



EDYG

# Response to Submissions

State Significant Development Application  
SSD-78669234

27-29 Tryon Road, Lindfield

Submitted to DPHI  
on behalf of Bridgestone Projects Pty Ltd

4 December 2025

[gyde.com.au](http://gyde.com.au)

## Acknowledgment of Country



**Towards Harmony by Aboriginal Artist Adam Laws**

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.

### **This report was prepared by:**

Approver: Sue Francis

Author: Rebecca Crockett

Project: State Significant Development Application SSD-78669234

Report Version: Final

This report was reviewed by: Juliet Grant

### **Disclaimer**

This report has been prepared by Gyde Consulting with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Gyde Consulting accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

Copyright © Gyde Consulting  
ABN 58 133 501 774

All Rights Reserved. No material may be reproduced without prior permission.

## Contents

<b>1. Introduction.....</b>	<b>4</b>
1.1 Background and Purpose of this Report .....	4
1.2 Materials Relied Upon .....	5
<b>2. Analysis of Submissions .....</b>	<b>6</b>
2.1 Breakdown of Submissions .....	6
2.2 Categorising Issues .....	6
<b>3. Actions Taken Since Exhibition .....</b>	<b>11</b>
<b>4. Response to Submissions .....</b>	<b>13</b>
<b>5. Consideration of DPHI Request for Additional Information.....</b>	<b>1</b>
<b>6. Updated Project Justification.....</b>	<b>17</b>
<b>7. Conclusion .....</b>	<b>18</b>
<b>Submissions Register .....</b>	<b>1</b>

## Appendices

### Attachment A Submissions Register

## Figures

Towards Harmony by Aboriginal Artist Adam Laws .....	ii
Figure 1 Revised TOD Map, site outlined in red (Source: NSW Legislation).....	1
Figure 2 Previous Land Zoning Map, site outlined in yellow (Source: KLEP).....	2
Figure 3 Station Precincts Land Zoning Map 2025, site outlined in yellow (Source: KLEP).....	2
Figure 4 Previous Height of Buildings Map, site outlined in red (Source: KLEP) .....	2
Figure 5 Station Precincts Height of Buildings Map 2025, site outlined in red (Source: KLEP) .....	2
Figure 6 Previous FSR Map, site outlined in red (Source: KLEP) .....	3
Figure 7 Stations Precincts FSR Map 2025, site outlined in red (Source: KLEP) .....	3
Figure 8 Stations Precincts 2025 Affordable Housing Contribution Rate Map, site outlined in red (Source: KLEP) .....	3
Figure 9 Saved TOD sites surrounding the site (Source: Gyde).....	4
Figure 10 Proposed Site Plan (Source: PTW) .....	5
Figure 11 Proposed Elevation (North) (Source: PTW).....	6
Figure 12 CGI of permissible building envelopes along Tryon Road under the Station Precincts SEPP (Source: Ivolve) .....	6
Figure 13 Site Isolation Concept Plan (Source: PTW) .....	8
Figure 14 Proposed Level 4-6 Plan showing setbacks (Source: PTW) .....	9
Figure 15 Proposed basement plan showing setbacks (Source: PTW).....	10
Figure 16 Extract of Car Parking Summary (Source: JMT Consulting) .....	11
Figure 17 Solar Access to Communal Open Space (Source: PTW).....	12

# Appendices

As originally submitted – 02 April 2025

Reference No.	Document	Prepared by
Appendix 1	SEARs Compliance Table	Gyde Consulting
Appendix 2	Statutory Compliance Table	Gyde Consulting
Appendix 3	Mitigation Measures Table	Gyde Consulting
Appendix 4	Acid Sulfate Soils Likelihood Assessment	Stantec
Appendix 5	ACHAR	City Plan
Appendix 6	Affordable Housing Provider Letter	Bridge Housing
Appendix 7	Archaeological Assessment	City Plan
Appendix 8a	Architectural Plans	PTW
Appendix 8b	Architectural Design Report	PTW
Appendix 8c	Design Verification Statement	PTW
Appendix 9	Arboricultural Impact Assessment	Naturally Trees
Appendix 10a	BASIX Certificate	Greenperch
Appendix 10b	Nathers Certificate	Greenperch
Appendix 11	BCA Compliance Report	Concise Certification
Appendix 12	BDAR Waiver Determination	DPHI
Appendix 13	CGI	Ivolve Studios
Appendix 14	Connecting with Country	Artefact
Appendix 15	CPTED Report	Gyde
Appendix 16	Detailed Site Investigation Report	FES
Appendix 17	De-watering Management Plan	Elite Geosciences
Appendix 18	Engagement Report	Hill PDA
Appendix 19a	ESD Report	Greenperch
Appendix 19b	Section J Report	Greenperch
Appendix 20	Estimated Development Cost	Mitchell Brandtman
Appendix 21	Fire Engineering Report	Minerva
Appendix 22	Geotechnical Report	Elite Geosciences
Appendix 23	Hazardous Materials Survey	Environx
Appendix 24	Heritage Statement	City Plan
Appendix 25a	Integrated Water Management Plan	Xavier Knight
Appendix 25b	Water Management Plan	Surrex
Appendix 26	Infrastructure Delivery Plan	Surex Consulting
Appendix 27	Landscape Plan	360
Appendix 28	Noise and Vibration Impact Assessment	Renzo Tonin



Reference No.	Document	Prepared by
Appendix 29	Owners Consent	Bridgestone Projects
Appendix 30	Pedestrian Wind Environment Assessment	Windtec
Appendix 31	Preliminary Site Investigation Report	Stantec
Appendix 32	Social Impact Assessment	Hill PDA
Appendix 33	Solar Reflectivity Report	Windtec
Appendix 34	Ground Water Impact Assessment	Elite Geosciences
Appendix 35	Survey Plan	Rygate
Appendix 36	Transport Impact Assessment	JMT Consulting
Appendix 37	Visual Impact Assessment	OG Urban
Appendix 38	Demolition & Construction Waste Management Plan	First Civil
Appendix 39	Operational Waste Management Plan	Elephants Foot
Appendix 40	Company Extract	Bridgestone Projects
Appendix 41	Land Title Documents	Land Registry Services

#### Inputs provided post-lodgement to accompany Response to Submissions / Amendment Report

Reference No.	Document	Prepared by
A	Response to Submissions Report	Gyde
B	Mitigation Measures Table	Gyde
C	ACHAR	City Plan
D	Affordable Housing Provider Letter	Bridge Housing
E	Architectural plans	PTW
F	Arboricultural Impact Assessment	Naturally Trees
G	BASIX Certificate	Greenperch
H	BCA Compliance Report	Concise Certification
I	BDAR Waiver Report	Stantec
J	CGI	PTW
K	CPTED	Gyde (Social)
L	Clause 4.6 Request	Gyde
M	Design Report	PTW
N	ESD Report	Greenperch
O	Estimated Development Cost	Mitchell Brandtman
P	Fire Engineering Report	Minerva
Q	Heritage Statement	City Plan
R	Landscape Plan	360
S	Pedestrian Wind Environment Assessment	Windtec
T	Social Impact Assessment	Hill PDA

Reference No.	Document	Prepared by
U	Solar Reflectivity Report	Windtech
V	Transport Impact Assessment	JMT
W	Visual Impact Assessment	OG Urban
X	Operational Waste Management Plan	Elephants Foot
Y	Water Management Plan	Surex Consulting
Z	Stormwater Management Plans	Xavier Knight

# 1. Introduction

## 1.1 Background and Purpose of this Report

Gyde Consulting prepared the Environmental Impact Statement (EIS) for the State Significant Development Application (SSDA) for the demolition of existing structures and the construction of a 9 storey residential flat building and associated works, which are located at 27-29 Tryon Road, Lindfield. The SSDA reference is SSD-78669234 and the SSDA was lodged with the NSW Department of Planning, Housing and Infrastructure (DPHI) on 11 April 2025.

The application sought, **as originally submitted**, approval for a residential flat building comprising:

- Demolition of existing structures and site preparation / earthworks;
- Construction of 4 basement levels including 136 car parking spaces with vehicular access via Tryon Lane;
- Construction of a 7-9 storey residential flat building across 4 apartment blocks, including 62 units comprising a mix of 1, 2 and 3 bedroom apartments; and 14 affordable units;
- Communal open spaces on the ground floor and roof terrace; and
- Landscape works including tree replacement.

The proposed development, **as amended in the accompanying Amendment Report**, comprises:

- Demolition of existing structures and site preparation / earthworks;
- Construction of 4 basement levels including **101** car parking spaces with vehicular access via Tryon Lane;
- Construction of a **9 storey** residential flat building including **65 units** comprising a mix of **2 and 3 bedroom** apartments; and 14 affordable units;
- Communal open spaces on the ground floor and roof terrace; and
- Landscape works including tree replacement.

The exhibition of the SSDA was undertaken between 24 April 2025 and 21 May 2025. On 22 May 2025, DPHI wrote to the Applicant, Bridgestone Projects Pty Ltd, requesting a written response to the issues raised in public and agency submissions.

In addition to the public and agency submissions forwarded to the applicant by DPHI on 22 May 2025, DPHI also provided a Request for Additional Information letter to the Applicant on 16 June 2025. The Request for Additional Information letter raised various items which required consideration and response by the Applicant to DPHI. These matters are also addressed in this submissions report.

This Submissions Report has been prepared:

- by Gyde in response to the above correspondence, on behalf of Bridgestone Projects Pty Ltd.
- in accordance with Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 8 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) to analyse the submissions received and to provide a response to those submissions including, where relevant, provision of additional or amended supporting material to enable DPHI to finalise their assessment of the proposed development; and
- in accordance with the State significant development guidelines – preparing a submissions report – Appendix C to the state significant development guidelines, March 2024, as required by Section 59(2)(c) of the EP&A Regulation.

The content in this Submissions Report and accompanying annexures will enable the Minister (or delegate) to determine the SSDA in accordance with Section 4.38 of the EP&A Act.

This report is to be read in conjunction with the **Amendment Report** prepared by Gyde Consulting dated 4 December 2025. These amendments respond to the matters raised and deliver a superior built form outcome than that originally submitted by enhancing amenity for future residents and neighbours alike.

## **1.2 Materials Relied Upon**

This Submissions Report has been prepared by Gyde based on the EIS lodged with the SSDA and additional or amended information listed below in the Appendices Table above. This submissions Report should be read in conjunction with the above documentation.



## 2. Analysis of Submissions

This section of the Submissions Report provides an analysis of the submissions received during the public exhibition of the SSDA including the individuals and agencies who made submissions. Submissions have also been categorised based on the type of issue raised.

### 2.1 Breakdown of Submissions

DPHI publicly exhibited the SSDA between 24 April 2025 and 21 May 2025. 30 submissions were received by DPHI including one (1) submission for Ku-Ring-Gai Council one (1) submission from Sydney Water and 28 individual public submissions.

**Attachment A** includes a Register of Submissions.

Of the 30 submissions received:

- 3 submissions expressed support.
- 3 submissions made comments but requested amendments to reduce amenity impacts on the surrounding area.
- 24 submissions objected.

### 2.2 Categorising Issues

The following table categorises the issues raised in individual submissions. **Section 4** of this report includes a detailed response to each of these issues.

The issues have been categorised based on whether they are project related, procedural matters, related to impacts of the development, associated with the overall justification of the project, or out of scope items. They have then been further categorised based on the type of issue raised, such as related to flooding, or parking or the like.

The issues are grouped into the categories adopted from the 'State Significant Development Guidelines – Preparing a submissions report' (March 2024).

Table 1 Analysis of Submissions

Category and Issue	Summary and Analysis
<b>The project</b> (e.g. the site, the project area, the physical layout and design, key uses and activities, timing)	
<b>Building Height &amp; Local Character</b>	<b>Seventeen (17) public submissions</b> raised concern with the height of the building, suggesting a 5-storey building would better fit into the character of the surrounding area and the adjacent buildings, being No 25 and 31 Tryon Road.  <b>One (1) public submission</b> suggested a higher building height to enable greater setbacks and greater deep soil provision.
<b>Procedural matters</b> (e.g. level or quality of engagement, compliance with the SEARs, identification of relevant statutory requirements)	
<b>Community Engagement</b>	<b>One (1) public submission</b> noted the lack of genuine community consultation with the proposed development.
<b>Landscaped Area Calculation</b>	The <b>Ku-Ring-Gai Council</b> submission notes that the Landscape area calculations on the 'Landscape Soil Depth Diagram' only show 25.8%

Category and Issue	Summary and Analysis
	<p>landscaped area, which would not comply with the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) requirements.</p> <p>The submission also notes a full Planting Plan and Plant Schedule (including location, quantity and pot size) has not been provided as per the SEARs requirement.</p>
<b>Deep Soil</b>	<p>The <b>Ku-Ring-Gai Council</b> submission considers that the deep soil requirements of the ADG are not met as the deep soil areas are not 6m in width. In accordance with the ADG, sites with a 7% deep soil requirement must provide a minimum of 3 large trees or 6 medium trees; the Council submissions consider insufficient information has been provided to assess compliance with this requirement.</p> <p>It also notes that the 50% deep soil requirement of the Ku-Ring-Gai Development Control Plan (DCP) is not achieved.</p> <p><b>Three (3) public submissions</b> also raised concerns over the deep soil provided, noting the proposal does not comply with the Ku-Ring-Gai DCP 50% deep soil requirement. The lack of deep soil may have significant adverse environmental effects on the area.</p>
<b>Floor Space Ratio</b>	<p>The <b>Ku-Ring-Gai Council</b> submission considers that the FSR has been calculated incorrectly, such as the thickness of walls to common vertical circulation where not external walls. If the FSR exceeds the FSR of 3.25:1, a written Cl.4.6 Request would be required to justify the exceedance.</p>
<b>Stormwater</b>	<p>The <b>Ku-Ring-Gai Council</b> submission notes that insufficient information has been provided to appropriately assess the stormwater is appropriately controlled.</p> <p><b>Five (5) public submissions</b> also raised concern with potential ground water flow issues from units to the east of Havilah Road. The excavation of a four-level basement may exacerbate this issue.</p>
<b>Car Park Design</b>	<p>The <b>Ku-Ring-Gai Council</b> submission considers that additional information is required regarding the design of the car parking areas, including request for a driveway longitudinal section, swept paths for waste collection services and ingress and egress sight triangles.</p>
<b>Waste Management</b>	<p>The <b>Ku-Ring-Gai Council</b> submission considers that additional information is required regarding waste management, including compliance with Part 25 of the DCP and a longitudinal section for waste collection.</p>
<b>Construction Impacts</b>	<p><b>Five (5) public submissions</b> raised concern over disruption of access to Tryon Lane during construction as this is the only access point for residents at 9, 15, 25 and 31 Tryon Road, as well as other access routes including a bike and pedestrian access to the station.</p> <p><b>Four (4) public submissions</b> raised concern with the impact of demolition and construction on local residents, including dust, noise and vibrations, particularly over the 24 month construction period.</p> <p><b>Four (4) public submission</b> raised concern with the impact of construction on Cromehurst School which has not been considered.</p>

Category and Issue	Summary and Analysis
	<b>One (1) public submission</b> noted concern over the impact of heavy construction vehicles on the road surface on Tryon Lane.
<b>Excavation</b>	<b>Six (6) public submissions</b> raised concern with the level of excavation for the 4 level basement which creates a risk of subsidence.
<b>The economic, environmental and social impacts of the project</b> (e.g. amenity, air, biodiversity, heritage)	
<b>Housing SEPP Schedule 9 Design Principles</b>	<p>The <b>Ku-Ring-Gai Council</b> submission considers that the proposed development does not meet the following design principles, as required by the Housing SEPP:</p> <ul style="list-style-type: none"> <li>• <i>Design Principle 1: Context and neighbourhood character</i></li> <li>• <i>Design Principle 2: Built form and scale</i></li> <li>• <i>Design Principle 6: Amenity</i></li> <li>• <i>Design Principle 9: Aesthetics</i></li> </ul> <p>Building massing, adverse amenity impacts (relating to overshadowing, privacy and internal amenity) and aesthetics/good design (relating to articulation and responding to local context).</p>
<b>Landscaping</b>	<p>The <b>Ku-Ring-Gai Council</b> submission raised concerns with the removal of valuable trees, requesting that Trees 8, 23 and 24 are retained to maintain streetscape character and amenity. It also requests methodology for the transplanting of Trees 11, 12 and 13.</p> <p><b>Nine (9) public submissions</b> also raised concern over the loss of mature trees in the area, noting the impact on residents particularly at No. 25 Tryon Road, as well as noting the impact on the habitats of native species. This will impact existing privacy screening to neighbouring properties.</p>
<b>Heritage</b>	<p>The <b>Ku-Ring-Gai Council</b> submission raise concerns relating to the visual impact on surrounding heritage items, particularly the impact of a 9-storey building in the backdrop of the Korean Church which is a State heritage item.</p> <p>Concerns were also raised with regard to inadequate setbacks, character, bulk and scale, loss of trees and inappropriate materials and their impact on the heritage character of the area.</p> <p>An archival recording of 29 Tryon Road was requested prior to demolition as it was identified as '<i>a representative example of a California Bungalow style dwelling constructed during the Federation era</i>' in the submitted Heritage Impact Statement.</p> <p><b>Eight (8) public submissions</b> also raised concern with the loss of heritage character as a result of the proposed development, as well as other proposals in the area. Particular concern was raised over the impact on the Sydney Korean Community Church, noting concern that the view of the church from Tryon Road and Valley Lane will be negatively compromised by the proposed height and scale.</p>
<b>Traffic &amp; Access</b>	<b>Thirteen (13) public submissions</b> raised concern with the increased traffic associated with number of additional car parking spaces proposed and the impact on the local road network, particularly given the narrow access

Category and Issue	Summary and Analysis
	provided on Tryon Lane which is not designed for heavy traffic. The submissions noted that the provision of parking is excessive and should be reduced.
<b>Privacy</b>	<b>Three (3) public submissions</b> raised concern with the loss of privacy.
<b>Overshadowing &amp; Solar Access</b>	<b>Eight (8) public submissions</b> raised concern with the overshadowing on neighbouring properties, and the loss of solar access.
<b>Wind</b>	<b>One (1) public submission</b> raised concern that the proposed development would result in a wind tunnel effect on Tryon Road.
<b>Waste</b>	<b>One (1) public submission</b> raised concern with the waste collection creating noise, odours and congestion on Tryon Lane to residents at No. 25 Tryon Road which would reduce the enjoyment of neighbouring apartments and adversely affect their value.
<b>Communal Open Space on the Rooftop</b>	<b>Five (5) public submissions</b> raised concern of the location of the communal open space on the rooftop, creating noise issues and potential privacy issues.
<b>The justification and evaluation of the project as a whole</b> (e.g. consistency of project with Government plans, policies or guidelines)	
<b>Inconsistency with Desired Future Character</b>	<p>The <b>Ku-Ring-Gai Council</b> submission notes that the proposed development is not consistent with the desired future character of the area as required by Section 20(3) of the Housing SEPP. Council understands the desired future character of the area to be set by the Ku-Ring-Gai DCP and their Stations Precincts SEPP. Based on these controls, Council consider that the proposal does not align with the desired future character for a number of reasons, including deep soil, landscape area, tree canopy, side and front setbacks, lack of articulation and overshadowing.</p> <p><b>One (1) public submission</b> noted that the neighbouring properties on 25 and 31 Tryon Road are unlikely to be redeveloped in the near future given the number of owners at No. 25 and the impact on the heritage item at No. 31. Therefore, it is unlikely these sites will be redevelopment to more closely align with the character of the proposed development.</p>
<b>Inconsistent with TOD Alternative Scenario</b> <i>(now referred to as Stations Precincts SEPP)</i>	<p><b>Two (2) public submissions</b> noted that the proposed development is inconsistent with Council's Stations Precincts SEPP.</p> <p><b>One (1) public submission</b> noted that the future development controls in the area have not yet been determined by the State.</p>
<b>Dwelling Count</b>	<b>One (1) public submission</b> raised concern with the size of the apartments proposed, noting that more dwellings could be delivered close to Lindfield town centre if the unit sizes were reduced.
<b>Loss of Nursing Home</b>	<b>One (1) public submission</b> raised concern with the loss of the nursing home without provision for alternative care, particularly given the demographics of the area.
<b>Community Benefits</b>	<b>One (1) public submission</b> noted that the proposed development offers no benefit to the community.
<b>Infrastructure</b>	<b>Three (3) public submissions</b> raised concern with the cumulative impact on local infrastructure, particularly transport infrastructure, as a result of the

Category and Issue	Summary and Analysis
	<p>proposed development and similar developments in the surrounding area and the resultant increase in population.</p> <p><b>Three (3) public submission</b> supported the delivery of more infill housing near Lindfield Train Station and the delivery of much need housing in the area.</p>
<b>Issues that are beyond the scope of the project</b> (e.g. broader policy issues) or not relevant to the project.	
<b>Financial Impact</b>	<p><b>Three (3) public submissions</b> raised concern with the negative impact on property values of neighbouring properties as a result of the proposed development.</p>
<b>Affordable Housing</b>	<p><b>One (1) public submission</b> raised concern with affordable housing and potential increase in crime rates.</p>

### 3. Actions Taken Since Exhibition

This section of the Submissions Report summarises the actions taken by the Applicant and project team since public exhibition of the SSDA, with a view to addressing certain issues raised in submissions and agency advice as may be required.

In addition, the responses to submissions have also been reviewed and where necessary, additional evidence has been provided to explain the proposed development and design rational.

The following design changes have been made since the exhibition of the application:

- **Meeting with DPHI dated 28 July 2025**

A meeting was held with DPHI Monday 28 July 2025 to discuss proposed amendments to the development to address the matters raised in their Additional Information Request. The following was discussed &/ agreed:

- DPHI acknowledged the attempt to largely comply with the ADG in terms of building separation distances, noting they understand the tension between TOD and the ADG. DPHI have a preference for full compliance but would consider minor variations appropriate to the site context.
- The proposed changes to the roof terrace is supported due to the greater communal open space provided on the ground floor as a result of the increased side setbacks. DPHI did note that the interface between private open space and communal open space should be considered, particularly in terms of privacy and safety.
- The increase in levels to Building C as a result of the removed roof terrace will require updated and detailed shadow diagrams to fully understand the overshadowing impact this will have on neighbouring properties, including the heritage item on Russell Avenue.
- DPHI noted they are looking for basement setbacks on all boundaries, which typically should be the same as the building footprint.
- DPHI were happy with the proposed waste collection area within the basement.
- A written response was received via email 5 August 2025 requesting an Amendment Report given the extent of the proposed changes.

- **Amended Concept Plans shared with DPHI dated 1 September 2025**

- Further amended concept plans were shared to the DPHI via email on 1 September 2025 with a written response received on 15 September 2025 with initial feedback.
- The comments related to building separation, landscaping, overshadowing, the public domain interface and the layout of affordable housing units.
- DPHI advised that the update concept plans and supporting documentation can proceed to re-submission, including both the Amendment Report and Response to Submissions report. DPHI advised that the proposal will be re-exhibited.

- **Amendments to the building separation distances**

- The building setbacks have been increased to 6m from both the east and west side boundaries up to Level 4, complying with the distances in the ADG.
- Above Level 4, the setbacks increase to 9m with some variations. These variations are detailed below in Section 5.

- **Increased the basement setbacks from the boundary**

- The basement setbacks have been increased from nil setbacks to a 6m setback to the north, east and west boundaries, and 2.5m from the southern, rear boundary.



- **Relocation of the waste collection area**
  - The waste collection area has been moved from the previously proposed, at grade, waste collection area to the rear of the site into Basement Level 1.
  - Waste collection trucks enter the basement via Tryon Lane, into a designated loading area. Swept paths and other details have been provided to demonstrate sufficient clearance and space has been provided for Council's collection truck.
- **Reduction in car parking**
  - The proposed residential and visitor car parking spaces have been reduced to 101 spaces to align with the minimum requirement of the Housing SEPP and KDCP.
- **Landscaping**
  - Additional landscaping and deep soil are proposed within the increased side setbacks. An updated Landscape Plan has been prepared at Appendix R.
  - The roof terrace on Level 7 has been moved to Level 8, and the layout revised to accommodate the revised building layout.
- **Other**
  - The unit layouts, areas, façades, and all relevant data have been revised to accommodate the changes listed above.

#### **Additional Information Provided**

As requested in the additional information request, the following information has been collated and included within the Report:

- Revised ACHAR including Aboriginal community consultation documentation at Appendix C.
- Water Management details at Appendix Y.
- Transport Access details provided at Appendix V.
- Waste Management details provided at Appendix X.
- Landscape Report provided at Appendix R.

## 4. Response to Submissions

The following section provides a detailed response to the matters raised in the agency advice and public submissions received during the exhibition of the SSDA and is structured to respond to the categorised issues identified in Section 2.2 of this Submissions Report.

The table below contains a response to the issues raised in submissions.

Table 2 Response to submissions raised

Issue	Summary of Submission Topic	Response	Relevant Material
<b>Project</b>			
<b>Building Height &amp; Local Character</b>	Concerns with the height of the building, suggesting a 5-storey building would better fit into the character of the surrounding area and the adjacent buildings, being No 25 and 31 Tryon Road.	<p>The Transport Orientated Development (TOD) provisions of the Housing SEPP allow a maximum building height of 22m for residential flat buildings within a Transport Orientated Development Area. As the site has been saved under the TOD provisions, the provisions of the TOD in Chapter 5 of the Housing SEPP are the relevant and current planning controls for the site.</p> <p>The proposal also seeks to utilise the provisions of Chapter 2 of the Housing SEPP for in-fill affordable housing which enable a 30% height incentive subject to providing affordable housing.</p> <p>Therefore, the maximum permissible building height for the site is 28.6m. The proposed building height does not exceed the applicable height of building control.</p> <p>The Housing SEPP planning controls, and Council's <i>State Environmental Planning Statement (Ku-ring-gai Station Precincts) 2025</i> (Station Precincts SEPP), set a clear vision for the desired future character of Lindfield as an area, with additional height and density on sites surrounding Lindfield Train Station. Over the next 20 years, many surrounding sites are likely to be redeveloped in accordance with the Station Precincts SEPP, resulting in greater height and density surrounding the site.</p>	N/A

Issue	Summary of Submission Topic	Response	Relevant Material
		The development results in a high-quality built form that responds to the desired future character of the area by delivering greater density in proximity to Lindfield station.	
<b>Procedural matters</b>			
<b>Community Engagement</b>	Concern over the lack of genuine community consultation with the proposed development.	Engagement has been undertaken in accordance with Undertaking Engagement Guidelines for State Significant Projects. Engagement activities included 166 newsletters distributed in October 2024, a website containing project information, an online survey, a phone line and submissions inbox. Consultation was also undertaken with relevant agencies and organisations. An Engagement Report was prepared by HILL PDA and accompanied the SSDA.	Refer to the Engagement Report at Appendix 18.
<b>Landscaped Area Calculation</b>	The <b>Ku-Ring-Gai Council</b> submission notes that the Landscape area calculations on the 'Landscape Soil Depth Diagram' only show 25.8% landscaped area, which would not comply with the Housing SEPP requirements.	The Landscape Plans have been updated to accurately reflect the deep soil landscaping proposed. Additional deep soil landscaping has also been incorporated as a result of the amended design, resulting in a 25.7% deep soil landscaped area. The provision of deep soil and landscaping is compliant with the provisions of the Housing SEPP.	Refer to the updated Landscape Report at Appendix R.
	The <b>Ku-Ring-Gai Council</b> submission notes a full Planting Plan and Plant Schedule (including location, quantity and pot size) has not been provided as per the SEARs requirement.	The Landscaping Report, prepared by 360, has been updated to include a full planting plan and plant schedule as requested.	Refer to the updated Landscape Report at Appendix R.
<b>Deep Soil</b>	Concerns over the deep soil provided, noting the proposal does not comply with the Ku-Ring-Gai DCP 50% deep soil requirement. The lack of deep soil may have significant adverse environmental effects on the area.	The proposed development utilising the provisions of the Housing SEPP is required to comply with the deep soil requirements of the Apartment Design Guide, which is 7% of the site area. The proposed development provides 7.85% of the site area as ADG compliant deep soil, as well as an additional 17.9% deep soil less than 6m in depth. This equates to a total of 25.7% of the site area as deep soil	Refer to the updated Landscape Report at Appendix R.

Issue	Summary of Submission Topic	Response	Relevant Material
		landscaping. This exceeds the requirement of the ADG controls applicable to the site.  As per Section 2.10 of the Planning Systems SEPP, Development Control Plans do not apply to State significant development. Therefore, there is no requirement for this site to comply with the Ku-Ring-Gai DCP provision of 50% deep soil.	
<b>Floor Space Ratio</b>	The <b>Ku-Ring-Gai Council</b> submission considers that the FSR has been calculated incorrectly.	The FSR Calculation Plan has been updated in the revised Architectural Plans to accurately calculate the proposed FSR.	Refer to Plan Q12D010 in Appendix E.
<b>Stormwater</b>	Concern over potential ground water flow issues from units to the east of Havilah Road. The excavation of a four-level basement may exacerbate this issue.  The <b>Ku-Ring-Gai Council</b> submission notes that insufficient information has been provided to appropriately assess the stormwater is appropriately controlled.	Additional information has been provided by Xavier Knight to respond to Council's request for additional information.	Refer to Appendix Y and Section 5.
<b>Car Park Design</b>	The <b>Ku-Ring-Gai Council</b> submission considers that additional information is required regarding the design of the car parking areas.	Additional detail has been provided in the revised Transport Impact Assessment to address the matters raised by Council.	Refer to the updated Transport Impact Assessment at Appendix V.
<b>Waste Management</b>	The <b>Ku-Ring-Gai Council</b> submission considers that additional information is required regarding waste management.	Additional detail has been provided in the revised Waste Management Plan to address the matters raised by Council.	Refer to the updated Waste Management Plan at Appendix X.
<b>Construction Impacts</b>	Concern over disruption of access to Tryon Lane during construction.	A Preliminary Construction Traffic Management Plan accompanied the SSDA detailing the key principles for how construction will be carried out on the site. A full Construction Management Plan will be prepared during subsequent stages of the project.	Refer to the updated Transport Impact Assessment at Appendix V.

Issue	Summary of Submission Topic	Response	Relevant Material
		<p>As detailed in the PCTMP, it is not anticipated that the works will necessitate the need for any road closures or occupation of roadways during the project. Should this need arise the appointed contractor would liaise closely with Council and TfNSW and schedule these works well in advance to minimise impacts to road users.</p> <p>Temporary fencing and hoardings will be installed along the site frontage on Tryon Road and Tryon Lane to maintain pedestrian movements and ensure the safety of pedestrians walking adjacent to the construction site. Footpaths will remain open at all times to pedestrians and therefore minimal impacts are anticipated.</p>	
	Concern with the impact of demolition and construction on local residents, including dust, noise and vibrations, particularly over the 24-month construction period.	Prior to the commencement of construction works at the site, a Construction Management Plan would be prepared that considers impacts relating to noise, vibration, dust generation, utility and infrastructure access, and provides site-specific mitigations and management measures	
	Concern with the impact of construction on Cromehurst School which has not been considered.	Prior to the commencement of construction works at the site, a Construction Management Plan would be prepared that considers construction impacts relating to the surrounding area, and will provide site-specific mitigations and management measures.	
	Concern over the impact of heavy construction vehicles on the road surface on Tryon Lane.	As detailed in the PCTMP, the site will have various types of construction vehicles accessing the site. Use of larger vehicles are considered acceptable given that they will be primarily using arterial roads to access the site.	
<b>Excavation</b>	<b>Six (6) public submissions</b> raised concern with the level of excavation for the 4-level basement which creates a risk of subsidence.	<p>The Geotechnical Report prepared by Elite Geosciences recommends the following measures prior to excavation:</p> <ul style="list-style-type: none"> <li>It is recommended that dilapidation surveys of the adjacent properties and roads be carried out prior to earthwork commencement.</li> </ul>	Refer to Mitigation Measures Table at Appendix B.

Issue	Summary of Submission Topic	Response	Relevant Material
		<ul style="list-style-type: none"> <li>It is recommended that inspections be carried out by a Geotechnical Consultant at every 1.5m deep intervals during excavation to assess excavation stability.</li> </ul> <p>These mitigation measures were identified in the Mitigation Measures table and should be included as conditions of consent should the application be approved.</p>	
<b>Economic, environmental and social impacts</b>			
<b>Housing SEPP Schedule 9 Design Principles</b>	<p>The <b>Ku-Ring-Gai Council</b> submission considers that the proposed development does not meet the following design principles, as required by the Housing SEPP:</p> <ul style="list-style-type: none"> <li><i>Design Principle 1: Context and neighbourhood character</i></li> <li><i>Design Principle 2: Built form and scale</i></li> <li><i>Design Principle 6: Amenity</i></li> <li><i>Design Principle 9: Aesthetics</i></li> </ul>	<p>Please refer to Section 5 of this Report for a detailed assessment of the proposed built form and scale within the context of the desired future character of the area, considering Councils Station Precincts SEPP.</p> <p>The proposed development proposes an increase in building separation to the east and west boundaries to address the concerns relating to built form, amenity and aesthetics. These are described in more detail in Section 5.</p>	Refer to Section 5.
<b>Landscaping</b>	<p>Concern over the loss of mature trees in the area, noting the impact on residents particularly at No. 25 Tryon Road, as well as noting the impact on the habitats of native species.</p>	<p>Four high category trees and ten low category trees will be lost because of the proposal. A comprehensive landscaping scheme to mitigate these losses is proposed that will include the planting of new trees, including mature trees.</p> <p>The existing trees along Tryon Road will be retained and protected through the construction phase of the development.</p>	Refer to Landscaping Plans (Appendix R) and Arboricultural Impact Assessment (Appendix F).
<b>Heritage</b>	<p>Concerns relating to the visual impact on surrounding heritage items, particularly the impact of a 9-storey building in the backdrop of the Korean Church which is a State heritage item.</p>	<p>Please refer to the Heritage Response Letter at Appendix R for a detailed response to issues raised.</p>	Refer to Heritage Response Letter at Appendix R.



Issue	Summary of Submission Topic	Response	Relevant Material
<b>Traffic &amp; Access</b>	Concern with excessive parking proposed and the resultant increased traffic on the local road network, particularly given the narrow access provided on Tryon Lane.	<p>The Chapter 2 and Chapter 5 of the Housing SEPP for In-fill Housing and TOD set minimum car parking rates. The minimum parking rates are as follows:</p> <ul style="list-style-type: none"> <li>• <i>For dwellings used for affordable housing</i> <ul style="list-style-type: none"> <li>- 1 bedroom – at least 0.4 parking spaces</li> <li>- 2 bedrooms – at least 0.5 parking spaces</li> <li>- 3 bedrooms – at least 1 space</li> </ul> </li> <li>• <i>For dwellings not used for affordable housing</i> <ul style="list-style-type: none"> <li>- 1 bedroom – at least 0.5 parking spaces</li> <li>- 2 bedrooms – at least 1 parking spaces</li> <li>- 3 bedrooms – at least 1.5 parking spaces.</li> </ul> </li> </ul> <p>Based on the provision of 65 units, <u>at least 90</u> car parking spaces must be provided, as well as 11 visitor spaces to align with the DCP.</p> <p>The car parking numbers proposed have therefore been reduced to 101 car parking spaces to adhere to the minimum car parking rates.</p> <p>Vehicle access through Tryon Lane is consistent with adjoining developments and minimises conflicts with pedestrians and traffic along Tryon Road. The proposal will add very limited traffic volumes of between 9 and 12 vehicles in peak hours which would have no material impact on the operation or safety of Tryon Lane.</p>	Refer to the Transport Impact Assessment (Appendix V).
<b>Privacy</b>	Concerns over loss of privacy.	Screening is included in the design of the proposed development to protect the privacy of residents and neighbouring properties, including high windows, blade walls and perforated louvres.	Refer to Design Report at Appendix M.
<b>Overshadowing &amp; Solar Access</b>	Concerns with the overshadowing on neighbouring properties and the loss of solar access.	Thorough analysis has been undertaken at each design stage to assess the overshadowing impact on neighbouring properties, particularly those to the south of the site. The amended design results in less overshadowing on properties to the rear, compared to the original submitted proposal, as a result of greater setbacks.	Refer to Design Report at Appendix M.

Issue	Summary of Submission Topic	Response	Relevant Material
		The Design Report (Appendix M) provides detailed solar analysis to assess the impact of the proposed development on the surrounding sites. The solar analysis demonstrates that, within the context of likely higher density redevelopment on surrounding sites particularly at 24-26 Russell Avenue, the shadow cast by the development does not have an unreasonable impact to the solar access of surrounding properties. Refer to the Design Report for detailed solar analysis.	
<b>Wind</b>	Concerns that the proposed development would result in a wind tunnel effect on Tryon Road.	<p>A Pedestrian Wind Environment Statement was submitted alongside the SSDA, prepared by Wind Tech Consultants.</p> <p>The Report assessed the likely impact of the proposed design on the local wind environment affecting pedestrians surrounding the site. The Report found that the outdoor pedestrian areas within and around the proposed building benefit from shielding from surrounding buildings. However, a few areas may be susceptible to stronger wind conditions as a result of the proposed development. Treatment strategies have therefore be incorporated into the design of the proposed development to effectively mitigate these potential wind effects.</p> <p>Please refer to the Pedestrian Wind Environment Statement (Appendix 30) for further detail.</p>	Refer to the Pedestrian Wind Environment Assessment (Appendix S).
<b>Waste</b>	Concern with the waste collection creating noise, odours and congestion on Tryon Lane to residents at No. 25 Tryon Road which would reduce the enjoyment of neighbouring apartments and adversely affect their value.	<p>The waste collection area has been moved into the basement to remove any potential noise, odour and amenity concerns raised.</p> <p>Please refer to the Waste Management Plan (Appendix X) and Transport Impact Assessment (Appendix V) for further detail.</p>	Refer to the Operational Waste Management Plan (Appendix Y).
<b>Justification and evaluation of the project as a whole</b>			
	Concerns that the proposed development is not consistent with the desired future character of the	As noted above, The Housing SEPP planning controls, and Council's Station Precincts SEPP, set a clear	Refer to Section 5.

Issue	Summary of Submission Topic	Response	Relevant Material
<b>Inconsistency with Desired Future Character</b>	area as set by the Ku-Ring-Gai DCP and the TOD alternative scenario.	<p>vision for the desired future character of Lindfield as an area, with additional height and density on sites surrounding Lindfield Train Station. Over the next 20 years, many surrounding sites are likely to be redeveloped in accordance with the Station Precincts SEPP, resulting in greater height and density surrounding the site.</p> <p>The development results in a high-quality built form that responds to the desired future character of the area by delivering greater density in proximity to Lindfield station.</p>	
	Concerns that the neighbouring properties on 25 and 31 Tryon Road are unlikely to be redeveloped in the near future given the number of owners at No. 25 and the impact on the heritage item at No. 31. Therefore, it is unlikely these sites will be redevelopment to more closely align with the character of the proposed development.	<p>The adjoining properties at No. 25 and No. 31 Tryon Road were previously identified as being with the designated TOD area under the Housing SEPP. Under Council's Stations Precinct SEPP, both sites are eligible for an increase in density from the current LEP Planning controls. As detailed below, neither site is considered to be isolated in terms of development opportunities and could comprise standalone development. Therefore, the sites have the opportunity to develop to the same height and density as that proposed under this scheme.</p> <p>Over the next 20 years, many surrounding sites are likely to be redeveloped in accordance with the TOD provisions or the Station Precincts SEPP, resulting in greater height and density surrounding the site.</p>	Refer to Section 5.
<b>Inconsistent with TOD Alternative Scenario</b> <i>(now referred to as Stations Precincts SEPP)</i>	Concerns that the proposed development is inconsistent with Council's TOD Alternative Scenario.	<p>As the site has been saved under the Housing SEPP TOD provisions, the TOD provisions are the relevant and current planning controls for the site.</p> <p>The desired future character of the area based on Council's Stations Precincts SEPP have however been considered in detail in Section 5 of this Report.</p>	Refer to Section 5.
<b>Dwelling Count</b>	Concern with the size of the apartments proposed, noting that more dwellings could be delivered close to Lindfield town centre if the unit sizes were reduced.	The proposed development provides 65 dwellings, including 3 x two-bedrooms apartments and 62 x 3-bedroom apartments. The proposed dwelling mix responds to the demographic of the area, whereby	N/A

Issue	Summary of Submission Topic	Response	Relevant Material
		<p>79.7% of households in the area are family households, by providing mostly 3-bedrooms dwellings to accommodate larger households in the area.</p> <p>The units have been designed to a high-quality, with 12 units (18.5%) designed to a Platinum LHA level, meaning they feature larger bedrooms and bathrooms</p>	
<b>Loss of Nursing Home</b>	Concern with the loss of the nursing home without provision for alternative care.	The Whitehall Nursing Home is no longer in operation and was sold and has not been lost as a result of the proposed development.	N/A
<b>Community Benefits</b>	Concerns noted that the proposed development offers no benefit to the community.	The proposed development will provide 17% of the gross floor area as affordable housing, providing much needed housing for those on a very low, low and moderate income.	N/A
<b>Infrastructure</b>	Concerns raised regarding the cumulative impact on local infrastructure, particularly transport infrastructure, as a result of the proposed development and the resultant increase in population.	The site is located within 250m of Lindfield Train Station, which has frequent train services to Sydney CBD, northern and western suburbs. Lindfield Station is also two stops away from the Sydney Metro service which opened in August 2024 and provides significantly improved connectivity. There are also a number of bus routes in close proximity to the site to complement the rail services.	N/A
<b>Issues that are beyond the scope of the project</b>			
<b>Financial Impact</b>	Concerns relating to the negative impact on property values of neighbouring properties as a result of the proposed development.	Property values are not a material planning consideration.	N/A
<b>Affordable Housing</b>	Concerns raised with the inclusion of affordable housing and the potential increase in crime rates.	<p>The objective of the In-fill Affordable Housing provision in the Housing SEPP is '<i>to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households</i>'. This policy has identified a need for affordable housing within each area of the State and is applicable to the site.</p> <p>The affordable housing units will be managed by a registered community housing provider, Bridge</p>	N/A

Issue	Summary of Submission Topic	Response	Relevant Material
		<p>Housing, as required by the Housing SEPP for a period of 15 years.</p> <p>A Crime Prevention Through Environmental Design Report also accompanies the SSDA.</p>	

## 5. Consideration of DPHI Request for Additional Information

On 16 June 2025, DPHI issued a Request for Additional Information letter in relation to the proposal and sought a response. This section of the report summarises and provides a response to the issues raised in DPHI's correspondence.

### Consistency with the desired future character of the area and impacts on surrounding sites

As noted in the Request for Additional Information letter, Chapter 5 of the Housing SEPP relating to Transport Orientated Development no longer applies to the Ku-ring-gai local government area, with the exception of lots that on, or before, 13 June 2025, had valid SEARs and SSD applications lodged but not yet determined. The site being 27-29 Tryon Road, Lindfield was lodged on 2 April 2025 and has therefore been saved under the transitional provisions and mapped on the revised TOD Map as shown in Figure 1.



Figure 1 Revised TOD Map, site outlined in red (Source: NSW Legislation)

However, this legislative amendment means that the desired future character of the area is no longer that considered within the EIS was lodged on 2 April 2025. The desired future character of the area is therefore likely to be determined by Ku-ring-gai Council's Stations Precincts SEPP, which was gazetted on 14 November 2025. Therefore, additional consideration is provided below to outline how the proposed development is consistent with the likely desired future character.

Ku-Ring-Gai Council's Stations Precincts SEPP contains revised planning controls for Lindfield, including updated zoning, height of building, FSR and affordable housing maps as shown in the figures below. A summary of the relevant changes is as follows:



- The Land Zoning Map has been updated, including a change in zoning for the area surrounding the site, which has increased the area of R4 high density residential zoning to the south of the site. The sites immediately to the rear of the site are therefore upzoned from R2 Low Density Residential to R4 High Density Residential. The zoning of the site remains the same.

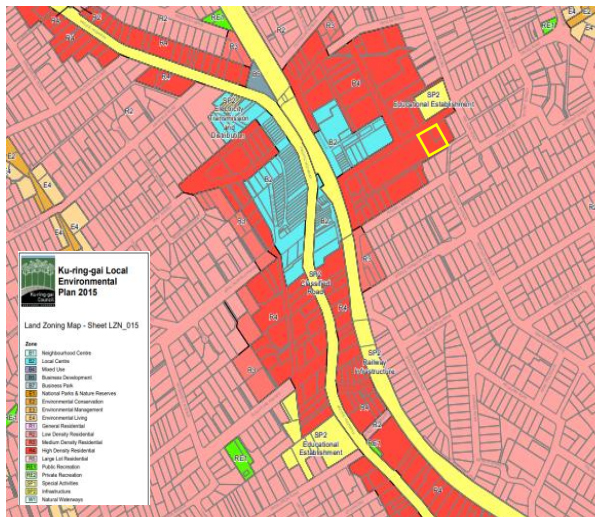


Figure 2 Previous Land Zoning Map, site outlined in yellow (Source: KLEP)

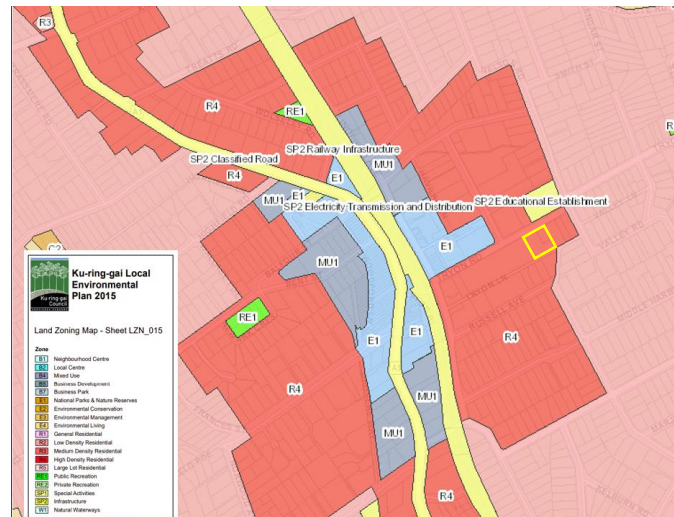


Figure 3 Station Precincts Land Zoning Map 2025, site outlined in yellow (Source: KLEP)

- The Height of Building Map has been updated to increase the height of the site from 17.5m to 18.5m. Immediately to the west of the site the height has increased from 17.5m to 29m, significantly increasing the density of this area. This pattern is repeated around the site, increasing sites closer to Lindfield Station up to 29m and stepping down to 18.5m of the edge of the R4 zoned land.



Figure 4 Previous Height of Buildings Map, site outlined in red (Source: KLEP)

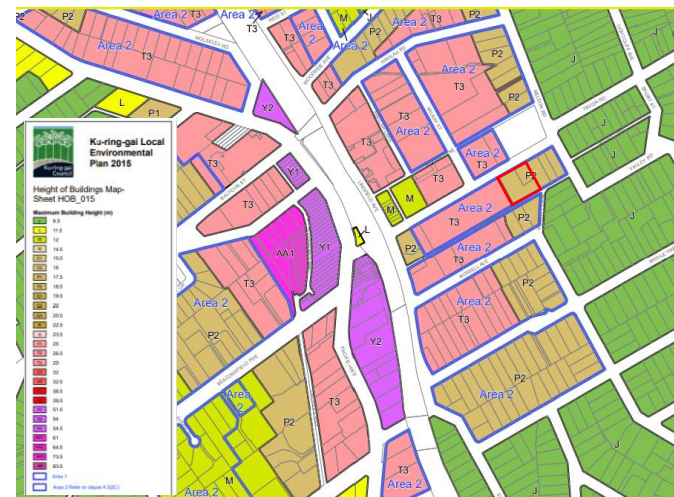


Figure 5 Station Precincts Height of Buildings Map 2025, site outlined in red (Source: KLEP)



- The FSR Map has been updated to reflect the increased density of the height of buildings. The FSR on the site remains the same (1.3:1) but the area immediately to the west has increased to from 1.3:1 to 1.8:1. The sites to the rear along Russell Avenue also have a greater FSR density.



Figure 6 Previous FSR Map, site outlined in red (Source: KLEP)

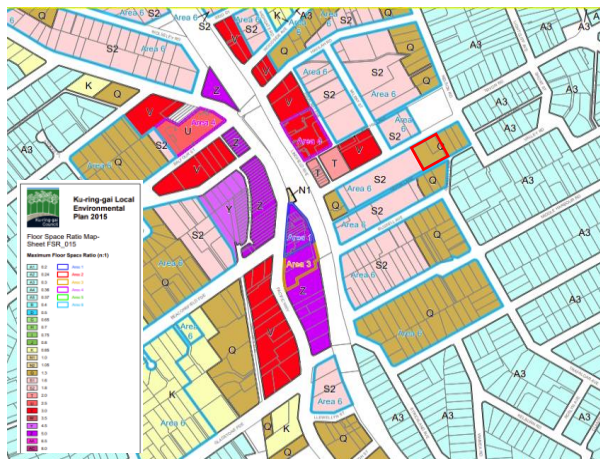


Figure 7 Stations Precincts FSR Map 2025, site outlined in red (Source: KLEP)

- An Affordable Housing Map has been prepared. The site, under the Stations Precincts SEPP, would not be subject to affordable housing provision.

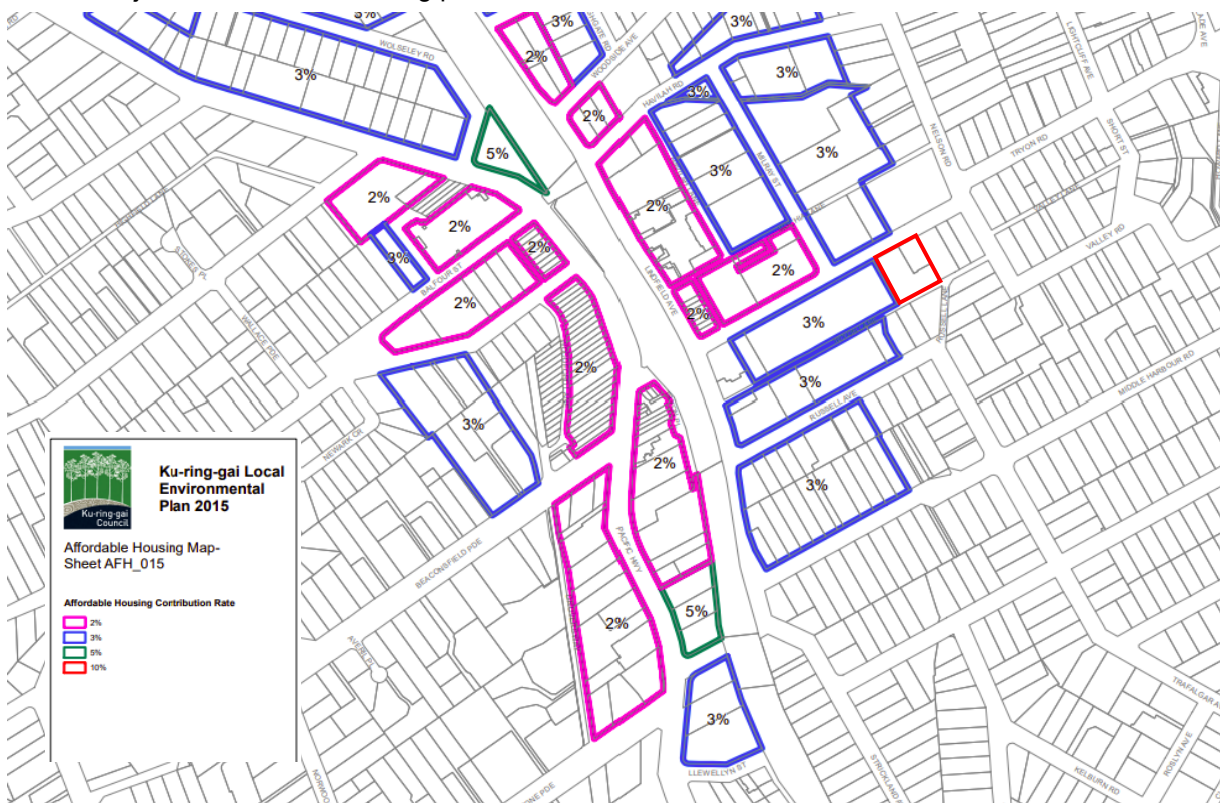
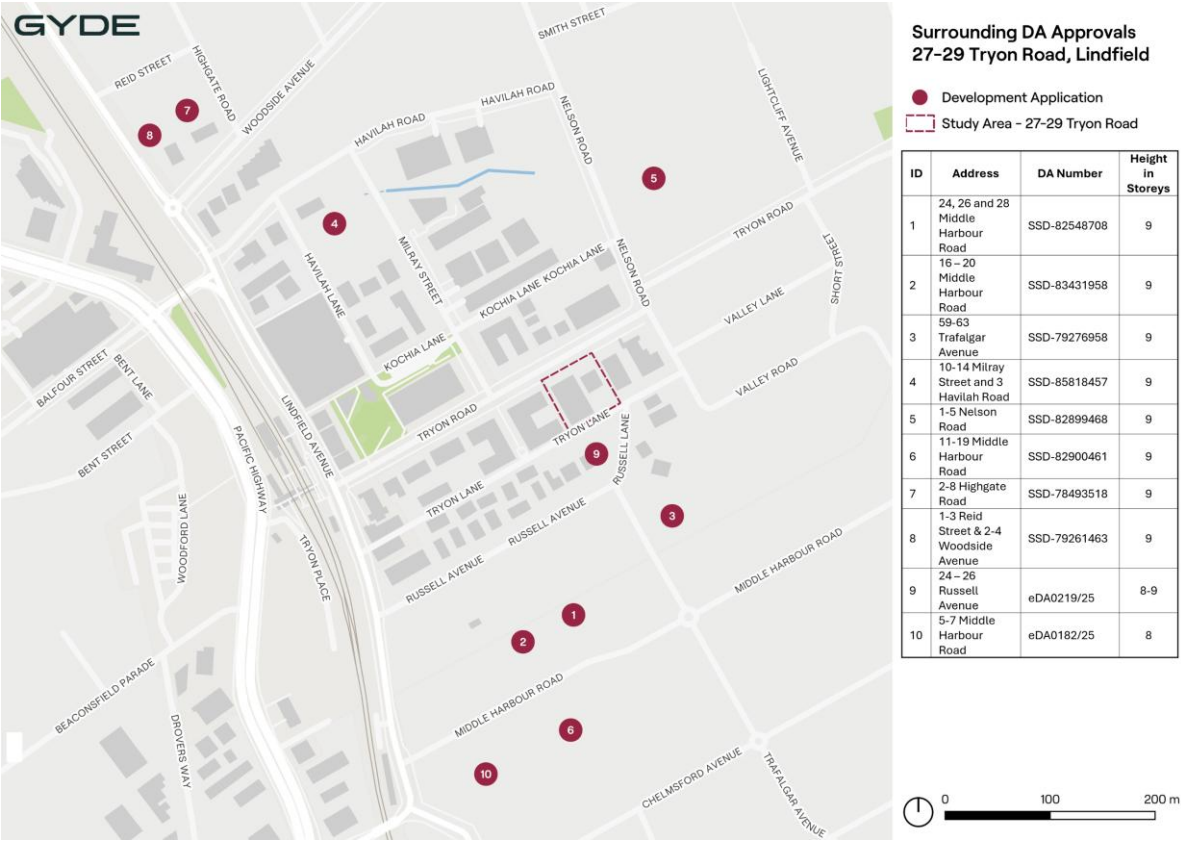


Figure 8 Stations Precincts 2025 Affordable Housing Contribution Rate Map, site outlined in red (Source: KLEP)

From a review of the revised controls, the desired future character of the area appears to be an increase in density to the west of the site towards Lindfield Station, providing greater density close to well-connected public transport hubs, stepping down in density towards the R2 low density residential zoned land to the east, outside the town centre boundary. The increase in density to the west exceeds the 22m building height proposed under the TOD and will likely to result in residential flat buildings of up to 10 storeys in this area.

Development is then envisioned to step down to approximately 18.5m (or 22m for saved TOD sites such as this site) towards the R2 zoned land to the east which has a height of 9.5m.

As shown in Figure 9, the site and the site immediately to the rear have been saved under the TOD. This will result in increased density to the rear of the site as well, with a likely development for a residential flat building of up to 9 storeys. Figure 9 also shows other saved TOD sites within the immediate surrounding area, all of which has lodged a DA or SSDA proposing residential flat buildings of up to 9-storeys.



**Figure 9** Saved TOD sites surrounding the site (Source: Gyde)

The proposed development is therefore consistent with the desired future character of the area, particularly along Tryon Road and Russell Avenue to the rear which is anticipated to increase the existing density of the area. With a building height compliant with the TOD controls plus a 30% in-fill affordable housing bonus (which is applicable to most sites in the R4 zone), the development steps down from the maximum permissible building heights to the west and creates a residential flat building that delivers much needed housing, including affordable housing, in a well-located area.

As part of Council's Stations Precincts SEPP, the KDCP will also be amended to provide further details relating to building setbacks, landscaping, parking and the relationship of residential flat buildings to their surrounding context, to ensure development responds positively to the character of the area. To note, a draft DCP has not yet been made publicly available and so the principles of the current DCP have been considered here.

The proposed development has been amended to increase the side setbacks to the south, east and west boundaries, as shown in Figure 10, and increase the setback of the proposed basement from the boundary. These changes have resulted in increased landscaped area and deep soil achieved on the site. The proposal results in 25.7% deep soil, 31.85% landscaping and 33.03% communal open space which more closely aligns with that envisaged through the KDCP. The proposed development will incorporate large trees along all boundaries, particularly along Tryon Road, ensuring that the development provides a tree canopy that is in keeping with the existing, and desired future, garden-like character of the area.



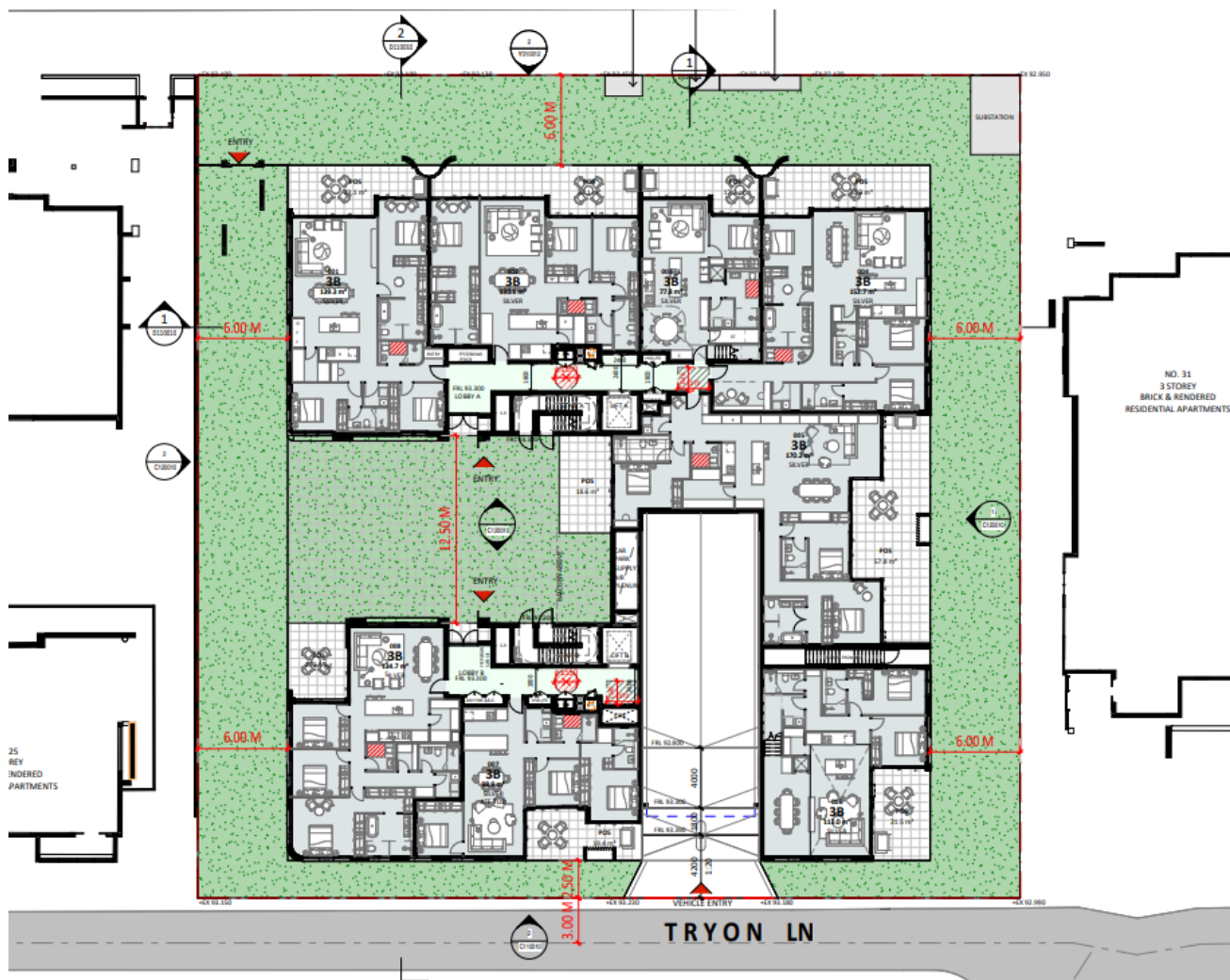
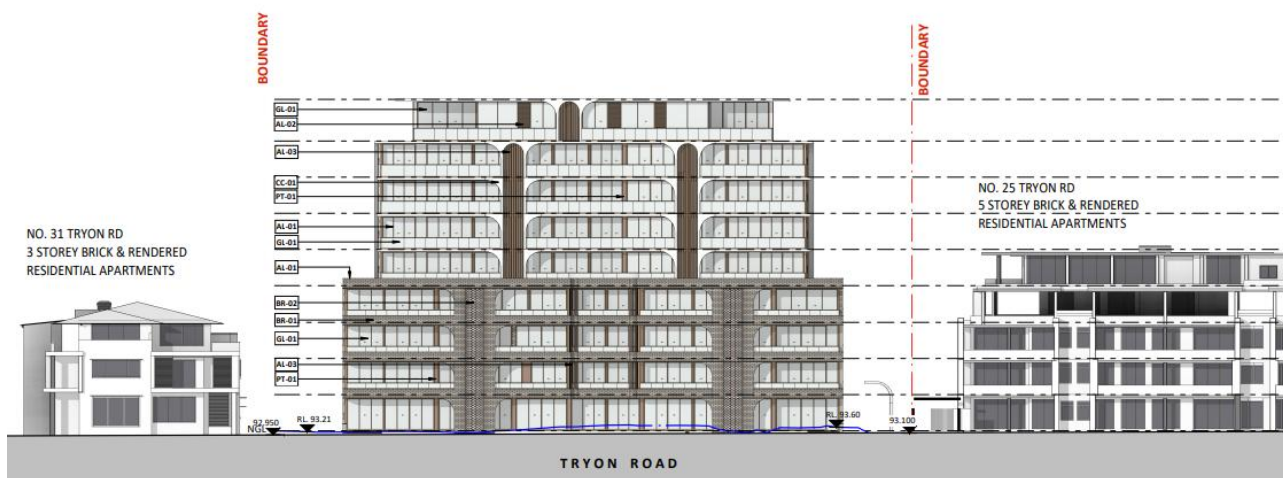
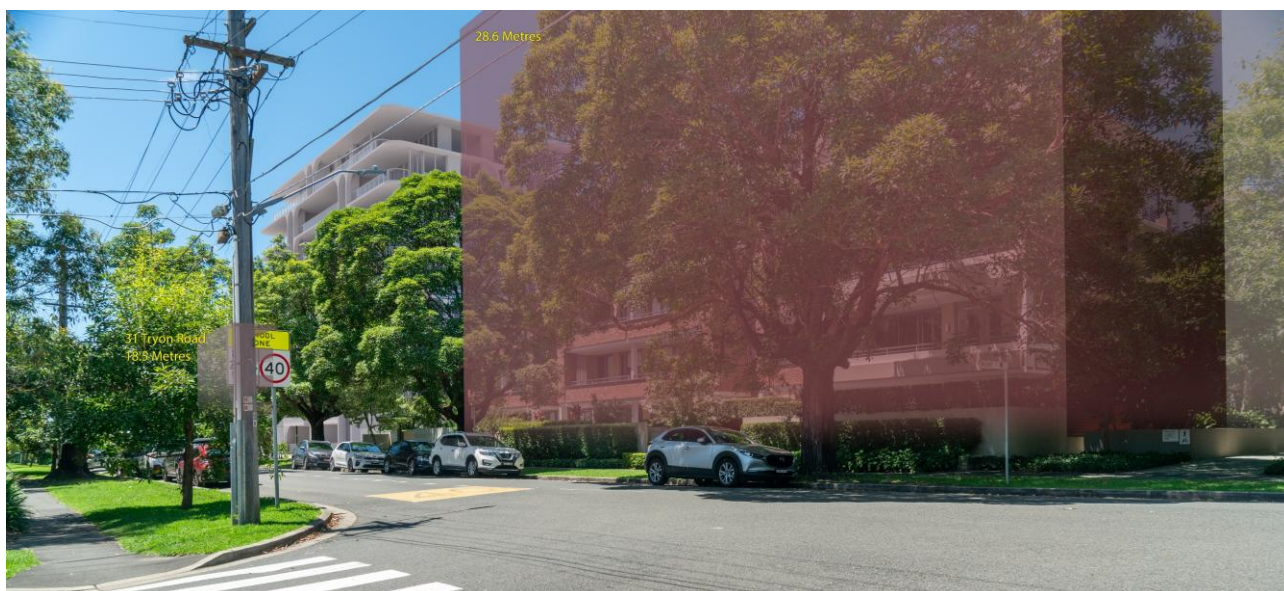


Figure 10 Proposed Site Plan (Source: PTW)

The increased side setbacks improve the visual bulk of the proposed development when viewed from both Tryon Road and Tryon Lane. Additional articulation adds visual interest to the building and the lighter materials above the podium and softened corners reduces the visual dominance of the building when viewed from the street. The amended design also allows for greater deep soil landscaping around the site, helping to soften the built form at the pedestrian scale in keeping with the leafy character along Tryon Road.



**Figure 11** Proposed Elevation (North) (Source: PTW)



**Figure 12** CGI of permissible building envelopes along Tryon Road under the Station Precincts SEPP (Source: Ivolve)

Whilst Council's Stations Precincts SEPP increases the future density of the area surrounding the site, the amended design seeks to integrate and harmonise this additional scale and massing with the garden-like character of Lindfield, where tree canopy dominates the building elevations and surrounding streetscapes. The high-quality design of the proposed development, coupled with sufficient landscaping and minimised amenity impacts on surrounding buildings, is therefore considered to align with the desired future character of the area.

## Site Isolation

The Council's Stations Precincts SEPP amends Clause 6.6 of the LEP relating to minimum lots sizes and dimensions for the development of residential flat buildings, with a new Clause 6.6(5) control as follows:

### **Clause 6.6(5)**

*Insert after clause 6.6(4)—*

*(5) Development consent must not be granted for the erection of residential flat buildings on land identified as "Area 3" on the Lot Size Map unless—*

*(a) the lot is at least 1,500m<sup>2</sup> , and*

*(b) the lot is at least 24m long and 24m wide.*

The revised control requires a minimum lot size of 1500sqm and a street frontage of 24m. This is an increase of the current LEP control which requires a minimum lot size of 1200sqm and a street frontage of 24m.

A concern was raised by DPHI as to whether the site at 31 Tryon Road would become an isolated site based on these amended controls, as the site falls within Area 3 of the revised Lot Size Map meaning Clause 6.6(5) applies. The site at 31 Tryon Road has a street frontage of 24m, however the lot size is less than 1500sqm (being 1339sqm). Therefore, whilst under the current planning controls this site could be development for the purposes of a residential flat building, under the revised controls, the site would no longer meet the minimum lot size. We note that the minimum lot size is a development standard under the LEP and is not excluded from the use of Clause 4.6 variation requests. Therefore, this minor non-compliance could be varied in the interests of promoting the highest and best use for the site.

Analysis has been undertaken by PTW to determine whether the site could be developed in isolation to satisfy the DPHI concerns. The analysis found that the site could be redeveloped for a 7-storey residential flat building with in-fill affordable housing as shown in Figure 13. Utilising the 30% bonus height and FSR provisions of the in-fill affordable housing bonus on top of Council's amended planning controls, the site could be redeveloped with a FSR in the order of 1.69:1 and a maximum building height of 24.05m, with appropriate building separation distances and deep soil in excess of 50% of the site area.

Based on the site isolation analysis and given that this site already comprises a 3-storey residential flat building, this site is not isolated as a result of the proposed development.





The proposed setbacks are compliant with the Apartment Design Guide (ADG) design criteria to ensure that the development contributes positively to the amenity of surrounding developments and character of the area. The increased setbacks also remove the reliance on blank walls to the east and west boundaries, improving the design quality of the building as well as amenity for residents in terms of solar access and ventilation.

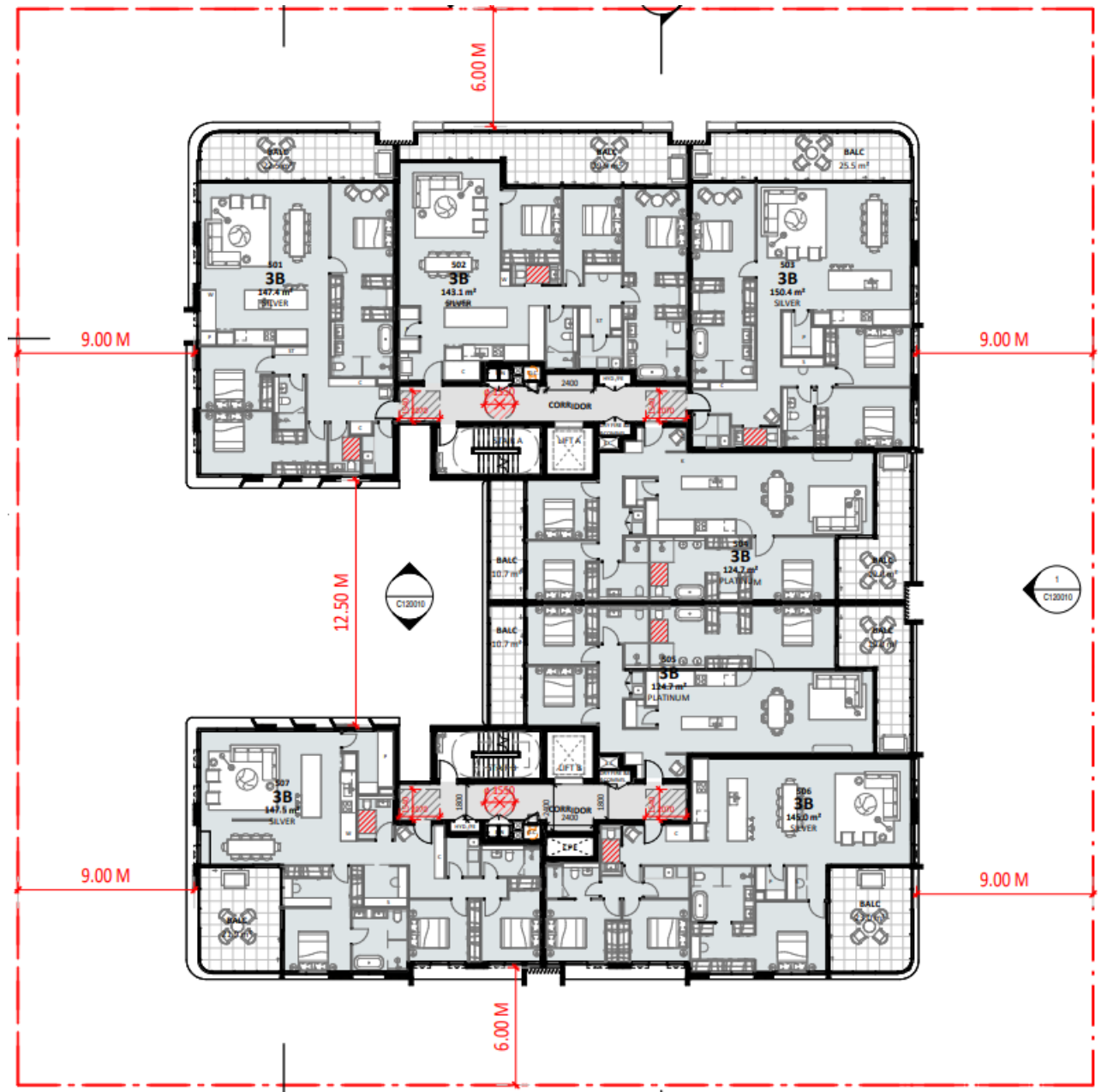


Figure 14 Proposed Level 4-6 Plan showing setbacks (Source: PTW)

### Basement setbacks

The basement setbacks have been increased to 6m from the north, east and west boundaries and 2.5m to the south boundary as shown in Figure 15.

The reduced basement footprint has enabled an increase in deep soil landscaping on the site and has resulted in a reduction in car parking numbers which now align with the Housing SEPP controls, both outcomes are discussed in more detail below.



Land Use	Type		No. of units	Minimum Parking Rate	Min. No. of Spaces	Parking provided
Residents	Non-Affordable Housing	1 bed	0	0.5 / unit	0	90
		2 bed	0	1.0 / unit	0	
		3/4 bed	51	1.5 / unit	77	
	Affordable Housing	1 bed	0	0.4 / unit	0	
		2 bed	3	0.5 / unit	2	
		3/4 bed	11	1.0 / unit	11	
Visitors			65	1 / 6 units	11	11
Total			65	-	101	101

\* Rounded up to the nearest number

Figure 16 Extract of Car Parking Summary (Source: JMT Consulting)

## Floor-to-floor heights

No increase in floor-to-floor heights is proposed as this would result in the building exceeding the maximum height limit. The proposed 3.1m floor-to-floor heights can achieve the requirements of the *National Construction Code and the Design and Building Practitioners Act 2020*.

As a minimum, floor-to-ceiling heights of 2.7m is achieved for habitable rooms and 2.4m for non-habitable room. This is demonstrated on the proposed Sections in the Architectural Plans.

## Visual privacy for internal occupants

The proposed building layout has been revised resulting in improved visual privacy for internal occupants. The private balconies facing in towards the central courtyard have a 12.5m separation distance to ensure sufficient internal visual privacy is achieved.

## Landscaped areas

Landscaped Area is defined in the Housing SEPP as follows:

*landscaped area means the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area.*

The Landscape Plans have been updated and included at Appendix R to accurately calculate the proposed landscaped areas within the site. A total of 31.85% of the site area is landscaped area in accordance with the development standards in the Housing SEPP.

## Communal open space

The revised layout of the courtyard has amended the Communal Open Space (COS) on the ground floor, which now provides 801.85m<sup>2</sup>. The proposed COS on Level 7 has also been moved to Level 8 and provides

Of the revised principle communal open space located on Level 8, 76% receives greater than 2 hours of solar access between 9am-3pm mid-winter which exceeds the minimum requirement for solar access required by Objective 3D-1 of the ADG.



The Architectural Design Report (Appendix M) has been updated to include an assessment of the residential amenity of the affordable housing units, as per the ADG and In-fill Affordable Housing Practice Note. The In-fill Affordable Housing Practice Note states:

The Architectural Design Report demonstrates that the affordable units are designed to the same standard as the market rate units and receive the same level of amenity in terms of room layout, solar access, natural ventilation, private open space and visual and acoustic privacy.

Page 12

- All affordable apartments exceed the ADG minimum room sizes, with each 2-bed exceeding 70m<sup>2</sup> (smallest 2-bed unit is 79.5m<sup>2</sup>) and each 3-bed exceeding 90m<sup>2</sup> (smallest 3-bed unit is 99.4m<sup>2</sup>);
- All affordable units have a private balcony that exceed the ADG minimum area, with the smallest balcony being 16.9m<sup>2</sup> and the largest being 49.2m<sup>2</sup>;
- Accessible for all age groups and degrees of mobility;
- 28.6% of apartments receive more than 2hrs solar access;
- 50% of apartments are cross ventilated; and
- Storage provided exceeds the minimum ADG requirements.

The registered Community Housing Provider, Bridge Housing, have confirmed in their letter of support (Appendix D) they find the allocation and amenity of the proposed affordable units to be acceptable.

### **Additional reports and documentation**

The following additional reports and documentation have been provided as requested:

- **ACHAR**

An updated ACHAR has been provided to amend an error in the previously submitted version. This version now provides all the relevant Aboriginal community consultation documentation as requested by Heritage NSW.

We note Heritage NSW also provided recommended draft conditions for Aboriginal cultural heritage. On review of the recommended conditions, we find them to be acceptable and appropriate for the proposed development.

- **Pedestrian Wind Environmental Assessment**

A revised Pedestrian Wind Environmental Assessment have been prepared to assess the impact of the revised building layout on the local wind environment. Accordingly, the recommendations of the Wind Report have been updated. The revised recommendations and mitigation measures have been incorporated into the revised design as follows:

#### **Ground Level Trafficable Areas and Pedestrian Footpath:**

- Retention of the proposed landscape planting within and around the subject development site as indicated in the landscape drawings.

#### **Level 08 Communal Open Roof Space:**

- Retention of 1.5m high impermeable balustrade along the entire perimeter edge of the communal open roof space, as indicated in the architectural drawings.
- Retention of the proposed landscape planting within and around the communal open roof space as indicated in the landscape drawings.

#### **Elevated Private Balconies:**

- Retention of the proposed full-height screens along one of the exposed eastern perimeter edges of the north-eastern and south-eastern private corner balconies on Levels 04 to 07.
- Retention of the proposed full-height screens along one of the exposed western perimeter edges of the north-western and south-western private corner balconies on Levels 04 to 07.
- Retention of the proposed landscape planting within landscape zones adjacent to the northern private corner balconies on Level 08, as indicated in the landscape drawings.
- Retention of the proposed impermeable balustrades and intertenancy screens along the remaining private balconies, as indicated in the architectural drawings.

- **Subdivision**

The proposed development does not include any subdivision works. The two lots comprising the site, being 27 and 29 Tryon Road, will be consolidated post approval to form one lot.



- **Water Management**

The Water Management information requested by Ku-ring-gai Council is as follows:

Item	Response
1. The stormwater plans show all roof areas to be collected and conveyed to a combined detention and retention tank of 110m <sup>3</sup> located within the lower ground floor area. The design PSD of 39 L/sec is too high to discharge directly to the adjacent kerb and gutter. As such, a direct connection to Council's underground drainage system will be required. To achieve this, the outlet from the OSD tank will need to connect into a new kerb inlet pit at the site frontage on Tryon Road. From here, a new 375mm RCP pipe under the road pavement and connecting into the existing kerb inlet pit in Nelson Street will be required. The works with the road will require an application to Council for approval under the Roads Act 1993. A condition outlining the requirements for an application under the Roads Act 1993 can be provided to the Department on request.	This can be included as a condition of consent relating to an application under the <i>Roads Act 1993</i> . Additional details will be provided at CC stage.
2. Civil plans to show plan view of the 375mm pipe within the road reserve to Council's trunk drainage system. Details to include longitudinal section, showing existing ground levels and proposed pipe invert levels, grades and flow capacities. In addition, surrounding survey detail, including all trees within 7 metres of the proposed drainage system.	As above, this can be included as a condition of consent. Additional details will be provided at CC stage.
3. No supporting hydraulic calculations to demonstrate compliance with Part 24C.3-4 of the Ku-ring-gai DCP that requires rainwater retention and re-use to be provided to achieve a 50% reduction in runoff days have been provided. A water balance model is required to be submitted.	Details provided in the amended Water Management Plan (Appendix Y).
4. Clarification is required as to the purpose of the proposed rainwater tank given that a retention component would also be required.	<p>The project has a combined OSD and rainwater tank, the purpose of the rainwater tank is for re-use of water collected for irrigation and other purpose deemed suitable. Whereas the OSD tank serves a purpose of temporarily storing excess water rainwater and then releasing it slowly to public drainage.</p> <p>BASIX certificate states a 5kL rainwater re-use tank requirement. A 6kL rainwater tank has been proposed to meet this criterion for re-use from roof catchment only.</p> <p>On-site detention tank volume has been provided separately to meet Council's PSD and SSR requirements.</p>
5. Stormwater plans to clearly show OSD and OSR volumes.	This has been provided in drawings C200, C400 and C401.



Item	Response
6. No stormwater disposal system has been submitted for the basement level, this is required.	Pump out pit has been shown in the lowest basement level and pump out pit details have also been provided in drawing C111 and C900. There is no exposed catchment area draining to the pump out pit. Therefore, as per AS3500.3 requirements – a minimum 3m <sup>3</sup> pump out pit is required. A 3.17m <sup>3</sup> pump out pit has been proposed.
7. A pump-out tank within the basement is to be provided and designed for the 100-year 2 hour storm as required under Part 24B.5 of the Ku-ring-gai DCP.	There is no exposed catchment area draining to the pump out pit. Therefore, as per AS3500.3 requirements – a minimum 3m <sup>3</sup> pump out pit is required. A 3.17m <sup>3</sup> pump out pit has been proposed.
8. Supporting calculations for the pump-out pit based on the 100-year 2 hour storm is to be submitted.	There is no exposed catchment area draining to the pump out pit. Therefore, as per AS3500.3 requirements – a minimum 3m <sup>3</sup> pump out pit is required. A 3.17m <sup>3</sup> pump out pit has been proposed.
9. Stormwater design should show the rising main from the pump-out tank directed to the on-site detention tank.	This has been shown in drawing C111.
10. The invert level of Council's existing kerb inlet pit to which connection is proposed needs to be verified by a registered surveyor.	This can be included as a condition of consent. Additional survey will be undertaken to verify existing pit levels prior to CC stage.
11. Details of the proposed kerb inlet pit in Tryon Road including surface and invert levels are required to be provided.	This can be included as a condition of consent. Additional survey will be provided confirming existing pit levels prior to CC stage.
12. Invert levels and surface levels of all stormwater pits within the site are required.	Surface and invert levels of all pits and pipes within the site have been shown in drawing C200.

- **Access**

The Access information requested by Ku-ring-gai Council is as follows:

Item	Response
1. No driveway longitudinal section starting from the centreline of the public road to the ground floor carpark entry has been submitted. The driveway gradient of 5% for the first 6m as per AS2890.1:2004 is to be demonstrated as well as confirming that a maximum 20% grade along the driveway access is not exceeded as per the requirements of Part 23.7 of the Ku-ring-gai DCP.	A cross section of the driveway from ground level through to basement is provided in the amended architectural package and Section 3.1 of the Transport Impact Assessment (Appendix V) confirming the gradients utilised comply with relevant Australian Standard requirements.
2. Swept paths are to be submitted demonstrating that Council's Waste Collection Vehicle of 6.7m Mitsubishi Canter can enter and depart the garbage/room recycle storage area in a forward direction. The 6.4m SRV as shown is no longer adopted by Council.	Updated swept path analysis has been carried out using a 6.7m long rigid truck. Refer to the Transport Impact Assessment (Appendix V).

Item	Response
3. Sight triangles are to be shown on the ingress and egress side of the driveway, at the property boundary demonstrating compliance with Figure 3.3 of AS2890.1:2004.	Sight triangles are provided in accordance with Figure 3.3 of AS2890.1:2004, refer to Section 3.1 of the Transport Impact Assessment (Appendix V).

- **Waste Management**

The Waste Management information requested by Ku-ring-gai Council is as follows:

Item	Response
1. Demonstrate the required number of bins in accordance with Part 25 of the KDCP.	<p>Based on the estimated volumes of general waste, recycling and FOGO generated by the development, the recommended bin quantities and collection frequencies are as follows:</p> <ul style="list-style-type: none"> <li>• General Waste: 13 x 660L bins collected 1 x weekly</li> <li>• Paper/Cardboard Recycling: 21 x 240L bins collected 1 x weekly</li> <li>• Co-Mingled Recycling: 21 x 240L bins collected 1 x weekly</li> <li>• FOGO: 8 x 240L bins collected 1 x weekly</li> <li>• Service Bins: 2 x 660L bins</li> </ul> <p>The Waste Management Plan has been prepared in accordance with Part 25 of the KDCP.</p>
2. A longitudinal section is to be submitted demonstrating that a clear head height of 2.6m and throughout the basement carpark for Council's waste collection vehicle along the path of travel (as informed by the swept path analysis) can be provided.	The loading area located at basement 1 level will have a minimum clearance height of 2.6m as per the requirements of the Ku-Ring-Gai DCP. Refer to the Transport Impact Assessment (Appendix V) for relevant longitudinal sections.

## 6. Updated Project Justification

This section provides a justification and evaluation of the project, having regard to the economic, environmental, and social impacts of the project and the principles of ecological sustainable development and taking into account this response to submissions.

The additional information within this Submission Report reaffirms that the proposed development is in the public interest and is consistent with the envisaged statutory and strategic context of the site and future transformation of the site and surrounds. Having regard to the environmental, social and economic considerations of the project, the development is considered justified for the following reasons (see **bold** for amendments from previous project justification):

- The amended development is in a well-located area being within 250m of Lindfield Railway Station and Bus Interchange, as well as local schools, amenities and other services in the Lindfield Town Centre.
- The proposal complies with the relevant development standards, importantly the maximum height and FSR permissible under the ‘**saved**’ TOD **provisions** and in-fill affordable Housing SEPP. It is permissible under the R4 High Density Residential zone and consistent with the zone objectives.
- **The proposal aligns with the desired future character of the area as envisaged by both the TOD controls and Council’s Stations Precincts SEPP by delivering higher density in proximity to Lindfield Station, stepping down in height towards the low density residential zone to the east.**
- The proposal has been designed to provide a contextual response to its setting **with particular consideration of the garden-like character of Ku-Ring-Gai** and creates a contemporary and high-quality residential development, that embraces and enhances the pedestrian experience to and from the public domain and adjoining buildings.
- The proposal will facilitate the redevelopment of the site for the purposes of residential development comprising 62 apartments which will contribute to additional housing supply and diversity to support an increasing local population.
- The proposal will deliver 14 affordable housing units (2 units in perpetuity and 12 units for a period of 15 years), delivering much needed, high-quality affordable housing in a well-located area to meet the needs of families and key workers who are an integral part of the Ku-Ring-Gai community.
- The proposal aligns with the State Government’s strategic approach to transit oriented development **and Ku-Ring-Gai Councils Stations Precincts SEPP** by placing high quality residential uses within walking proximity to Lindfield Train Station.
- The proposed development is a direct response to the strategic vision and objectives for the delivery of additional housing supply, stated in such documents as the National Housing Accord 2022, Housing 2041, Transport Oriented Development Program 2023 **and Ku-Ring-Gai Council’s Stations Precincts SEPP documentation.**
- The proposed development is a high-quality urban design that will contribute to a safe, secure and active environment.
- The proposed development will facilitate the delivery of a high level of quality communal open space and amenity areas, this includes a significant increase in landscaping on the site from that currently existing.

In light of the above, this response to submissions report provides that mitigation measures in addition to those already provided in the EIS, are not required.

## 7. Conclusion

Gyde Consulting prepared the Environmental Impact Statement (EIS) for the State Significant Development Application (SSDA) for the demolition of existing structures and the construction of a 7-9 storey residential flat building and associated works, which are located at 27-29 Tryon Road, Lindfield. The SSDA reference is SSD-78669234.

The exhibition of the SSDA was undertaken between 24 April 2025 and 21 May 2025.

On 22 May 2025, DPHI wrote to the Applicant, Bridgestone Projects Pty Ltd, requesting a written response to the issues raised in public and agency submissions. DPHI also issued a request for additional information letter to the Applicant on 16 June 2025 raising various queries in relation to the proposal.

This Submissions Report provides an overview and analysis of the responses to submissions received from members of the public, agency submissions and Ku-Ring-Gai Council. This report also responds to the matters raised in DPHI's Request for Additional Information correspondence.

The assessment of the SSDA can now be undertaken based on the information provided in the original EIS and the supporting material provided in this Submission Report and associated appendices.

This submission constitutes the applicant's response for the purpose of Section 94(1)(a) of the Environmental Planning and Assessment Regulation 2021.

# **Attachment A**

## Submissions Register

**GYDE**

## Submissions Register

The table below is a register of all agencies, groups and individuals that made submissions in response to the public exhibition of the SSDA and where in the Submissions Report a response to the issues raised in submissions can be found.

**Table 3 Submissions Register**

Group	Name	Section where issues addressed in submissions report
<b>Council</b>	Ku-Ring-Gai Council	Section 4
<b>Individuals</b>	Submission 1	Section 4
	Submission 2	Section 4
	Submission 3	Section 4
	Submission 4	Section 4
	Submission 5	Section 4
	Submission 6	Section 4
	Submission 7	Section 4
	Submission 8	Section 4
	Submission 9	Section 4
	Submission 10	Section 4
	Submission 11	Section 4
	Submission 12	Section 4
	Submission 13	Section 4
	Submission 14	Section 4
	Submission 15	Section 4
	Submission 16	Section 4
	Submission 17	Section 4
	Submission 18	Section 4
<b>Agency</b>	Sydney Water	Section 4