

Appendix 3

Statutory compliance table

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
Environmental Planning and Assessment Act 1979				
Consideration under the Act and Regulation				
Section 1.3	Relevant objects of the Act <i>to promote the supply, delivery and maintenance of housing, including affordable housing</i> <i>to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats</i> <i>to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage</i> <i>to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings</i> <i>to provide opportunities for participation in environmental planning and assessment</i> <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</i> <i>to promote the orderly and economic use and development of land.</i>	It delivers a residential flat building, including in-fill affordable housing, on a strategically located site that is readily accessible by existing infrastructure.	Section 3 and Section 6	Section 7
		A BDAR Waiver was issued by DPHI as part of the original application (Appendix 9). The BDAR Waiver confirms the development is unlikely to have any significant impact on biodiversity values.	Section 6.9 and Appendix 9	N/A
		There is no built heritage on the site, or in proximity to the site. An Aboriginal Due Diligence Assessment was prepared as part of the original application (Appendix 7). The Assessment confirms that no Aboriginal objects are present within the site, nor are there likely to be any. As such, the proposed amendments are unlikely to result in any impacts to built or cultural heritage, including Aboriginal cultural heritage.	Section 6.15 and Appendix 7	N/A
		The proposed development has been designed to promote design excellence and a high standard of amenity in the built environment.	Section 6.1 and Appendix 19	Section 7
		As detailed in Section 5 of the original EIS and Section 6 of this Amendment Report, community and stakeholder engagement has been undertaken during the preparation of the SSDA and post-exhibition.	Section 5	Section 6
		The proposed development facilitates ecologically sustainable development as outlined in the ESD Report (Appendix 15) and the BASIX Certificate and	Section 6.13, Appendix 15 and	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
		NatHERS (Appendix 23) submitted with the original application.	Appendix 23	
		The proposal is consistent with strategic plans including the National Housing Accord, 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.	Section 7.2 and Appendix 3	Section 3
Application				
Section 4.12(8)	<i>A development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations.</i>	The EIS submitted with the original application has been prepared to accompany an SSD application and is in the form prescribed by the regulations.	N/A	N/A
Evaluation				
Section 4.15	a) the provisions of:	The environmental planning instruments relevant to the site are addressed at Section 4 and Appendix 4 of the EIS submitted as part of the original application and in Section 5 and this appendix of the Amendment Report.	Section 4 and Appendix 4	Section 5
	i) any environmental planning instrument, and			
	ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There are no draft EPIs relevant to the site.	N/A	N/A
	iii) any development control plan, and	DCPs are not applicable to SSD applications.	N/A	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
	a. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	There is no planning agreement relevant to the proposal.	N/A	N/A
	iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The <i>Environmental Planning and Assessment Regulation 2021</i> is addressed at Section 4 and Appendix 4 of the original EIS and this appendix of the Amendment Report.	Section 4 and Appendix 4	Appendix 3
	v) repealed	N/A	N/A	N/A
	b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts the locality	The likely impacts of the development, including environmental impacts on the natural and built environments, social and economic impacts are addressed at Section 6 of the original EIS and Section 7 of the Amendment Report.	Section 6	Section 7
	c) the suitability of the site for the development	The suitability of the site for the development is considered at Section 6.	Section 6	Section 7
	d) any submissions made in accordance with this Act or the regulations	Any submissions received on the original application have been considered and addressed as part of a 'Response to submission report'. Any submissions received on the Amendment Report will be considered and addressed as part of a 'Response to submission report' as detailed within Section 6 of this Amendment Report.	Section 5	Section 6
	e) the public interest	The development is in the public interest as detailed in Sections 2 and 7 of the original EIS and Section 8 of this Amendment Report.	Section 2 and 7	Section 8
Environmental Planning and Assessment Act 1979				
Section 190	Form of environmental impact statement	The EIS submitted as part of the original application has been prepared in accordance with this section	All	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
		including consideration of the State Significant Development Guidelines.		
Section 192	Content of an environmental impact statement	The EIS submitted as part of the original application includes all content required under this section.	All	N/A
Biodiversity Conservation Act 2016				
Section 7.9	1. This section applies to— (a) an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and (b) an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure. 2. Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. 3. The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the Environmental Planning and Assessment Act 1979.	The site does not contain any biodiversity values land and a BDAR waiver is provided at Appendix 9 of the original application, confirming that there are no impacts arising from development on habitats of any threatened species	Section 6.13 and Appendix 9	N/A
Contaminated Land Management Act 1997				
-	This Act establishes a process for investigating and (where appropriate) remediating land where contamination poses a significant risk of harm to human health or the environment.	Site contamination has been considered through the preparation of a Preliminary Site Investigation (Appendix 14 of original application).	Section 6.6 and Appendix 14	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
Heritage Act 1977				
-	The Heritage Act 1977 establishes a framework for the identification, conservation, and management of environmental heritage, including buildings, works, relics, and places of historical, cultural, or social significance	The site is not identified as a heritage item and there are no heritage items in proximity to the site.	Section 6.15 and Appendix 7	N/A
State Environmental Planning Policy (Biodiversity and Conservation) 2021				
2. Vegetation in non-rural areas				
Section 2	Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity SEPP) states that a person must not clear vegetation in a non-rural area of the State to which Part 2.3 applies without the authority conferred by a permit granted by the council under that Part.	Information on existing trees to be removed as part of the original application is included in the Arboricultural Impact Assessment and Landscape Report and Plans which was submitted with the EIS. The documents advise that 30 trees are to be removed, 16 trees to be retained and 22 new trees to be planted on site. In accordance with DPHI's request, an additional six trees will be retained as part of the amended proposal. An updated Arboricultural Impact Assessment has been prepared at Appendix 7.	Section 6.4, Appendix 32 and Appendix 17	Section 4 and Appendix 7
State Environmental Planning Policy (Housing) 2021				
2. Affordable Housing				
Chapter 2	Development for affordable housing	Part 2 of the Housing SEPP applies to in-fill affordable housing. A full assessment of this part is provided in the table below.	Appendix 4	N/A
4. Design of Residential Apartment Development				
Chapter 4	Design of residential apartment development	A comprehensive assessment of the proposed development against nine design quality principles under Schedule 9 of the Housing SEPP and consideration of the Apartment Design Guide is provided in the Apartment Design Guide Table prepared by PBD Architects.	Appendix 21	Appendix 5b

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
6. Low and mid-rise Housing				
Clause 164	(1) This chapter applies to the whole of the State, other than the following— (a) bush fire prone land, (b) land identified as a coastal vulnerability area or a coastal wetlands and littoral rainforests area within the meaning of State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 2, (c) land to which Chapter 5 applies, (d) land that is a heritage item or on which a heritage item is located, (e) the following local government areas— (i) Bathurst Regional, (ii) City of Blue Mountains, (iii) City of Hawkesbury, (iv) Wollondilly	The provisions in this chapter are relevant to the proposed development.	Section 6	N/A
Part 4 Residential flat buildings and shop top housing				
Clause 174	Development permitted with development consent <i>Development for the purposes of residential flat buildings is permitted with development consent on land to which this chapter applies in a low and mid rise housing area in Zone R2 Low Density Residential or R3 Medium Density Residential.</i>	Site is located within R3 Medium Density Residential Zone under the KLEP 2015.	Section 3	N/A
Clause 175 (1)	Development standards— low- and mid-rise housing inner area <i>(1) This section applies to land in a low and mid rise housing inner area in Zone R3 Medium Density Residential or R4 High Density Residential.</i>	This section applies given the site's R3 Medium Density Residential zoning under the KLEP 2015.	Section 3	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
Clause 175 (2)	<i>(2) Development consent must not be granted for development for the purposes of residential flat buildings with a building height of up to 22m unless the consent authority is satisfied the building will have 6 storeys or fewer.</i>	The proposed development utilizes the bonus height provisions of Chapter 2 of the Housing SEPP. Notwithstanding, a minor variation is proposed of 2m and therefore a Clause 4.6 variation request has been prepared.	Section 6.1 and Appendix 6	Section 5 and Appendix 18
177 Landscaping—residential flat buildings or shop top housing				
177 (1)	<i>This section applies to land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.</i>	This section applies given the site's R3 Medium Residential zoning under the KLEP 2015.	Section 3	N/A
177 (2)	<i>Development consent must not be granted for development for the purposes of residential flat buildings or shop top housing unless the consent authority has considered the Tree Canopy Guide for Low and Mid Rise Housing, published by the Department in February 2025.</i>	Complies	Section 6.4	N/A
178 Minimum lot size for residential flat buildings or shop top housing				
178 (1)	<i>This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.</i>	This section applies given the site's R3 Medium Residential zoning under the KLEP 2015.	N/A	N/A
178 (2)	<i>A requirement specified in another environmental planning instrument or development control plan in relation to the following does not apply to development that meets the standards in section 180(2) or (3)— (a) minimum lot size, (b) minimum lot width.</i>	Complies	Section 6.1	N/A
180 Non-discretionary development standards—residential flat buildings and shop top housing in Zone R3 or R4				
180 (1)	<i>(1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.</i>	This section applies given the site's R3 Medium Residential zoning under the KLEP 2015	N/A	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
180 (2)	(1) <i>The following non discretionary development standards apply in relation to development on land in a low and mid rise housing inner area—</i> (a) <i>a maximum floor space ratio of 2.2:1,</i> (b) <i>for residential flat buildings—a maximum building of 22m,</i>	The development is utilising the bonus height and FSR provisions of Chapter 2 of the Housing SEPP.	Section 4	Section 5
Schedule 9 Design principles for residential apartment development				
Schedule 9 1-9	The proposed development will need to show consistency with the following design principles from Schedule 9 of the Housing SEPP: 1 Context and neighbourhood character 2 Built form and scale 3 Density 4 Sustainability 5 Landscape 6 Amenity 7 Safety 8 Housing diversity and social interaction 9 Aesthetics	The assessment against Schedule 9 is provided in the Design Verification Statement provided at Appendix 5a.	Appendix 19	Appendix 5a
Division 1 Infill affordable housing				
15C Development to which Division applies	<i>This division applies to development that includes residential development if</i> a) <i>the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and</i>	Noted. This division applies to the proposed development.	Appendix 4	N/A
	b) <i>the affordable housing component is at least 10%, and</i>	Complies. The affordable housing component is 15%.	Section 1, Section 3, Section 4 and Section 6	Appendix 4

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
16 Affordable housing requirements for additional floor space ratio	c) <i>all or part of the development is carried out— for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</i>	The site is within an accessible area in the Six Cities Region noting its proximity to St Ives Village Centre and bus stops on Mona Vale Road and Killeaton Street.	Appendix 4	N/A
	2. <i>Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.</i>	Noted.	N/A	N/A
	1. <i>The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</i> 2. <i>The minimum affordable housing component, which must be at least 10%, is calculated as follows—</i> $\text{affordable housing component} = \frac{\text{additional floor space ratio}}{(\text{as a percentage})} + 2$	This section requires the affordable housing contribution to be 15% of the maximum permissible FSR + 30%. The proposed development provides for 1,487.6m ² of the GFA as affordable housing.	Section 1, Section 3, Section 4 and Section 6 Section 1, Section 3, Section 4 and Section 6	N/A Appendix 4

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
	<i>3. If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</i>	Does not comply. The proposed development seeks to utilise the 30% bonus height and FSR incentives. A maximum building height of 28.6m and FSR of 2.86:1 is applied to the site. The proposed development has a maximum building height of 30.6m calculated in accordance with Merman Investments Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 1582.	Appendix 4	Appendix 18
	<i>4. This section does not apply to development on land for which there is no maximum permissible floor space ratio.</i>	N/A	N/A	N/A
19 Non-discretionary development standards	<i>2. The following are non-discretionary development standards in relation to the residential development to which this division applies-</i> <i>(a) site area if the site area is at least 450 sqm</i>	Complies. The site area is 3,467.7m ² .	Section 3	Appendix 4
	<i>(b) a minimum landscaped area that is the lesser of—</i> <i>(i) 35 sqm per dwelling, or</i> <i>(ii) 30% of the site area,</i>	The development complies as it provides 41.7% landscaped area.	Section 6	Appendix 4
	<i>(c) a deep soil zone on at least 15% of the site area, where—</i> <i>(i) each deep soil zone has minimum dimensions of 3m, and</i> <i>(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i>	The proposal provides 24.1% of the site as deep soil zone.	Section 6	N/A
	<i>(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid winter</i>	Requirement equates to 54 units / 77 (70%) Proposal 55 Units / 77 (71.4%)	-	Appendix 4
	<i>(e) the following number of parking spaces for dwellings used for affordable housing—</i>		Section 6	Section 4

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report																																																												
	(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space, (f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,	The provisions of Section 19 of the Housing SEPP require the following minimum parking provision at the site: <table border="1"> <thead> <tr> <th>Unit type</th><th>Spaces per unit</th><th>No. of units</th><th>Required spaces</th><th>Proposed</th></tr> </thead> <tbody> <tr> <td colspan="5">Affordable housing dwellings</td></tr> <tr> <td>1 bed</td><td>0.4</td><td>0</td><td>0</td><td>0</td></tr> <tr> <td>2 bed</td><td>0.5</td><td>8</td><td>4</td><td>1</td></tr> <tr> <td>3+ bed</td><td>1</td><td>5</td><td>5</td><td>11</td></tr> <tr> <td colspan="5">Market housing</td></tr> <tr> <td>1 bed</td><td>0.5</td><td>0</td><td>0</td><td>0</td></tr> <tr> <td>2 bed</td><td>1</td><td>12</td><td>12</td><td>20</td></tr> <tr> <td>3+ bed</td><td>1.5</td><td>52</td><td>78</td><td>83</td></tr> <tr> <td>TOTAL</td><td>-</td><td>77</td><td>99</td><td>115</td></tr> <tr> <td>Visitor</td><td>-</td><td></td><td></td><td>10</td></tr> <tr> <td>SUBTOTAL</td><td></td><td></td><td></td><td>125</td></tr> </tbody> </table> The proposed number of car parking spaces has been reduced to better align with the minimum rates in the Housing SEPP. While this remains marginally above the minimum car parking rates for housing specified under the Housing SEPP, the provision is consistent with the minimum requirements set out in Part 7B of the KDCP, reflecting local parking demand and aligning more closely with prevailing market conditions. The proposed provision of 12 affordable housing car parking spaces satisfies the minimum car parking	Unit type	Spaces per unit	No. of units	Required spaces	Proposed	Affordable housing dwellings					1 bed	0.4	0	0	0	2 bed	0.5	8	4	1	3+ bed	1	5	5	11	Market housing					1 bed	0.5	0	0	0	2 bed	1	12	12	20	3+ bed	1.5	52	78	83	TOTAL	-	77	99	115	Visitor	-			10	SUBTOTAL				125	Section 6	Section 4
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Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
		rates for affordable dwellings as prescribed under the Housing SEPP.		
	<i>(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,</i>	Internal Areas are listed from the ADG below: • Studio: 35m² • 1-bedroom: 50m² • 2-bedrooms: 70m² • 3-bedroom: 90m² The proposed development complies with the requirements for internal areas.	Appendix 4	Appendix 4
19(3) Design requirements	<i>3. Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with— (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.</i>	Complies. The development will be compatible with the character of the local area and the desired future character of the area.	Section 6	Section 7
21 Must be used for affordable housing for at least 15 years	<i>1. Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development.</i> <i>a. the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i> <i>b. the affordable housing component will be managed by a registered community housing provider.</i>	Complies. A condition of consent can be imposed to ensure the affordable housing is used for a minimum period of 15 years.	N/A	N/A
State Environmental Planning Policy (Planning Systems) 2021				
Schedule 1, Clause 26A				
Section 2.6	Declaration of State Significant Development (Section 1 of this EIS).	The proposed development is declared SSD under the Schedule 1 (26A) of the Planning System SEPP as the development has an EDC of more than \$75	Section 4.1 and	N/A

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
		million, noting it is wholly residential, and provides more than 10% of the GFA for the purposes of affordable housing in the north district.	Appendix 4	
State Environmental Planning Policy (Resilience and Hazards) 2021				
2. Contamination and remediation to be considered in determining development application				
Section 4.6	<i>(1) A consent authority must not consent to the carrying out of any development on land unless— (f) it has considered whether the land is contaminated, and (g) 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 (h) 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.</i>	A Preliminary Site Investigation (PSI) has been prepared by GSNE Services and included in Appendix 14 as part of the original application. The PSI identifies areas of potential environmental concern within the site. Therefore, the PSI recommends that a Detailed Site Investigation (DSI) is to be undertaken to provide further information about the presence and extent of contamination on site prior to construction. A DSI has since been prepared, which confirms the nature and extent of contamination on the site. In response, a Remedial Action Plan (RAP) has also been prepared. The RAP outlines the appropriate remediation measures required to render the site suitable for the proposed development.	Appendix 14	Appendix 12 and Appendix 15
State Environmental Planning Policy (Sustainable Building) 2022				
Section 2.1	Standards for BASIX development and BASIX optional development.	An Ecologically Sustainable Development Report (ESD Report) is provided which demonstrates	Section 6.13, Appendix 15 and Appendix 23	Appendix 17

Statutory reference	Mandatory consideration	Assessment	Section in EIS	Section in Amendment Report
		compliance with BASIX energy, water and thermal comfort targets as follows: • 60% energy • 40% water • Individual apartment NatHERS rating no less than 6 Star • Average apartment NatHERS rating of at least 7 Stars, with the development expected to achieve an average of 7.6 Stars		
State Environmental Planning Policy (Transport and Infrastructure) 2021				
2. Infrastructure				
Section 2.48	Section 2.48 provides that any development carried out within 5m of an exposed overhead electricity powerline is to be notified to the electricity supply authority and consideration given to any response received.	The site contains an overhead power line at its southern boundary. The application has therefore been referred to the relevant electricity supply authority for comment.	Section 4	N/A

Ku-ring-gai Local Environmental Plan 2015

Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015) regulates development throughout the is Ku-ring-gai area. As the *State Environmental Planning Policy (Housing 2021)* applies to the site, the LEP does not apply.

Notwithstanding, for consistency, an assessment against the provisions of the KLEP 2015 has been provided below.

Clause	Consideration	Discussion	Section in EIS
2.2 Zoning	The site is zoned R3 Medium Density Residential form the KLEP 2015 with the stated objectives: • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To provide a	Clause 174 of the Housing SEPP permits residential flat buildings in a R3 medium density residential zone. • The proposed development provides 13 new affordable homes and 64 new market residential homes assisting to meet the housing needs within the Ku ring-gai LGA and increase supply in a well serviced location.	Section 4

Clause	Consideration	Discussion	Section in EIS
	transition between low density residential housing and higher density forms of development.	- The proposed development will enhance the vitality of St Ives Shopping Village through higher foot fall traffic supporting long term employment and retail diversity. - The proposed development includes both market residential and affordable housing with a mix of apartment sizes suited to a range of demographics. - The proposed development complements low density areas by relieving pressure for infill in traditionally detached housing zones.	
4.3 Height of buildings	9.5m	N/A - Base height controls are provided under Chapter 6 of the Housing SEPP given the site is identified within a Low and mid-rise housing inner area. Additionally, given the provision of 15% of the total GFA for affordable housing, the proposal benefits from the bonuses under Section 16 of the Housing SEPP.	Section 4
4.4 Floor space ratio	0.5:1	N/A- Base FSR controls are provided under Chapter 6 of the Housing SEPP given the site is identified within a Low and mid-rise housing inner area. Additionally, given the provision of 15% of the total GFA for affordable housing, the proposal benefits from the bonuses under Section 16 of the Housing SEPP.	Section 4
5.10 Heritage conservation	N/A	N/A - The site is not located within a heritage conservation area, and there are no heritage items on the site.	Section 6
5.21 Flood planning	<i>(1) The objectives of this clause are as follows— (a) to minimise the flood risk to life and property associated with the use of land,</i> <i>(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,</i> <i>(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,</i>	The site is not identified as being flood affected on Council's flood mapping.	Section 2 and Appendix 1

Clause	Consideration	Discussion	Section in EIS
	<i>(d) to enable the safe occupation and efficient evacuation of people in the event of a flood</i>		
6.1 Acid Sulfate Soils	<i>Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</i> <i>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</i> <i>Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.</i>	The site is mapped for Class 5 acid sulfate soils. Notwithstanding, as demonstrated in the PSI, no acid sulfate soils have been found on site.	Section 6 and Appendix 14
6.2 Earthworks	Development consent is required for earthworks.	Consent for earthworks is being sought via this SSD application.	N/A
6.5 Stormwater and water sensitive urban design	(2) Before granting development consent to development on any land to which this Plan applies, the consent authority must be satisfied that— (a) water sensitive urban design principles are incorporated into the design of the development, and (b) riparian, stormwater and flooding measures are integrated, and (c) the stormwater management system includes all reasonable management actions to avoid any adverse impacts on the land to which the development is to be carried out, adjoining properties, native bushland, waterways and groundwater systems.	Stormwater management is addressed at Section 6.5.2 of the original EIS.	Section 6

Clause	Consideration	Discussion	Section in EIS
6.6 Requirements for multi dwelling housing and residential flat buildings	(2) Development consent must not be granted unless the lot has an area of at least 1,200 square metres and minimum dimensions (width and depth) of at least— (a) if the area of the land is less than 1,800 square metres—24 metres, or (b) if the area of the land is 1,800 square metres or more—30 metres.	The proposed development complies with this clause. The site has a total area of 3,467.7m ² and a frontage of approximately 60m.	Section 3