



Your ref: SSD-79261463
Our ref: DOC25/569108

Mr Justin Keen
Senior Planning Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2124

15 August 2025

Subject: Request for advice on Environmental Impact Statement – Residential development with in-fill affordable housing - Reid Street and Woodside Avenue, Lindfield (SSD-79261463) (Ku-ring-gai Council)

Dear Justin,

Thank you for your referral received 7 July 2025 seeking comments from the Conservation Programs, Heritage and Regulation (CPHR) Group of the NSW Department of Climate Change, Energy, the Environment and Water regarding the Response to Submissions for the above State Significant Development application.

CPHR has reviewed the *Environmental Impact Statement* (prepared by Mecone, April 2025) (EIS) and supporting studies and provides detailed flood and biodiversity comments at **Attachment A**.

In summary:

- The flood modelling results within the Flood Impact Risk Assessment (FIRA) prepared by HCE, dated 7 April 2025, require verification against Council's adopted Middle Harbour Southern Catchments Flood Study.
- Adverse flooding impacts on surrounding roads, particularly Reid Street and Lindfield Avenue, need to be addressed, and mitigation measures explored to ensure the community and users of the roads are safe.
- The FIRA needs to incorporate flood emergency management measures to demonstrate that evacuation can be undertaken from the site. This is to be undertaken in accordance with the Local Flood Plan or NSW State Emergency Service (SES) Flood Emergency Strategy for the area. If evacuation is not feasible, the FIRA is to address the requirements of the [Shelter in Place Guideline](#) (DPHI, 2024).
- The development appears to be inconsistent with the biodiversity development assessment report (BDAR) waiver granted by CPHR on 3 March 2025. If the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the applicant will need to lodge a new BDAR waiver request or prepare a BDAR.

Should you have any queries regarding this matter, please contact Rithy Ang, Senior Conservation Planning Officer via rithy.ang@dcceew.nsw.gov.au.

Yours sincerely



Louisa Clark

**Director
Regional Delivery - Greater Sydney Branch
Conservation Programs, Heritage and Regulation Group**

CPHR comments on EIS - Residential development with in-fill affordable housing - Reid Street and Woodside Avenue, Lindfield (SSD-79261463)

Documents Reviewed

CPHR has reviewed the following documents and provides comments below:

- 1-3 Reid Street & 2-4 Woodside Avenue, Lindfield: Environmental Impact Statement (Mecone, April 2025) (EIS)
- Appendix M – Architectural Plans (PBD Architects, 1 April 2025)
- Appendix T – Flood Impact and Risk Assessment (HCE, 7 April 2025) (FIRA)
- Appendix X – Biodiversity Development Assessment Report (Abel Ecology, 14 February 2025).

Flooding

Key Assessment Issues

1.	Flood model verification	The FIRA establishes a direct rainfall TUFLOW model for the hydrology and hydraulic assessment. However, the FIRA has not provided information on the verification of this model with Ku-ring-gai Council's Middle Harbour Southern Catchments Flood Study. Recommended action • Verify and compare flood modelling results against Ku-ring-gai Council's Middle Harbour Southern Catchments Flood Study. Document the verification information in the FIRA in accordance with the requirements of the Flood Impact and Risk assessment technical guideline LU01.
	<i>Extent and Timing</i>	Prior to determination.

2.	Impact of development on surrounding areas	The flood modelling results presented in the FIRA show significant impacts on adjacent areas, particularly Reid Street and Lindfield Avenue. This increases the hazard categories for these public roads, exposing the community to significant flood risks. Recommended action • The applicant should investigate mitigation measures to ensure the community and users of these roads are safe.
	<i>Extent and Timing</i>	Prior to determination.

3.	Increased risk of flooding in rarer events/emergency management	The Middle Harbour Southern Catchments Flood Study shows that the site is constrained by overland flooding. Under existing conditions, the site primarily functions as a flood storage area during a 1% annual exceedance probability (AEP) flood event. In a 0.2% AEP flood event, a new flow path is created through the site towards Woodside Avenue. In the probable maximum flood (PMF) event, a major floodway (flow path) runs through the site from the north towards Woodside Avenue. As the proposed development would intensify the site's land use, the site will be exposed to increased flood risks during rarer flood events.
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		In a post-development scenario, the site will be completely isolated by flood water in the PMF event. Section 9 of the FIRA indicates that a shelter-in-place (SIP) is proposed, stating, “During flood events resulting in flood levels above the Flood Planning Level the ground floor units and basement will need to be evacuated via vertical evacuation to the upper floors.” The development should align with the existing emergency management strategy for the area. As Council has not identified SIP through the flood management process for this location, SIP is not supported. Recommended action • The FIRA to incorporate flood emergency management measures to demonstrate that evacuation can be undertaken from the site. This is to be undertaken in accordance with the local flood plan or NSW SES Flood Emergency Strategy for the area. • If evacuation is not feasible, the FIRA must address DPHI's Shelter in Place Guideline. In particular, the guideline provides 'ten shelter in place considerations' that must be addressed to help guide the consent authority when assessing if SIP is an appropriate emergency management strategy for this development. This must be undertaken in consultation with the NSW SES and Ku-ring-gai Council. SIP must be associated with appropriate development controls including but not limited to: ○ habitable levels must be above the PMF level to ensure safe occupation ○ access level to basement parking must be above the PMF level to ensure the safety of the occupiers and users of the site ○ building materials should be flood compatible up to the PMF level.
	<i>Extent and Timing</i>	Prior to determination.

Biodiversity

4.	Consistency with BDAR waiver determination	CPHR has reviewed the EIS in relation to the development description outlined in Schedule 1 of the BDAR waiver determination issued on 3 March 2025. Upon review, inconsistencies have been identified between the trees proposed to be retained and those marked for removal. It is difficult to determine whether the development footprint presented in the EIS landscape and architectural plans aligns with that described in the BDAR waiver. Notable discrepancies include minor changes to building shapes, the addition of hardstand surfaces, and variations in the description of the proposed development. As per CPHR's BDAR waiver advice (DOC25/128036), if the proposed development is changed so that it is no longer as described in
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		Schedule 1 of the determination, the applicant will need to lodge a new waiver request or prepare a BDAR. Recommended action Clarify if there are any inconsistencies between the development in the approved BDAR Waiver and the development the subject of the EIS.
	<i>Extent and Timing</i>	Prior to determination.

End of Submission