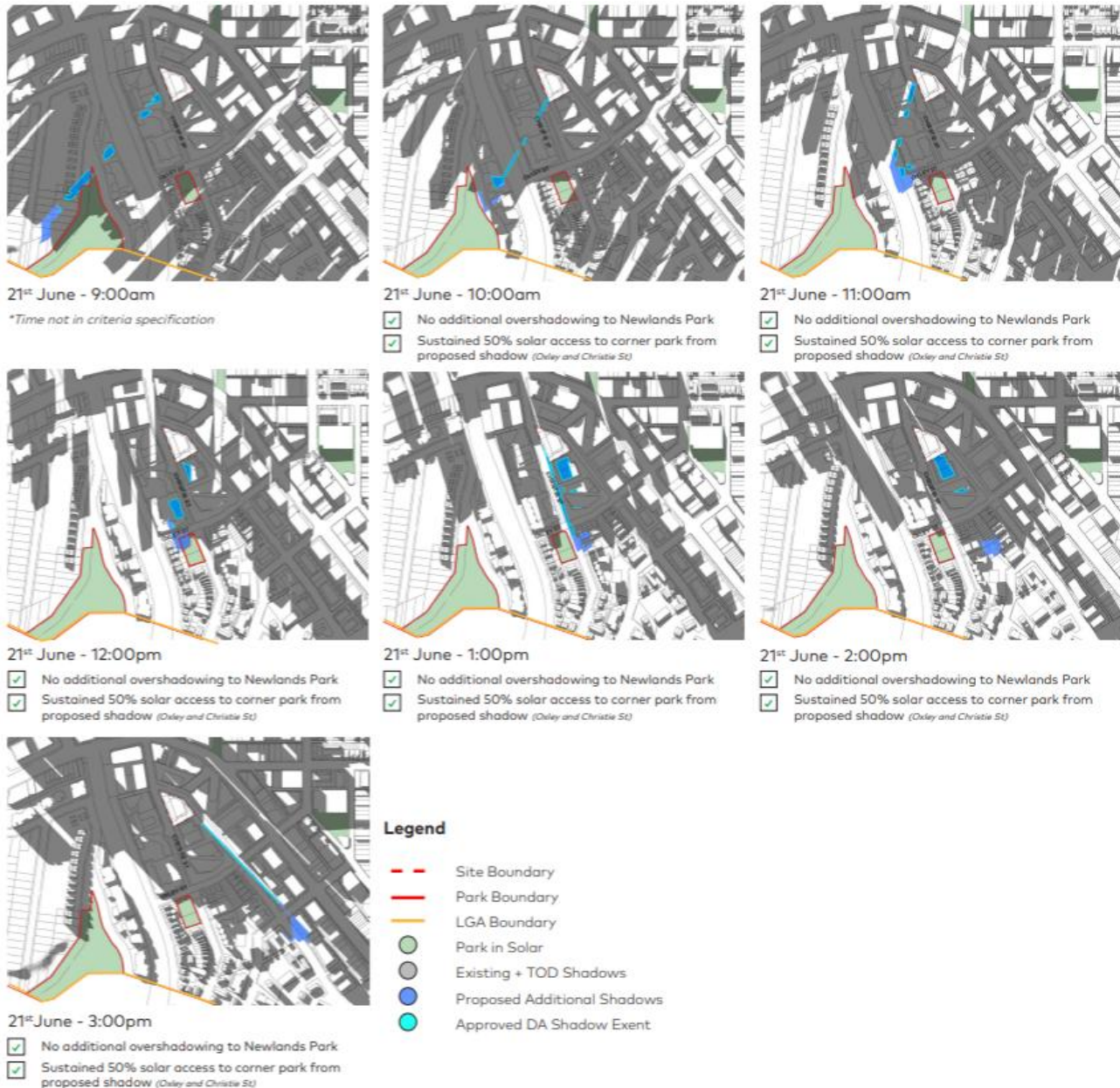


Figure 15: Shadows Analysis

Source: Cox Architecture

Overshadowing to Newlands Park

As shown in **Figure 15**, the proposal will not result in additional overshadowing to Newlands Park between 10am and 3pm in winter solstice, therefore complies with the overshadowing control of the Crows Nest TOD Precinct Design Guide.

Overshadowing to Potential Park at the corner of Oxley/Christie Streets

The proposal will achieve at least 3 hours of solar access over 50% of the Potential Park at the corner of Oxley and Christie Streets between 10 and 3pm in winter solstice. Therefore, the proposal complies with the overshadowing control for the Potential Park.

Existing residential areas to the south

The surrounding residential developments are already affected by overshadowing as a result of existing high-density development of St Leonards.

The shadow diagrams demonstrate that the proposal complies with the requirements as the residential area will not be affected by the overshadowing from the proposal between 9am and 11am midwinter, thereby meeting the minimum 2 hours.

Visual and View Impact

A Visual and view Impact Assessment has been prepared by Ethos Urban and attached as **Appendix X**.

Visual Impact

The VVIA assessed the significance of visual impact from the viewpoints as identified in **Figure 16** within the defined view catchment which are listed and summarised in **Table 5**.

Table 5: Summary of Significance of Visual Impact

Viewpoint Reference	Viewpoint	Significance of Visual Impact
1	Gore Hill Oval	Low
2	Corner of Nicholson Street and Christie Street, looking south south-east towards the site.	Moderate
3	Southwest corner of Christie Street and Pacific Highway, looking south-east towards the site.	Moderate
4	Nicholson Street, from eastern footpath looking towards the site.	Moderate
5	From Holdsworth Avenue, looking along Marshall Avenue looking towards the site.	Moderate
6	From the southwest corner of Oxley Street and Lithgow Street intersection, looking northeast towards the site.	Low



Figure 16: Visual Impact Viewpoint Locations
Source: Ethos Urban

The VVIA concludes that the proposal has acceptable visual impact for the following key reasons:

- the proposal has a scale, form, and architecture that is visually compatible with the existing and desired future character of its St Leonards CBD context.
- the replacement of multiple buildings in average visual condition with delivery of a new, publicly accessible and visually prominent plaza and other elements such as active frontages will improve the visual amenity of the surrounding public domain experienced by people.

View Impact

Throughout the site's planning application history, view impact on the following buildings has been raised by submitters and consent authorities including DPHI as a matter of interest. In particular view impact on:

1. St Leonards Square, located at 472-520 Pacific Highway, St Leonards
2. The Landmark, located at 69 Nicholson Street, St Leonards
3. The Telstra Exchange Site BTR development, located at 530-542 Pacific Highway, St Leonards.

The view impact from multiple viewpoints from these buildings have been reconsidered for this proposal (**Figure 17**). The assessment confirms that the Proposal is reasonable in the matter of view sharing under Tenacity and considering the objectives and intent of relevant State government strategic policy and provisions.

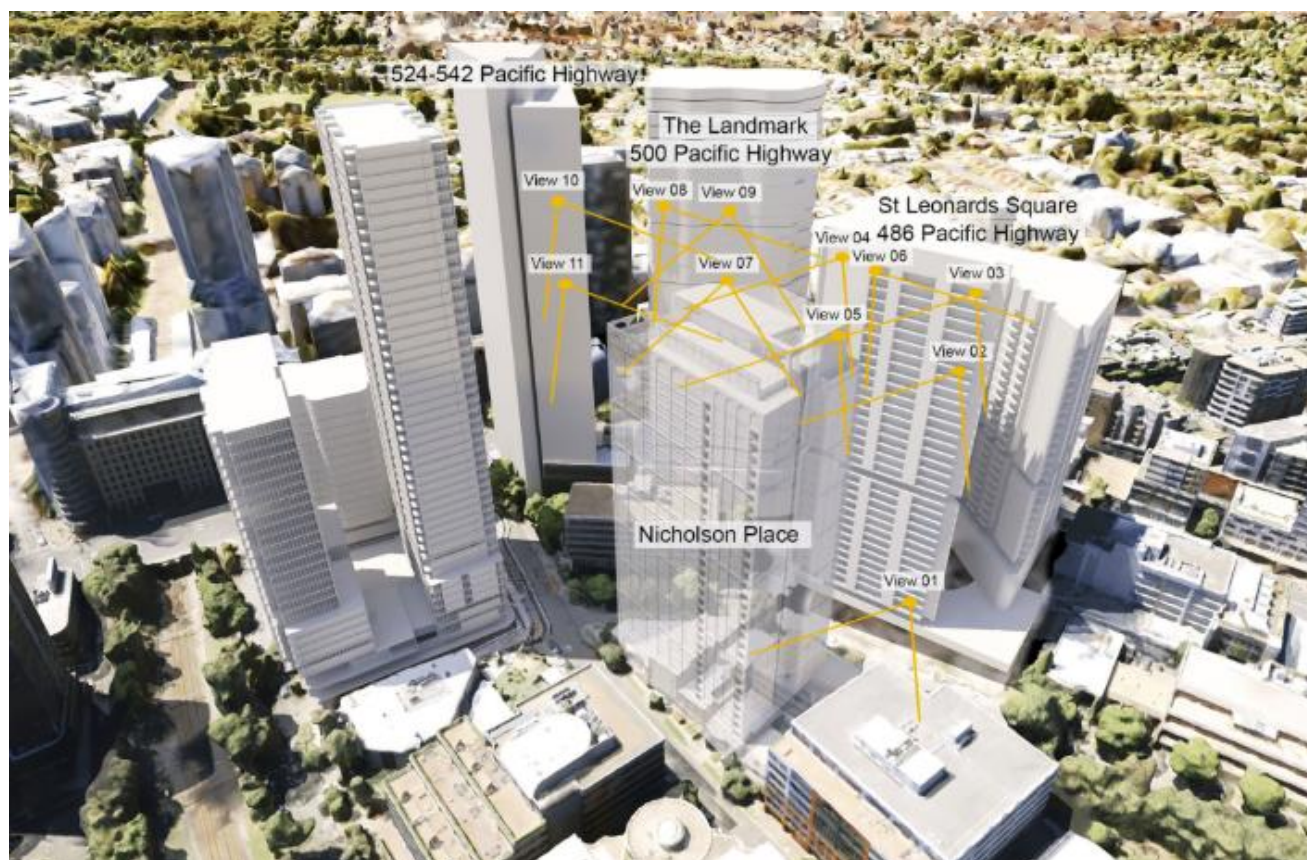


Figure 17: Viewpoint Locations

Source: Ethos Urban

6.3.4 Social and Economic

Social Impact

A Social Impact Scoping Study Report has been prepared by Gyde Consulting and attached as **Appendix S**.

The proposed development has a net positive impact, particularly looking long term. Key social benefits are listed below:

- Increasing housing supply,
- Increased BTR product – providing longer and more stable leases,
- Increased affordable housing,
- Increased housing supply for professions in health care and education working in the area,
- Improved accessibility to public transport infrastructure, services and jobs,
- Increased standard of living – COS, on-site amenities, proximity to existing infra and services,
- Job creation – construction and operation of proposed development,
- Provision of social infrastructure in the form of a public plaza,
- Enhanced and activated streetscape including public domain improvements along Nicholson and Christie Streets,
- Contribution to 30-Minute City,
- Contribution to design excellence in the urban renewal of the St Leonards/ Crows Nest area, and
- Link to objectives/priorities of 2036 Plan and TOD Rezoning vision.

The Social Impact Scoping Study Report identifies potential social impacts, and associated potential impacted stakeholders, project refinement recommended/implemented, mitigation measures and residual impact.

Economic Impact

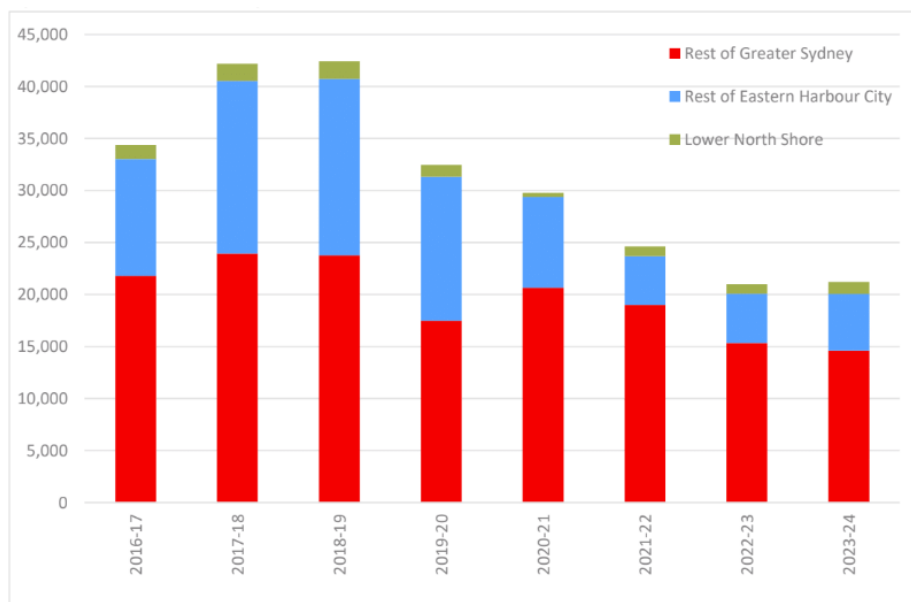
An Economic Impact Assessment (**EIA**) has been prepared by Hill PDA and attached as **Appendix T**. The following key economic matters have been highlighted below.

Housing Market Analysis

The housing market at both a national and local level is in a state of critical undersupply. Nationally, the projected delivery of new homes between 2024 and 2029 will fall well short of the 1.2 million dwellings targeted under the National Housing Accord, with NSW facing a deficit of up to 462,000 dwellings.

In Greater Sydney, annual dwelling completions have halved since 2018–19, and in the Lower North Shore production has fallen to just 33% of NSW Government targets, requiring a threefold increase to meet demand. The challenged state of the market is illustrated in **Figure 19** below, which highlights the decline in dwelling completions across both Greater Sydney and the Lower North Shore.

Notwithstanding strong demand for housing there has been significant difficulties in delivery. Rising construction costs, borrowing constraints, and development feasibility challenges are making it increasingly difficult for developers to deliver the required volume of new homes.



Source: NSW Urban Development Program

Figure 18: Net Increase in Dwellings

Source: Hill PDA

Employment Lands Analysis

The St Leonards / Crows Nest office market is among the weakest in metropolitan Sydney. Vacancy rates exceed 30% (the highest on the North Shore), net absorption has been negative, and incentives remain at record highs (circa 45%). These conditions reflect structural shifts in workplace demand, including hybrid working and greater space efficiency, which are unlikely to reverse in the medium term. The subject site itself has been long-term underutilised, with occupancy at just 15% for over a year before becoming fully vacant.

In this context, retaining large volumes of commercial floorspace would exacerbate structural oversupply and prolong vacancy. The proposed development instead realigns land use with market demand, providing housing in place of offices that have little prospect of being occupied in the foreseeable future.

Economic Impact and Feasibility Analysis

During the operational phase, the proposed development will support approximately 61 fulltime equivalent (FTE) jobs on-site, compared with a theoretical base case of 121.5 FTE jobs if commercial space were occupied. While the operational phase is expected to result in a net reduction of around 60 FTE on-site jobs compared to a theoretical largely occupied commercial base case, this significantly overstates the real impact given the site's history of underutilisation.

For more than a year, only 15% of the commercial space was occupied, and it is now fully vacant. In practice, the proposed development represents a more efficient use of land, delivering residential accommodation for nearly 980 permanent residents. Residents of the development will generate an estimated \$24.8million in annual spending on retail goods and services, with local businesses in St Leonards and Crows Nest as key beneficiaries.

BTR housing is particularly well-suited to this location as it can deliver a substantial supply of professionally managed rental accommodation with longer lease terms, providing greater security and stability for tenants such as hospital staff, students, and other key workers. BTR's flexibility in unit mix and lease arrangements also enables housing to respond to the diverse needs of these groups, from single professionals to families, while maintaining high-quality, well-managed living environments. The proposed compact studio apartments ('City Starters') within the development can also provide a more affordable rental product, particularly appealing to younger health and allied workers employed at the nearby hospital precinct, as well as students seeking accessible, lower-cost housing options close to education and training facilities.

Affordable Housing

The Department has set a base affordable housing contribution of 3% across all sites in the Crows Nest TOD Precinct, with higher rates (up to 18%) applying to identified key sites.

By committing to a 4% monetary contribution-exceeding the 3% base rate-the proposal contributes meaningfully to the precinct's affordable housing objectives, while enabling the delivery of a greater quantum of affordable housing across the precinct than would otherwise occur at the minimum rate. This approach ensures that additional affordable housing can be provided in a well-connected, transit-oriented location, supporting both local and regional housing diversity and affordability goals.

6.3.5 Infrastructure and Services

Transport and Accessibility

A Transport Impact Assessment (TIA) Report including a Green Travel Plan (**GTP**) has been prepared by JMT Consulting attached as **Appendix J**.

Existing Condition

- The site has excellent public transport access including walking distance of St Leonards train station, Crows Nest metro station and high frequency bus stops.
- The site is located within the commercial core of St Leonards and is well served by a good network of local footpaths. Paved footpaths and kerb ramps are provided on both sides of Christie Street and Nicholson Street.
- The site is well connected to a number of cycling routes which consist of both off-road cycling paths as well as on-road marked paths. Nicholson Street forms part of the local cycling network within the North Sydney / Crows Nest area, providing connectivity between St Leonards and North Sydney CBDs via Morton Street.

Trip Generation

- Based on the level of car parking provided a future development of the site would be expected to generate no more than 14 vehicle movements during the busiest hours of the day - equivalent to less than one vehicle three minutes.
- Traffic modelling conducted for this study confirms that the additional traffic generated by the development would not change the existing level of service and operating performance of nearby intersections. The traffic impacts of the current proposal will be significantly reduced in comparison to the approved Planning Proposal.
- The number of trips by transport modes available to and from the site along with the forecast trip generation has been used to summarised:

Table 6: Trip generation by mode

Source: JMT Consulting

Travel mode	Mode share	Trips to/from the site AM peak hour	Trips to/from the site PM peak hour
<i>Car driver</i>	20%	65	65
<i>Car passenger</i>	3%	10	10
<i>Bus</i>	2%	7	7
<i>Train/ Metro</i>	54%	176	176
<i>Walk</i>	20%	65	65
<i>Other</i>	1%	3	3
<i>Total</i>	100%	325	325

- The additional travel demand by mode of transport is relatively low. The frequency of public transport services, including the metro station at Crows Nest, will comfortably be able to accommodate this level of travel demand.

Green Travel Plan

A suite of potential measures is described in the TIA to be implemented as part of the GTP, which can be developed further as the development progresses. Generally, the measures will aim to promote flexible commuting times for staff to reduce overall congestion and travel time, obtain travel coordination, and inform tenants and provide details around sustainable travel options.

Services

As part of stakeholder consultation, the follow utility service providers were engaged, and the outcomes are summarised below.

Table 7: Consultation with Utility Service Providers

Stakeholder	Engagement Outcome
<i>Ausgrid</i>	Confirmation letter advising permanent disconnections have been approved for the Temporary Builder's Supply to development.
<i>Sydney Water</i>	Confirmation that sewer diversion lodgements have been submitted to facilitate the re-direction of the existing sewer line around the development site. Stage 1 acceptance/approval has been received. Process is being undertaken in coordination with Sydney Water, with communication and documentation managed via email correspondence.
<i>Jemena</i>	Confirmation that no SMS or FSA management studies will be required for this development.

7.0 CONSULTATION

Engagement and consultation activities have been undertaken in accordance with SEARs Item 4 and DPHI's *Undertaking Engagement Guidelines for State Significant Projects*. An Engagement Report has been prepared by Gyde Consulting and is attached as **Appendix U** in support of the proposed development.

7.1 Stakeholders Identified

The following groups of stakeholders were engaged in the community engagement process:

- DPHI,
- GANSW,
- Lane Cove Council,
- Aviation safety and airspace protection authorities/agencies,
- Relevant services and utilities providers (Ausgrid, Sydney Water, Jemena), and
- The community.

7.2 Engagement Undertaken

The Applicant has engaged with DPHI on multiple occasions to discuss the SSDA and concurrent rezoning pathway, SEARs process and throughout the design and development of the proposal and are outlined in **Table 8**. Other key engagements with identified stakeholders are outlined in the Engagement Outcomes Report.

Table 8: Engagement Undertaken with DPHI (extracted from Gyde Consulting)

Date	Forum	Outcome
2 October 2024	Online meeting	Discussion around unintended impact of TOD reforms turning off access to infill affordable housing provisions and overview of potential uplift.
11 October 2024	Online meeting	Summary of current Concept DA massing and proposed design with uplift under the Housing SEPP. Overshadowing analysis of Newlands Park and preliminary assessment of impacts.
12 November 2024	Online meeting	Scoping meeting overview of the scheme and engagement that may be required. Recommended seeking meeting with SDRP and/or confirmation a waiver can be issued.
26 February 2025	Online meeting	Overview of proposed planning outcomes associated with HDA recommendation for the Department to consider concurrent rezoning with proposal. Summary of proposed height, FSR and affordable housing offer.
3 April 2025	Online meeting	Clarification on concurrent rezoning elements and items to consider as part of SSD including overshadowing.
1 May 2025	Online meeting	Presentation to GA representative, State Rezoning team and SSD team on visual analysis of proposed uplift from surrounding properties and overshadowing analysis on Newlands Park including hours impacted. Analysis of strategic context was also discussed and alignment with the St Leonards and Crows Nest 2036 Plan.
1 July 2025	In person	In person meeting with the State rezoning and SSD team on reduced scheme at 40 storeys, including overall design intent/vision and analysis on the overshadowing impact at 10am on useable open space. Analysis included Newlands Park survey and overshadowing of dense edge canopy for 15 minutes at 10am. Photographs of Newlands Park in June were also provided.

Date	Forum	Outcome
22 July 2025	Online meeting	Presentation to DPHI SSD team to discuss key issues prior to SSDA lodgement. Key items included an overview of the previous concept SSD, design principles, proposed BTR amenities provided in the building, building separation to the southern boundary, solar access and ADG compliance generally, and accessible parking.

7.3 Community Engagement

The engagement process with the community included a number of engagement activities described in the Engagement Report. These activities included a project website (with community enquiries function), community survey, community flyer distributed to approximately 2,600 residences and businesses within a 500m radius.

The Engagement Report concludes that while a community flyer was distributed to over 2,600 properties in the local area, no surveys were completed, and no emails were received regarding the project. Additionally, no participation in the project by the community may be due to the location of the site within the broader St Leonards context and indicates that the community is not concerned by the proposal.

7.4 Key Issues and Project Responses

Key themes, listed below, were consistent across all communications channels, with a number of key issues being raised across multiple forums. Corresponding project responses are provided in the Engagement Report. The project team has taken feedback from the community, Council, NSW Government agencies, and other key stakeholders on board, and considered the issues raised within the design and planning for the project.

7.5 Engagement to be Carried Out

In addition to implementing comments and feedback from past engagement activities, future engagement will be undertaken on an ongoing basis throughout the lifecycle of the project and may include publicly accessible on-line engagement and stakeholder briefings. All issues raised will be responded to and documented in a stakeholder engagement report which will report to the community on findings of any engagement and the assessment of the impacts of the project. This will accompany the EIS.

The public exhibition process will allow further opportunities for the public, agencies, and other stakeholders to comment and provide submissions on the SSDA and Concurrent Rezoning Proposal.

8.0 MAPPING AND DATA

8.1 Proposed Maps

Refer to the Proposed Amended Maps prepared by Cox Architecture, attached as **Appendix FF**.

Height of Buildings Map – Sheet HOB_004

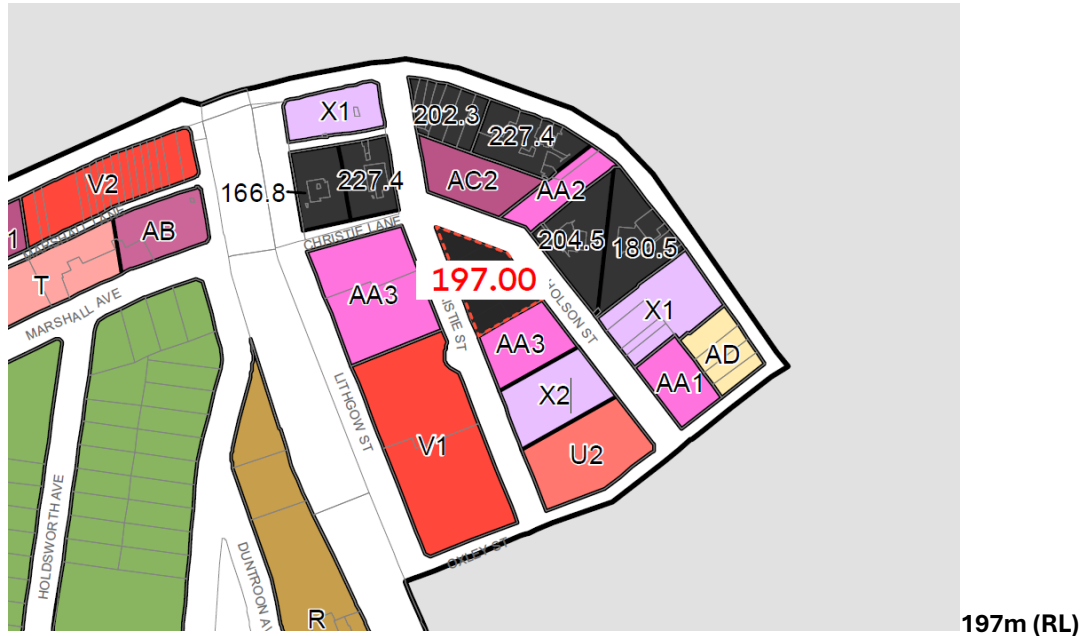


Figure 19: Excerpt of Proposed Height of Buildings Map
Source: Cox Architecture

Floor Space Ratio Map – Sheet FSR_004

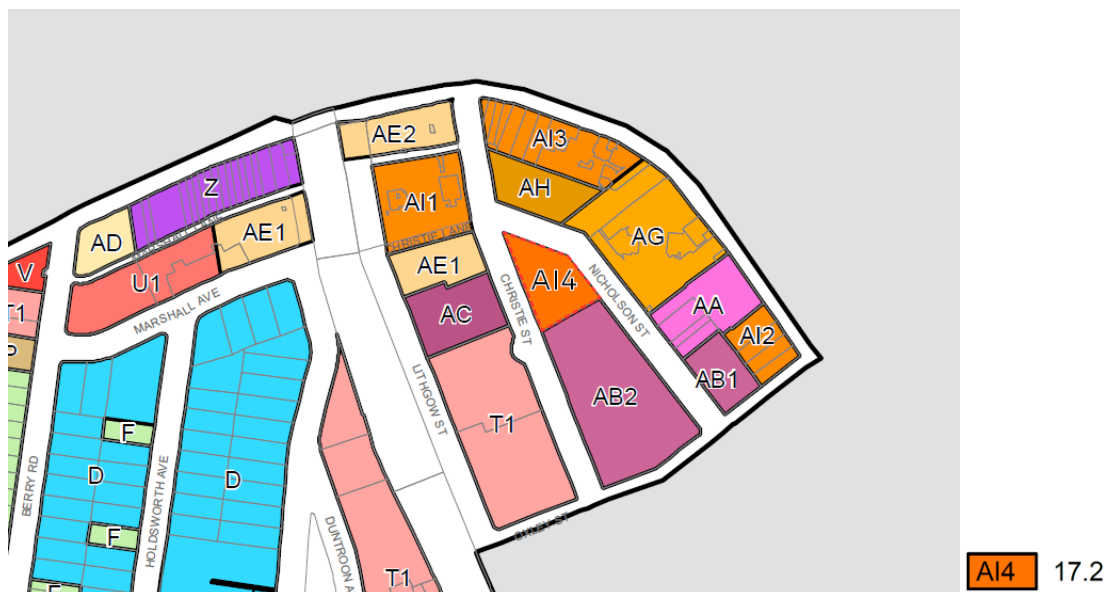


Figure 20: Figure 5: Excerpt of Proposed Floor Space Ratio Map
Source: Cox Architecture

9.0 PROJECT TIMELINE

This Planning Proposal will be considered concurrent with the detailed SSDA (SSD-88113706). Under the HDA process, the NSW Government has committed to a 275-day timeframe.

The current demolition works, occurring on the site are estimated for completion in November 2025, followed by excavation and early works planned for May 2026.

Based on these timeframes, the following indicative timeframe is proposed in **Table 9** to ensure continuity in the development program to deliver on housing supply.

Table 9: Proposed Project Timeline

Stage	Timeframe and/or date
<i>Planning Proposal lodged</i>	September 2025
<i>Public Exhibition and Assessment</i>	October - November 2025
<i>Finalisation</i>	May 2026

10.0 CONCLUSION

This Rezoning Proposal has been submitted on behalf of St Leonards Property Unit Trust (the Applicant) concurrently with an EIS for the SSDA (SSD-88113706), on the site at 46-52 Nicholson Street and 59– 67 Christie Street, St Leonards. It is submitted to DPHI to provide the justification for amendments to the *Lane Cove Local Environmental Plan 2009* (LCLEP 2009), specifically Clause 4.3 (height of buildings), Clause 4.4 (floor space ratio), and the site-specific provisions under Clause 6.10.

The future development facilitated by this concurrent rezoning proposal is supported by the HDA and will be consistent with State, Regional and District planning strategies for St Leonards, including consistency with the vision, objectives and actions of the St Leonards and Crows Nest 2036 Plan and vision and intent of the Crows Nest Accelerated TOD precinct.

The site-specific provisions will facilitate much needed and sought-after diversity of housing product proximate to public transport in the form of an additional 541 BTR dwellings and contribution towards affordable housing. The development will provide significant public domain improvements, enhancing pedestrian connectivity between St Leonards train station and Crows Nest metro station and along the Pacific Highway, encouraging use of the public transport infrastructure. It has been demonstrated that this Concurrent Rezoning Proposal has strategic and site-specific merit.

Coronation, the largest builder, developer and operator of BTR in NSW intends on delivering the project within the Housing Accord period and is currently active, on-site, to expedite delivery of the project.

With the above in mind, we believe the proposed amendments to the LCLEP 2009 are appropriate and well-considered, and that this Concurrent Rezoning Proposal should be supported by DPHI.