

Amendment Report

19-25 Balfour Street, Lindfield

In -fill Affordable Housing

SSD 82709458

Prepared for Balfour Group Pty Ltd

Submitted to DPHI

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Executive Summary

On 17 July 2025, a State Significant Development Application (SSDA) (SSD-82709458) was submitted to the Department of Planning, Housing and Infrastructure (DPHI) for the construction of a 10 storey residential flat building, including in-fill affordable housing at 19-25 Balfour Street, Lindfield (the site).

The SSDA was supported by an Environmental Impact Statement (EIS), which was publicly exhibited between 15 August 2025 and 11 September 2025. During and following that period, a range of submissions were received. The proposed amendments have resulted from matters raised by Government agencies, Ku-ring-gai Council (Council), the community as well as DPHI's Key Issues Letter dated 10 October 2025.

The proposed amendments include the following:

- reconfiguring the unit mix and improve floorplate efficiency, facilitating an increase in the total number of dwellings from 98 to 120 apartments
- increase the affordable housing provision from 27 to 30 dwellings
- reduction in total gross floor area (GFA) from 15,499.4m² to 15,401m²
- reduction in floor space ratio (FSR) from 3.25:1 to 3.23:1
- increase in the central podium element by two storeys, resulting in a six-storey podium form, together with a minor reduction in the maximum building height from 32.7m to 32.6m
- increase in communal open space (COS) from 987.8m² to 1,199.5m²
- reduction in total car parking from 193 to 184 spaces
- largely achieves the 12m setback requirement for level 8 under Part 3F – Building separation of the Apartment Design Guide (ADG). Where compliance is not achieved, appropriate screening is provided to offset privacy impacts.

The amendments do not seek to increase the overall development intensity. The amended proposal results in a reduction in overall height of building, GFA and FSR, while improving several aspects of the design, including COS provision, setback compliance and building articulation.

The proposed amendments seek to:

- provide an improved urban design outcome through enhanced building design, including redistribution of building heights, increased building setbacks and additional building articulation
- minimise amenity impacts on surrounding residential properties, with respect to privacy, overshadowing and visual bulk through increased building setbacks
- respond appropriately to agency, Council and community feedback received during the public exhibition period
- maintain consistency with the overall intent, scale and environmental performance of the SSDA.

Importantly, the proposal (as amended) continues to align with the strategic planning framework applying to the site and locality, including the *Greater Sydney Region Plan*, *North District Plan* and *Ku-ring-gai Local Strategic Planning Statement*, and supports the objectives of the Housing SEPP by delivering additional housing supply, including affordable housing, in a location within walking distance of Lindfield Station and local services.

An assessment of environmental impacts confirms that the proposal (as amended) does not introduce new or materially greater impacts beyond those previously assessed. In several respects, the amended scheme improves the planning outcome when compared to the exhibited proposal.

Accordingly, the proposed amendments are acceptable, and the development as amended remains suitable for approval.

This Amendment Report is submitted in accordance with the *Environmental Planning and Assessment Regulation 2021*, Division 2 Section 37. It outlines the proposed amendments to the original development application and assesses the potential environmental, economic and social impacts of the amended project.

This Amendment Report has also been prepared in accordance with the requirements of the *State Significant Development Guidelines – preparing an amendment report* (March 2026) and should be read in conjunction with all documentation that forms the environmental impact statement package.

1 Introduction

This Amendment Report has been prepared by *Keylan Consulting Pty Ltd* (Keylan) to accompany an application to amend SSDA 82709458 for the development of a residential flat building (including in-fill affordable housing) at 19-25 Balfour Street, Lindfield (the site) in the Ku-ring-gai Local Government Area (LGA).

The application has been prepared on behalf of *Balfour Group Pty Ltd* (the Applicant) and is submitted to the Department of Planning, Housing and Infrastructure (DPHI) pursuant to section 37 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The proposed amendments seek to:

- provide an improved urban design outcome through enhanced building design, including redistribution of building heights, increased building setbacks and additional building articulation
- minimise amenity impacts on surrounding residential properties, with respect to privacy, overshadowing and visual bulk through increased building setbacks
- respond appropriately to agency, Council and community feedback received during the public exhibition period
- maintain consistency with the overall intent, scale and environmental performance of the SSDA.

The proposed amendments have resulted from matters raised by Government agencies, Ku-ring-gai Council (Council), the community as well as and DPHI's Key Issues Letter dated 10 October 2025.

The proposed changes seek to amend the submitted project description in line with the *State significant development guidelines – preparing an amendment report (Appendix D to the state significant development guidelines) (March 2026)*.

It is considered that the proposed amendments are acceptable as:

- the exceedance of the building height above the bonus height control is centralised, and the impacts of the exceedance will be imperceptible.
- the proposed development aligns with the *Transport Oriented Development* (TOD) objectives by locating high-density residential use within proximity to transport.
- the proposal, as amended, will not result in any adverse environmental impacts beyond those considered within the original EIS.
- the amendments will facilitate development that is substantially the same as that for which consent was originally requested.
- while the number of dwellings has increased, given the updated unit mix, the total FSR has reduced. The updated scheme is making more efficient use of the available floor space.
- will facilitate the orderly economic development of the land.

This report concludes that the proposed amendments will not result in any significant environmental impacts. Accordingly, we recommend that the proposed amendment be supported by DPHI and approved.

This report should be read in conjunction with the following documents:

- Amendment Report (Appendix 1)
- DPHI Key Issues Letter (Appendix 2)
- Submissions Register (Appendix 3)
- Updated Mitigation Measures (Appendix 4)
- Updated Clause 4.6 Variation (Appendix 5)
- Architectural Plans (Appendix 6)
- Updated Design Report (Appendix 7)
- Traffic Impact Assessment (Appendix 8)
- Landscape Plans (Appendix 9)
- Noise and Vibration Impact Assessment (Appendix 10)
- Statement of Heritage Impact (Appendix 11)
- Waste Management Plan (Appendix 12)
- Community Housing Provider Letter (Appendix 13)
- Detailed Site Investigation (Appendix 14)
- BCA Report (Appendix 15)
- Arboricultural Impact Assessment (Appendix 16)
- Access Report (Appendix 17)
- Biodiversity Development Assessment Report (Appendix 18)
- Flood Letter (Appendix 19)
- Stormwater Drawings (Appendix 20)
- Construction Traffic Management Plan (Appendix 21)
- Vegetation Management Plan (Appendix 22)
- Updated project description (Appendix 23)
- Updated statutory compliance table (Appendix 24)
- Groundwater Assessment (Appendix 25)
- Geotechnical Investigation (Appendix 26)

1.1 Application history

A chronology of events has occurred to date on the assessment of the application is provided below:

- On 22 April 2025, SEARs were issued by DPHI
- On 17 July 2025, the SSDA was lodged
- Between 15 August 2025 to 11 October 2025, the SSDA was publicly exhibited
- On 12 September 2025, DPHI issued a letter requesting a response to the submissions received
- On 10 October 2025, DPHI issued its key issues letter and requested those matters be responded to.

During the public exhibition period, a total of 8 agency submissions were received, including one from Council. 30 submissions were received from stakeholder groups and individuals. Of the 32 public submissions received, there were 2 in support and 30 objections. Submissions from the following agencies were received:

- NSW DPHI

- NSW DCCEEW – Water Group
- Ausgrid
- Council
- TfNSW
- Sydney Water
- CPHR
- FRNSW

1.2 Proposed development (as exhibited)

The proposed development (as exhibited) comprised:

- demolition of existing buildings and structures on site
- construction of a ten-storey residential flat building featuring
 - basement level car parking
 - 71 market residential units
 - 2 x 2-bedroom units
 - 54 x 3-bedroom units
 - 15 x 4-bedroom units
 - 27 affordable housing units
 - 5 x 1-bedroom units
 - 17 x 2-bedroom units
 - 5 x 3-bedroom units
- associated landscape works, including a communal open space
- associated infrastructure and services

1.3 Proposed development (as amended)

Following the public exhibition of the EIS proposed scheme, a number of design refinements and amendments have been made in response to the submissions received. These refinements remain consistent with the project objectives and minimise environmental impacts where possible. Specifically, the amended proposal seeks approval for the following:

- demolition of existing buildings and structures on site
- construction of a ten-storey residential flat building featuring:
 - basement level car parking
 - 90 market residential units
 - 31 x 2-bedroom units
 - 50 x 3-bedroom units
 - 9 x 4-bedroom units
 - 30 affordable housing units
 - 24 x 2-bedroom units
 - 6 x 3-bedroom units
- associated landscaping works, including communal open space areas at ground floor/level 1, level 8 and 9
- associated infrastructure and services

A detailed description of changes is provided in Section 4.

2 Site description

The site is located at 19-25 Balfour Street, Lindfield in the Ku-ring-gai LGA, and is legally described as:

- Lot 12 DP654363
- Lot 1 DP121527
- Lot 13 DP657173
- Lot 13 DP663524

The site is located approximately 13.2km north-east of the Sydney central business district and approximately 450m west of Lindfield Town Centre.

The site has a total area of 4,771 m² and is generally rectangular in shape.

The site is currently occupied by four detached dwellings, swimming pools, landscaping and ancillary structures. It is zoned R2 Low Density Residential pursuant to the *Ku Ring Gai Local Environmental Plan 2015* (KLEP 2015). A row of tall mature trees fronts the site between the site boundary and Balfour Street.

The subject site is located within the Lindfield TOD area, pursuant to Chapter 5 of the Housing SEPP, as shown in Figure 1. The site is located approximately 320m west of the Lindfield Train Station.

The site itself is not identified as a heritage item; however, it is located within the Balfour Street/Highfield Road Conservation area (Area C29). Schedule 5 of the KLEP 2015 states the heritage area is valued for its aesthetic and historical significance with the Federation Queen Anne style housing. Within the heritage area, there is one heritage item located approximately 30m from the site (I39).

The site location is shown in Figures 1,2 and 3 below.

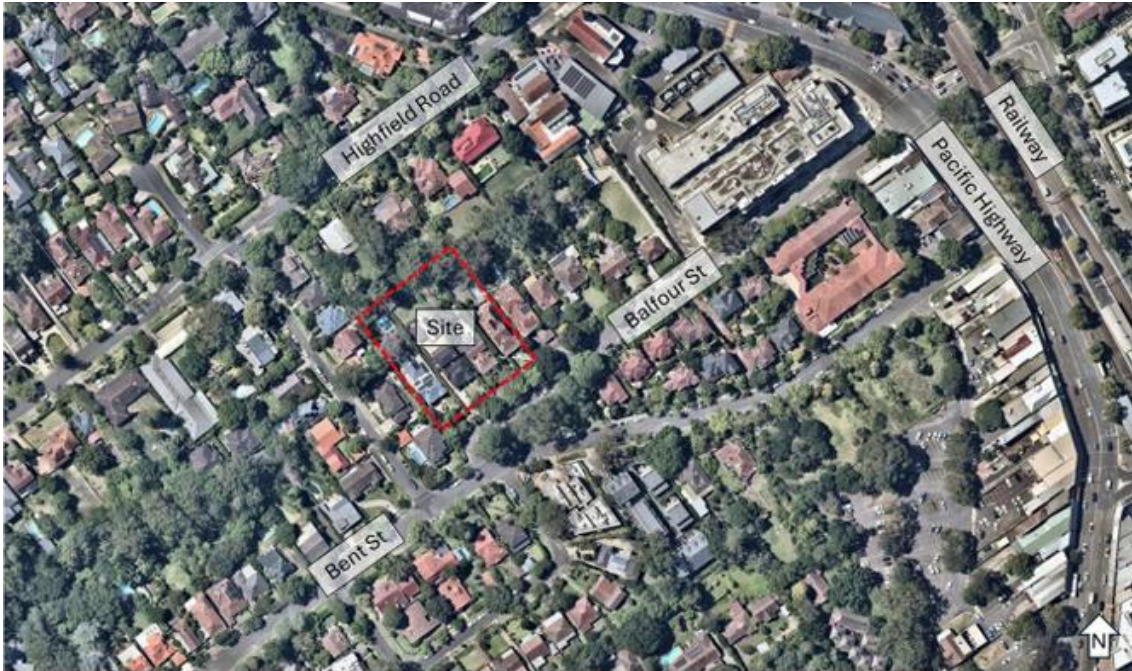


Figure 1: Site Location (Source: Nearmap)



Figure 2 TOD Map (Source: Espatial Viewer)

Land Zoning (LZN)

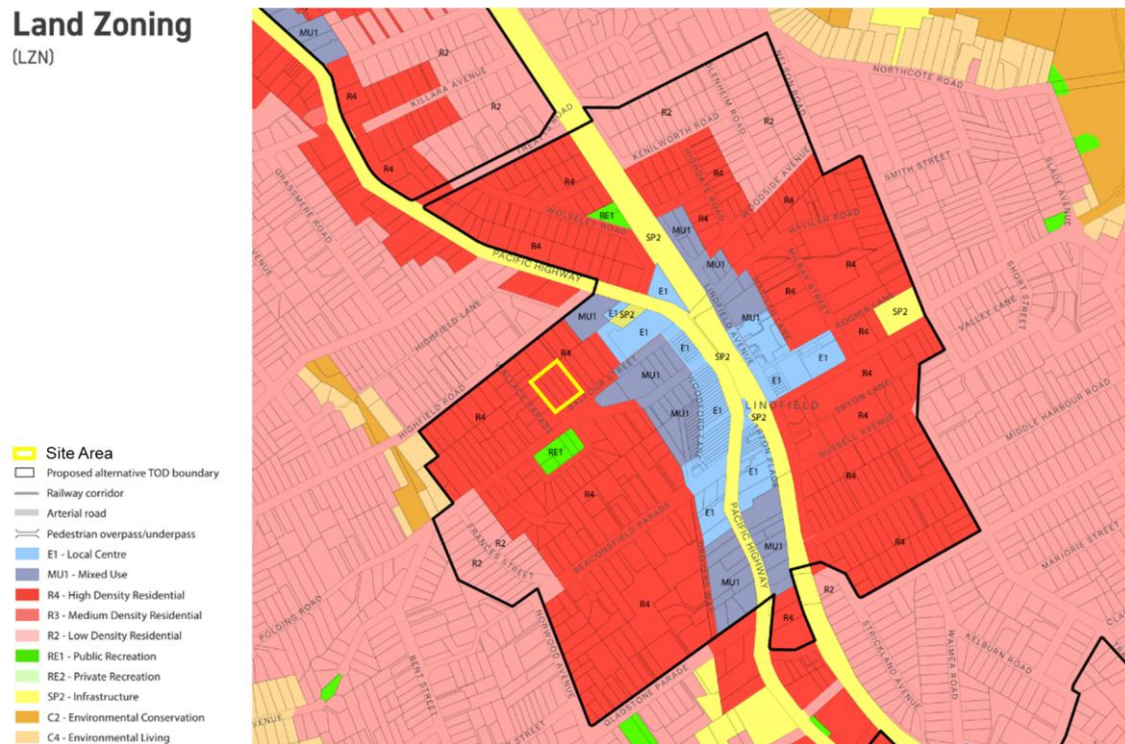


Figure 3: Ku-Ring-Gai TOD Zoning Map (Source: Ku-Ring-Gai Council)

2.1 Surrounding locality

To the north of the site is the broader Balfour Street Highfield Road Heritage Conservation Area, of which the site occupies the south-western portion of the area.

Further north is an area of low density residential, consisting generally of one to two storey dwellings. An existing footpath exists in front of the site's southern boundary along Balfour Street, which is setback from the existing mature trees that line the edge of the roadway.

Pacific Highway and Lindfield Station are located approximately 320m east of the site, with a strip of commercial and retail uses along the highway. To both the south and west is a large area of low-density residential homes, and beyond this is a golf course and local park, both within a kilometre west of the site.

In addition to Lindfield Station, the site is also serviced by several bus services, with the nearest stop approximately 400m away (6 min walk), offering services to Chatswood and Macquarie University. The site is located approximately 2.75km north-west of Chatswood, 4.4km east of Macquarie University, and 10.5km north-west of the Sydney CBD.

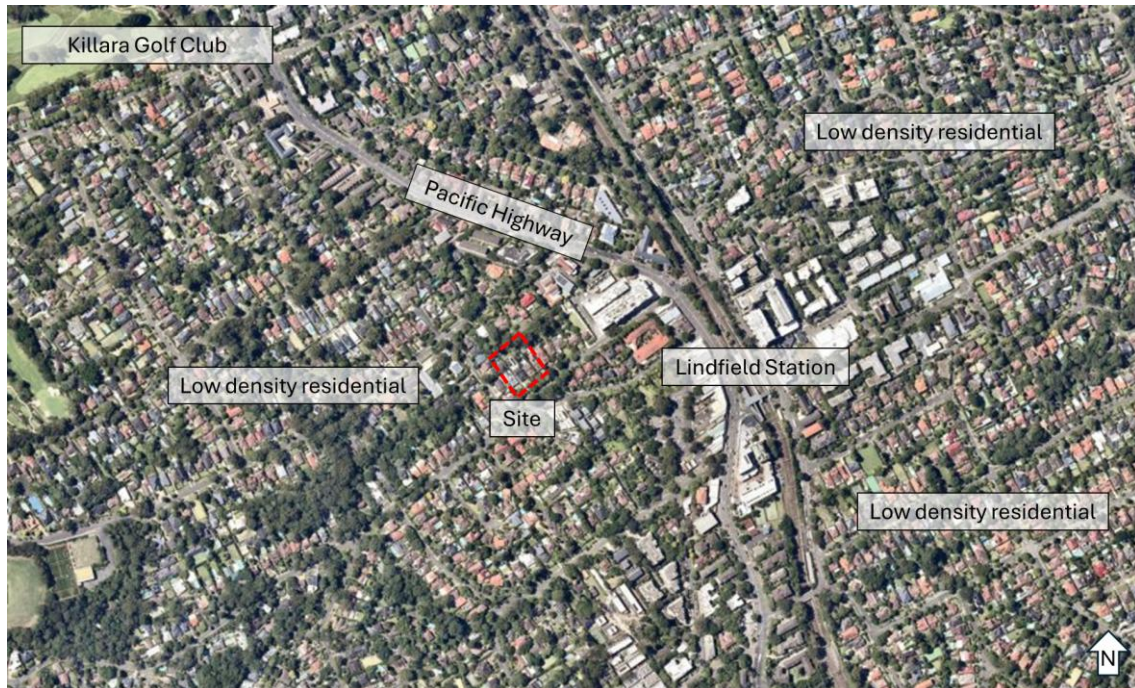


Figure 4 Surrounding Locality (Source: Nearmap)

3 Strategic Context

The strategic planning framework relevant to the development has generally remained consistent since the original submission. While additional strategic planning work has emerged since the lodgement of the application, including the exhibition of the *Draft Sydney Plan*, these documents do not materially alter the strategic planning context applicable to the site.

Importantly, the findings of the strategic assessment contained within the original EIS have been updated to reflect the *Draft Sydney Plan*. The proposed development continues to align with the relevant strategic planning directions for the area, including the delivery of increased housing supply, affordable housing, in a location well served by public transport and local services.

A summary of the key strategic planning documents relevant to the proposal is provided below.

National Housing Accord

The Australian Government has agreed to a National Housing Accord, which is an aspirational target for all states and territories to build 1.2 million new, well-located homes over 5 years from mid-2024.

As part of the Accord, the Commonwealth has committed \$350 million over 5-years from 2024-25 to support the delivery of 10,000 affordable homes. State and territory governments have agreed to build on this commitment to support the delivery of up to an additional 10,000 affordable homes across Australia. Specifically, the State of New South Wales has agreed to build the highest number of up to 3,100 new affordable homes.

The proposed development supports this commitment by delivering 30 new affordable homes in an area targeted for uplift.

Greater Sydney Region Plan

The *Greater Sydney Region Plan* (Region Plan) outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of three unique, but connected cities including:

- the established Eastern Harbour City
- the developing Central River City
- the emerging Western Parkland City

Directions	Objectives
<i>A city supported by infrastructure</i>	- the proposed development strongly aligns with this direction by providing: - new residential floor space in a location that can utilise existing transport infrastructure. - new housing in close proximity to Lindfield Town Centre, encouraging walkable neighbourhoods.
<i>A collaborative City</i>	- the proposed development aligns with this direction by providing: - housing in close proximity to Lindfield Town Centre encourages walkable neighbourhoods.
<i>Housing in the City</i>	- the proposed development strongly aligns with this direction as follows: - provides high-density market residential and affordable homes. - increases housing density. - satisfies the criteria for 'urban renewal' given its location close to Lindfield Town Centre.
<i>A City of great places</i>	- the proposed development strongly aligns with this direction as it: - contributes to and complements the Lindfield precinct. - promotes social connection within walkable, human-scale neighbourhoods. It is sensitive to heritage items within the vicinity of the site.
<i>A well-connected City</i>	- the proposed development strongly aligns with this direction as follows: - the site is within walking distance of Lindfield town centre, Lindfield Train Station and the Pacific Highway and contributes to the gradual intensification of the locality.
<i>Jobs and skills for the City</i>	the proposed development aligns with this objective by providing employment though jobs during the construction phase.
<i>A City in its landscape</i>	- this SSD application strongly aligns with this direction as it: - provides for an appropriate development within an urban area. - provides significant deep soil and landscaping areas on site.

Table 1: Consistency with Greater Sydney Region Plan

The Sydney Plan (Draft)

Since the submission of the application, the NSW Government released *the Draft Sydney Plan*, which was exhibited from 10 December 2025 to 27 February 2026. The Draft Sydney Plan is intended to replace the Greater Sydney Region Plan and will guide housing and jobs growth across Greater Sydney over the next 20 years once finalised. The draft plan provides strategic direction on the location of new housing and employment opportunities to improve housing affordability, support economic growth and ensure that development occurs in locations well supported by infrastructure and services.

In particular, the proposed development, as amended, will address the following priorities of the draft Sydney Plan:

Priority	Explanation
<i>Housed</i>	- the proposed development strongly aligns with this direction as follows: - provides increased housing supply, including affordable housing - provides greater housing diversity, including high density market residential and affordable homes of different apartment configurations - provides increased housing density in a location that is close to jobs, services and amenities
<i>Connected</i>	- the proposed development seeks to provide housing within proximity of Lindfield train station (approx. 300m) and Lindfield town centre (approx. 250m). - the proposed development will support the 30-minute city strategic direction
<i>Resilient</i>	the proposed development incorporates a range of sustainability initiatives across the site spanning energy efficiency, thermal performance, indoor environment quality, waste management and comfort.

Table 2 Consistency with The (Draft) Sydney Plan

North District Plan

Greater Metropolitan Sydney is divided into five districts, each with its own plan guiding the implementation of the Regional Plan and future strategic planning. The site is located within the North District, and therefore, the *North District Plan* applies. The *North District Plan* identifies the need for new housing in appropriate locations to meet diverse housing demands regarding type, tenure, price, location, and design. The plan also emphasises coordinating new housing with local infrastructure, including access to public transport.

The proposed residential flat building seeks to contribute to housing supply and diversity in a well-connected, sustainable location by delivering 120 new homes. Its proximity to Lindfield Train Station and various bus services with stops along Pacific Highway encourages public transport use, aiming to reduce emissions and foster an accessible neighbourhood.

Ku-ring-gai Local Strategic Planning Statement 2016 – 2036

The *Ku-ring-gai Local Strategic Planning Statement* (LSPS) outlines the vision and strategic direction for land use planning in the Ku-ring-gai LGA from 2016 to 2036. It integrates the priorities and actions from existing land use plans and policies to present an overall land use vision for the area. The LSPS provides guidance on various aspects, including:

- location of Future Housing: Identifying areas suitable for increased housing density.
- future Identity and Character of Local Centres: Planning for the development and character of local centres, including Lindfield.
- future Transport Infrastructure: Planning for transport infrastructure to support growth.

There are a number of planning priorities that are of particular relevance to the Proposal which are addressed below:

Planning Priority	comments
<i>K3. Providing housing close to transport, services and facilities to meet the existing and future requirements of a growing and changing community.</i>	• the proposed development supports this priority by providing a total of 120 new apartments in a residential flat building located close to Lindfield Town Centre.
<i>K4. Providing a range of diverse housing to accommodate the changing structure of families and households and enable ageing in place.</i>	• the proposed development of 30 affordable homes and 90 market residential homes provide a diverse range of new housing that will accommodate changing structures of families and households.
<i>K5. Providing affordable housing that retains and strengthens the local residential and business community.</i>	• the proposed development supports this planning priority by providing 30 new affordable homes in a highly accessible location close to Lindfield Town Centre.

Table 3 Ku-ring-gai LSPS alignment

Importantly, the site is located within a Transport Oriented Development (TOD) area identified by the NSW Government for increased housing supply and density.

Ku-ring-gai Housing Strategy to 2036

The *Ku-ring-gai Housing Strategy* sets out the long-term plan for meeting housing demand in the Ku-ring-gai LGA to 2041. It responds to housing targets set by the NSW Government and supports the delivery of well-located, diverse, and sustainable housing options in alignment with broader metropolitan strategies, including the Greater Sydney Region Plan and the North District Plan.

The Strategy recognises that Ku-ring-gai will continue to experience population growth and demographic change, requiring a planned approach to increasing housing supply, particularly in areas with strong access to public transport, services, and infrastructure. It places an emphasis on accommodating this growth while preserving the unique environmental and heritage qualities of the area.

The proposed development in its location supports the housing strategy by providing a total of 120 new homes that contribute to the housing diversity in the area and address the current housing shortfall.

Ku-ring-gai Affordable Housing Policy

The *Ku-ring-gai Affordable Housing Policy* (AHP) came into effect on 16th April 2025. The AHP outlines the Council's commitment to increasing the supply of affordable housing, particularly for key workers and individuals with lower to moderate incomes. The AHP sets specific targets for affordable housing and ensures a consistent and transparent process for receiving contributions from industry to achieve this goal. The AHP is fundamentally aimed at the provision of affordable housing through Council-led strategic planning or under proponent-led planning proposals.

Notwithstanding that the proposal does not involve a rezoning; the development aligns with the AHP by contributing to the Council's objectives of providing stable and secure homes for those in need. By incorporating a significant proportion, including 30 affordable housing units, the development supports the Council's aim to address housing affordability challenges within the Ku-ring-gai LGA.

4 Description of the amendments

4.1 Overview

Following the exhibition of the SSDA and receipt of submissions, the proposal has been amended. The amendments result from design refinements responding to built form, height, dwelling mix, parking and amenity matters raised during the assessment process.

The amended proposal maintains the overall development concept (in-fill affordable housing), while refining the building's internal layout and configuration, as well as the external built form.

A table comparing the amended project with the original project is displayed below:

Element	Proposed Development (as exhibited)	Proposed Development (as amended)
Project Area		
Site area	4,771m ²	No change
Extent of basement works	2 levels	No change
Project description	The development comprises: • demolition of existing buildings and structures on site • construction of a ten-storey residential flat building featuring: ○ basement level car parking ○ 71 market residential units ○ 27 affordable housing units • associated landscape works, including a communal open space • associated infrastructure and services	The development comprises • demolition of existing buildings and structures on site • construction of a ten-storey residential flat building featuring: ○ basement level car parking ○ 90 market residential units ○ 30 affordable housing units • associated landscaping works, including a communal open space • associated infrastructure and services
Physical layout and design		
Maximum building height	32.7m (10 storeys)	32.6m (10 storeys)
Podium height	4 storeys	6 storeys
GFA (total)	15,499.4m ²	15,401m ²
Affordable housing GFA	2685.4m ² (17%) (27 units)	2669.6m ² (17.2%) (30 units)
FSR	3.25:1	3.23:1
Total Residential apartments	98	120

Element	Proposed Development (as exhibited)	Proposed Development (as amended)
Unit mix	Market 1-bedroom: 0 2-bedroom: 2 3-bedroom: 54 4-bedroom: 15 Affordable 1 bedroom: 5 2 bedroom: 17 3 bedrooms: 5	Market 1-bedroom: 0 2-bedroom: 31 3-bedroom: 50 4-bedroom: 9 Affordable 1 bedroom: 0 2-bedroom: 24 3-bedroom: 6
Parking spaces (total)	193	184
Visitor spaces	20 (including 1 accessible)	20 (including a car wash bay) and 2 car share spaces
Affordable parking spaces	27 parking spaces	30 parking spaces
Bicycle parking	10 visitor spaces 98 residential spaces	12 visitor bicycle parking spaces and, 120 residential bicycle parking spaces
Storage areas	486.2m ²	530.3m ²
Deep soil	1,433.98m ² (30%)	1474m ² (31%)
Landscaped area	1,550.66m ² (32.5%)	2132.69m ² (44.7%)
Communal open space	987.8m ² (20.6%)	1,199.5m ² (25.14%)

Table 4: Overview of proposal

4.2 Detailed description of the amendments

The below sections provide a detailed discussion of the design changes that have been made since the exhibition of the application

4.2.1 Building height

The amended proposal introduces refinements to the building envelope compared to the exhibited scheme.

The most notable change is the increase in the central podium elements from four storeys to six storeys, together with refinements to the upper-level roof form and height plane. These changes redistribute built form within the building envelope and result in a more articulated podium and upper-level form.

The amendments also result in a minor reduction in the maximum building height, reducing from 32.7m to 32.6m. Notwithstanding the building height has been reduced significantly in the south-western corner from 4.1m to 1.6m. The height plane has been refined given the increased upper-level setbacks.

The increase in podium height allows the upper levels of the building to be stepped back further from the site boundaries. This approach improves building separation and enables the upper storeys to present as a more refined built form when viewed from the surrounding streets.

The proposed building exceeds the applicable height of building development standard of 28.6m resulting in a height variation of approximately 4m. As outlined in the Clause 4.6 request, the variation arises largely due to the topographical conditions of the site, which falls approximately 11.4m from the north-east to the south-west.

The amended design refines the height plane and redistributes building mass within the existing envelope while maintaining the overall development concept of the exhibited scheme. This approach addresses concerns regarding building height by reducing bulk at upper levels and redistributing mass within the building envelope. The overall height has been refined from the exhibited scheme and addresses the departments concerns of the 4.1m exceedance in the southwestern corner, as shown in the figure below the exceedance is now minor at 1.6m. Other refinements to the height plane are shown below where towers A and B are largely compliant, with exceedances internalised and do not present to the street.

The detailed environmental impacts associated with the revised built form and building height are assessed in Section 7.2 of this report.

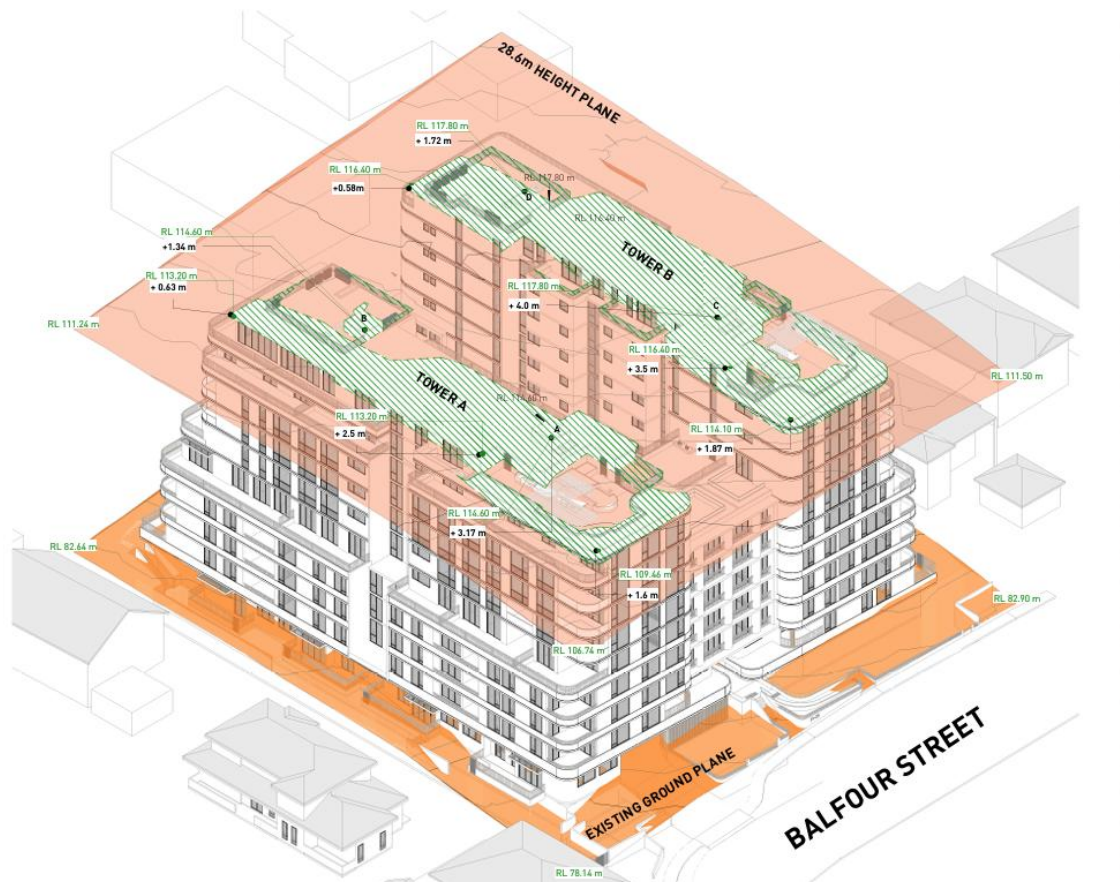


Figure 5: Southwestern view of refined height plane (Source: Giles Tribe)

4.2.2 Setbacks

The amended proposal includes refinements to the building envelope that improve building setbacks and separation when compared with the exhibited scheme.

The revised design introduces stepped setbacks at the upper levels, enabling greater separation distances in accordance with the ADG Part 3F – Building separation. In particular, the upper levels of the proposal now achieve a 12m separation where the building exceeds eight storeys, representing an improvement on the exhibited scheme, which achieved 9m separation at these levels. Shown highlighted in the exhibited figure below, the upper levels now are shown with a 12m setback.



Figure 6 Exhibited Scheme setbacks (Source: Giles Tribe)



Figure 7 Amended Scheme setbacks (Source: Giles Tribe)

To facilitate this outcome, the building mass has been redistributed within the envelope through the increase of the central podium from four to six storeys. The SSDA located adjacent to the proposed development (9-17 Balfour Street) presents with the bulk located towards the rear of the site. The amended scheme provides for a 10 storey development that allows the upper storeys to comply with the ADG setbacks while maintaining the overall development footprint.

Where variations to the setbacks are required to respond to the sites sloping topography, private open space areas (balconies) have been appropriately screened, and planting provided to ensure privacy is maintained. The updated plans include visual privacy measures through planting and screening along the south-west at balconies levels 3 and 7. Similarly northeastern balconies contain screening and planting across levels 4, 5, 8 and 9.

The revised setback configuration also assists in improving the overall presentation of the building from the street, while providing greater separation between the development and adjoining residential properties.

The detailed assessment of building setbacks, separation distance and compliance with relevant provisions is provided in Section 7.3 of this assessment.

4.2.3 Reduction in GFA and FSR

The amended proposal results in a minor reduction in both total GFA and FSR when compared with the exhibited scheme.

Specifically:

- the overall FSR reduced from 3.25:1 to 3.23:1
- total GFA has reduced from 15,499m² to 15,401m²

The reduction in GFA arises from refinements to the building envelope discussed above and internal floorplate configuration, including:

- increased setbacks at the upper levels to improve building separation to 12m, decreasing floor area at those levels
- redistribution of the built form associated with the revised podium configuration
- adjustments to the apartment layouts and internal circulation, this includes removal of single- and four-unit bedrooms to accommodate more two and three bedroom units.

These refinements have slightly reduced the total developable floor area while maintaining the overall development concept and envelope of the exhibited scheme.

The amended proposal reduces the overall FSR from 3.25:1 to 3.23:1. The environmental and amenity implications are addressed in Section 7.

4.2.4 Increase in dwelling yield and affordable housing

The amended scheme increases the total number of dwellings from 98 to 120 units.

This change arises from revisions to the unit mix in the amended scheme, with fewer larger apartments and a greater proportion of two-bedroom dwellings, enabling a more efficient internal configuration and floorplate layout. These changes enable more efficient use of the available floor space without increasing the overall development envelope.

Specifically, the amended proposal includes:

- refinements to apartment floorplates which reduce the number of larger four and three-bedroom apartments
- an increase in the number of two-bedroom apartments, which represents a more typical apartment typology for higher density developments
- the inclusion of three additional affordable housing units. Increasing the total affordable housing provision from 27 to 30 dwellings

The project team has consulted with local agents and received feedback on the current market in Lindfield. This consultation with local agents saw that on the North-Shore the market demonstrates demand for two-bedroom and compact three-bedroom apartments. These apartments sizes and layouts have been refined in the amended proposal to appeal to a broader group and provide a mix of housing typologies including young families and professionals. The increase of two-bedroom and more efficient three-bedroom units will assist the amended project with aligning to market demand.

Importantly, while the number of dwellings has increased, the overall GFA and FSR of the development have reduced, demonstrating that the amended scheme represents a more efficient use of the available floor space rather than an increase in development intensity.

The environmental and amenity implications associated with the revised apartment yield are assessed in Section 7

4.2.5 Parking reduction

The proposed car parking has been reduced from 193 to 184 spaces. The revised parking provision reflects:

- the updated unit mix
- improved efficiency of the basement layout
- sustainable transport objectives of the TOD given the site's proximity to Lindfield station

The proposed parking rates remain consistent with the TOD objectives and are addressed in Section 7 of this report.

4.2.6 Communal open space improvements

The Communal Open Space (COS) provision has increased from 987.8m² (20.6% of the site area) in the exhibited scheme to 1,199.5m² (25.14%) in the amended proposal.

The revised COS is distributed across the site as follows:

- primary communal open space is provided at Levels 8 and 9, totaling approximately 311m²
- secondary communal open space is retained at ground level and level 1, totaling approximately 890m²

The inclusion of additional COS at Levels 8 and 9 provides elevated communal areas with improved solar access while maintaining landscaped communal areas at the lower levels of development. The COS zones are shown in figures below:

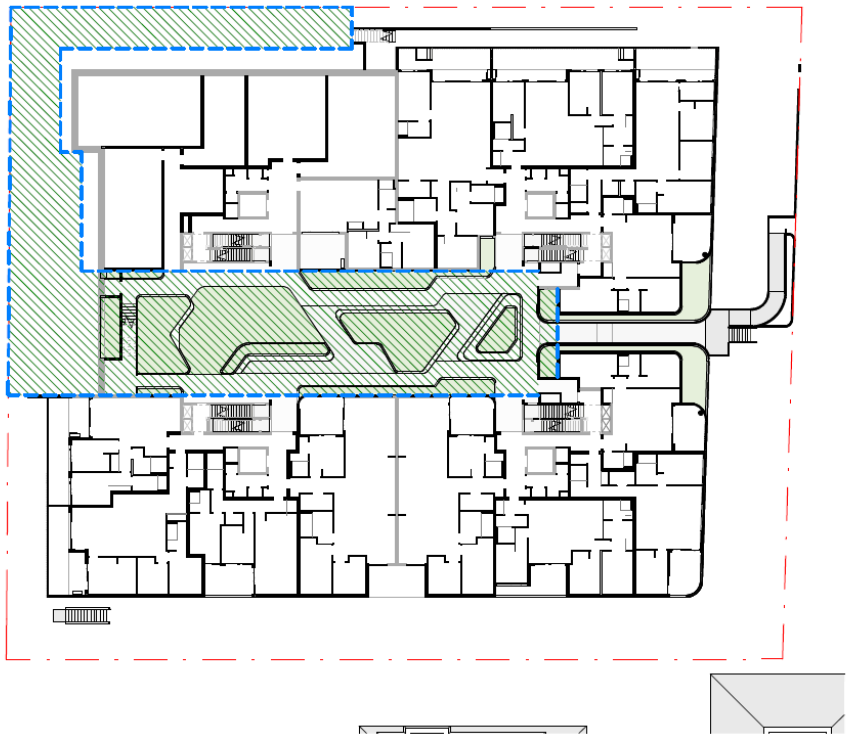


Figure 8 Communal Open Space Ground Floor (Source: GilesTribe)

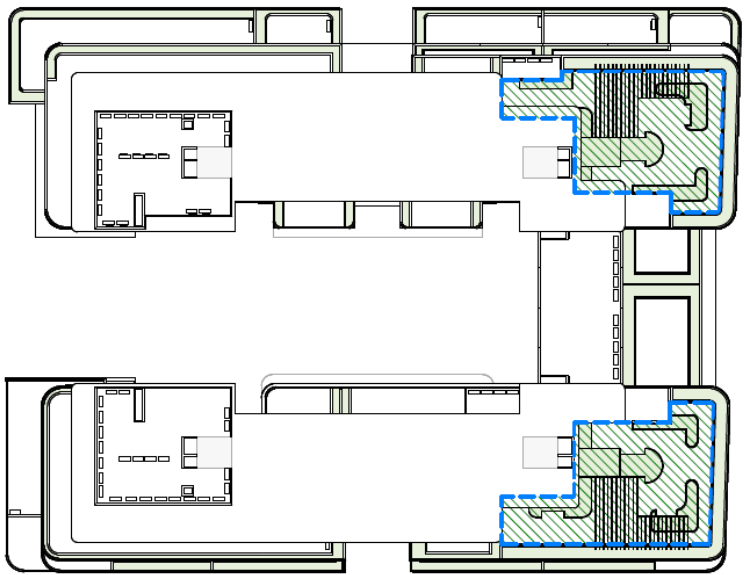


Figure 9 Communal Open Space Roof (Source: GilesTribe)

These changes improve the quality and distribution of communal open spaces within the development and support the objectives of the ADG, which encourages well-located communal spaces that provide good solar access and usable amenities for residents. The amended proposal satisfies the requirements of the ADG for communal open space and solar access.

The proposal integrates extensive landscaping and communal open space areas which contribute to the environmental quality of the site and improve the residential amenity of the development.

4.2.7 Landscaping area and deep soil

The amended proposal includes a minor increase in the provision of deep soil landscaping when compared with the exhibited scheme. See Appendix 8 for the updated Landscape Plan. The deep soil area has increased from 1,433.98m² (30% of the site area) to approximately 1,474m² (31%).

This increase results from refinement to the landscape layout and the consolidation of deep soil zones across the site, the amended scheme:

- Consolidates deep soil areas into larger and more functional planting zones, retention of trees 3 and 42 as identified within the Arboricultural Impact Assessment and the relocation of tree 39
- Improves the opportunity for canopy tree planting across the site
- Enhances the overall landscape quality of the communal and boundary planting areas

The revised landscaping layout provides more usable deep soil zones and is capable of supporting mature canopy planting. See figure below for deep soil zones.

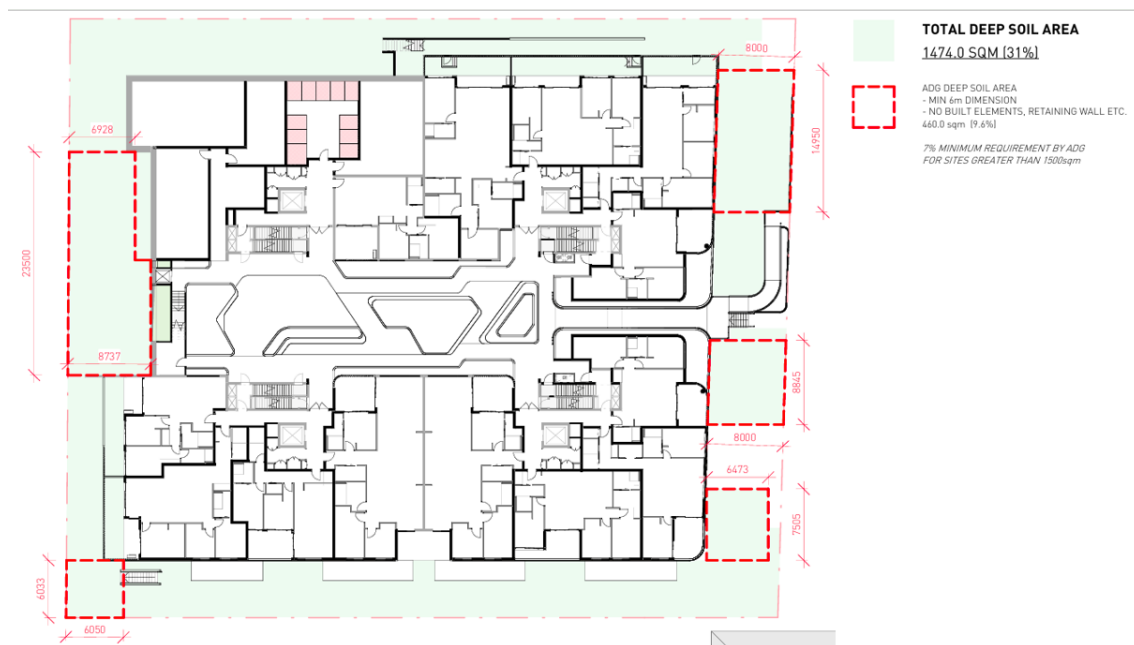


Figure 10 Deep soil area (Source: Giles Tribe)

A detailed assessment of landscaping and deep soil provision is provided in Section 7 of this report.

4.2.8 Other

Additional assessment has been undertaken to address DPHI's concerns in relation to waste management (Appendix 12), traffic and parking (Appendix 9), heritage (Appendix 11) and noise and vibration (Appendix 10).

The relevant impacts are further discussed at Section 7.

5 Statutory Context

As noted, this Amendment Report to SSDA 82709458 has been prepared in accordance with Section 37 of the EP&A Regulation.

Since the submission of the SSDA, there have been changes to the statutory planning framework relevant to the site. These include amendments to the *Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015), which has rezoned the site from R2 Low Density Residential to R4 High Density Residential under Council's Transport Oriented Development (TOD) controls, as well as updates to the object of the EP&A Act.

These changes reinforce the suitability of the site for high-density residential development. In particular, the proposal remains permissible under the Housing SEPP provisions applying to TOD sites, and the amended zoning further reinforces the suitability of the site for high density development.

The project's statutory context was addressed as part of the EIS submitted with the original SSDA. A summary of the statutory context is provided below with relevance to the proposed amendments, and a detailed updated statutory compliance table is provided at Appendix 24 of this report.

Category	Comment
Power to grant approval	The residential component of the development has an EDC of more than \$75 million and is therefore SSD pursuant to Section 26A, Schedule 1 of the Planning Systems SEPP as follows: 26A In-fill affordable housing <i>(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—</i> <i>(a) the part of the development that is residential development has an estimated development cost of—</i> <i>(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than \$75 million,</i> <i>The Minister for Planning and Public Spaces (or the Minister's delegate) is the consent authority pursuant to Section 4.5(a) of the EP&A Act.</i>
Permissibility	The site is zoned R4 High Density Residential under the KLEP 2015. Development of a residential flat building is permitted in the R4 zone under the KLEP 2015. In the submitted EIS, the site was zoned R2 Low Density Residential. However, as the site was located within a TOD precinct, permissibility for the proposed development was provided under Section 154 of the Housing SEPP. Since that time, Council's TOD alternative planning controls have amended the zoning of the site to R4 High Density Residential.

Category	Comment
	Section 154 of the Housing SEPP remains applicable to the site due to the savings provisions outlined by DPHI when issuing the SEARs. Section 154 states as follows: <i>154 Development permitted with development consent in Transport Oriented Development Areas</i> <i>(1) Development for the purposes of residential flat buildings is permitted with development consent on land in the following zones in a Transport Oriented Development Area—</i> <i>(a) a relevant residential zone,</i> <i>(b) Zone E1 Local Centre or an equivalent land use zone,</i> <i>(c) for land in the Canterbury-Bankstown local government area— Zone B2 Local Centre.</i>
Other approvals	• <i>Biodiversity Conservation Act 2016</i>: A Biodiversity Development Assessment Report (BDAR) is attached at Appendix 24 of the submitted EIS. • <i>Heritage Act 1977</i>: The site is not State heritage listed and therefore, approval under S68 or S139 will not be required. • <i>Roads Act 1993</i>: The proposal will require consent under section 138 in relation to the construction of public roads. • <i>National Parks and Wildlife Act 1974</i> (NPW Act): Although an Aboriginal heritage impact permit under section 90 of the NPW Act is not required for SSD (per section 4.41(d) of the EP&A Act), an Aboriginal Cultural Heritage Assessment Due Diligence Report (ACHAR) has been prepared as part of the SSDA and is included at Appendix 33 of the submitted EIS.
Precondition to exercising the power to gain approval	• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> • <i>State Environmental Planning Policy (Housing) 2021</i>
Mandatory matters for consideration	• <i>Environmental Planning & Assessment Act 1979</i> • <i>State Environmental Planning Policy (Housing) 2021</i> • <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> • <i>State Environmental Planning Policy (Planning Systems) 2021</i> • <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> • <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> • <i>Ku-ring-gai Local Environmental Plan 2015</i>

Table 5 Statutory requirements relevant to the project

5.1 Pre-conditions

The table below outlines pre-conditions to exercising the power to grant approval that are applicable to the project and the relevant section from the submitted EIS where these matters were addressed.

Pre-condition	Amended Report (if required)	EIS Ref
State Environment Planning Policy (Resilience and Hazards) 2021		
Section 4.6 of the Resilience and Hazards SEPP requires that a consent authority must not grant consent to the development on any land unless: • it has considered whether the land is contaminated. • if the land is contaminated, it is satisfied that the land is suitable in its • contaminated state (or will be suitable, after remediation) for the • purpose for which the development is proposed to be carried out, and • if the land requires remediation to be made suitable for the purpose for • which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. A Preliminary Site Investigation (PSI) has been prepared by EnviroX Consulting and included in Appendix 14. The PSI identifies areas of potential environmental concern within the site. Given the recommendations of the PSI a DSI has been prepared by Environmental Hazmat Occupational Consulting. The DSI confirms that the site's soil's are suitable for the proposed development and no further land contamination related investigation or remediation is required.	DSI Appendix 14	Section 6.5 and Appendix 20
State Environmental Planning Policy (Housing) 2021		
Section 20 requires the consent authority to consider whether the residential development is compatible with the desirable elements of the character of the local area, or for precincts undergoing transition, the desired future character of the precinct. An assessment of the development's consistency with both the existing and desired future character of the area was provided in Section 6 of the EIS.	Appendix 7 (Design Report)	Appendix 4 Statutory compliance

Pre-condition	Amended Report (if required)	EIS Ref
The Amendment Report is accompanied by an updated Design Report that addresses the character of the local area and the developments siting in Lindfield.		
Section 21 requires the consent authority to be satisfied that the affordable housing component will be maintained for at least 15 years and that it will be managed by a registered CHP. This Amendment report is accompanied by an updated CHP letter, see Appendix 13.	Appendix 13	Appendix 34
Chapter 4 Development consent must not be granted unless the consent authority has considered the quality of the design evaluated in accordance with the design principles set out in Schedule 9 of the Housing SEPP and the NSW Apartment Design Guide. The Amendment Report is accompanied by an updated Design Report by Giles Tribe that assesses the updated scheme against the ADG.	Appendix 7.	Appendix 9
Section 156 Affordable housing requires the consent authority to be satisfied that at least 2% of the GFA of the building will be used for affordable housing and that this will be managed by a registered CHP in perpetuity.	Appendix 13	Section 6
Section 159 Minimum lot width requires the consent authority to be satisfied that the lot has a frontage of at least 21m at the front building line The site has a frontage of approximately 64m.	N/A	N/A
State Environmental Planning Policy (Sustainable Buildings) 2022		
Chapter 2 Standards for residential development - BASIX, is applicable to the proposed development. A BASIX Certificate has been provided at Appendix 22 of the original EIS. Meanwhile, an updated BASIX report will be prepared and accompany the development once design elements have been confirmed.	An updated BASIX Certificate will be submitted post submission of this package	Appendix 4 and Appendix 22

Table 6: Pre-conditions

5.2 Mandatory considerations

Mandatory consideration	Comment
Relevant objects of the Act (Section 1.3)	the proposal seeks development consent under Part 4 of the Act and meets the relevant objects of the Act for the following reasons: • it delivers a residential flat building, including in-fill affordable housing, on a strategically located site in a Transport Oriented Development (TOD) area near Lindfield Train Station, directly contributing to the North District Plan's objective of providing new housing supply and diversity in well-connected locations. • provides employment opportunities throughout the construction phase, contributing to the local economy. • aligns with strategic planning goals to encourage public transport use, reduce emissions, and foster accessible neighbourhoods, supporting sustainable development outcomes as promoted by regional and district plans. • is consistent with strategic plans including the Greater Sydney Region Plan and North District Plan, and allows for the orderly development of the land in line with planning objectives for urban growth and housing supply. • designed in accordance with ESD principles (as outlined within the ESD report of the submitted EIS (Appendix 21). • promotes the social and economic welfare of the community through the inclusion of diverse dwelling mix and affordable housing.
Relevant environmental planning instruments (Section 4.15)	• the proposal seeks development consent under Part 4 of the Act. This EIS addresses all matters for consideration under Section 4.15 of the Act.
<i>State Environmental Planning Policy (Housing) 2021</i>	• the site at the time of submission of the EIS was zoned R2 low-density residential and is located within the Lindfield TOD area, pursuant to Chapter 5 of the Housing SEPP. An assessment against the provisions of Chapter 5 is included in Appendix 1 of the submitted EIS. The proposed development is permissible in accordance with Clause 154 of Chapter 5, Housing SEPP. • however, as outlined previously, since lodgement of the Ku-ring-gai Council's alternative TOD scheme has come into effect. This has altered the zoning to R4 High-Density residential. • the site however, is still identified as a TOD site and has saved SEARs; the proposal remains compliant with Chapter 5 of the Housing SEPP.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	• Chapter 2 standards for residential development - BASIX are applicable to the proposed development. A Section J (NSW Class 2) Report and BASIX and Thermal Assessment Report have been prepared by Jenson Hughes and included at Appendices 10 and 14 of the submitted EIS.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	• the proposal is identified as SSD under Schedule 1, Section 26A of the Planning Systems SEPP, as the development is for the purposes of affordable housing with a capital investment of more than \$75 million in the greater Sydney Region.

Mandatory consideration	Comment
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	- in accordance with the Biodiversity Conservation Act 2016 (BC Act), biodiversity impacts must be assessed as part of any SSD application, including the provision of a BDAR where required. Section 7.14 of the BC Act requires the consent authority to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR. - an updated BDAR has been prepared by ACS Environmental P/L and is provided in Appendix 18 of this Amendment Report. The report states that while the proposed development will involve impacting 7 indigenous flora species, their current abundance and cover is very low. The report also notes that the vegetation at the subject site is no longer representative of the Sydney Turpentine Ironbark Forest Plant Community. The report concludes that no threatened entities will be impacted by the proposal. - the BDAR further confirms that no live native canopy trees exist at the site, and the four native trees within the lot boundaries are dead or dying. The Vegetation Management Plan for the proposed development addresses the removal of any weeds to facilitate the proposed development.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Section 2.48 of the Transport and Infrastructure SEPP requires the consent authority to give written notice to the relevant electricity supply authority and take into consideration any response to that notice before granting consent to a development likely to affect an electricity transmission or distribution network. It is noted that DPHI will refer the application to the relevant electricity supply authority for consideration.
<i>Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015)</i>	a full assessment of the KLEP 2015 is provided in Appendix 24.
Relevant planning agreements or draft planning agreements (Section 4.15)	there are no planning agreements in relation to the site.
Relevant Development control plans (Section 4.15)	while development control plans do not apply to SSD under Section 2.10 of the Planning Systems SEPP, the relevant controls have been considered.
Likely impacts of the development, suitability of the site, the public interest (Section 4.15)	the likely impacts of the development, the suitability of the site and the public interest considerations have been addressed in this application.

Table 7 Mandatory Considerations

5.3 Contributions

5.3.1 Housing and Productivity Contribution

The Housing and Productivity Contribution (HPC) came into effect in October 2023 to apply a state-wide contribution for new developments. Under the HPC, a rate of \$10,812.18 per dwelling / lot for high-density residential development is required.

As stated in the EIS, any consent issued will impose the required contributions under the HPC.

5.3.2 Ku-ring-gai Contributions Plan 2010

The *Ku-ring-gai Contributions Plan 2010* applies to the site, as the proposed development will create 30 new affordable homes and 90 new market residential apartments. This plan requires contributions pursuant to Section 7.11 of the EP&A Act towards local infrastructure, including recreation, cultural, social facilities, parks, sporting facilities, roads, and drainage works.

Affordable housing units may be eligible for partial or full exemptions from development contributions, depending on specific criteria such as ownership by a registered community housing provider and compliance with relevant planning instruments. It is acknowledged within Appendix 13 of this report that the units will be provided by a community housing provider and complies with relevant planning instruments, therefore the affordable housing units will be eligible for exemption from contributions.

As stated in the EIS, Council will require contributions to be paid prior to any works commencing on site.

6 Engagement

Community engagement for the project was undertaken in line with DPHI's *Undertaking Engagement Guide: Guidance for State Significant Projects* and complies with the community engagement requirements in the SEARs.

A comprehensive engagement approach was undertaken as part of the original application that was designed to give community members and stakeholders opportunities to be informed about the proposal and in return, provide meaningful feedback to inform the final design of the project.

6.1 Post-exhibition consultation

Consultation was had with DPHI during RTS, based on preliminary feedback provided by DPHI, the proposal was amended to improve:

- impacts on streetscape and justification as to how the amended proposal will maintain an appropriate overall design
- visual impact from the street and surrounding area
- overshadowing, especially in relation to portions of the development that vary the maximum height
- visual privacy in relation to changes in existing and new communal open space

These design matters have been addressed within this report.

Further, we understand that Smart Structures Australia, engaged in consultation with Council in regard to the flood comments provided by CPHR.

Council confirmed that the applicant should undertake their own flood study to confirm if the site was going to be flood affected. A Flood Letter (Appendix 19) has been prepared accordingly, which confirms that the site is not flood affected.

7 Assessment of impacts

The following section assesses the environmental impacts of the amended proposal, having regard to the SEARs, the exhibited scheme and the amended scheme described in Section 4 of this report.

The amended proposal has arisen from further design development and in response to issues raised through the assessment process. Importantly, the amendments do not change the overall nature of the development, being an in-fill affordable housing development on a saved TOD site. Rather, the amendments refine the built form, apartment mix, COS and parking layout, while maintaining consistency with the strategic and statutory framework applicable to the site.

Where relevant, updated technical material has been relied upon to confirm that the amended proposal does not result in any new or materially greater environmental impacts than those previously assessed in the EIS.

7.1 Built form and urban design

The amended proposal includes a number of changes to the built form and internal arrangement of the building. These changes improve the overall design outcome, responding to matters raised by DPHI and reducing unnecessary building bulk where possible. This report is supported by an updated Clause 4.6 Variation at Appendix 5.

The key built form changes are addressed in Section 4.1 and are summarised below:

- a reduction in height from 32.7m to 32.6m
- setbacks have been increased at the upper levels from 9m to 12m above levels 8 to comply with objectives of the ADG
- a reduction in total GFA from 15,499m² to 15,401m²,
- a reduction in FSR from 3.25:1 to 3.23:1
- refinement of the rooftop and upper-level built form
- changes to the dwelling mix and yield, and
- reconfiguration of COS and the basement

These changes demonstrate that the amended proposal does not intensify the approved development envelope. While the number of dwellings has increased, the overall FSR has reduced. The updated scheme makes more efficient use of the available floor space while minimising building bulk. Furthermore, the architectural design incorporates articulated façade elements, balconies and varied materials to break up the scale and provide a high-quality architectural response to the streetscape.

The increase in dwelling yield results from a revised apartment mix and more efficient floorplate configuration rather than an increase in the building envelope. As such, the amended proposal does not increase the physical bulk or scale of the development when compared with the exhibited scheme.

The reduction in GFA and FSR provides a useful indicator that the amended proposal sits below the maximum intensity as proposed. This confirms that the amended proposal does not represent an intensification of development, but rather a refinement of the previously exhibited scheme.

The increased articulation of the balconies reduced overall height plane and redistribution of mass to the centre podium has reduced the perceived bulk of the development and improves on the overall development compliance.

This supports the conclusion that the amended proposal improves the built form and associated impacts when compared to the exhibited scheme.

The proposed changes are largely the result of the additional two storeys introduced to the podium and the revised floorplate configuration. In the table below, we have included a floor-by-floor comparison from the proposed scheme to the amended. Please refer to the Architectural plans Appendix 6:

Proposal (as exhibited)	Proposal (as amended – subject to this report)
Basement 2 Floor Plan	
57 total carparking spaces 29 residential storage cages (161.8m²)	75 total carparking spaces 42 storage cages (202.3m²) - Proposed layout of parking and storage containers has been altered.
Basement 1 Floor Plan	
81 total carparking spaces 31 residential storage cages (186.4m²)	69 total carparking spaces 41 residential storage cages (199.9m²) - Basement layout plans have been altered for consistency across floors
Lower Ground Floor plan	
55 total carparking spaces 26 residential storage cages (99.5m²)	41 total carparking spaces 31 residential storage cages (93.7m²) - Improved vehicle circulation - Swept path analysis provided to show the operation of the waste vehicle - LG04 now shown as 2B - LG03, LG02 and LG01 are now all shown as 3-bedroom apartments
Ground Floor Plan	
9 residential storage cages (38.5m²)	11 residential storage cages (34.4m²) - G11 no longer a 4-bedroom apartment G13 included as 2-bedroom apartment now. - G01 and G02 now shown as 2-bedroom units

Proposal (as exhibited)	Proposal (as amended – subject to this report)
	- G03 and G04 internal layout altered - G07 removed as a single bedroom - G07 Consolidated 3-bedroom unit - G08 consolidated 2-bedroom unit
Level 1 Floor Plan	
Submitted unit layout	- Removal of 107 – 1B now a 2- and 3-bedroom unit shown as 108 and 107. - Removal of 101 – 4-bedroom, unit 101 now shown as a 2-bedroom unit - With the inclusion of unit 103 as a 3-bedroom unit. - Units 114 and 115 are included on floor plans as two 3-bedroom units. - Units 111 and 109 now shown as 2-bedroom units. Removal of 109 as a 3-bedroom unit.
Level 2 Floor Plan	
Submitted unit layout	- Level 2 floor plans now consistent layout as level 1. - Key change removal of 1- and 4-bedroom units to facilitate 2 and 3 bedrooms.
Level 3 Floor Plan	
Submitted unit layout	- Level 3 floor plan is similar to Levels 1 and 2, - However, a 4 Bedroom unit is shown on the southern tower where a previous 3-bedroom unit was - Removal of the 4-bedroom unit facing Balfour Street, inclusion of multiple 2-bedroom units
Level 4 Floor Plan	
Submitted unit layout	- Removal of COS at the roof of the podium. - This space now includes internal circulation, a 4-bedroom unit and a 2-bedroom unit
Level 5 Floor Plan	
Submitted unit layout	- Plans now show increased units given the podium increase - This has facilitated a new layout containing additional 3-bedroom and 2-bedroom units.

Proposal (as exhibited)	Proposal (as amended – subject to this report)
Level 6 Floor Plan	
Submitted unit layout	- Podium roof level now shown, this includes the roof plant area and Private Open Space (POS) that includes planting and visual buffers from the roof plant area. - Unit mix has been altered, removal of 4-bedroom units to include more 2 and 3-bedroom units.
Level 7 Floor Plan	
Submitted unit layout	Amended floorplate, removal of both 708 and 701 4-bedroom units to enable 4 2-bedroom apartments and an extra 3-bedroom unit.
Level 8 Floor Plan	
Submitted unit layout	- Tower A has seen the removal of a 4-bedroom unit. - Tower A is now shown as including primary COS facing Wallace Parade and Balfour Street. - Floorplate changes to Tower B to include more 2-bedroom units. - Tower A now includes a 4-bedroom unit towards the rear of the site.
Level 9 Floor Plan	
Submitted unit layout	- Tower B now includes primary COS at roof level 9, fronting Balfour Street. - An additional 3-bedroom unit is included at level 9 on Tower B, with a proposed 4-bedroom unit retained.
Level 10 (roof)	
Submitted unit layout	- Tower A and B marked up - Level 6 rooftop shown. - Plant equipment and lift overruns included on updated scheme.

Table 8 Proposed floor-by-floor amendments

7.2 Building height

The amended proposal generally retains the overall development form and scale of the exhibited scheme, while incorporating refinements to the podium and rooftop-built form.

These refinements include an increase in the central podium element by 2 storeys, resulting in a 6-storey podium element as well as changes to the upper-level rooftop form. While these changes alter the building envelope, they are primarily associated with refining the architectural presentation of the building, particularly as viewed from Balfour Street, and improving the relationship between the podium and upper levels.

The additional podium levels occur within the central portion of the building envelope and remain well contained within the established setback framework. As a result, the change does not materially alter the building's interface with adjoining properties.



Figure 11 Exhibited height of building section (Source: Giles Tribe)



Figure 12 Amended height of building section (Source: Giles Tribe)

The amended design is appropriately characterised as a refinement to the building envelope rather than a fundamental change to the development. The updated scheme responds to design issues raised during the assessment process, including the treatment of the roof form and the relationship of the upper storeys to the surrounding area.

Importantly, the revised upper-level form presents as a more resolved height plane. This is because the majority of the additional height exceedance is centralised within the building form and is not readily visible from the street or from surrounding dwellings at street level.

This is particularly relevant given the site's location within the Heritage Conservation Area, where the presentation of the building at upper levels is an important component of the built form response. In this regard, the amended scheme is considered to improve the way the development reads within the streetscape and its relationship to surrounding dwellings within the HCA. As stated within the Statement of Heritage Impact, the amended development and surrounding SSDA's in the area, along with the rezoning of the site to R4 show the area is likely to change to multi-storied apartments in the near to medium term, therefore the proposal is keeping with the likely future character of Balfour Street and conservation area.

The amended proposal has redistributed built form within the building envelope by increasing the height of the central podium element and refining the form of the upper levels. This has resulted in a greater proportion of building mass being contained within the podium, while the upper storey presents as a more refined height plane.

The additional height is predominantly centralised within the building and does not materially increase the perceived bulk when viewed from Balfour Street or surrounding dwellings. Importantly, the overall height is consistent with the emerging built form character of the locality, including surrounding and recently submitted and approved developments.

The proposed exceedance is acceptable when compared to a fully compliant scheme as the development delivers 120 units, with 30 designated for affordable housing purposes. This aligns with strategic objectives of the Housing SEPP and the National Housing Accord.

The exceedance also provides for the primary communal open space areas that meet solar requirements and greatly enhance future residential amenity.

7.3 Setbacks and building separation

The amended proposal improves compliance with the applicable setback controls compared to the submitted scheme. The revised architectural plans (Appendix 6) demonstrate increased setbacks across the site, resulting in a more compliant and balanced built form outcome.

The table below assesses the front and side setbacks against the relevant ADG measures and DCP controls:

Control	ADG control	DCP Control	Comment
Front setback	<i>Street setbacks should respond to the existing streetscape and provide adequate landscaping transition to neighbouring developments</i>	10m street setback	8m front setback. - Achieves compliance with ADG objectives and is consistent with the adjacent 9-17 SSDA and surrounding lodged and approved RFB's in Lindfield and provides for

Control	ADG control	DCP Control	Comment
			significant landscaping in front setback.
Side setback (levels 1 - 4)	<i>6m setbacks up to the fourth storey.</i>	<i>Up to 4th Storey i) 12.0m between habitable rooms/balconies; ii) 9.0m between habitable rooms/balconies and non-habitable rooms; iii) 6.0m between non-habitable rooms.</i>	Project achieves compliance with ADG requirements
Side setback (levels 5- 8)	<i>9m setbacks up to 8 storeys</i>	<i>5th Storey and above iv) 18.0m between habitable rooms/balconies; v) 13.5m between habitable rooms/balconies and non-habitable rooms; vi) 9.0m between non-habitable rooms.</i>	Project achieves compliance with ADG requirements
Side setback (9 -10)	<i>12m setbacks up to 9 storeys and above</i>	See above	Project achieves compliance with ADG requirements

Table 9 ADG and DCP setback compliance

Importantly, the upper levels of the building now achieve 12m setbacks where required for buildings above eight storeys. This represents an improvement over the originally submitted scheme, which achieved only 9m setbacks at the upper levels. The setbacks of Tower A and B are shown in figure below:

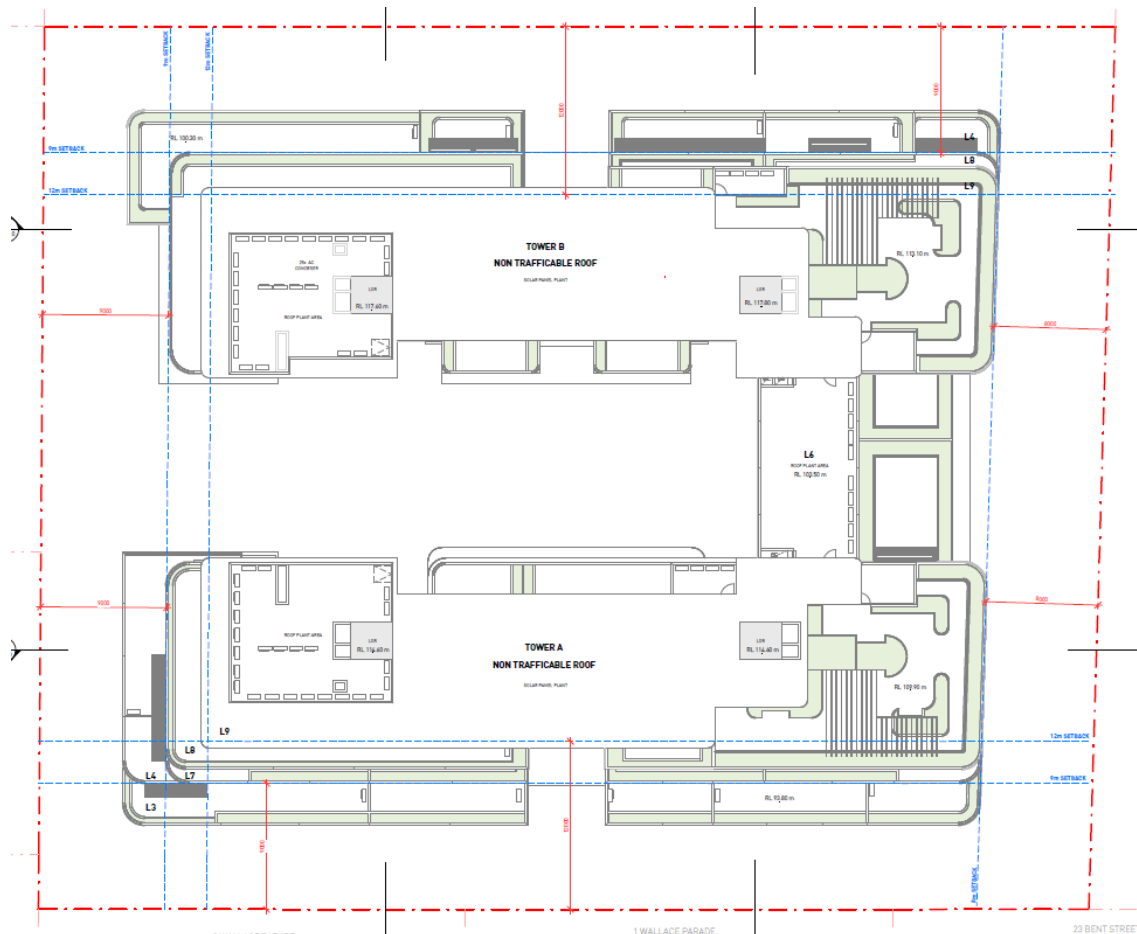


Figure 13 Setbacks of Tower A and B (Source: Giles Tribe)

The increased setbacks at the upper levels are achieved through stepping of the building envelope, which reduces the perceived bulk of the development and improves the relationship between the building and adjoining properties.

This approach also ensures improved compliance with the objectives of ADG Part 3F – Building Separation, which seeks to provide adequate privacy, outlook and solar access between residential buildings. As discussed above, privacy measures have been provided at balconies that encroach on the separation distances, these include privacy screens and planting that mitigate overlooking and provide a reasonable response to the sites sloping topography.

By increasing setbacks at the most visually sensitive upper levels, the amended proposal reduces potential amenity impacts on neighbouring properties while also improving the overall built form response within the streetscape.

The internal building separation within the development ranges between 12m and 15.6m. while these distances are below the separation distances identified in the ADG, the internal interfaces occur between habitable and non-habitable rooms, balconies with privacy screens, or blank walls. As shown in figure below:



Figure 14 Separation ground to level 3 (Source: Giles Tribe)



Figure 15 internal separation level 4 to above (Source: Giles Tribe)

The design measures mitigate potential privacy impacts and are consistent with the intent of ADG part 3F, Which enables reduced separation distances where architectural treatments such as privacy screens, window placement and non-habitable rooms are utilised.

Overall, the amended proposal represents a clear improvement in setback compliance compared to the submitted scheme and results in a more appropriate urban design outcome and achieves the ADG objectives to provide visual privacy at the upper levels.

7.4 Environmental amenity

The amended proposal has been reviewed in relation to environmental amenity impacts, including solar access, privacy, internal amenity and alignment with ADG principles.

7.4.1 Overshadowing

The overshadowing impacts of the amended proposal have been reviewed with reference to the Architectural Plans (Appendix 6), which show the updated shadow diagrams. The figure below shows the updated schemes overshadowing impacts.

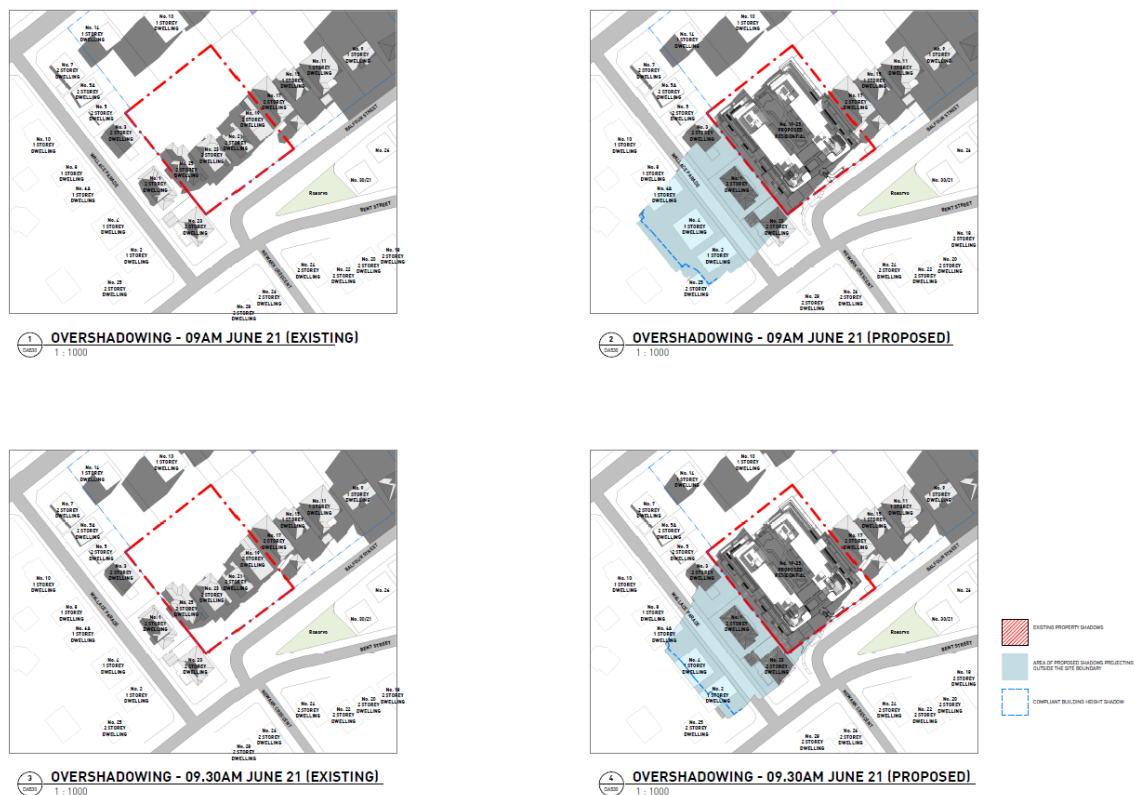
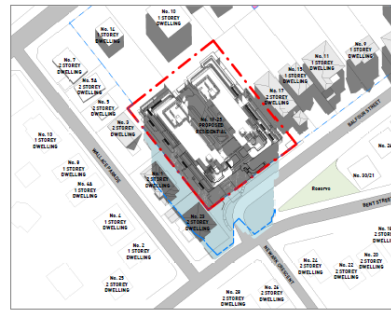


Figure 16 Existing and proposed overshadowing 9am - 9:30am (Source: Giles Tribe)



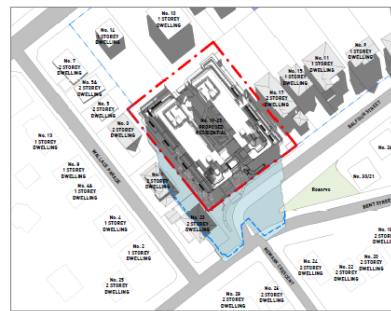
1 OVERSHADOWING - 12PM JUNE 21 (EXISTING)
1 : 1000



2 OVERSHADOWING - 12PM JUNE 21 (PROPOSED)
1 : 1000



3 OVERSHADOWING - 12.30PM JUNE 21 (EXISTING)
1 : 1000



4 OVERSHADOWING - 12.30PM JUNE 21 (PROPOSED)
1 : 1000



Figure 17 Existing and proposed overshadowing 12pm-12:30pm (Source: Giles Tribe)



1 OVERSHADOWING - 01PM JUNE 21 (EXISTING)
1 : 1000



2 OVERSHADOWING - 01PM JUNE 21 (PROPOSED)
1 : 1000



3 OVERSHADOWING - 01.30PM JUNE 21 (EXISTING)
1 : 1000



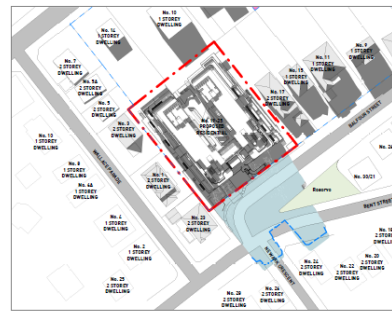
4 OVERSHADOWING - 01.30PM JUNE 21 (PROPOSED)
1 : 1000



Figure 18 Existing and proposed overshadowing 1pm-1:30pm (Source: Giles Tribe)



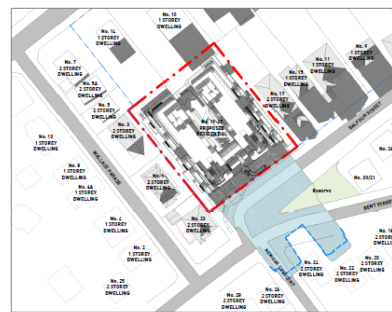
1 OVERSHADOWING - 02PM JUNE 21 (EXISTING)
1 : 1000



2 OVERSHADOWING - 02PM JUNE 21 (PROPOSED)
1 : 1000

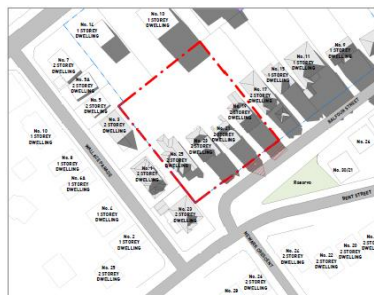


3 OVERSHADOWING - 02.30PM JUNE 21 (EXISTING)
1 : 1000

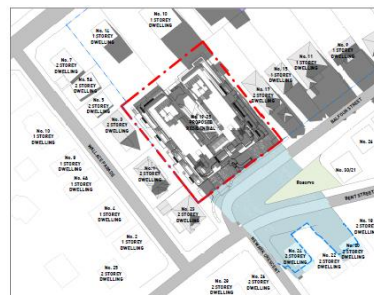


4 OVERSHADOWING - 02.30PM JUNE 21 (PROPOSED)
1 : 1000

Figure 19 Existing and proposed overshadowing 2pm-2:30pm (Source: Giles Tribe)



5 OVERSHADOWING - 03PM JUNE 21 (EXISTING)
1 : 1000



6 OVERSHADOWING - 03PM JUNE 21 (PROPOSED)
1 : 1000

Figure 20 Existing and proposed overshadowing 3pm (Source: Giles Tribe)

The updated diagrams confirm that the amended proposal does not result in any increase in overshadowing compared with the scheme previously assessed in the EIS.

The amended proposal does not increase the overall development intensity and has a minor reduction in total GFA. While the building envelope has been refined, these changes involve redistribution within the existing development, rather than expanding the building footprint.

Importantly, the stepping of the building envelope and increased setbacks at the upper-level assist in limiting additional shadow impacts on neighbouring properties. The amended scheme does not result in additional environmental impacts and remains acceptable.

The amended proposal maintains acceptable overshadowing outcomes for surrounding residential properties and the public domain. These have been specifically investigated below.

1 Wallace Parade and 23 Bent Street

The surrounding properties that see significant overshadowing in the early morning have been explored against the amended proposals overshadowing impacts.

The amended proposal complies with solar access for the surrounding dwellings as shown in the table and figures below:

Address	Living Areas and Private Open Space	Hours achieved
1 Wallace Parade	• Living areas	• 3.25 hours
	• Private open space areas	• 2.5 hours
23 Bent Street	• Living areas	• 2 hours
	• Private open space areas	• 2.5 hours

Table 10 Overshadowing compliance

As stated in the submitted EIS, the amended scheme shows that neighbouring buildings continue to receive sufficient winter solar access. The neighbouring properties above benefit from at least 2 hours of sunlight from midday onwards for 1 Wallace Parade and 12:30 for 23 Bent Street.

Balfour Street Reserve

Balfour Street Reserve is located between Balfour Street and Bent Street. The solar access to the reserve has been included in the table below:

Time	% of solar access achieved
9am	100% (0% overshadowing by proposed development)
10am	100% (0% overshadowing by proposed development)
11am	98% (2% overshadowing by proposed development)
12pm	84% (16% overshadowing by proposed development)
1pm	71% (29% overshadowing by proposed development)
2pm	53% (47% overshadowing by proposed development)
3pm	27% (63% overshadowing by proposed development)

Table 11 Overshadowing Balfour Reserve

Solar access to the reserve remains strong during the morning and midday period, which represents the primary period of public use. The reserve receives more than 80% solar access during the morning period. This aligns with the ADG objective 3D-4 to provide solar access year-round.

The amended proposal therefore does not result in any additional overshadowing impacts beyond those already assessed in the EIS.

7.4.2 Solar Access

Solar access for future residents has been reviewed with reference to the updated Architectural plans (Appendix 6).

The amended proposal continues to provide an appropriate solar access outcome for the residential apartments in accordance with the ADG objectives.

In accordance with the ADG, a total of 84 units (70%) achieve compliant solar access (2 hours) to living and POS.

The refined building scheme increases the provision of COS provided at levels 8 and 9, providing additional opportunities for residents to access sunlight and outdoor amenity. The communal open space areas receive the minimum requirement under the ADG. The figures below provide COS solar access between 9 am and 3 pm.

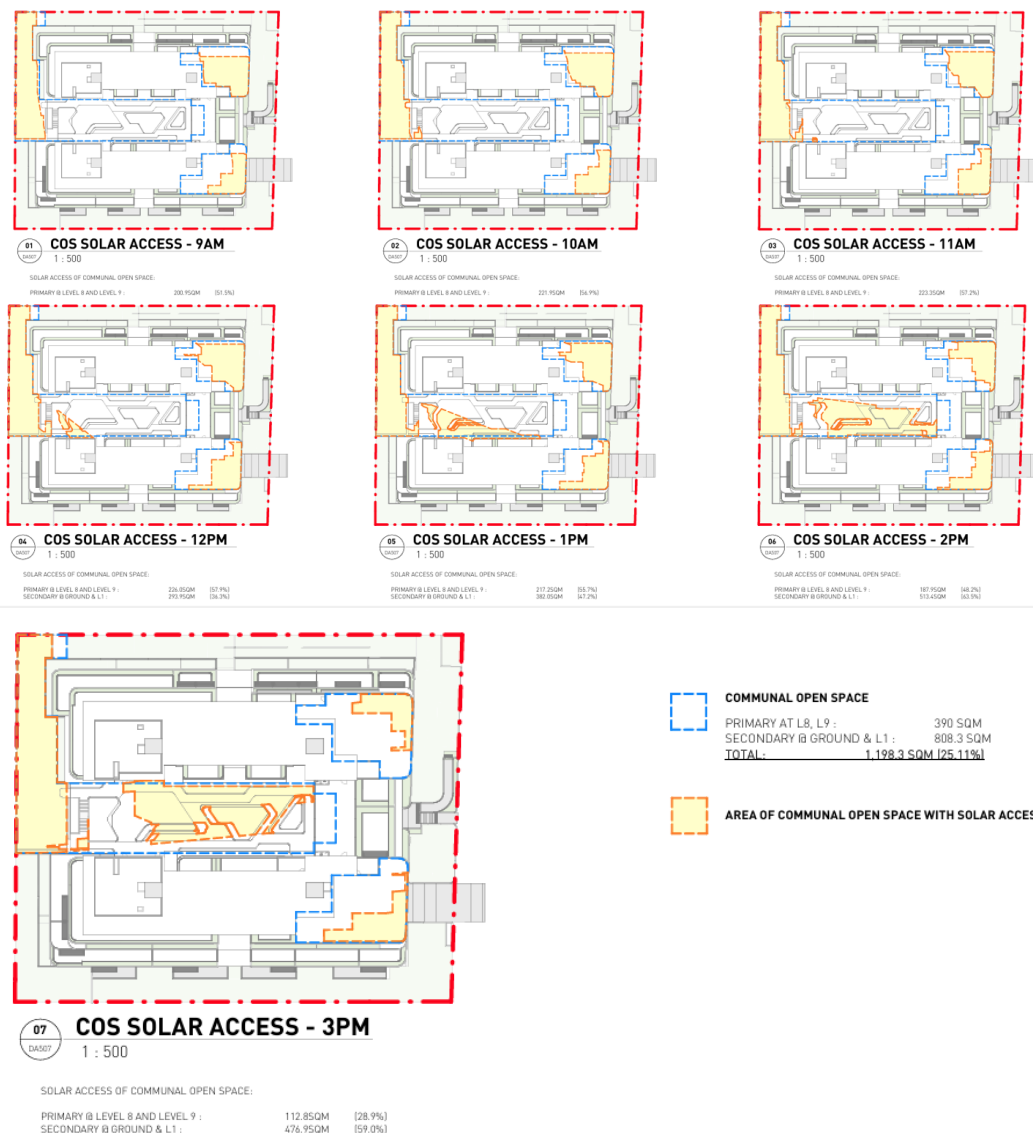


Figure 21 Communal Open Space solar access (Source: Giles Tribe)

Accordingly, the amended design reduces impacts compared to the exhibited scheme and achieves the relevant objectives of the ADG, resulting in an acceptable planning outcome.

7.5 Apartment layout

The amended proposal provides a total of 120 dwellings, comprising 55 two-bedroom units, 56 three-bedroom units and 9 four-bedroom units. The development also delivers 30 affordable housing units.

A comparison between the exhibited and amended apartment mix is provided in the table below:

Apartment type	Proposed (as exhibited)	Proposed (as amended)	Change
1 bedroom	5 x 1-bedroom units	N/A	- 5
2 bedroom	19 x 2-bedroom units	55 x 2-bedroom units	+36
3 bedroom	59 x 3-bedroom units	56 x 3-bedroom units	-3
4 bedroom	15 x 4-bedroom units	9 x 4-bedroom units	-6
Total units	98	120	+22

Table 12 Apartment comparison between exhibited and amended scheme

The revised mix reduces the number of larger four-bedroom apartments and removes the previously proposed one-bedroom apartments, while increasing the number of two-bedroom apartments. This change reflects refinements to the floorplate configuration and responds to market feedback indicating stronger demand for two-bedroom apartments from couples and small households.

Apartment size compliance

Apartment sizes of the proposed (amended) have been reviewed against the minimum internal area requirements of the ADG.

Apartment type	ADG minimum internal area	Proposed area range	Compliance
2 bedroom	70m ²	75.1-114m ²	Complies
3 bedroom	90m ²	105.3-156.2m ²	Complies
4 bedroom	100m ²	152.1-174.3m ²	Complies

Table 13 Apartment size compliance

The apartment schedule confirms that all apartments will meet or exceed the minimum internal area requirements of the ADG, providing appropriately sized dwellings that support residential amenity and functional apartment layouts.

Apartment Mix

The ADG part 4k – Apartment Mix requires that residential apartment developments provide a variety of apartment types and sizes to accommodate different household types.

Importantly, the ADG does not prescribe a minimum number or percentage of each apartment type. Instead, the proposed development needs to demonstrate that the proposed mix contributes to housing diversity and responds to the needs of the local community.

The amended proposal provides a mix of two, three-and four-bedroom apartments which caters to a range of household types. The revised mix also responds to market demand identified through the pre-sale process, which indicated stronger demand in the area for two and three-bedroom apartments as a more affordable entry point into the Lindfield housing market.

Accordingly, the proposed apartment mix is considered consistent with the objectives of ADG Part 4K – Apartment Mix, which seek to provide housing choice and diversity within residential apartment developments.

7.6 Parking

The proposed residential and visitor car parking spaces have been reduced to 184 spaces to better align with the minimum requirements of the Housing SEPP, having regard to the change in apartment yield. The table below provides the updated parking scheme:

Unit Type	Spaces per unit	No. of units	Required spaces	Proposed
Affordable housing dwellings				
2 bed	0.5	24	12	30
3 bed	1	6	6	
Market housing				
2 bed	1	55	55	132
3 bed	1.5	56	84	
4 bed	1.5	9	13.5	
Additional Council Requirements				
Visitor	Ku-ring-gai DCP applies 1 visitor car parking space per six dwellings.			20
Car share	The Ku-ring-gai DCP provides the rate of 1 space per 90 dwellings.			2 car share spaces
Subtotal				184

Table 14 Carparking Rates

The proposed number of car parking spaces has been reduced to better align with minimum rates in the Housing SEPP. While this remains above the minimum car parking rates for housing specified under the Housing SEPP, the provision is consistent and reflects a local parking demand and aligns closely with prevailing market conditions.

The reduction also aligns with NSW Government strategic planning objectives to reduce private vehicle dependency in locations with strong public transport accessibility

An updated Transport Impact Assessment (TIA) report has been provided at Appendix 9 that further justifies the parking provision.

7.7 Contamination

A Detailed Site Investigation (DSI) (Appendix 14) has been prepared by EHO Consulting for the site to further assess the potential for contamination and confirm the site's suitability for the proposed development.

The DSI has included a detailed review of intrusive soil across the site and risk assessment in accordance with relevant NSW EPA and MEPM guidelines. The investigation is based upon the submitted Preliminary Site Investigation that accompanied the EIS.

The DSI has confirmed the following through its assessment:

- no exceedances of relevant criteria: all contaminants of potential concerns were recorded at concentrations below the applicable human health and ecological assessment criteria.
- no asbestos identified: no asbestos containing materials or fibres were detected within sampled soils.
- negligible risk to human health, detailed assessment of potential exposure pathways (including ingestion, dermal contact, dust inhalation and vapour intrusion) concluded that risks are low and do not warrant further investigation.
- the refined site model demonstrates that no viable contaminations pathways exist with all contaminant levels below relevant thresholds.

The DSI addresses the findings and recommendations of the submitted PSI and supports the SSDA. As stated in the DSI, no further remediation works are required to facilitate the proposed development.

7.8 Access arrangements

The proposed point of access to the site is Balfour Street, which has not changed from the original proposal.

7.9 Noise and vibration

An updated Noise and Vibration Impact Assessment (NVIA) has been prepared by Pulse White Noise Acoustics Pty Ltd (Appendix 10). The report assesses noise and vibration impacts from traffic, mechanical plant, loading dock operation, and construction activities as a result of the amended proposal. Nearby sensitive receivers have been identified as residential. The NVIA has been revised to ensure the correct plans have been referenced and to address DPHI comments.

7.10 Waste

An updated Waste Management Plan (WMP) has been prepared by Archer Consultants Pty Ltd (Appendix 12). The updated WMP confirms items raised from the exhibition relating to truck size and truck access to the waste holding bay. The WMP also clarifies through updated Swept Path Diagrams the waste collection vehicles' path in and out of the development.

The updated WMP has been updated to reflect the Ku-ring-gai DCP waste generation rates, including provision of paper/cardboard recycling capacity based on 240L per four dwellings. The updated WMP provides 11 x 660L paper recycling bins and 30 x 240L mixed recycling bins, exceeding the requirement. The WMP has also been updated to incorporate a dedicated FOGO waste stream, including waste generation calculation, storage and operational management procedures.

The updated WMP strategies for demolition/construction & operational waste management remain suitable to address waste generated from the proposed development.

7.11 Heritage

An updated Statement of Heritage Impact (SoHI) has been prepared by GBA Heritage and is included at Appendix 11. The updated SoHI responds to matters raised by both Council and DPHI during the exhibition and assessment process.

In particular, the SoHI has been revised to clarify the heritage context of the Balfour Street / Highfield Road Heritage Conservation Area (HCA). References in the earlier report suggesting that the HCA would be “extinguished” have been removed.

Instead, the updated SoHI acknowledges that the conservation area has already experienced a degree of change over time and that its character is likely to continue evolving over time. This reflects the broader strategic planning framework applying to the area, including the Council’s alternative TOD planning approach and the uplift in development capacity associated with the R4 High Density Residential zoning.

The updated SoHI concludes that the amended proposal remains capable of being accommodated within the changing planning context of the HCA and that the proposal will have an acceptable heritage impact.

7.12 Arboricultural Impact Assessment

An updated Arboricultural Impact Assessment and Method Statement has been prepared by Naturally Trees (Appendix 16) to assess the impacts of the amended proposal on existing trees within and adjacent to the site.

The report identifies a total of 63 trees assessed, including 39 located on-site and 24 on adjoining land. The site contains a mix of ornamental, indigenous and exotic species of varying condition and retention value. Importantly, no high retention value (Category A or AA) trees are proposed for removal as part of the development.

The proposal will require the removal of 38 trees, all of which are located on the site and all of which are classified as low or very low retention value. A number of these trees are exempt under Council’s Tree Preservation Order, and several are identified as dead or in poor condition.

The development has been designed to minimise impacts to significant vegetation, with key building elements and works generally located outside Tree Protection Zones (TPZs) where possible. While some encroachment within TPZs is required, this is limited (generally up to 10%) and consistent with AS4970–2009, subject to appropriate management and supervision.

The report concludes that, with the implementation of the recommended arboricultural method statement, the majority of significant trees can be successfully retained without adverse impact. The overall impact on local tree canopy and amenity is assessed as moderate.

Mitigation and management measures have been included in Appendix 4.

7.13 Biodiversity

An updated Biodiversity Development Assessment Report (BDAR) (Appendix 18) has been prepared by ACS Environmental Pty Ltd in accordance with the Biodiversity Assessment Method (BAM) under the Biodiversity Conservation Act 2016 to support the amended SSDA.

The BDAR confirms the site is highly urbanised, comprising predominantly ornamental vegetation, with only a limited presence of native species. Native vegetation across the site is sparse, fragmented and low in ecological integrity, accounting for approximately 2.5% of the site area.

While mapping identifies the site containing elements of critically endangered Sydney Turpentine Ironbark Forest (PCT 3262), this is largely based on historic vegetation and neighbouring canopy species. The current on-site vegetation is substantially degraded and does not represent a functioning ecological community.

The proposal will result in the removal of approximately 0.0121 hectares of isolated native vegetation, including minor groundcover species and a small number of trees with limited habitat value. No significant habitat features such as tree hollows were identified within the impacted vegetation.

The Amendment report is also accompanied by a Vegetation Management Plan (VMP) (Appendix 22) that ensures the sites biodiversity is protected and maintained. The VMP includes tree protection measures for remnant vegetation at the site, maintenance and revegetation where possible, identification and removal of high threat weeds and monitoring future occurrences and maintaining removal and control. The VMP also outlines minimisation of erosion resulting from the construction activities.

The BDAR concludes that the proposal will not result in serious irreversible impacts on biodiversity values. Impacts are localised and primarily associated with the removal of degraded vegetation within an established urban context. The report includes the calculation of ecosystem credits in accordance with BAM requirements.

Mitigation and management measures are recommended to minimise impacts, including:

- the works are wholly contained within the property boundaries of the subject site including laydown of materials and equipment in a staged development

- bats must be surveyed in roof cavities and under eaves etc to determine which species are present in buildings before demolition, during demolition, roofs must be dismantled in evenings when bats are likely foraging and not roosting in roof cavities
- landscaping should include up to 80% of native tree, shrub, forb and grass species that are representative of PCT 3262, Sydney Turpentine Ironbark Forest, to enhance the native vegetation component of the locality, which in turn would increase potential roosting and foraging habitat for native fauna occurring in the locality

7.14 Accessibility Report

An updated Accessibility Report has been prepared by Access Right (Appendix 17) to assess the amended proposal against relevant accessibility standards and statutory requirements.

The report reviews the proposed residential flat building to ensure compliance with the *Disability Discrimination Act* (DDA), the Building Code of Australia (BCA), relevant Australian Standards (including AS1428 series), and the Liveable Housing Design Guidelines.

The proposed development comprises a multi-storey residential flat building incorporating basement parking, communal areas, and a mix of dwellings, including units designed to Liveable Housing Australia (LHA) Silver and Platinum levels.

The assessment confirms that the design is capable of achieving compliance with key accessibility requirements, including equitable access from the public domain, continuous accessible paths of travel, compliant circulation areas, accessible car parking, sanitary facilities, and adaptable residential unit layouts.

The report concludes that the proposal demonstrates an appropriate level of accessibility and inclusivity, and is suitable for approval, subject to detailed design resolution at the construction documentation stage.

7.15 Geotechnical Investigation

An updated Geotechnical Investigation has been prepared by Green Geotechnics Pty Ltd (Appendix 26) to assess the amended proposal and provide recommendations regarding excavation, retention systems, groundwater management, foundation design and construction methodology. The investigation included borehole drilling, groundwater monitoring and laboratory testing to characterise subsurface conditions across the site.

The report identifies the primary geotechnical considerations for the development as basement excavation and retention, management of excavation-induced vibration, and foundation design for the proposed building loads.

The report confirms that the proposed basement excavation is feasible, subject to the implementation of an appropriately designed retention system and geotechnical supervision during construction. Recommendations are provided for vibration monitoring during rock excavation, groundwater management measures, basement drainage, retaining wall design and foundation construction. The development is capable of being

founded on the underlying sandstone bedrock using the foundation parameters outlined in the report.

The investigation also includes a preliminary Acid Sulfate Soils assessment. The assessment confirms that excavation will not extend into areas susceptible to Acid Sulfate Soils and that the underlying geological profile is not consistent with conditions associated with their occurrence. The report concludes that the proposal is unlikely to intercept Acid Sulfate Soils, groundwater impacts will be minor and localised, and preparation of an Acid Sulfate Soil Management Plan is not required.

The report concludes that the site is suitable for the proposed development subject to implementation of the recommended mitigation measures (Appendix 4), including geotechnical inspections during construction, groundwater monitoring, vibration monitoring during rock excavation and construction in accordance with the recommended foundation and retention design parameters.

7.16 Summary of Environmental Impacts

Importantly, the amendments do not result in any material increase in previously assessed impacts and in several respects improve the overall design outcome when compared with the exhibited scheme.

In several respects, the amended proposal improves the environmental performance of the development and amenity of the design outcome, including increased COS, improved setback compliance and a reduction in overall GFA and FSR.

The amended development therefore represents an improved design outcome while maintaining consistency with the strategic and statutory planning framework.

8 Justification for Amended Project

The report has assessed the proposed amendment to SSD 82709458, having regard to the economic, environmental and social impacts of the amendment as well as the principles of ecologically sustainable development.

This section justifies the amended development. It includes an analysis of the amended development in the context of the relevant strategic planning framework, as well as an assessment of the economic, environmental and social impacts and consistency with the principles of Ecologically Sustainable Development (ESD).

This section evaluates the potential benefits and impacts of the amended development informed by findings of detailed technical assessments, stakeholder views and compliance with the relevant controls and policies.

This assessment concludes that the proposed amendments are acceptable for the following reasons:

- the exceedance of the building height control is limited and in centralised areas and such that the visual impacts of the exceedance will be imperceptible,
- the proposed development aligns with Chapter 5 of the Housing SEPP by ensuring high quality and high-density residential uses are within close proximity of transport
- the proposal provides a significant quantum of affordable housing floor space to contribute to diverse housing within the Ku-ring-gai LGA.
- the development facilitates the redevelopment of a site identified for uplift, located close to services and public transport,
- the proposal, as amended, will not result in any adverse environmental impacts beyond those originally assessed under the EIS submitted. The amended scheme has received initial feedback from DPHI and has been amended to improve overall compliance and address concerns raised in the Key Issues letter.

8.1 Design justification

The proposal, as amended delivers a cohesive residential development that optimises land use efficiency and delivers a significant amount of affordable and market housing within the Ku-ring-gai LGA.

Key design rationale for the amended development includes:

- provision of 120 apartments, including 30 affordable housing units, contributing to increased housing supply and affordability in the area.
- reduction in total GFA from 15,499m² to 15,401m², resulting in a reduced FSR of 3.23:1. This demonstrates the amended proposal does not increase the overall development intensity.
- improved compliance with building setbacks, 6m, 9m and 12 with the upper levels achieving 12m separation where required for developments above 8 storeys, consistent with the ADG.
- refinement of the podium and rooftop form, including the increase of the podium and improved articulation of upper levels, which has seen reductions at certain points of the height plane and localised exceedance.

- provision of increased COS, comprising 1,199.5 m² (25.14% of the site area) located across the ground floor and upper levels. These areas provide improved amenities and outdoor spaces for residents.

8.2 Strategic Justification

As demonstrated throughout this report, the amended proposal continues to align with the relevant strategic planning framework applying to the site and locality.

In particular, the amended proposal supports the objectives of key strategic planning documents, including:

- *National Housing Accord*: the proposed development supports the National Housing Accord by contributing to the goal of constructing 1.2 million homes in existing urban locations that are highly accessible.
- *Greater Sydney Region Plan*: supporting themes of liveability, productivity, sustainability and infrastructure coordination through the delivery of additional housing in an established area.
- *Draft Sydney Region Plan*: supports the location of new housing and employment opportunities to improve housing affordability, support economic growth and ensure that development occurs in locations well supported by infrastructure and services
- *North District Plan*: facilitates increased housing supply and diversity in a well-located urban area with access to existing infrastructure and services.
- *Ku-ring-gai Local Strategic Planning Statement (LSPS)*: supports the delivery of diverse housing options and promotes growth in locations with access to transport, services and community infrastructure.
- *Ku-ring-gai Affordable Housing Policy*: the proposed development is consistent with this policy by addressing the current housing shortfall by delivering well-located, diverse and sustainable market residential and affordable housing.

The proposal will contribute to the delivery of additional housing supply, including affordable housing, in a highly accessible location.

Importantly, the proposal makes efficient use of a site located within an area identified for increased housing density, while supporting the strategic objective of delivering housing in an accessible and well-serviced location.

As such, the amended proposal remains consistent with the relevant strategic planning framework applying to the site and locality.

8.3 Statutory justification

As outlined in Section 5, the proposed development generally aligns with the relevant statutory instruments which guide the development of the land. Overall, the proposal is consistent with the objectives of the Housing SEPP to appropriately locate infill affordable housing.

8.4 Social, economic and environmental impacts

The proposed development, as amended, will continue to have an overall positive environmental, social and economic impact. The assessment of impacts provided in Section 7 confirms a satisfactory outcome in regard to:

- surrounding properties: the amended scheme has refined the building height and side boundary setbacks to ensure separation guides of the ADG are met
- the proposal provides an excess of 17% affordable housing GFA in accordance with provisions of the Housing SEPP and directly responds to the objectives of the EP&A Act
- provides a mix of apartment types to align with demographics and demand within the Ku-ring-gai LGA
- involves a significant investment in construction and associated costs, providing numerous jobs throughout construction