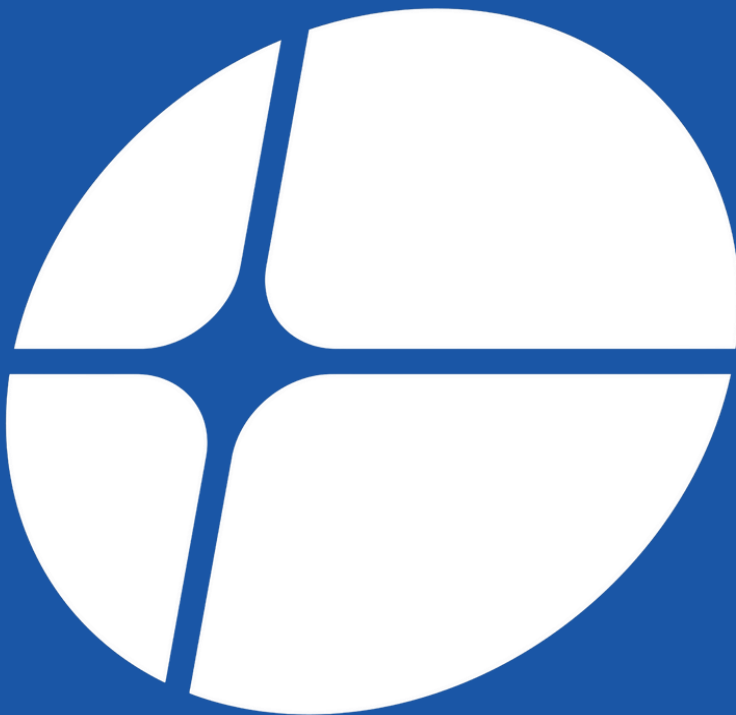


Amendment Report

In-fill Affordable Housing
5-9 Cowan Road, St Ives
SSD 88948458



Prepared for Prosper 5-9 Cowan Road
St Ives Pty Ltd (646 866 241 26)

Submitted to DPHI

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1 Executive Summary

A State Significant Development (SSD) application (SSD-88948458) was submitted on 14 October 2025 for the development of a residential flat building including in-fill affordable housing at 5-9 Cowan Road, St Ives. The application was supported by an Environmental Impact Statement (EIS) which was exhibited between 21 October 2025 and 3 November 2025. During and following that period, a range of matters have been identified that have required an amendment to the project.

The proposed amendments have resulted from matters raised by Government agencies, Ku-ring-gai Council (Council), the community and other relevant stakeholders through the public exhibition period.

The proposed amendments include the following:

- minor increase to proposed height (30.6m) to facilitate lift access to additional apartments at Level 8 resulting in no additional environmental impact
- re-allocation of floor space to Level 8 which will facilitate two additional market housing apartments
- amended setbacks to the south-western boundary of Levels 4-6 (average 6m setback)
- amendments to proposed rear setbacks at Level 4 and above
- re-allocation of communal open space to Level 8 to facilitate an additional apartment on Level 7
- amendments to the communal space at ground floor, noting this area was previously fully enclosed and has since been designed to be open to the elements and below a cantilevered portion of the building
- changes to apartment allocation and mix to ensure the minimum requirement of affordable housing gross floor area (15% of total floor area) is provided to achieve height and floor space ratio bonuses, increasing the number of affordable housing units from 12 to 13
- implementation of visual privacy mitigation measures to ensure compliance with the relevant design criteria in the Apartment Design Guide (ADG), including the removal of south-facing balconies to 3-bedroom units on Levels 1–7 and the reduction in the size of east-facing balconies on Levels 5 and 6.
- revisions to car parking from 150 to 125 spaces in accordance with the minimum requirements of *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), having regard to the change in apartment yield, increase in visitor parking spaces and reduction in basement footprint
- retention of four additional trees in accordance with DPHI's request
- additional assessment being undertaken in relation to contamination, lighting, air quality and odour impacts to address concerns raised by DPHI

The proposed amendments seek to:

- ensure an improved urban design outcome through enhanced building articulation and improved visual privacy
- minimise amenity impacts on surrounding residential properties, including with respect to privacy, overshadowing and visual bulk

- 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 SSD concept while improving compliance with relevant planning controls and guidelines

Accordingly, the amendments to the project are found to be well justified and result in minimal environmental impacts.

Other aspects of the project as outlined in the original EIS documentation remain largely unchanged.

This Amendment Report is submitted in accordance with the *Environmental Planning and Assessment Regulation 2021*, Division 2 Section 37 Amendment of Development Application. 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 *NSW 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.

2 Introduction

This Amendment Report has been prepared by *Keylan Consulting Pty Ltd* (Keylan) to accompany an application to amend SSD-88948458 for the development of a residential flat building including in-fill affordable housing on land at 5-9 Cowan Road, St Ives in the Ku-ring-gai Local Government Area.

The application has been prepared on behalf of *Prosper 5-9 Cowan Road St Ives 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:

- ensure an improved urban design outcome through enhanced building articulation and improved visual privacy
- minimise amenity impacts on surrounding residential properties, including with respect to privacy, overshadowing and visual bulk
- 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 SSD concept while improving compliance with relevant planning controls and guidelines

The proposed amendments have resulted from the submissions received and DPHI's Key Issues Letter dated 27 November 2025.

It is considered that the proposed amendments are acceptable as:

- the exceedance of the building height above the bonus height control is minimal and impacts of the exceedance will be imperceptible
- the proposed development aligns with the low-mid rise housing policy by placing a high-quality, high density residential use within close proximity to St Ives Shopping Village and bus services
- the proposal, as amended, will not result in any adverse environmental impacts beyond those approved under SSD-88948458
- the amendments will facilitate development that is substantially the same as that for which consent was originally granted
- the proposal 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:

- Updated Project Description (Appendix 1)
- Updated Mitigation Measures (Appendix 2)
- Statutory Compliance Table (Appendix 3)

- Architectural Plans (Appendix 4)
- Design Report (Appendix 5)
- Design Verification Statement (Appendix 5a)
- Apartment Design Guide Compliance Table (Appendix 5b)
- Landscape Plans (Appendix 6)
- Landscape Report (Appendix 6a)
- Arboricultural Impact Assessment (Appendix 7)
- Noise and Vibration Impact Assessment (Appendix 8)
- Lighting Impact Assessment (Existing) (Appendix 9a)
- Lighting Impact Assessment (Future) (Appendix 9b)
- Air Quality Impact Assessment (Appendix 10)
- Transport Impact Assessment (Appendix 11)
- Detailed Site Investigation (Appendix 12)
- Operational Waste Management Plan (Appendix 13)
- BCA Capability Statement (Appendix 14)
- Remedial Action Plan (Appendix 15)
- Owner's Consent (Unit 1) (Appendix 16)
- BASIX Certificate (Appendix 17)
- Updated Clause 4.6 Variation Request (Appendix 18)

2.1 Site description

The site is located at 5-9 Cowan Road, St Ives, within the Ku-ring-gai Local Government Area (LGA), and is legally described as SP30097 and SP34211. The site has an area of approximately 3,467.7m² and is rectangular in shape.

The site currently contains a single row of ten, two-storey attached townhouses. The site is defined by large mature trees along the northern, eastern and western boundaries. Vehicular access to the site is provided at the southern boundary of the site from Cowan Road. The site is relatively flat.

The site adjoins St Ives Shopping Village to the north and east. Existing residential development (No. 3 Cowan Road) and St Ives Christ Church border the site to the south. To the west, two storey detached houses are located along Cowan Road.

The site itself is not identified as a heritage item or located within a Heritage Conservation Area (HCA). It is not located within proximity of any heritage items. The site and surroundings are shown in Figure 1 below.



Figure 1: Site Location (Base source: Nearmap 2025)

2.2 Surrounding locality

The site is located 800m east of Cowan Creek which is separated from the site by Pymble Golf Club. The site is also located within 80m of the Madison Medical Practice, 245m from St Ives Village Green, and 210m from St Ives Playground. The building heights in the immediate locality are generally single to two storeys, with increased heights of up to 5-storeys on Mona Vale Road, opposite St Ives Christ Church.

The site is accessible via bus services with stops located along Mona Vale Road which is a 4-minute walk to the south, and along Killeaton Street, which is a 9-minute walk to the north. The bus routes connect the site to Mona Vale, Gordon, and the Northern Suburbs.

The site location in the immediate and broader context is shown in the figure below.



Figure 2: Broader site context (Base source: Nearmap)



Figure 3: View south-west towards site from St Ives playground (Source: Keylan)



Figure 4: View north along Mona Vale Road from intersection of Cowan Road and Mona Vale Road

2.3 Application history

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

- On 16 July 2025, a scoping meeting was held with DPHI prior to issuing of SEARs
- On 25 July 2025, DPHI issued the SEARs
- On 17 September 2025, the SSD application (SSD 88948458) was lodged with DPHI
- Between 21 October 2025 to 3 November 2025, the SSD application was placed on public exhibition
- On 5 November 2025, DPHI issued a letter requesting a response to the issues raised in these submissions
- On 27 November 2025, DPHI issued its key issues letter and requested those matters be responded to as part of the EIS.

During the public exhibition period, a total of 19 submissions were received from Council, stakeholder groups and individuals. The submissions are summarised as follows:

- 14 objections
- 1 comment
- 2 support
- 1 late objection (feedback)
- 1 Council objection

Submissions from the following agencies were received:

- NSW DPHI
- NSW DCCEEW – Water Group
- Ausgrid
- Stakeholder and public submissions

3 Strategic Context

The strategic context as relevant to the development has largely remained the same from the original submitted SSD-88948458 application. Consequently, this amendment will not affect the development's consistency with the project's strategic context.

The project's strategic context was addressed as part of the EIS submitted with the original SSD application. A summary of the strategic context is provided below.

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
A city supported by infrastructure	• The proposed development strongly aligns with this direction by providing: ○ New residential floor space in a location that can utilise existing social and other infrastructure. ○ New housing adjacent to St Ives Shopping Village encouraging walkable neighbourhoods.
A collaborative City	• The proposed development strongly aligns with this direction as follows: ○ Provides housing in close proximity to St Ives Village Centre that encourages walkable neighbourhoods.
Housing in the City	• The proposed development strongly aligns with this direction as follows: ○ Provides high-density market residential and affordable homes. ○ Provides increased housing density. ○ Satisfies the criteria for 'urban renewal' given its location close to St Ives Shopping Village.
A City of great places	• The proposed development strongly aligns with this direction as it: ○ Contributes to and complements the St Ives precinct. ○ Provides opportunities for social connection in walkable, human scale, fine grain neighbourhoods.
A well-connected City	• The proposed development strongly aligns with this direction as follows:

Directions	Objectives
	○ The site is directly adjacent to St Ives Shopping Village and bus routes along Mona Vale Road and Killeaton Street. ○ The site contributes to the gradual intensification of the locality.
Jobs and skills for the City	• The proposed development aligns with this objective by providing employment though jobs during the construction phase
A City in its landscape	• This SSD application strongly aligns with this direction as it: ○ Provides for an appropriate development within an urban area. ○ Provides a significant increase in deep soil areas on site. ○ Provides suitable landscaping on the site.

Table 1: Consistency with Greater Sydney Region Plan

Draft Sydney Plan

Since the submission of the application, a new draft plan for Greater Sydney, *The Sydney Plan*, was announced in December 2025, and is set to replace the outdated *Greater Sydney Region Plan*. *The Sydney Plan* will guide housing and jobs growth in Sydney over the next 20 years, delivering clear direction on locating new jobs and homes to make living in the city more affordable, thereby supporting both economic growth and improved housing outcomes.

The draft *Sydney Plan* was on public exhibition from 10 December 2025 to 27 February 2026 and is currently under review by the NSW Government. Once finalised, the draft Plan will replace the Region Plan and district plans.

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, in an identified low and mid-rise housing area. ○ 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. ○ Provides urban renewal and infill development that makes the best use of the existing transport network and surrounding infrastructure.
<i>Connected</i>	• The proposed development seeks to provide housing directly adjacent to St Ives Village Centre which contains a number of services.

Priority	Explanation
	- The proposed development is also located approximately 600-metres from bus stops on Killeaton Street and 250-metres from bus stops on Mona Vale Road with bus connections from the site to the Northern Suburbs. - The proposed development will support the 30-minute city strategic direction.
<i>Resilient</i>	- The proposed landscape plans ensure that existing vegetation is maintained as best as possible at the site to maintain the existing character of the area. - Selected plant species also ensure cohesion with the existing landscaped character and the utilisation of endemic species. - 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

The *North District Plan* (District Plan) was prepared by the former Greater Sydney Commission in March 2018. It seeks to manage growth in the context of economic, social and environmental matters in the Ku-ring-gai LGA. It provides the district level framework to implement the goals and directions outlined in the Region Plan.

In particular, the proposed development, as amended, will address the following planning priorities:

Planning priority	Explanation
<i>Infrastructure and Collaboration (N1)</i>	The proximity to existing bus stops on Killeaton Street and Mona Vale Road, and Shopping Village in St Ives can support the increased density of the site.
<i>Liveability (N5 and N6)</i>	- The location of the residential flat building is located approximately 550 metres from bus stops on Killeaton Street and 220-metres from bus stops on Mona Vale Road with bus routes available from the site to Mona Vale, Gordon, and the Northern Suburbs. This will enable access to jobs in neighbouring town centres and commercial activity within 30-minutes of travel. - The proposed unit mix and affordable housing will ensure diversity and affordability for future residents within St Ives with excellent access to nearby social infrastructure.
<i>Productivity (N12)</i>	The proposed development seeks to provide housing directly adjacent to St Ives Village Centre which contains a number of services. The proposed development is also located approximately 600-metres from bus stops on Killeaton Street and 250-metres from bus stops on Mona Vale Road with bus connections from the site to the Northern Suburbs.

Planning priority	Explanation
	The proposed development will support the 30-minute city strategic direction.
<i>Sustainability (N16, N17 and N19)</i>	- The proposed landscape plans ensure that existing vegetation is maintained as best as possible at the site to maintain the existing character of the area. - Selected plant species also ensure cohesion with the existing landscaped character and the utilisation of endemic species.

Table 3: Consistency with North District Plan

Ku-ring-gai Local Strategic Planning Statement

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 St Ives.
- Future Transport Infrastructure: Planning for transport infrastructure to support growth.

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

Planning Priority	Comment
<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 77 new homes in a residential flat building that is adjacent to St Ives Shopping Village and bus stops/routes.
<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 13 affordable homes and 64 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 13 affordable homes adjacent to St Ives Shopping Village.
<i>K21. Prioritising new development and housing in locations that enable 30-minute access to key strategic centres</i>	The proposed development supports this priority by providing new housing adjacent to social infrastructure and public transport services to key urban centres that supports the 30-minute city concept.

Table 4: Consistency with Ku-ring-gai LSPS

Ku-ring-gai Community Strategic Plan 2032

The Community Strategic Plan has a broader focus than the Local Strategic Planning Statement as it addresses long term social, environmental and economic goals for the community.

The *Ku-ring-gai Community Strategic Plan 2032* focuses on key priorities such as protecting the natural environment, managing balanced growth, enhancing infrastructure, fostering social cohesion and ensuring transparent governance.

- The proposed development, as amended, is consistent with many of the plan's key themes including:
 - Theme 1: Community, people and culture - The proposed development will provide housing choice in line with focus area (C2) housing choice. The proposed development will provide housing mix through market and affordable housing at the site, consisting of 20 two-bedroom, 55 three-bedroom and 2 four-bedroom units.
 - Theme 3: Places, spaces and infrastructure - The proposed development aligns with focus area (P4) by delivering a diverse range of shops and services, alongside vibrant, shaded urban village spaces that support living, working, shopping, socialising and leisure activities. The proposed development is located beside St Ives Shopping Village which contains various shops and community services that will be readily available to future residents in the building.
 - Theme 4: Access, traffic and transport - Aligns with the focus area of (T3), an accessible public transport and regional road network, as the proposed development delivers homes within walking distance from bus stops along Mona Vale Road and Killeaton Street. The bus stops are served by routes that connect the site with Mona Vale, Gordon and the Northern Suburbs.

Ku-ring-gai Housing Strategy

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 77 new homes including 13 affordable homes that contributes to the housing diversity in the area and addresses 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 Ku-ring-gai 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 (15% of the total GFA, which includes 13 apartments) of affordable housing, the development supports Council's aim to address housing affordability challenges within the Ku-ring-gai Local Government Area.

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 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 amount of up to 3,100 new affordable homes.

The proposed development supports this commitment by delivering 13 new affordable homes in an existing built-up urban area.

Future Transport Strategy 2056

The *Future Transport Strategy 2056* is a long-term plan by the NSW Government that sets out a vision for an integrated, accessible and sustainable transport network across NSW. It prioritises high-density development near public transport hubs to support active and public transport use, reduce car dependence and improve connectivity.

The proposed development aligns with this strategy by delivering higher-density housing within proximity to key transport corridors, including Mona Vale Road and Killeaton Street that is served by local bus services. This location supports the Strategy's goals by enhancing access to jobs, services, and amenities for residents.

4 Description of the amendments

4.1 Overview

The proposal remains generally as detailed in Section 3 of the original EIS prepared by Keylan Consulting. However, due to further design development in response to concerns raised during the exhibition period, a number of changes are now proposed as detailed in this section.

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

Element	Original project	Amended project
Project area		
Site area	3,467.7 m ²	No change
Extent of basement works	3 levels	No change
Project description	Demolition of the existing row of ten 2-storey townhouses on the site and construction of a 9-storey residential flat building, including in-fill affordable housing, and comprises: • demolition of the existing row of 10 attached townhouses; • construction of a 9-storey residential flat building comprising: ○ 74 new dwellings (62 market residential units and 12 affordable housing units) ○ 3 basement levels for car parking, comprising 150 residential, 10 visitor and 85 bicycle parking spaces ○ Communal open space at Ground Level and Level 7 • landscaping; and • associated site works.	Demolition of the existing row of ten 2-storey townhouses on the site and construction of a 9-storey residential flat building, including in-fill affordable housing, and comprises: • demolition of the existing row of 10 attached townhouses; • construction of a 9-storey residential flat building comprising: ○ 77 new dwellings (64 market residential units and 13 affordable housing units) ○ 3 basement levels for car parking, comprising 125 residential, 10 visitor and 85 bicycle parking spaces ○ Communal open space at Ground Level, Level 7 and Level 8 • landscaping; and • associated site works.
Physical layout and design		
Building height	29.69 metres (9-storeys)	30.6 metres (9-storeys)
GFA (total)	9917.6 m ²	9917.6 m ²
Market housing GFA	8429.96 m ²	8430.0 m ²

Element	Original project	Amended project
Affordable housing GFA	1481.14 m ² (14.9%)	1487.6 m ² (15%)
Residential apartments	74	77
Apartment allocation	62 market residential units, comprising: • 14, 2-bedroom units • 48, 3-bedroom units 12 affordable housing units, comprising: • 2, 2-bedroom units • 10, 3-bedroom units	64 market residential units, comprising: • 12, 2-bedroom units • 50, 3-bedroom units • 2, 4-bedroom units 13 affordable housing units, comprising: • 8, 2-bedroom units • 5, 3-bedroom units
Total parking spaces	150 parking spaces	125 parking spaces
Visitor parking spaces	10 visitor parking spaces	10 visitor parking spaces
Affordable parking spaces	11 affordable parking spaces	12 affordable parking spaces
Accessible parking spaces	15 accessible parking spaces	15 accessible parking spaces
Cycle parking	85 bicycle spaces	85 bicycle spaces
Landscaped area	1,306 m ²	1445.3 m ²
Tree removal	33 trees	24 trees
Communal open space	1228.33 m ²	971.6 m ²

Table 5: Amended project scope

4.1.1 Floor by floor breakdown of amendments

The following sections provide a breakdown of key changes on a floor by floor basis. This includes further discussion, where required, to clarify certain elements within the development.

Ground Floor

Element	Original project	Amended project
Apartment yield	9	9
Apartment allocation	2 bedroom • 3 units 3 bedroom • 6 units	2 bedroom • 2 units 3 bedroom • 7 units

Element	Original project	Amended project
GFA (total)	1150.9m ²	1,079.0m ²
Market housing GFA	Approx. 1090.9m ²	864.8m ²
Affordable housing GFA	N/A	214.2m ²
Communal areas (internal)	Approx. 60m ²	0m ²
Setbacks	Front: 4.5m Side: 4.5m Rear: 4.5m	Front: 4.5m Side: 4.5m Rear: 4.5m

Table 6: Breakdown of ground floor amendments

The communal open space and golf simulator area at ground floor have not been included in GFA calculations in accordance with the definition of GFA in the LEP and with consideration of the findings of *C & J Corporation Pty Ltd v Canterbury-Bankstown Council* [2020] NSWLEC 1431. It is also noted that this area was previously fully enclosed and has since been designed to be open to the elements and beneath a cantilevered portion of the building.

In the case of *C & J Corporation Pty Ltd v Canterbury-Bankstown Council* [2020] NSWLEC 1431, the Court accepted that spaces which are not strictly “enclosed” and which function as outdoor areas (despite being partially covered or associated with built form) may be excluded from GFA where they are similar in character to terraces or balconies. The emphasis was placed on the functional and planning character of the space, rather than a rigid assessment of physical form or overhead coverage.

Applying that reasoning, the subject communal area should be excluded from GFA. It is wholly open to the elements, with no enclosing walls, and does not constitute internal, habitable, or enclosed floor space. The presence of a partial cantilever above does not alter its essential character as an external communal open space, but merely reflects articulation of the built form. Consistent with the approach in *C & J Corporation*, the area is properly characterised as comparable to an external terrace or communal open space, and therefore falls outside the intended scope of GFA for the purposes of floor space ratio calculations.

Level 1

Element	Original project	Amended project
Apartment yield	11	11
Apartment allocation	2 bedroom • 2 units 3 bedroom • 9 units	2 bedroom • 2 units 3 bedroom • 9 units
GFA (total)	1381m ²	1,359.3m ²
Market housing GFA	N/A	602.2m ²
Affordable housing GFA	1379.37m ²	761.1m ²
Setbacks	Front: 4.5m Side: 4.5m Rear: 4.5m	Front: 4.5m Side: 4.5m Rear: 4.5m

Table 7: Breakdown of Level 1 amendments

Level 2

Element	Original project	Amended project
Apartment yield	11	11
Apartment allocation	2 bedroom 2 units 3 bedroom 9 units	2 bedroom 2 units 3 bedroom 9 units
GFA (total)	1381m ²	1,363.7m ²
Market housing GFA	1279.23m ²	1046.1m ²
Affordable housing GFA	101.77m ²	317.6m ²
Setbacks	Front: 4.5m Side: 4.5m Rear: 4.5m	Front: 4.5m Side: 4.5m Rear: 4.5m

Table 8: Breakdown of Level 2 amendments

Level 3

Element	Original project	Amended project
Apartment yield	11	11
Apartment allocation	2 bedroom 2 units 3 bedroom 9 units	2 bedroom 2 units 3 bedroom 9 units
GFA (total)	1381m ²	1,363.7m ²
Market housing GFA	1381m ²	1169.0m ²
Affordable housing GFA	N/A	194.7m ²
Setbacks	Front: 4.5m Side: 4.5m Rear: 4.5m	Front: 4.5m Side: 4.5m Rear: 4.5m

Table 9: Breakdown of Level 3 amendments

Level 4

Element	Original project	Amended project
Apartment yield	10	10
Apartment allocation	2 bedroom 3 units 3 bedroom 7 units	2 bedroom 5 units 3 bedroom 5 units
GFA (total)	1284.2m ²	1,186.8m ²
Market housing GFA	1284.2m ²	1,186.8m ²
Affordable housing GFA	N/A	N/A
Setbacks	Front: 4.5m Side: 4.5m Rear: 9m	Front: 6m to building facade Side (south-western boundary): 6m Side (north-eastern boundary): 4.5m Rear: Average 9m

Table 10: Breakdown of Level 4 amendments

Level 5

Element	Original project	Amended project
Apartment yield	10	10
Apartment allocation	2 bedroom 3 units 3 bedroom 7 units	2 bedroom 5 units 3 bedroom 5 units
GFA (total)	1284.7m ²	1,186.8m ²
Market housing GFA	1284.7m ²	1,186.8m ²
Affordable housing GFA	N/A	N/A
Setbacks	Front: 6m to building facade Side: 4.5m Rear: 9m	Front: 6m to building facade Side (south-western boundary): 6m Side (north-eastern boundary): 4.5m Rear: Average 9m

Table 11: Breakdown of Level 5 amendments

Level 6

Element	Original project	Amended project
Apartment yield	8	8
Apartment allocation	2 bedroom 1 unit 3 bedroom 7 units	2 bedroom 2 units 3 bedroom 6 units
GFA (total)	1131.8m ²	1,071.6m ²
Market housing GFA	1131.8m ²	1,071.6m ²
Affordable housing GFA	N/A	N/A
Setbacks	Front: 6m to building facade Side: 4.5m Rear: 9m	Front: 6m to building facade Side: 6m Rear: Average 9m

Table 12: Breakdown of Level 6 amendments

Level 7

Element	Original project	Amended project
Apartment yield	4	5
Apartment allocation	2 bedroom 0 units 3 bedroom 4 units	2 bedroom 0 units 3 bedroom 5 units
GFA (total)	723m ²	829.8m ²
Market housing GFA	723m ²	829.8m ²
Affordable housing GFA	N/A	N/A
Setbacks	Front: 6m Side: 4.5m Rear: 9m	Front: 6m Side: 6m Rear: Average 9m

Table 13: Breakdown of Level 7 amendments

The previously proposed communal open space within the southern core has been removed from Level 7 and replaced by an additional apartment. The additional apartment has been able to be accommodated as a result of the reduced GFA from increasing the south-western side setbacks.

Level 8

Element	Original project	Amended project
Apartment yield	0 - this was the upper level of maisonette apartments provided at Level 7	2
Apartment allocation	N/A – see above	2 bedroom • 0 units 3 bedroom • 0 units 4 bedroom • 2 unit
GFA (total)	200m ²	476.9m ²
Market housing GFA	200m ²	476.9m ²
Affordable housing GFA	N/A	N/A
Setbacks	Front: 6m Side: 6m Rear: 9m	Front: 6m Side: 6m Rear: 9m

Table 14: Breakdown of Level 8 amendments

Additional communal open space is provided to the southern core of Level 8, in lieu of the communal open space that has been lost from Level 7. This design and siting ensures that the communal area achieves a high level of amenity for future residents.

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 Physical layout and design

Site setbacks and visual privacy

The interface along the south-western boundary of the site has been revised to increase setbacks for Levels 4–6 to provide a general 6m setback in accordance with the ADG. Although the proposed setbacks to the north-eastern boundary remain non-compliant, no tangible amenity impacts are anticipated due to the site's location adjacent to the St Ives Shopping Village car park.

Where any proposed setbacks remain minorly non-compliant with the ADG criteria for separation distances, mitigation measures have been implemented in accordance with Part 3F of the ADG to offset these non-compliances in accordance with the design guidance, including:

- translucent glazing

- relocation and reorientation of windows from original scheme which previously resulted in sightlines between sites
- provision of side windows, which do not face neighbouring property boundaries, to offset any direct view lines to neighbouring sites
- reduced window size
- privacy screens

These measures ensure that any potential overlooking impacts are appropriately mitigated and that the proposal does not unreasonably constrain the future redevelopment potential of adjoining sites.

Gross Floor Area

The floor area has been maintained whilst facilitating an additional two apartments at Level 8. This is a result of the increased setbacks at the south-western boundary and revised communal open space area at ground floor which is now open to the elements and therefore does not constitute GFA. This allows the proposal to continue to maintain a compliant FSR with the maximum FSR provision.

- GFA (total): 9917.6 m²
- Market housing GFA: 8,430m²
- Affordable housing GFA: 1487.6m²

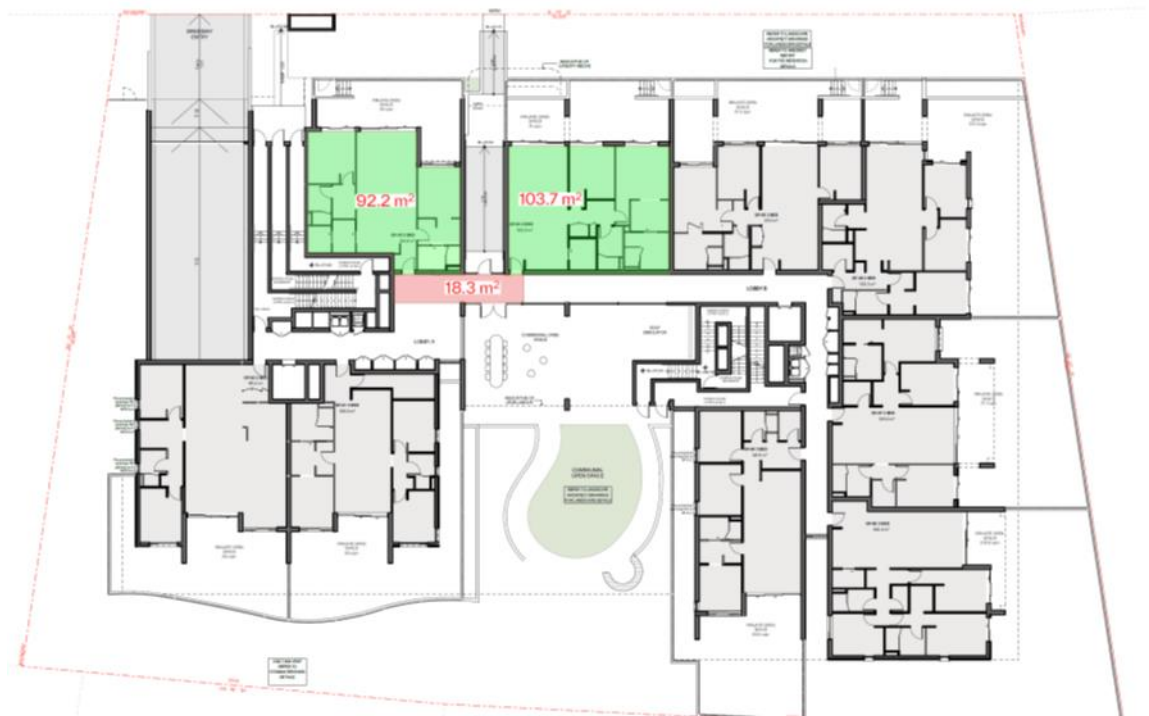


Figure 5: Affordable Housing GFA Diagram - Ground Floor (Source: PBD Architects)

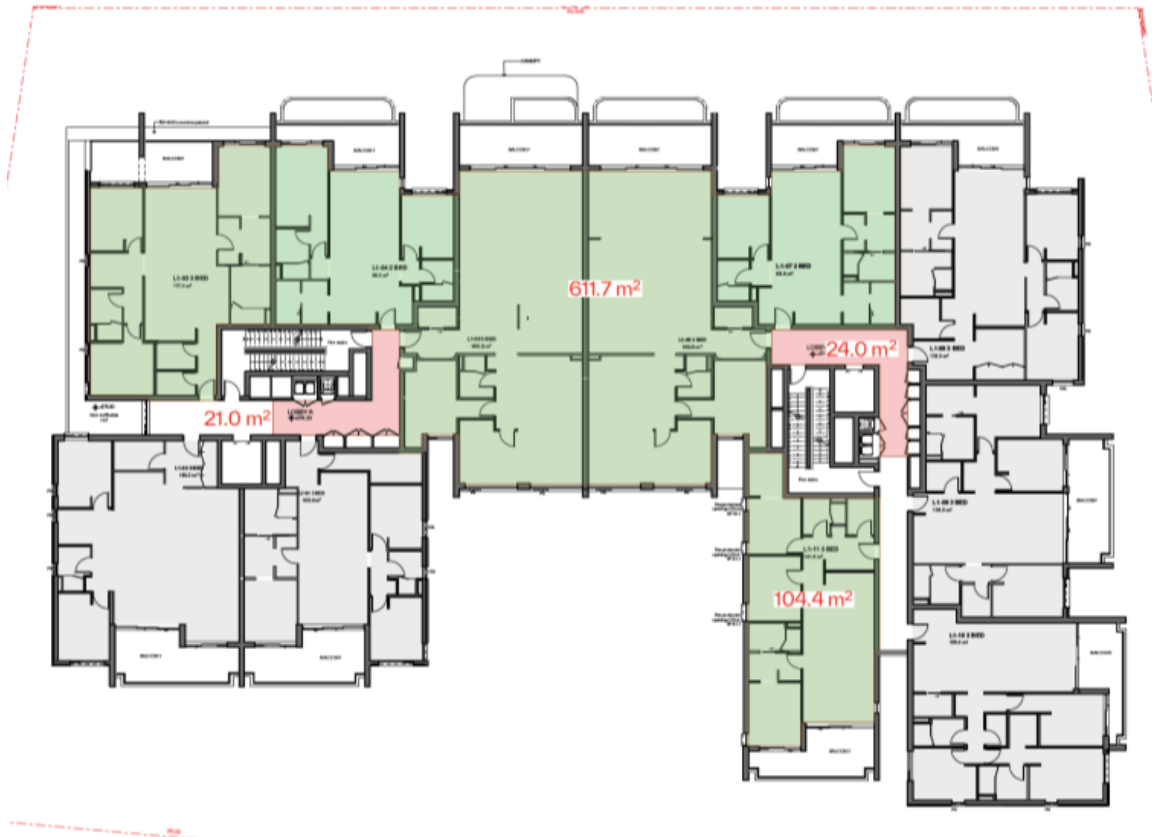


Figure 6: Affordable Housing GFA Diagram - Level 1 (Source: PBD Architects)

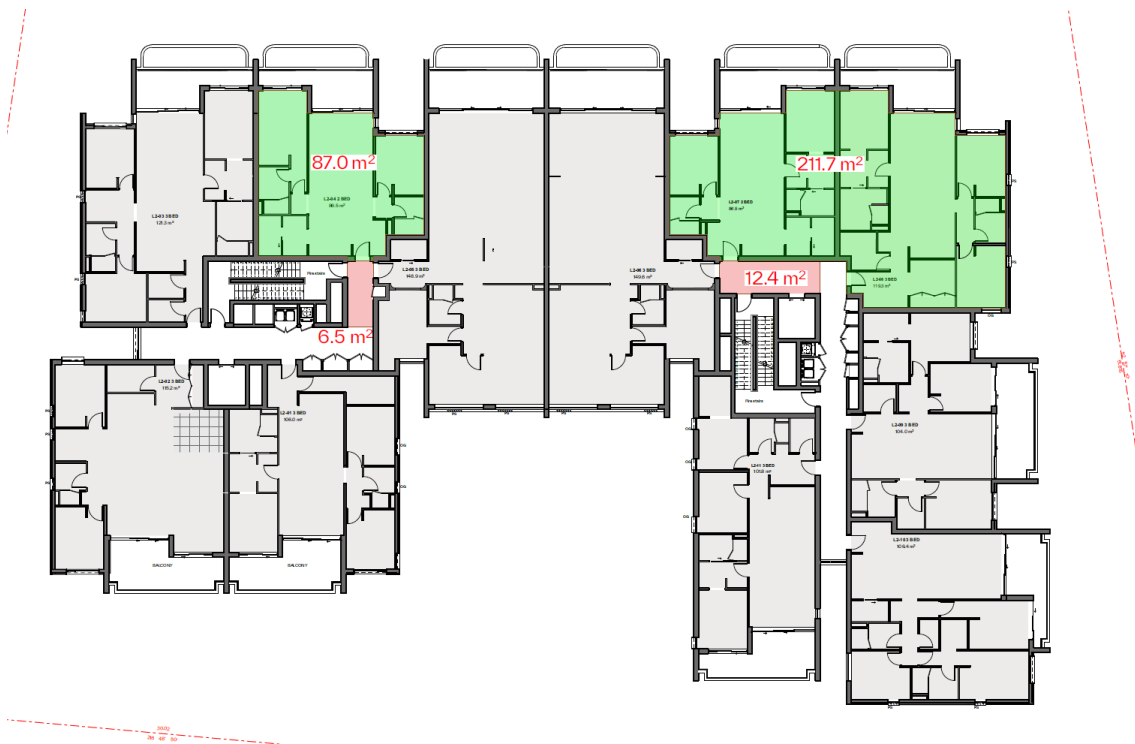


Figure 7: Affordable Housing GFA Diagram - Level 2 (Source: PBD Architects)

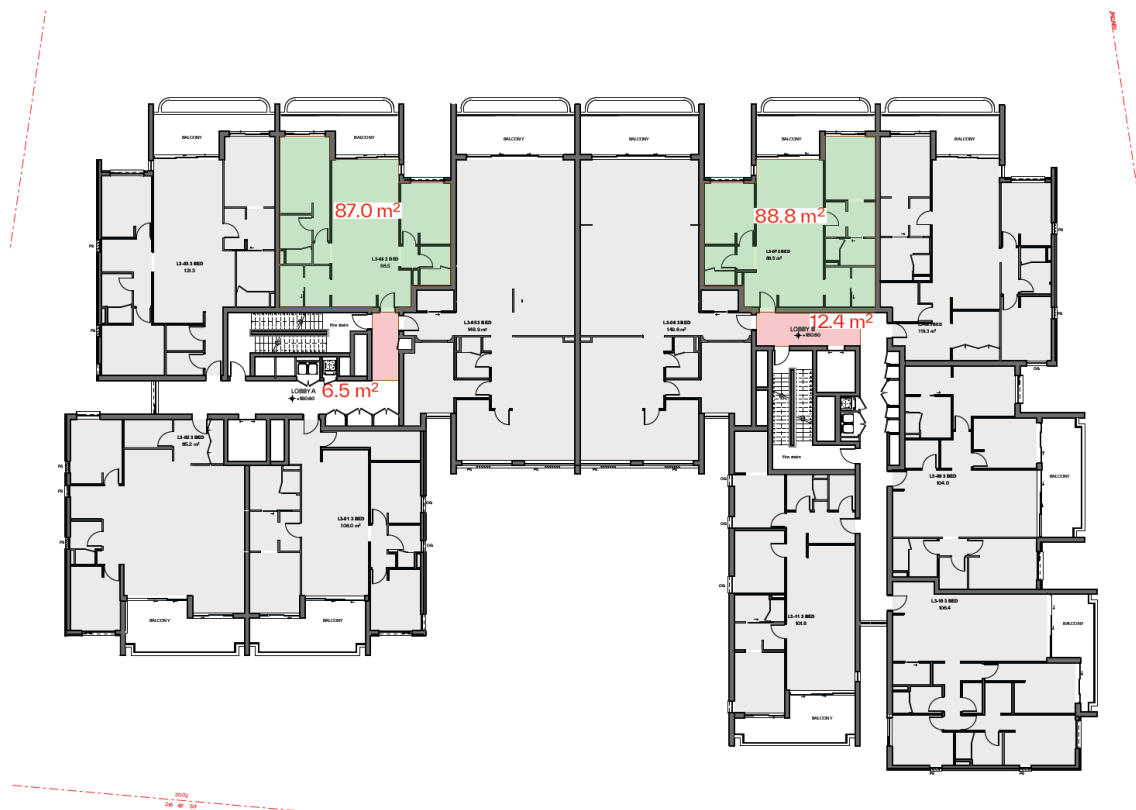


Figure 8: Affordable Housing GFA Diagram - Level 3 (Source: PBD Architects)

The revised floor space is considered appropriate as it maintains consistency with the approved built form and planning framework while continuing to deliver a balanced mix of market and affordable housing.

The proposal achieves an appropriate development yield without resulting in adverse amenity impacts and remains aligned with the strategic objectives of the applicable planning controls.

Minor increase to proposed height

A minor increase of approximately 1m to the proposed height of the development (from 29.69m to 30.60m) has been made to facilitate lift access to additional apartments at level 8. This will result in no additional environmental impacts as demonstrated in the shadow diagrams within the updated Architectural Plans (Appendix 4). The proposed change does not result in any additional overshadowing to surrounding properties or public spaces from that originally assessed and does not give rise to adverse visual or amenity impacts.



Figure 9: Section 2 (Source: PBD Architects)

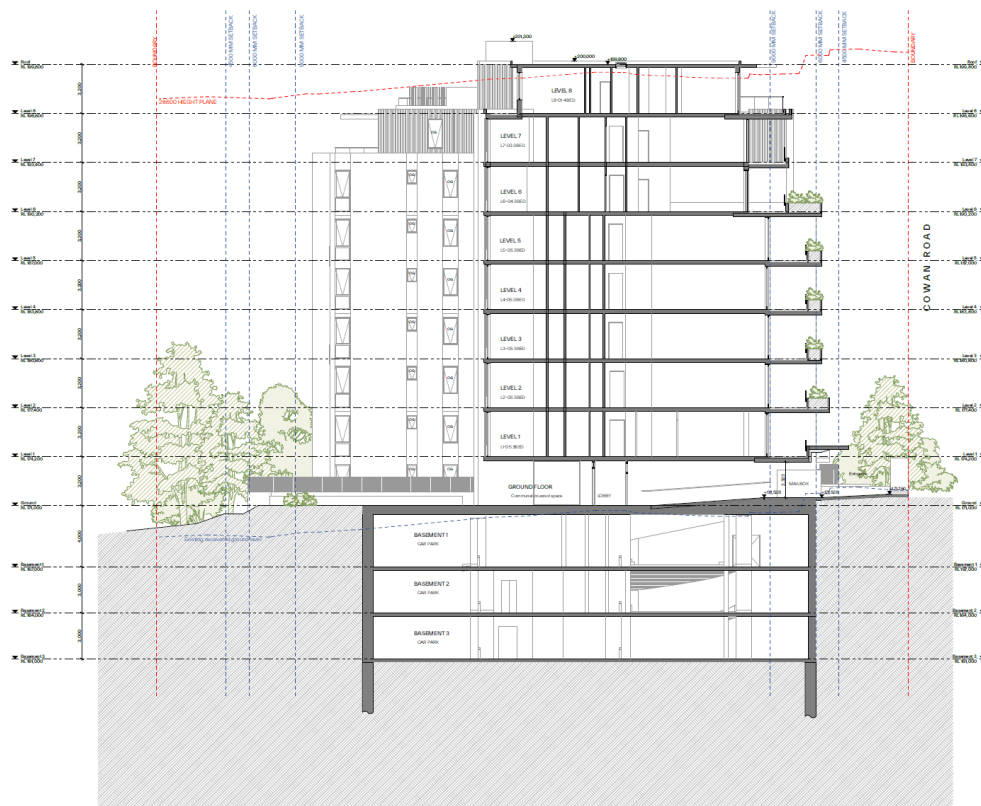


Figure 10: Section 3 (Source: PBD Architects)



Figure 11: Section 4 (Source: PBD Architects)

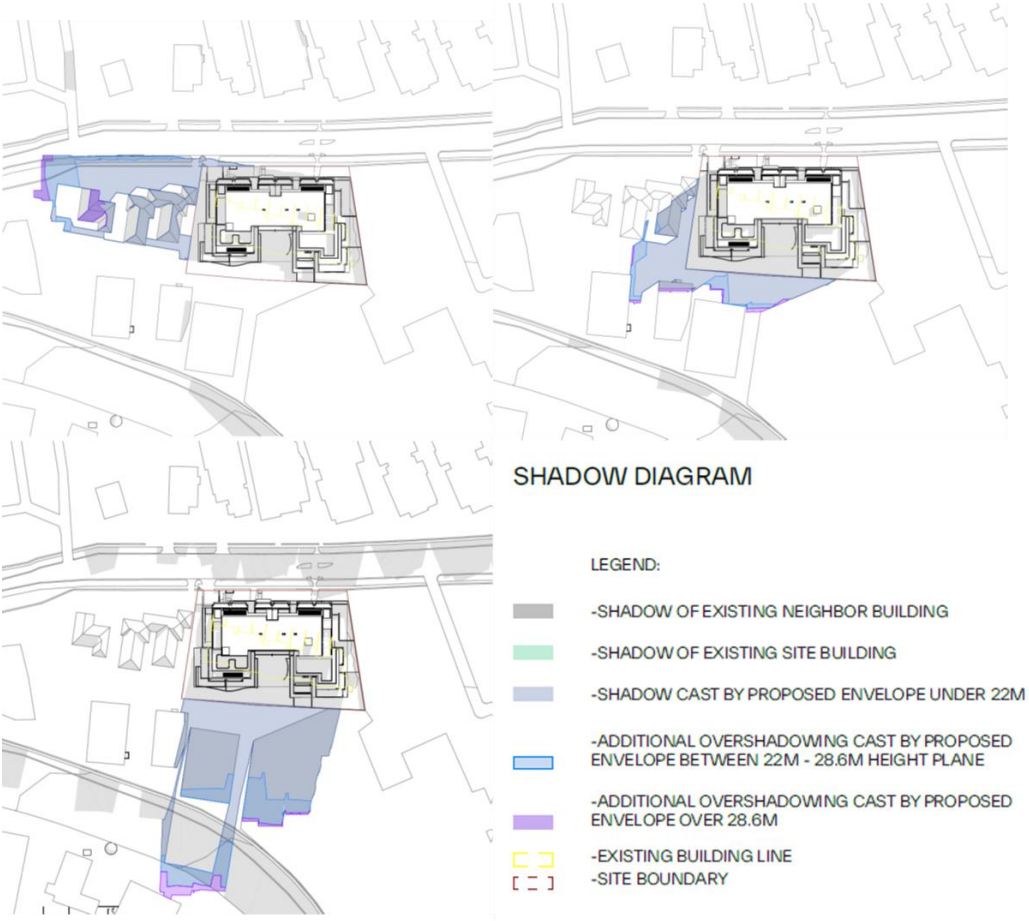


Figure 12: Shadow diagrams (Source: PBD Architects)



Figure 13: Updated photomontage of proposed development (Source: PBD Architects)

Apartment allocation

Changes have been made to the apartment allocation and layout. The amended development will provide a total of 77 apartments, with the following proposed unit mix:

- 20 x 2-bed dwellings
- 55 x 3-bed dwellings
- 2 x 4-bed dwellings

Further to the above, the affordable housing component of the development includes the following mix:

- 8 x 2-bed dwellings
- 5 x 3-bed dwellings

The affordable housing component reflects the same proportionate mix as the overall development and is distributed throughout the development across multiple levels. This approach ensures that affordable housing units achieve the same level of amenity as market housing and avoids the concentration of affordable housing within a single location.

Parking

The proposed residential and visitor car parking spaces have been reduced to 125 spaces to better align with the minimum requirement of the Housing SEPP, having regard to the change in apartment yield.

- Total car parking spaces – 125 spaces
- Visitor – 10 spaces (including 1 accessible)
- Affordable housing component – 12 spaces
- Market housing component – 103 spaces

The above is further detailed below which shows the minimum parking requirements in accordance with Section 19 of the Housing SEPP at the site:

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	-	76	101	115
Visitor	-			10
SUBTOTAL				125

Table 15: Minimum parking requirements and proposed parking provision

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.

An updated Transport Impact Assessment (TIA) report has been provided at Appendix 11 that further justifies parking provision, which is further discussed in Section 7.

4.2.2 Tree retention

In accordance with DPHI's request, an additional four trees will be retained as part of the amended proposal. An updated Arboricultural Impact Assessment (AIA) has been prepared at Appendix 7. This has resulted in the total number of trees to be removed reducing from 33 to 24.

The AIA confirms the significant trees at the site will be retained where possible, including Trees 15, 16, 18 and 24 as requested by DPHI in its key issues letter.

Tree 2 will be replaced due to unavoidable conflicts with the proposed building footprint and underground services and Tree 19 will be removed as it will interfere with the proposed building layout, with its removal enabling adjacent trees to thrive and continue contributing to streetscape character and canopy coverage. Tree 24 will be retained, preserving its amenity and privacy benefits.

4.2.3 Temporary advertising on construction hoarding

The proposal includes the installation of temporary advertising signage hoarding along the site's western frontage to Cowan Road and its eastern boundary adjoining the Council car park for the duration of construction works.

The indicative perimeter of the proposed advertising signage hoarding is shown in Figure 14 below.



Figure 14: Indicative perimeter of proposed advertising signage hoarding (yellow) (Base source: Nearmap)

4.2.4 Other

Additional assessment has been undertaken to address DPHI's concerns in relation to contamination (Appendix 12 and Appendix 15), lighting (Appendix 9a and 9b) and air quality impacts (Appendix 10).

The relevant impacts are further discussed in Section 7.

5 Statutory Context

This amendment to SSD-88948458 has been made in accordance with Section 37 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation).

The statutory context as relevant to the development has not changed from the original submitted SSD-88948458 application. Consequently, this amendment will not affect the development's consistency with any statutory instruments.

The project's statutory context was addressed as part of the EIS submitted with the original SSD application. 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 2 to 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> 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.
Permissibility	The proposed development is located on land which is subject to the provisions of the Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015). As noted, the site is zoned R3 - Medium Density Residential under the KLEP 2015 and ordinarily, residential flat buildings are not permitted within the zone. Notwithstanding, the proposed development for a residential flat building is permitted with consent in the R3 zone in accordance with Chapter 6 Low and mid rise housing of the Housing SEPP. It is noted that the adjoining St Ives Shopping Village is zoned E1 Local Centre and identified as a Town Centre under the Housing SEPP.
Key Development Standards	Height As the proposed development provides 15% affordable housing, in accordance with Section 16 of the Housing SEPP, the proposed development is able to utilise the incentives to achieve an additional 30% height, as outlined below: • Section 180 Non-discretionary standards, Housing SEPP (Base control): 22m • 30% incentive height bonus (Section 16 of Housing SEPP): 6.6m • Maximum height (including 30% bonus): 28.6m

Category	Comment
	- Proposed Building Height: 30.60m Floor Space Ratio As the proposed development provides 15% affordable housing, in accordance with Section 16 of the Housing SEPP the proposed development is able to utilise the incentives to achieve an additional 30% of gross floor space, as outlined below: - Section 180 Non-discretionary standards, Housing SEPP (Base control): 2:2:1 30% incentive FSR bonus (Section 16 of Housing SEPP): 0.66:1 - Maximum FSR (including 30% bonus): 2.86:1 - Proposed FSR: 2.86:1 Affordable Housing 15% of the total GFA is proposed to be dedicated for affordable housing. The proposed affordable housing is to be dedicated for a period of 15 years pursuant to Chapter 2, Division 2, Section 21 of the Housing SEPP.
Other approvals	<i>Water Management Act 2000</i> : Approval is not required under this Act, in accordance with section 4.41(e) of the EP&A Act.
Pre-condition to exercising the power to gain approval	Pre-conditions to exercising the power to gain approval are discussed at Section 5.1.
Mandatory matters for consideration	Mandatory matters for consideration are discussed at Section 5.2.

Table 16: Statutory requirements relevant to the project

5.1 Pre-conditions

The table below outlines the pre-conditions to exercising the power to grant approval that are applicable to the project and the relevant section where these matters are addressed within this Amendment Report.

Pre-condition	Reference
State Environmental 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 GSNE Services and included in Appendix 14 of the original EIS. The PSI identifies areas of potential environmental concern within the site. The PSI found that contaminants that may be present in some of these areas were considered to be of low significance in terms of risk to the human and environmental receptors identified. Therefore, the PSI recommends that a Detailed Site	Appendix 12

Pre-condition	Reference
Investigation (DSI) is to be undertaken to provide further information about the presence and extent of contamination on site prior to construction.	
A Detailed Site Investigation (Appendix 12) has been prepared in accordance with the State Environmental Planning Policy (Resilience and Hazards) 2021, which confirms the site's suitability for residential use.	
State Environmental Planning (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.	Section 3
An assessment of the development's consistency with both the existing and desired future character of the area is provided at Section 6.	
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.	N/A
It is suggested that a suitable condition of consent be imposed which satisfies this requirement.	
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.	Appendix 18
PBD Architects has prepared a compliance assessment against Schedule 9 of the Housing SEPP and the NSW Apartment Design Guide, as detailed in the Design Verification Statement (Appendix 5a) and ADG Compliance table (Appendix 18).	
Chapter 6 Low and mid-rise housing, Section 175(2) specifies that <i>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>	Section 5 Appendix 19
It is noted the proposal provides for 15% of the total GFA as affordable housing and benefits from the bonuses under Section 16 of the Housing SEPP to achieve a maximum height of 28.6m. This application is further accompanied by a Clause 4.6 Variation request to justify the minor variation to the maximum height, noting the proposal seeks a height of 30.60m (2m increase).	
State Environmental Planning Policy (Sustainable Buildings) 2021	
Chapter 2 Standards for residential development - BASIX, is applicable to the proposed development. A BASIX Certificate has been provided at Appendix 17.	Appendix 17

Table 17: Pre-conditions

5.2 Mandatory considerations

The table below outlines the relevant mandatory considerations to exercising the power to grant approval that are applicable to the project and the relevant section where these matters are addressed within the Amendment Report or original application.

Mandatory consideration	Comment	Reference
Environmental Planning and Assessment Act 1979		
Relevant objects of the Act (Section 1.3)	The proposed development is consistent with the objects of the EP&A act for the following reasons: • It delivers a residential flat building, including in-fill affordable housing, on a strategically located site that is readily accessible by existing infrastructure. • The site is conveniently located close to existing bus stops on Mona Vale Road and Killeaton Street, which contributes to the North District Plan's objective of providing new housing supply and diversity in well-connected locations. • The proposed development provides employment opportunities throughout the construction phase, contributing to the local economy. • 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.	-
Relevant environmental planning instruments (Section 4.15)	The proposed development seeks development consent under Part 4 of the Act. The original EIS addresses all matters for consideration under Section 4.15 of the Act.	-
State Environmental Planning Policy (Planning Systems) 2021	The proposed development is classified SSD under Schedule 1 Clause 26A of the Planning Systems SEPP, as Chapter 2, Part 2, Division 1 of the Housing SEPP applies, and the development has an EDC over \$75 million. Pursuant to Section 4.5(a) under the EP&A Act the consent authority is the Minister for Planning and Public Spaces (or the Minister's delegate).	Appendix 4 (original EIS)
State Environmental Planning Policy (Housing) 2021	The proposed development provides in-fill affordable housing in accordance with Chapter 2, Part 2, Division 1 of the Housing SEPP. It therefore seeks to use the available height and FSR bonuses. The site is zoned R3 Medium Density Residential under the KLEP 2015. The proposed development of a residential flat building is permissible with consent under Chapter 6 Low and mid-rise housing of the Housing SEPP. An assessment against the provisions of Chapter 2 and 6 is provided in Appendix 4 of the original EIS.	Appendix 4 (original EIS)
State Environmental Planning Policy	Chapter 2 standards for residential development - BASIX are applicable to the proposed development.	Appendix 17

Mandatory consideration	Comment	Reference
(Sustainable Buildings) 2022	A BASIX Certificate has been prepared and included within Appendix 17.	
State Environmental Planning Policy (Transport and Infrastructure) 2021	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 have referred the application to the relevant electricity supply authority.	Appendix 4 (original EIS)
Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015)	A full assessment of the KLEP 2015 is provided at Appendix 4 of the original application.	Appendix 4 (original EIS)
Relevant planning agreements or draft planning agreements (Section 4.15)	N/A	-
Relevant Development control plans (Section 4.15)	Development control plans do not apply to SSD as detailed under Section 2.10 of the Planning Systems SEPP.	N/A
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 within the original EIS.	Section 7

Table 18: 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 \$10,000 per dwelling / lot for high-density residential development is required (inclusive of indexing). Any consent issued will impose the required contributions under the HPC.

5.3.2 Ku-ring-gai Contributions Plan 2010

Ku-ring-gai 7.11 Contributions Plan 2010 applies to the site. The payable contributions under the Ku-ring-gai contributions plan are to be imposed on any consent granted for the proposed development. 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, road, 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.

6 Community engagement

Community engagement for the project was undertaken in line with the Department of Planning, Housing and Infrastructure'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. The following community consultation was undertaken:

- Scoping meeting and email correspondence with DPHI on 16 July 2025
- Email correspondence with Transport for NSW (TfNSW)
- Meeting and email correspondence with Ku-ring-gai Council Waste Consultant
- Meeting with St Ives Shopping Village (Iris Capital)
- Meeting and email correspondence with Anglicare (Uniting Church neighbouring the site to the south)
- Meeting with Cowan Road Action Group
- Email correspondence with Pymble Golf Club

On 17 September 2025 the SSD application (SSD 88948458) was lodged with DPHI. The SSD application was placed on public exhibition from 21 October 2025 to 3 November 2025. During the public exhibition period, a total of 21 submissions were received, including one from Council. A total of 19 submissions were received, including 14 objections, 1 comment, 2 supports, 1 feedback (late objection) and a Council objection.

Key concerns raised included:

- Incompatibility with desired future character
- Setbacks
- Visual privacy
- Residential amenity
- Solar access and overshadowing
- Landscaping
- Height exceedance
- Acoustic impacts
- Traffic impacts

6.1 Post-Exhibition Consultation

Following the public exhibition, the project team have engaged extensively with DPHI to address all outstanding issues.

On 12 January 2026, DPHI advised that, having regard to the proposed design amendments, an Amendment Report would be required in addition to the Response to Submissions (RtS) Report to formalise the proposed changes to the proposal.

A further meeting was held on 12 March 2026 to discuss the proposed changes and content of the RtS and Amendment Report.

Following lodgement of the Amendment Report, the proposal may be publicly re-exhibited at the discretion of DPHI, should they consider that the amendments would result in a material environmental impact beyond those anticipated for the initially proposed project.

7 Assessment of impacts

Further assessment of the proposed amendments, including consideration of their individual impacts and the effects of the amended proposal as a whole, is provided in detail below.

No new environmental issues were identified during the assessment of the amendments.

Further, an updated table of the proposed mitigation measures for the amended project is provided at Appendix 2 and detailed technical reports are provided as part of the appendices.

7.1 Built form and urban design

The proposed development has been amended to improve the amenity for the future occupants and the surrounding residential properties.

7.1.1 Built form

In response to submissions received and the RFI from the DPHI, the mass and scale of the development have been amended. This has resulted in the following:

- revised setbacks and privacy measures have been provided to ensure compliance with the relevant design criteria in the ADG, including increased setbacks to Levels 4-6 on the south-western boundary, the removal of south-facing balconies to 3-bedroom units on Levels 1-7 and the reduction in the size of east-facing balconies on Levels 5 and 6.
- re-allocation of floor space as a result of increased setbacks to Level 8 which will facilitate two additional apartments.
- additional apartment at Level 7 as a result of increased setbacks and relocation of communal open space previously at Level 7 to Level 8.
- changes to apartment allocation and layout to ensure the minimum requirement of affordable housing gross floor area is provided to achieve height and floor space ratio bonuses.

These design changes have been made to ensure the development responds to the context, improves compliance with applicable design standards while minimising any adverse amenity impacts on neighbouring properties.

7.1.2 Bulk and scale

The site is subject to a base height under Chapter 6 Low and mid rise housing of the Housing SEPP and can utilise the in-fill affordable housing bonus permitted by Chapter 2 of the Housing SEPP, by incorporating 15% of the total GFA as in-fill affordable housing.

The resultant key planning controls for the site provide the following:

Building Height

- Non-discretionary standards, Chapter 6 Housing SEPP (Base control): 22m
- 30% incentive bonus, Chapter 2 Housing SEPP: 6.6m
- Maximum height (including 30% bonus): 28.6m
- Proposed amended building height: 30.60m

The proposed building height is justified in the revised Clause 4.6 Variation request at Appendix 19. It is noted that the increase from that originally proposed is minor and has been made to facilitate lift access to additional apartments and communal open space at level 8.

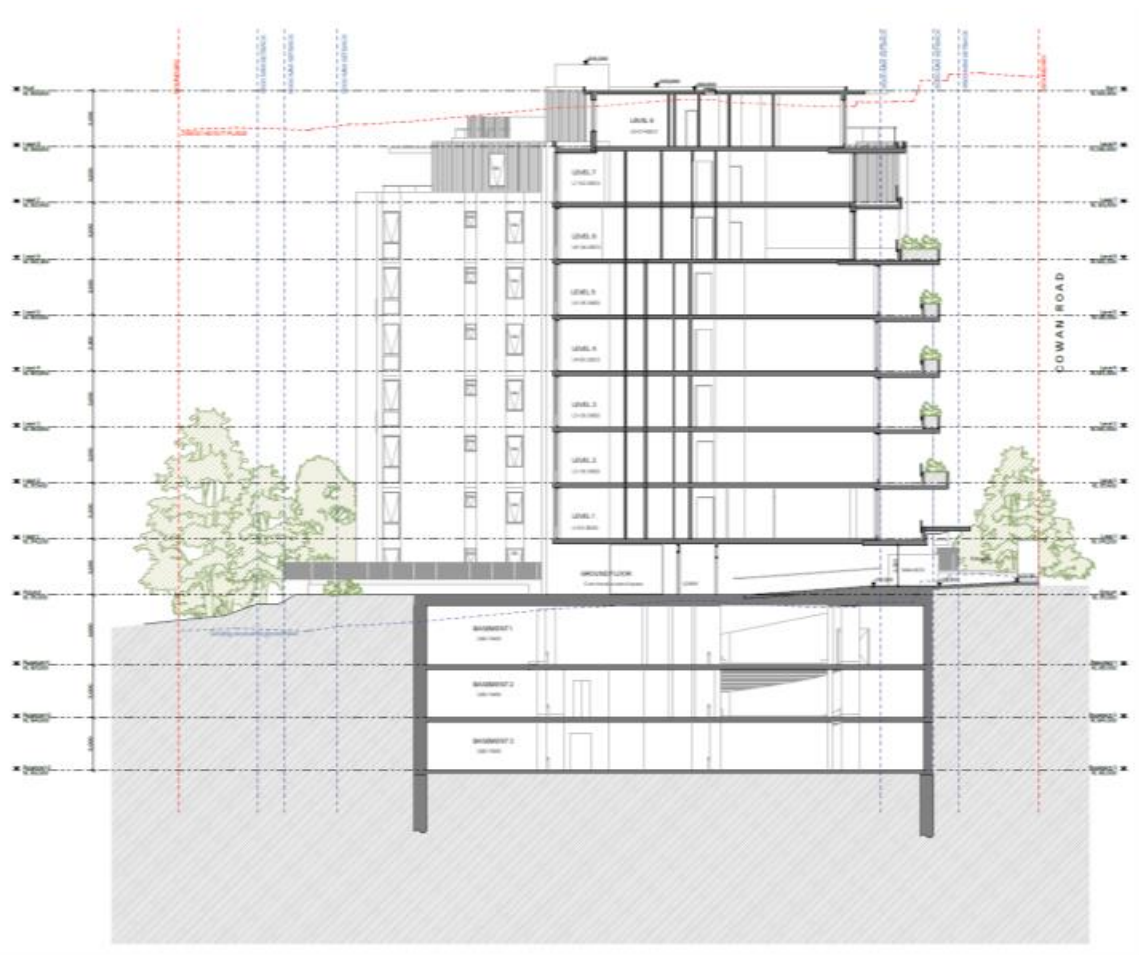


Figure 15: Exceedance of building height (Source: PBD Architects)

Floor space ratio

- Non-discretionary standards, Chapter 6 Housing SEPP (Base control): 2:2:1
- 30% incentive FSR bonus Chapter 2 Housing SEPP: 0.66:1
- Maximum FSR (including 30% bonus): 2.86:1
- Proposed FSR: 2.86:1

The proposal maintains an FSR of 2.86:1 as originally proposed to ensure compliance with the standard.

7.1.3 Solar access and Cross Ventilation

Approximately 71.4% of apartments receive a minimum of 2 hours of direct solar access between 9am and 3pm at mid-winter, exceeding the ADG requirement that at least 70% of apartments achieve this standard. The remaining apartments are predominantly smaller dwellings and/or are oriented toward constrained boundaries or internal aspects of the development, where solar access is inherently limited by site conditions.

18.1% of apartments receive no direct solar access at mid-winter. Notwithstanding, this is a significant improvement on the original scheme whereby 28.4% of apartments received no solar access during mid-winter, noting there was an error in the original calculation.

The ADG allows for flexibility where the overarching design objectives are met, particularly in higher-density or constrained urban contexts. In this instance, the development achieves the primary intent of the controls by maximising solar access to the majority of apartments while balancing other key considerations, including site constraints, streetscape alignment, and overall built form outcomes.

Additionally, Unit 8 on Level 6 has been provided with secondary light sources in the form of skylights. This continues to ensure this apartment achieves improved amenity in terms of solar access. If this was not included in ADG solar access calculations, the total number of apartments achieving a minimum 2 hours of solar access during mid-winter would be 70%, continuing to meet ADG minimum requirements.

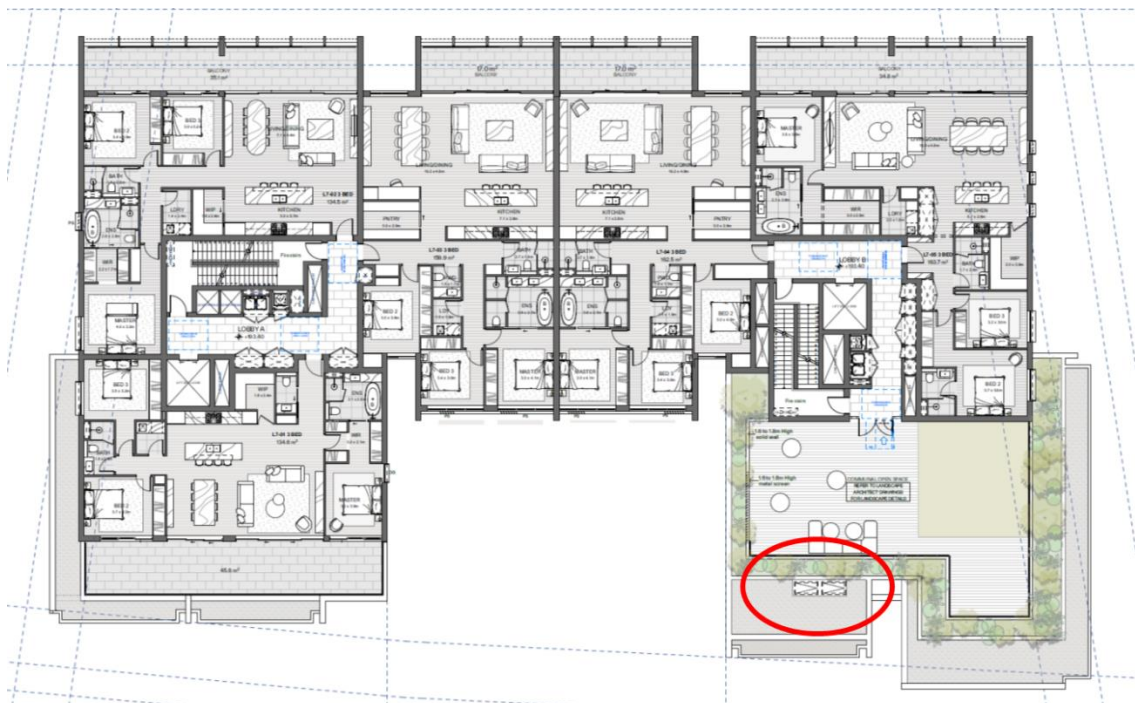


Figure 16: Level 7 floor plan with skylights circled in red (Source: PBD Architects)

Accordingly, while a minor numerical non-compliance exists, the proposal satisfies the ADG objectives for solar access and represents an appropriate and acceptable design response. This is demonstrated in the view from sun diagrams as provided below.



Figure 17: Solar access diagrams (Source: PBD Architects)

The proposal continues to recognise natural ventilation as a key measure of residential amenity noting the original proposal also excelled in ensuring apartments were well ventilated. In this regard, 78% of all apartments are naturally cross-ventilated, exceeding the minimum ADG 60% requirement.



Figure 18: Natural cross-ventilation Levels 1-3 (Source: PBD Architects)

7.1.4 Overshadowing

The revised shadow diagrams provided at Appendix 4 demonstrate the minor increase from those originally proposed results in negligible additional solar access impacts. The extent of the variation is localised and contained centrally within the development resulting in any perceivable impact on shadows cast by the proposal. This has ensured that offsite impacts are negligible and are comparable to a compliant scheme.

Shadow diagrams showing shadows cast by a compliant scheme and the proposal have been provided which demonstrate that the additional shadows are minimal and negligible in the context of the site and surrounds which have been identified for uplift in accordance with the low and mid-rise housing provisions.

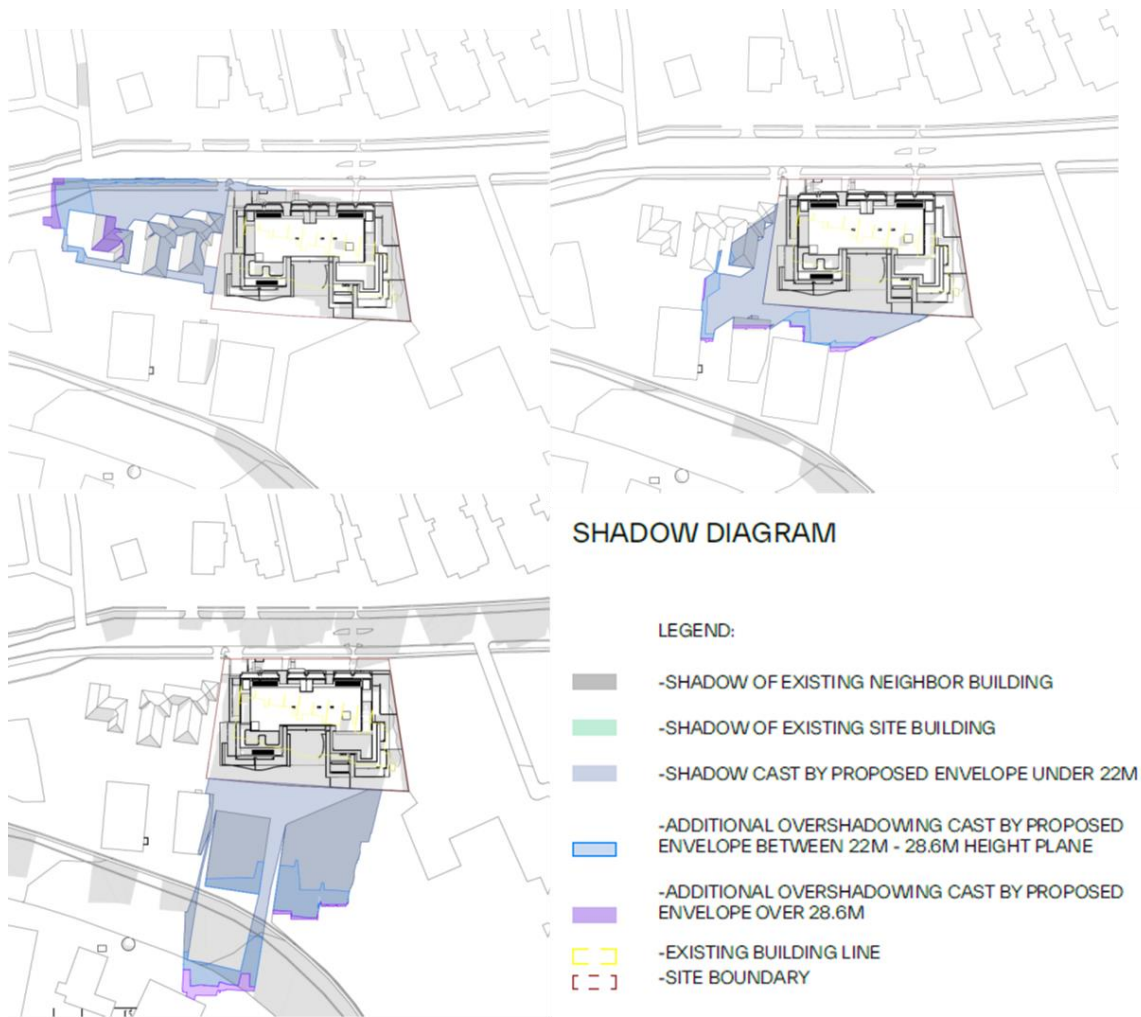


Figure 19: Shadow diagrams (Source: PBD Architects)

7.1.5 Communal open space

The southern area of communal open space has been relocated from Level 7 to Level 8 as a result of the increased setbacks along the south-western boundary.

The planting to the Level 7 communal open space has been revised in response to the recommendations of the wind report, particularly addressing north-east and southern summer wind conditions.



Figure 20: Ground floor communal open space (Source: PBD Architects)

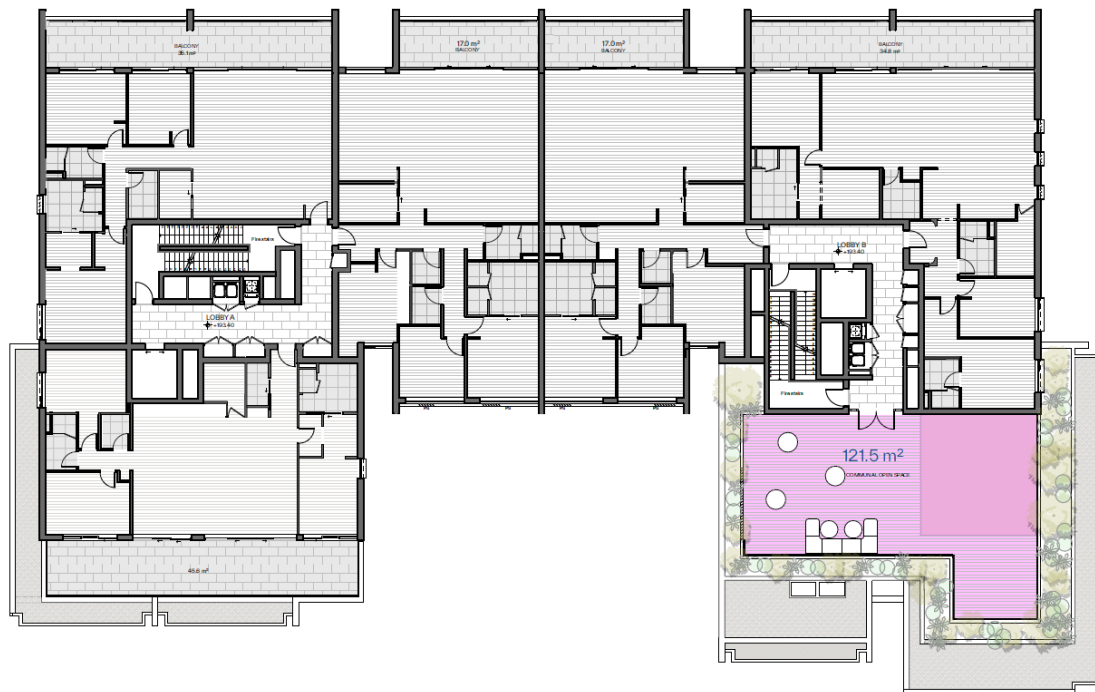


Figure 21: Level 7 communal open space (Source: PBD Architects)

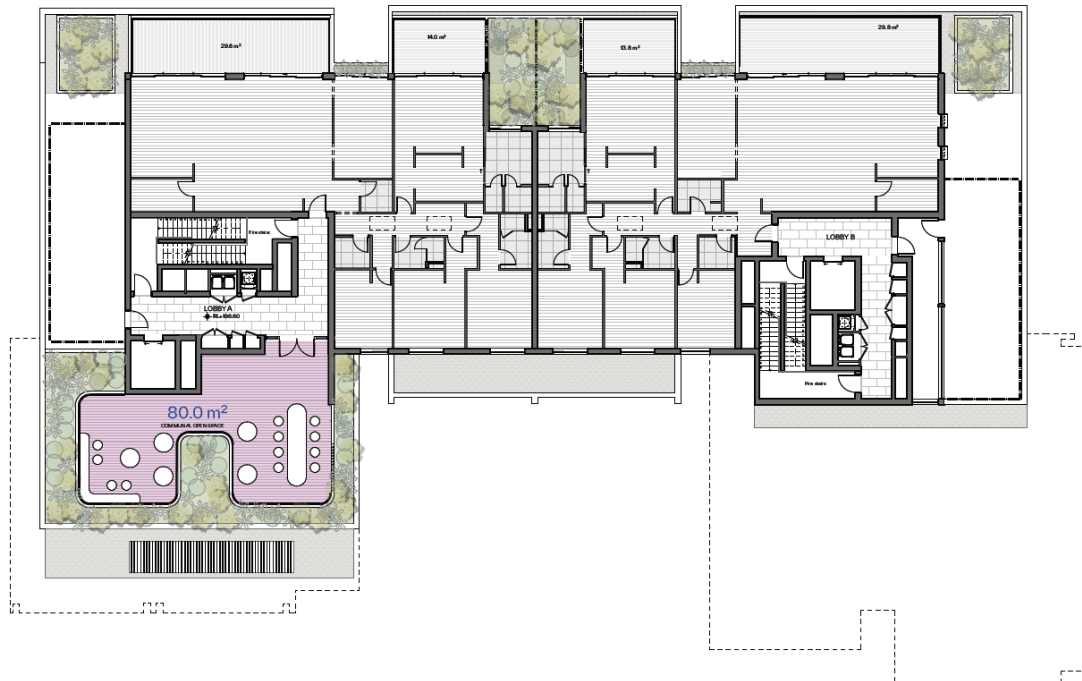


Figure 22: Level 8 communal open space (Source: PBD Architects)

A tailored planting mix has been selected to achieve a minimum height of 1.5 m above the finished floor level along the perimeter noting that each area of COS is provided with 500mm raised planters, enhancing wind mitigation and overall comfort for users, and ensuring the amenity of future residents when utilising the communal space.

7.2 Visual impacts

The visual impact of the proposal remains the same as the original development. While the introduction of a 9-storey building represents a notable change within the streetscape currently characterised by low to medium density developments, the site's proximity to the St Ives Shopping Village and its location within an accessible area mean it is subject to anticipated change, particularly in light of planning provisions that support increased residential density through in-fill affordable housing bonuses and low and mid rise housing policies under the Housing SEPP.

Furthermore, notwithstanding the minor variation in height, the exceedance remains localised and centrally positioned within the development. The element constituting the height breach is confined to the roof plane and lift overrun of the uppermost residential level. As this top level is well set back from the building's edge, the variation does not result in a blanket exceedance and will not be perceptible from the street level.



Figure 23: Building height envelope (Source: PBD Architects)

Our assessment concludes that the proposal's high-quality architectural design, careful building modulation, considered material palette and integrated landscape treatment work together to mitigate visual impacts and ensure a sensitive transition within the evolving urban context.

7.3 Landscaping and trees

Updated Landscape Plans (Appendix 6) as well as an updated Arboricultural Impact Assessment (AIA) (Appendix 7) have been provided to assess the impacts of the amended development.

7.3.1 Landscaping

Key amendments to the Landscape Plans include:

- Removal of one tree previously proposed above the OSD tank to avoid conflicts with underground infrastructure and to ensure long-term tree health and maintainability.
- Revision of the Level 7 communal open space planting design to address north-east and southern summer wind conditions. A tailored planting mix has been selected to achieve a minimum height of 1.5m above the Finished Floor Level (FFL) along the perimeter, improving wind mitigation and overall user comfort within the communal space.
- Inclusion of proposed communal open space planting design at Level 8
- Clear labelling of all proposed trees, existing trees to be retained and existing trees to be removed.
- Tree placement adjacent to the driveway has been amended to improve pedestrian safety and visibility. The proposed *Eucalyptus saligna* (Sydney Blue Gum) has been deleted to maintain clear sightlines on the eastern side of the driveway.

- Planting on the western side has been revised to enhance visibility within the required sight triangles while maintaining landscape quality.

7.3.2 Tree removal

The updated AIA (Appendix 7) identifies and evaluates individual tree specimens within and adjacent to the site, detailing species, dimensions, health status, hazard ratings, and Useful Life Expectancy (ULE).

The Assessment has been revised to retain four of the six trees originally identified for removal, being T15, T16, T18 and T24, which together maintain continuity of canopy cover and streetscape character. As a result, the number of trees proposed for removal has decreased from 33 to 24. The updated AIA also incorporates an analysis of the potential impacts within the tree root zone and Tree Protection Zones and includes relevant protection measures that minimises encroachments and protect retained trees.



Figure 24: Tree Protection Zone diagram (Source: PBD Architects)

The additional two trees recommended for retention are unable to be retained for the following reasons:

- Tree 2 – It is located within the proposed building footprint and interferes with essential structures and underground services. It is proposed to be removed and replaced with a locally native Turpentine to support the long-term streetscape canopy
- Tree 19 – This tree is to be removed as retaining it would cause significant conflicts with the building layout. Its removal will enable adjacent trees to thrive and maintain the streetscape character and canopy.

Accordingly, the proposed tree removal across the site is considered acceptable and appropriate in facilitating the proposed development. This is further supported by a comprehensive, dense landscaping scheme which will ensure the proposal maintains the integrity and character of the streetscape (refer Appendix 6).

7.4 Contamination and remediation

A Preliminary Site Investigation was undertaken by GSNE Services as part of the original application, which recommended that a Detailed Site Investigation (DSI) to be undertaken during design development phase, to provide further confirmation of the presence and extent of contamination on site prior to construction.

A DSI (Appendix 12) has since been undertaken by GNSE Services and identified some areas of potential environmental concern, in relation to uncontrolled fill, pesticides use, onsite migration, leaks from vehicles, metal degradation and asbestos based building materials, which may pose risks to human and environmental receptors. The DSI recommends that a Remediation Action Plan (RAP) be prepared to safely facilitate the proposed development. Accordingly, a RAP (Appendix 15) has subsequently been prepared to provide further confirmation of the presence and extent of contamination on site prior to construction. The RAP details the following program be adhered to, to ensure the appropriate remediation of the site:

- *Prepare the site with fences, erosion controls, signage and environmental controls.*
- *Demolish site structures and concrete slabs to make way for remedial works and under slab observations.*
- *Undertake the ASI as per Section 6.0.*
- *Following the completion of the ASI, a revised RAP may be required should additional contamination be identified within the site.*
- *The topsoils within Hotspot BH9 will be excavated approximately 140m² x 0.3m vertically deep and placed into the one stockpile, SP1.*
- *The topsoils within Hotspot BH11 will be excavated approximately 140m² x 0.3m vertically deep and placed into the one stockpile, SP1.*
- *The stockpile SP1, with an approximate volume of 84m³, will be sampled by recovering 5 samples to allow for an appropriate waste classification report to be prepared.*
- *Upon classification, the stockpile SP1 will be appropriately disposed of at EPA licenced facility that can accept the classified waste.*
- *The floor and walls of the Hotspot BH9 will be validated by taking 3 floor samples and 5 wall samples plus QA/QC samples. Chasing up of contaminants may be required during this stage of works if levels are found over site criteria.*
- *The floor and walls of the Hotspot BH11 will be validated by taking 6 floor samples and 5 wall samples plus QA/QC samples. Chasing up of contaminants may be required during this stage of works if levels are found over site criteria.*

Remediation will occur by managing soil for offsite disposal to landfill for contaminated soils and for soil to an offsite soil recycling facility for reuse in the case of clean soil.

The above remediation program is referred to in the updated mitigation measures at Appendix 2. Subject to the implementation of the RAP and the completion of remediation and validation works, the DSI considers site is suitable for the proposed development.

7.5 Traffic and transport

An updated Transport Impact Assessment (TIA) (Appendix 11) has been prepared which considers the traffic and parking impacts of the amended basement and parking arrangement.

7.5.1 Parking

The proposal includes 3 levels of basement parking for 125 car spaces and 85 bicycles, compared with 150 car spaces and 81 bicycles in the previous submission.

The proposed number of residential car parking spaces had been reduced to 115 spaces 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 *Ku-ring-gai Development Control Plan 2025* (KDCP 2025), 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 rates for affordable dwellings as prescribed under the Housing SEPP.

While the Housing SEPP does not specify a visitor parking rate, the proposal has been updated to provide a total of 10 visitor car spaces (including 1 accessible visitor car park), which is two more than what was originally proposed. Although non-compliant with the KDCP 2025 requirements, DCP provisions do not apply to State Significant Development under Section 2.10 of the Planning Systems SEPP. The updated TIA confirms this provision is reasonable, with nearby public parking at St Ives Shopping Centre able to accommodate visitor demand.

Therefore, the level of parking provided remains suitable for the amended proposal and complies with the non-discretionary parking standards for market and affordable housing within the Housing SEPP.

7.5.2 Traffic generation

The updated TIA assesses the projected development traffic and uses SIDRA modelling which considers the existing traffic situation and post development situation to provide an objective comparison of traffic generation impact on the network. The results of this are outlined in the figure below.

Intersection	AM Peak			PM Peak		
	LOS	AVD	DOS	LOS	AVD	DOS
Pre-development						
Mona Vale Road, Shinfield Avenue and Cowan Road	B	16.0s	0.740	B	16.2s	0.823
Post Development						
Mona Vale Road, Shinfield Avenue and Cowan Road	B	17.0s	0.754	B	16.4s	0.831

Figure 25: Existing and Post-Development SIDRA Assessment Outcome (Source: Genesis)

The assessment has determined that the existing road network operates with sufficient spare capacity, and that current levels of service will be maintained following the addition of the proposed development.

Additionally, the Traffic Impact Assessment has been updated to reflect the revised parking provision, demonstrating a reduction in peak hour traffic generation from 32 vehicle trips in the AM peak and 30 in the PM peak to 28 vehicle trips in both the AM and PM peak periods under the amended proposal.

Based on this analysis, our assessment is that the development will continue to not adversely impact on the operation of the existing road network. Accordingly, no infrastructure upgrades are considered necessary to support the proposal.

7.5.3 Access arrangements

The proposed point of access to the site is from Cowan Road which has not changed from the original proposal.

7.5.4 Construction traffic management

A Preliminary Construction Traffic Management Plan (CTMP) has been prepared and is provide as part of the updated TIA (Appendix 11). A detailed CTMP will be prepared when a builder is engaged and when all final design selections have been made.

The Preliminary CTMP establishes procedures including a construction vehicle route, emergency vehicle access, materials handling, Traffic Guidance Scheme, construction worker parking, site induction, public notification and communication, and road serviceability.

The CTMP outlines Killeaton Street will remain as a construction vehicle arrival/departure route. This is considered acceptable for the following reasons:

- the original assessment detailed truck access from the west, where the road is narrower and curved. The revised report adopts an eastern approach via the straighter and wider Pacific Highway, improving manoeuvrability
- Killeaton Street also accommodates bus services, indicating it can safely support construction vehicles

- *NSW Road Rules 2014*, Rule 104, provides an exemption to “No Truck” restrictions where there is no alternative route available for trucks to access a site

Therefore, our assessment concludes that traffic generation, access arrangements and construction traffic management are acceptable for the proposed development.

7.6 Noise and vibration

An updated Noise and Vibration Impact Assessment has been prepared by Acoustic Logic Pty Ltd (Appendix 8). The report assesses noise and vibration impacts from traffic, mechanical plant, loading dock operations, and construction activities as a result of the amended proposal. Nearby sensitive receivers have been identified as residential, commercial, and a place of worship. The NVIA has been revised to simply ensure the correct Architectural Plans have been referenced noting there was an error in the original report despite the most up to date drawings having been assessed.

7.7 Biodiversity

A Biodiversity Development Assessment Report Waiver Request was prepared by Abel Ecology as part of the original application.

As the amended proposal involves the same site area and the removal of the same extent of vegetation canopy, the original assessment’s conclusion that the biodiversity impacts are negligible and that a BDAR is not required remains valid.

7.8 Social impact

The proposal will provide 77 new apartments, including 13 affordable apartments (15% of total GFA) of varying sizes in a location that is well serviced by buses and is in close proximity to the St Ives Shopping Village and other local amenities such as open space and recreational facilities. The positive social impacts of the amended development remain consistent with the original application, and include:

- provision of much needed housing supply in an accessible location and close to existing amenities
- increased supply of affordable housing in the locality for very low, low and moderate income households, including access to housing for key workers
- contributes to achievement of strategic planning objectives by providing additional housing and housing diversity within the Ku-ring-gai LGA
- positive transformation of the community, by replacing older, low density housing stock with modern, higher density, energy efficient residential development
- provision for a variety of unit types to accommodate people who require increased accessibility
- employment opportunities during construction
- increased economic activity from additional residents in the area, supporting local businesses and service providers
- adoption of ecologically sustainable design elements.

Potential negative social impacts are also unchanged, and include:

- temporary construction impacts such as increased noise, vibration, air quality and dust, waste removal
- temporary disruptions to roads, access and parking
- changes to the local character of the area, however the development will be in line with the emerging future character of the area

Any negative social impacts as a result of the proposal are associated with construction and will be temporary. The proposal is considered suitable to the site and the future character of the locality, and it warrants approval subject to the implementation of mitigation measures. These mitigation measures (Appendix 2) relate to construction and include noise, dust, vibration, waste management, traffic and access.

Overall, the proposed development will deliver significant positive social benefits, including provision of housing supply and helping to achieve strategic planning objectives for the St Ives locality.

The proposed development is fully aligned with current State and Federal government policy objectives aimed at addressing the housing crisis. By delivering a mix of market and affordable housing in a well-serviced, accessible location, the proposal responds directly to the growing demand for diverse and inclusive housing options, specifically within the Ku-ring-gai LGA.

The site's proximity to public transport, local services, and employment centres further supports its suitability for increased residential density, contributing to a more sustainable and equitable urban future. Our assessment concludes that there will be overwhelmingly positive social impacts resulting from the proposed amended development.

7.9 Pedestrian wind environment

A Pedestrian Wind Assessment was prepared by RWDI Australia Pty Ltd as part of the original application.

The report's findings indicate that the site's immediate context, characterised by dense vegetation, undulating terrain, and predominantly low-rise built form, acts to moderate prevailing winds from the northeast, south, west, and northwest. As a result, baseline wind conditions across the site are expected to be benign, with minimal existing wind exposure.

The proposed U-shaped building form and modest height are not expected to generate adverse wind impacts. The built form is anticipated to help diffuse prevailing winds, limiting the potential for wind acceleration or channelling. Private balconies throughout the development are predicted to experience calm and comfortable wind conditions, generally suitable for sitting or standing activities throughout the year.

At Level 7 and 8, communal open spaces may experience some seasonal wind exposure, particularly from northeast and southern breezes. These effects can be effectively mitigated through design measures such as perimeter landscaping, wind screens with a minimum height of 1.5 metres, and retention of central planter boxes.

Recessed entrances will remain shielded from prevailing winds and are expected to maintain comfort levels appropriate for occasional sitting use.

Planting in the Level 7 communal space has been revised, with a similar approach undertaken for the new Level 8 communal open space, as part of the amended application. The updated Landscape Drawings (Appendix 6) incorporate the recommendations of the Pedestrian Wind Assessment through the utilisation of appropriate species and 500mm raised planters, specifically addressing north-east and southern summer wind conditions. These revisions ensure that the communal space is not expected to experience adverse wind effects.

7.10 Waste

A Construction and Demolition Waste Management Plan (CDWMP) and Operational Waste Management Plan (OWMP) were prepared by Elephants Foot Consulting as part of the original application.

The proposed waste strategies within the CDWMP remain suitable to address waste generated during the demolition and construction phases of the amended development. The OWMP has been minorly revised with respect to the additional two apartments but maintains the same operational waste management strategies as originally proposed (refer Appendix 13).

7.11 Sustainability

An Ecologically Sustainable Development (ESD) report has been prepared by E-Lab Consulting as part of the original application.

The strategies and initiatives presented in the ESD report remain applicable for the amended development, demonstrating a strong commitment to sustainability which meet and exceed expectations for the proposal.

7.12 Hazards and risk

The site remains unchanged and is not subject to any hazards that would impact on development for a residential flat building and ongoing use for residential purposes.

7.13 Heritage

The site remains unchanged and contains no built heritage, or in proximity to the site. As such, it is considered that there are no potential direct or indirect impacts on built heritage. Therefore, an assessment against built heritage was not considered necessary for the purpose of this application.

7.14 BCA Compliance

A BCA Report has been undertaken to assess the amended proposal against the provisions of the BCA by Concise Certification Pty Ltd (Appendix 14).

The report provides an assessment of the proposal against the following:

- *The National Construction Code (Volume 1) Building Code of Australia 2022 Amendment 2*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2021*
- *Architectural drawings prepared by PBD Architects*

The report confirms that the proposed development as amended can readily achieve compliance with the BCA pursuant to Section 1(1)(c) of the *Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2021*.

As such, our assessment concludes that compliance with the BCA is able to be satisfied in relation to the amended design.

7.15 Odour

An Air Quality Impact Assessment (Appendix 10) has been prepared by SLR Consulting to provide further assessment in relation to odours from exhaust vents of the proposed development.

The Assessment confirms odour emissions from both the existing and expanded St Ives Shopping Village food court are consistent with expectations for a mixed-use urban environment and are unlikely to impact proposal.

7.16 Lighting

A Lighting Impact Assessment (Appendix 9) has been prepared by Lighting, Art and Science to provide further assessment in relation to light pollution from the neighbouring car park and loading dock. The Assessment confirms the underground car park lighting will not be visible from the residences at 5–9 Cowan Road and the current outdoor lighting, along with the planned changes at St Ives Shopping Village, is compliant with the relevant standards.

7.17 Acoustic

A Noise and Vibration Impact Assessment has been prepared by Acoustic Logic (Appendix 8). The assessment concludes that the proposed residential development is suitable in regard to acoustic impacts, subject to the implementation of the recommended mitigation measures provided within the report.

With these measures in place, internal noise levels are anticipated to comply with the relevant acoustic criteria. Therefore, the development is not anticipated to result in adverse acoustic impacts.

8 Justification for Amended Project

This report has assessed the proposed amendment to SSD-88948458 as a whole, having regard to the economic, environmental and social impacts of the amendment as well as the principles of ecologically sustainable development.

This section provides a justification for 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).

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

This assessment has concluded that the proposed amendment is acceptable as it:

- the exceedance of the building height above the bonus height control is minimal and impacts of the exceedance will be imperceptible;
- the proposed development aligns with the low-mid rise housing policy by placing a high-quality, high density residential use within close proximity to St Ives Shopping Village and bus services;
- the proposal provides for a significant quantum of affordable housing floor area to contribute to housing diversity within the Ku-ring-gai LGA;
- redevelops a currently underutilised site identified for uplift, adjacent to services and within close proximity to public transport services; and
- the proposal, as amended, will not result in any adverse environmental impacts beyond those originally assessed under the EIS submitted for SSD-88948458.

8.1 Design justification

The proposal as amended delivers a cohesive residential development that optimises land use efficiency within the St Ives Shopping Village.

Key design rationale for the amended development includes:

- Provision of 77 apartments, including 13 affordable housing units, contributing to affordability and diversity in the area
- The exceedance of the building height above the bonus height control is minimal and impacts of the exceedance will be imperceptible
- The proposed apartments have been assessed as meeting the objectives of the Apartment Design Guidelines
- Extensive areas of communal open space (971.6m², 28% of the site area) are provided at ground level, Level 7 and Level 8
- The proposed configuration enables the building to maximise and improve residential amenity through solar access and natural cross ventilation
- Extensive landscaping featuring new planting and landscaping along the site's boundaries and communal open space areas as well as retention of mature trees and vegetation on site, complementing the proposed built form

- Stepped built form and heights to minimise the impacts on sensitive receptors in the surrounding area
- The proposed development aligns with the low-mid rise housing policy by placing a high-quality, high density residential use within close proximity to St Ives Shopping Village and bus services.

8.2 Strategic justification

As demonstrated in Section 3, the proposed development, as amended, continues to meet the objectives and directions outlined the relevant strategic policy for the site, locality and broader region. In particular, the proposed development meets the objectives of the:

- *Greater Sydney Region Plan* - The proposed development satisfies the 4 key themes of the region plan, including Infrastructure and Collaboration, Liveability, Productivity and Sustainability
- *The Sydney Plan (Draft)* - The proposed development satisfies the three key priorities of the Draft Sydney Plan, including Housed, Connected and Resilient.
- *North District Plan* - The proposed development satisfies a number of planning priorities, particularly in relation to facilitating diverse housing and planning for a city supported by infrastructure in the North District.
- *Ku-ring-gai Local Strategic Planning Statement* - The proposed development is consistent with the objectives of the LSPS, specifically by facilitating an inclusive, healthy, safe and socially connected community and providing diverse and affordable housing in an accessible location.
- *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.
- *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.

In summary, the proposed development is consistent with the above strategic plans as:

- It is consistent with the long-standing State level strategic planning objective to facilitate the provision of affordable homes in existing built-up urban areas.
- It will utilise the provisions of the Housing SEPP to increase housing supply and diversity and makes best use of the currently underutilised site, upzoned with the low and mid rise and infill affordable housing provisions.
- It aligns with Ku-ring-gai's strategic planning context by concentrating growth in a location close to existing social infrastructure and community facilities, parks, and public transport that is consistent with the area's planned transition to higher density living in designated urban centres.

As such, it is considered that the proposed development aligns with the relevant strategic planning for the Ku-ring-gai LGA.

8.3 Statutory justification

As outlined in Section 5, the proposed development aligns with all relevant statutory instruments which guide the development of the land.

The proposed development utilises the provisions of the Housing SEPP to appropriately locate in-fill affordable housing.

It is noted the Housing SEPP permits the residential flat building at the site. The proposed development will utilise the height and FSR provisions and the available in-fill affordable housing bonuses from the Housing SEPP.

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:

- amenity impacts on surrounding properties is minimal and has not increased from that originally assessed under the original application;
- the proposal provides for 15% of the total GFA for affordable housing in accordance with the provisions of the Housing SEPP and directly responding to the objects of the EP&A Act;
- provides for a variety of apartment types to align with the demographics and demand within the Ku-ring-gai LGA;
- involves a significant investment in construction and associated costs, providing for numerous jobs throughout construction; and
- adopts principles of ESD as demonstrated in the accompanying BASIX Certificate.

This assessment has concluded that on balance, the amendments proposed:

- are of minimal environmental impact
- are substantially the same as the development for which consent was originally granted
- will not result in any adverse environmental impacts
- will facilitate the orderly economic development of the land.

Based on the assessment in this report, we consider that the applicant has shown good cause for DPHI to amend the consent as requested.