



Your ref: SSD-79276958
Our ref: DOC25/370577

Jasmine Tranquille
Senior Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

12 June 2025

Subject: Request for Advice on Environmental Impact Statement – Residential development with infill affordable housing, 59-63 Trafalgar Avenue 1A and 1B Valley Road Lindfield (SSD-79276958) (Ku-ring-gai)

Dear Jasmine,

Thank you for your referral received 5 May 2025, requesting advice from the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy the Environment and Water (DCCEEW) on the above project.

CPHR has reviewed the Environmental impact Statement prepared by Planning & Co (dated 23 April 2025) and accompanying technical reports and provides its comments and recommendations at Attachment A. In summary:

- CPHR does not have access to the Biodiversity Development Assessment Report case in the Biodiversity Offsets and Agreement Management System (BOAMS), and no digital files have been provided to review
- CPHR recommends that the Arboricultural Impact Assessment (AIA) is updated as insufficient evidence has been provided to demonstrate the viability of retention for the nominated trees.

Should you have any queries regarding this matter, please contact Rachel Walker, Senior Conservation Planning Officer via rachel.j.walker@environment.nsw.gov.au.

Yours sincerely,

Louisa Clark
Director
Greater Sydney Branch
Conservation Programs, Heritage and Regulation Group

CPHR comments on the Environmental Impact Statement – Residential development with infill affordable housing, 59-63 Trafalgar Avenue 1A and 1B Valley Road Lindfield (SSD-79276958) (Ku-ring-gai)

In preparing this advice CPHR has reviewed the following documents:

- Environmental Impact Statement, Planning & Co, 23 April 2025. [EIS]
- Biodiversity Development Assessment Report, Keystone Ecological, 19 April 2025. [BDAR]
- Landscape plan set, Paul Scrivener, revision D, 17 April 2025.
- Arboricultural Impact Assessment, Urban Arbor, 17 April 2025
- Planning Secretary's Environmental Assessment Requirements, DPHI, 16 January 2025 [SEARS].
- Stormwater Management Report, SGC, 17 April 2025.

Biodiversity

1.	BOAMS access	CPHR did not have access to the BDAR case in BOAMS for its review and no digital files were provided. Recommended action: • The ecological consultant adds 'Greater Sydney – Compliance & Regulation' as a Case Party in BOAMS, uploads the required digital files (refer to Appendix L – Table 27 in BAM (2020) for what is required) and submits the case to 'Greater Sydney – Compliance & Regulation' as 'consent authority'.
	<i>Extent and Timing</i>	Pre-determination

2.	Arborist report	There is insufficient evidence in the AIA regarding the viability of the trees to be retained. Trees 33, 34, 35, 45, 49, 52, 53, 54, 55, 58, 59, 60, 61, 62, 69, 70 have limited biodiversity value, though some may possess landscape significance. The removal or retention of these trees would not materially affect the Biodiversity Development Assessment Report (BDAR). As such, CPHR does not need to review any updated AIA. CPHR has identified the following concerns regarding the submitted Arboricultural Impact Assessment (AIA): • The AIA nominates several trees for retention but does not demonstrate how these trees can be viably retained. • The AIA refers to the need for root mapping to assess the viability of tree retention and the construction of hardstand without significant root impacts. • The proposed stormwater infrastructure, particularly the 60 m stormwater line along Trafalgar Avenue, has not been considered in relation to tree impacts, including street trees. • The AIA does not demonstrate how neighbouring trees can be viably retained. Recommended actions: • DPHI should determine the viability of tree retention prior to development consent, in accordance with Section 3.3.3 of Australian Standard AS 4970–2009, which requires the AIA to demonstrate viable retention of trees. This is also consistent
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		with the SEARS requirement for root mapping, which should be undertaken prior to determination to confirm which trees can be viably retained. • The AIA should clearly demonstrate the application of tree-sensitive construction methods to ensure viable retention, including updated and/or annotated plans prepared in consultation with the project arborist. • DPHI to consider requesting an updated AIA that clearly demonstrates how nominated trees will be viably retained. • DPHI to consider imposing consent conditions, including: ○ supervision and certification by an AQF Level 5 arborist in accordance with AS 4970–2009. ○ the implementation of the mitigation measures outlined in section 8 of the BDAR. ○ the protection of trees identified for retention in an updated AIA.
	<i>Extent and Timing</i>	Pre-determination

Flood Risk Management

CPHR have reviewed the Ku-ring-gai Council – Online Map Viewer which includes information from Council's Middle Harbour Southern Catchments Flood Study. As the site is not impacted by mainstream or overland flooding, no further comments are required.

End of Submission