

04 June 2025

Amy Watson  
Director, Affordable Housing Assessments  
Department of Planning, Housing and Infrastructure  
Locked Bag 5022  
Parramatta, NSW, 2124

Dear Amy,

## State Significant Development Application (SSDA) - Request for Industry Specific Housing SEARs – 1 and 1a Edward Street and 25 and 27 Rosedale Road, Gordon

On behalf of our client, Edward Street Residence DM Pty Ltd, this letter is issued to the Department of Planning, Housing and Infrastructure (the Department) as a formal request for Secretary Environmental Assessment Requirements (SEARs) for a proposed residential flat development (including in-fill affordable housing) at 1 and 1a Edward Street and 25 and 27 Rosedale Road, Gordon. The site is within a transport-oriented development (TOD) area.

The following documents have been prepared to accompany this SEARs request:

- **Appendix 1** - Architectural Scoping Report, prepared by PMDL
- **Appendix 2** - Preliminary Estimated Development Cost Letter, prepared by Mitchell Brandtman
- **Appendix 3** – Preliminary Survey Plan, prepared by Total Surveying Solutions

## Summary of development application

### Proponent details

The Proponent details are as follows:

Proponent name	Edward St Residence DM Pty Ltd
ACN	25687290160
Address	Suite G02, 22 Atchinson Street, St. Leonards 2065

### Site context

The site is located at 1 and 1a Edward Street and 25 and 27 Rosedale Road, Gordon and located within the Ku-ring-gai local government area (LGA). The site consists of four individual lots, with a total area of approximately 5,933 sqm. All four properties are currently occupied with dwelling houses and associated development such as swimming pools and gardens. The site is rectangular in shape and is situated on the corner of Rosedale Road and Edward Street.

The site is located on the northern side of the North Shore Railway Line and within walking distance (350m metres northeast) of the entrance to the Gordon Railway Station.

An aerial image of the site is provided overleaf in Figure 1.



Figure 1 Aerial photo of the site, outlined in red (Source: Nearmap)

The legal description of the lots is provided in the table below.

Address	Lot	Area
1 Edward Street	Lot A in DP 189351	1840 sqm
1a Edward Street	Lot C in DP 334965	1707 sqm
25 Rosedale Road	Lot B in DP 334965	849 sqm
27 Rosedale Road	Lot A in DP 334965	1537 sqm

### Confirmation of the site's location

The site is located in a Transport Oriented Development (TOD) Area on the TOD Sites Map in accordance with Chapter 5 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). As demonstrated in the figure below, as the site is within a 350m walking distance to Gordon Railway Station it is also defined as being in an 'accessible area' in accordance with schedule 10 of the Housing SEPP.

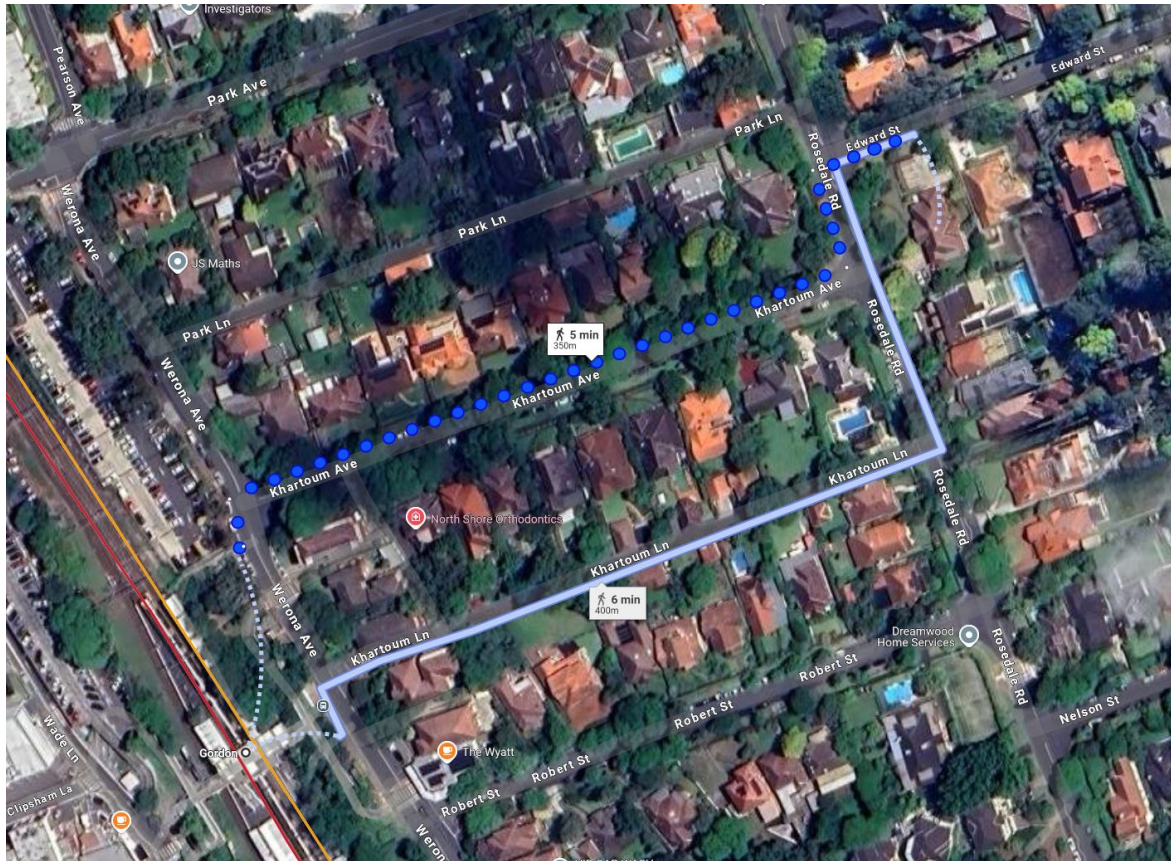


Figure 2 Confirmation site is within an accessible area (Source: Google Maps)

**Planning history**

As of 23 May 2025, there are no relevant approvals or applications applying to the land.

However, of note, 1A Edward Street is subject to a previous partial demolition, alterations and additions development consent being DA0371/20 and subsequent modification application MOD0178/22. Details of these consents can be found on Ku-ring-gai’s DA tracker. DA0371/20 was approved on 19/03/2021 and MOD0178/22 was approved on 04/05/2023.

**Description of the proposal**

The proposal involves a State Significant Development Application (SSDA) for a residential TOD development including in-fill affordable housing. The proposal will involve demolition of the existing site structures and construction of two residential flat buildings (RFBs) and associated works with site access to basement parking via Rosedale Road.

The proposal will provide up to 15% affordable rental housing for a minimum of 15 years and an additional 2% affordable housing in perpetuity. The development is proposed across two buildings of 8 storeys in height accommodating approximately 16,370 square metres of residential floorspace (inclusive of affordable housing units) and basement car parking. This will accommodate approximately 136 apartments, including approx. 23 affordable apartments (approx. 327.4 sqm of TOD affordable floor space in perpetuity; and an additional 2,455.5 sqm of in-fill affordable housing floor space for a period of 15 years) . The final height and GFA of the development are subject to further design refinement as part of the SSDA development process. Refer to the attached architectural documentation prepared by PMDL for further detail.

**Compliance with minimum threshold in Planning System SEPP**

The proposed development constitutes SSD pursuant to schedule 26A (in-fill affordable housing) of *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) being:

- A development on land in the Eastern Harbour City with an estimated cost of development greater than \$75 million. Please refer to the accompanying Estimated Development Cost report prepared by Mitchell Brandtman
- A development that is not prohibited under an EPI applying to the land (noting that residential flat buildings are permitted with consent under Chapter 5 of the Housing SEPP).
- A development that includes at least 10% affordable housing (for 15 years).

### Percentage of floor space to be provided as affordable housing

17% of the floor space is to be provided as affordable housing (up to 15% under Chapter 2 Housing SEPP and 2% under Chapter 5 of Housing SEPP) (approx. 327.4 sqm of TOD affordable floor space in perpetuity; and an additional 2,455.5 sqm of in-fill affordable housing floor space for a period of 15 years. The scheme will accommodate approx. 136 apartments, including approx. 23 affordable apartments.

### Any other land uses proposed

The proposed land use is entirely residential. No other land uses are proposed.

### Zoning and permissibility

The site is zoned R2 Low Density Residential under the *Ku-ring-gai Local Environmental Plan 2015*.

The site is located within a 'Tier 2' TOD area being 400 metres from the existing Gordon Railway Station (to the north-east), hence Chapter 5 TOD of the Housing SEPP is of relevance in terms of permissibility.

Under section 154 of the Housing SEPP, RFBs are permitted with development consent in a 'relevant residential zone'. The R2 zone is defined as a 'relevant residential zone' in section 151 of the Housing SEPP, hence RFBs are permitted on the site.

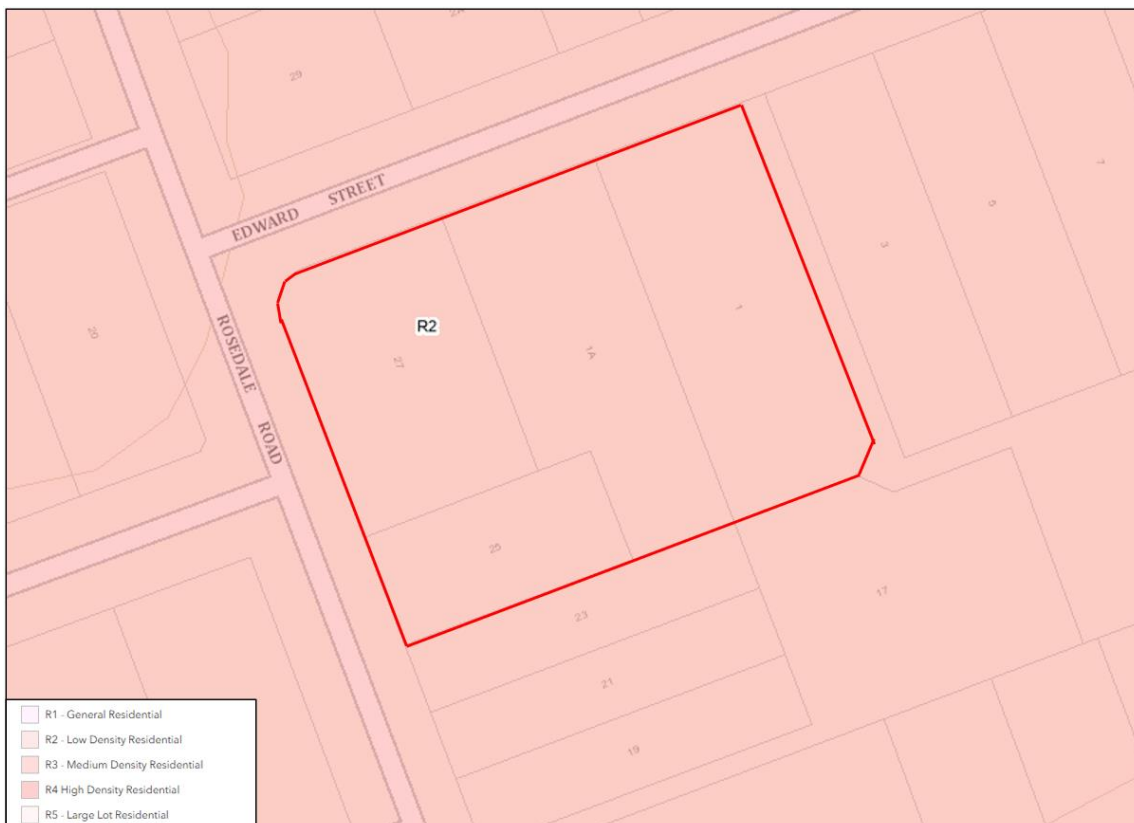
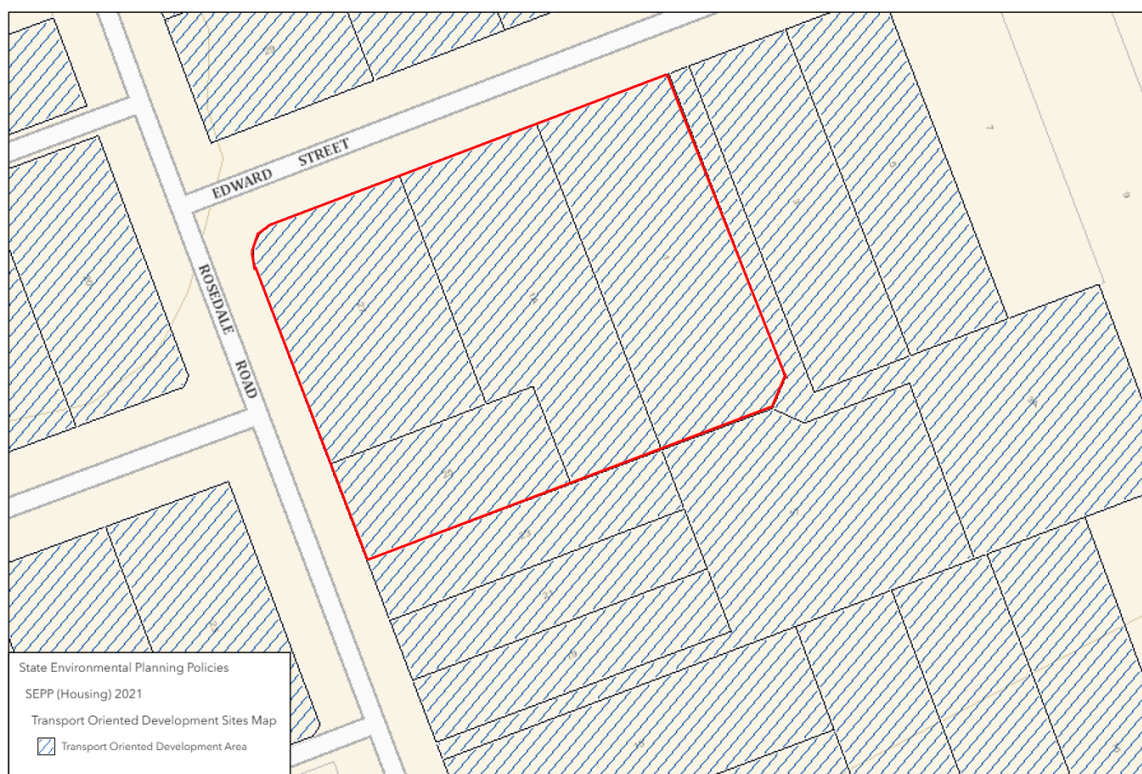


Figure 3 Land use zoning map (Source: NSW Planning Portal Spatial Viewer)



**Figure 4** Site location in TOD area (Source: NSW Planning Portal Spatial Viewer)

**Statutory context**

Other approvals

Section 4.41 of the Act identifies certain authorisations that are not required for SSD and section 4.42 of the Act identifies certain authorisations that cannot be refused if they are necessary for carrying out SSD, see Table 1 below.

**Table 1: Summary of other approvals**


<b>NSW Legislation</b>	<b>Requirement for subject application</b>
<u>Approvals that do not apply to SSD</u>	
<i>Fisheries Management Act 1994</i>	No
<i>Heritage Act 1977</i>	No
<i>National Parks and Wildlife Act 1974</i>	No
<i>Rural Fires Act 1997</i>	No
<i>Water Management Act 2000</i>	No
<u>Legislation that must be applied consistently</u>	
<i>Fisheries Management Act 1994</i>	No
<i>Mine Subsidence Compensation Act 1961</i>	No
<i>Mining Act 1992</i>	No
<i>Petroleum (Onshore) Act 1991</i>	No
<i>Protection of the Environment Operations Act 1997</i>	No

NSW Legislation	Requirement for subject application
<i>Roads Act 1993</i>	Unlikely, will be confirmed in the EIS preparation stage.
<i>Pipelines Act 1967</i>	No

Pre-conditions to exercising power to grant approval

Table 2 identifies the pre-conditions to be fulfilled by the consent authority prior to exercising their power to grant development consent.

**Table 2: Pre-conditions to exercising power to grant approval**

Instrument	Response
<i>Biodiversity Conservation Act 2016</i>	<p>Pursuant to section 7.9 of the <i>Biodiversity Conservation Act 2016</i>, SSDAs must be accompanied by a Biodiversity Development Application Assessment Report (BDAR) unless the Planning Agency Head, and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. This determination is referred to as a BDAR Waiver.</p> <p>The site is located in a developed area that is not identified as being of biodiversity value. The proposed development is not anticipated to have any significant impact on any biodiversity values. A BDAR waiver request will be prepared and submitted to the Department of Planning, Housing and Infrastructure.</p>  <p><b>Figure 5 Biodiversity values map, site outlined in red (Source: NSW Planning Portal Spatial Viewer)</b></p>
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<p>Section 2.122 of the Transport and Infrastructure SEPP requires the consent authority to provide Transport for NSW with written notice of the development application for ‘traffic-generating development’ and take into considered any response.</p> <p>In accordance with schedule 3 of the Transport and Infrastructure SEPP, the development will not constitute traffic generating development as less than 300 dwellings will be delivered on the site with access to a road (generally).</p>
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	<p>Section 4.6 of the Resilience and Hazards SEPP sets out that a consent authority must not consent to the carrying out of any development on land unless:</p> <ul style="list-style-type: none"> <li>- It has considered whether the land is contaminated;</li> </ul>

Instrument	Response
	<ul style="list-style-type: none"> <li>- If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be after remediation); and</li> <li>- If the land requires remediation to make it suitable for the use, it is satisfied that the land will be remediated before the land is used for that purpose.</li> </ul> <p>A preliminary site investigation and if required, a detailed site investigation (DSI) will be prepared for the EIS. Should it be identified in the DSI that a remediation action plan is required, one will be prepared and accompany the EIS.</p>

**Mandatory matters for consideration**

Table 3 sets out the matters that a consent authority will be required to consider in deciding whether to grant consent to the SSD. These matters will be addressed in detail in the EIS.

**Table 3: Matters for consideration**

Legislation	Matters for Consideration	Comment
<b>The Act</b>		
Section 1.3	<i>Objects of the Act</i>	An assessment against the objects of the Act will be undertaken in the EIS.
Section 4.15	<ul style="list-style-type: none"> <li>a) <i>the provisions of:</i> <ul style="list-style-type: none"> <li>i) <i>relevant environmental planning instruments</i></li> <li>ii) <i>any proposed instrument that is or has been subject of public consultation under the Act</i></li> <li>iii) <i>any development control plan</i></li> <li>iv) <i>any planning agreement</i></li> <li>v) <i>the regulations</i></li> </ul> </li> <li>b) <i>likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i></li> <li>c) <i>suitability of the site for the development</i></li> <li>d) <i>any submissions made in accordance with the Act or Regulations</i></li> <li>e) <i>the public interest.</i></li> </ul>	Section 4.15 of the Act will be addressed in detail in the EIS and supporting documentation for the SSD.
<b>Housing SEPP</b>		
Chapter 2 Affordable Housing. Part 2, Division 1 In-fill affordable housing	<b>15(c) Development to which division applies</b>	
	(1) <i>This division applies to development that includes residential development if—</i>	The site is zoned R2 Low Density Residential. Chapter 5 of the Housing SEPP permits

Legislation	Matters for Consideration	Comment
	<p><i>(a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5 or another environmental planning instrument, and</i></p>	<p>RFBs in this relevant residential zone.</p>
	<p><i>(b) the affordable housing component is at least 10%, and</i></p>	<p>The proposal seeks to provide 17% of the total GFA (inclusive of the bonus GFA) for affordable housing purposes. Up to 15% will be provided as affordable housing for a period of 15 years and 2% provided in perpetuity (approx. 327.4 sqm of TOD affordable floor space in perpetuity; and an additional 2,455.5 sqm of in-fill affordable housing floor space for a period of 15 years).</p>
	<p><i>(c) all or part of the development is carried out—</i>  <i>(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven local government area—in an accessible area, or</i>  <i>(ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</i></p>	<p>The site is in an ‘accessible area’ being within 350m of Gordon Railway Station.</p>
	<p><i>(2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.</i></p>	<p>Any affordable housing required under another EPI will not be counted towards the affordable housing required by Chapter 2, Part 2, Division 1.</p>
	<p><b>16 Affordable housing requirements for additional floor space ratio</b></p> <p><i>(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</i></p>	<p>The development will deliver 15% GFA as in-fill affordable housing (in addition to the 2% GFA provided in accordance with the TOD provisions).</p> <p>The applicable maximum FSR under Chapter 5 (TOD) of the Housing SEPP is 2.5:1. A 30% increase equates to an FSR of 3.25:1</p> <p>The proposed total FSR is approximately 2.76:1 and</p>

Legislation	Matters for Consideration	Comment
		<p>below the maximum 3.25:1 permissible FSR applicable to the site.</p> <p><b>GFA Proposed:</b> 16,370 sqm  <b>TOD Affordable Housing:</b> 327.4 sqm  <b>% TOD GFA:</b> 2%  <b>Maximum permissible FSR is therefore:</b> 2.5:1</p>
	<p><i>(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—</i></p> $\text{affordable housing component} = \frac{\text{additional floor space ratio}}{\text{(as a percentage)}} + 2$	<p>The proposal seeks a maximum FSR of 30% above the maximum permissible floor space, therefore a minimum of 15% of the proposed floor space must be for affordable housing purposes (noting that an additional 2% is required to satisfy the provisions of Chapter 5 of the Housing SEPP considered further below).</p> <p>Therefore, 15% of the total GFA is provided as in-fill affordable housing, with a further 2% as TOD. This equates to approx. 327.4 sqm of TOD affordable floor space in perpetuity; and an additional 2,455.5 sqm of in-fill affordable housing floor space for a period of 15 years.</p> <p><b>Site area:</b> 5,933 sqm  <b>GFA proposed:</b> 16,370 sqm  <b>% of GFA proposed as in-fill:</b> 2,455.5 sqm (15% of total GFA)  <b>Maximum FSR:</b> 3:25  <b>Proposed FSR:</b> 2.76:1</p>
	<p><i>(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</i></p> <p><i>Example—</i>  <i>Development that is eligible for 20% additional floor space ratio because the development includes a 10%</i></p>	<p>The applicable building height under Chapter 5 (TOD) of the Housing SEPP is 22 metres (being the maximum permissible building height). In accordance with Section 16 of the Housing SEPP, a 30% FSR bonus is sought through the provision of 15% of the total GFA of the development to be allocated towards in-fill affordable housing. Therefore, and in accordance with Section 16(3) of the Housing SEPP, the maximum height for the site is also 30% greater than the</p>

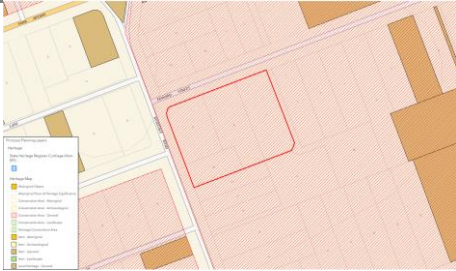

Legislation	Matters for Consideration	Comment
	<p><i>affordable housing component, as calculated under subsection (2), is also eligible for 20% additional building height if the development involves residential flat buildings or shop top housing.</i></p>	<p>maximum permissible height (being 22m). The 30% bonus will increase the maximum permissible height to 28.6 metres.</p> <p>The development is proposed to primarily sit below the 28.6m height limit. Any additional building height beyond the maximum building height will be subject to a clause 4.6 variation request.</p>
	<p><i>(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.</i></p>	<p>Not applicable – an FSR control applies.</p>
<b>19 Non-discretionary development standards – the Act, s4.15</b>		
	<p><i>(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i></p> <p><i>Note—</i></p> <p><i>See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.</i></p>	<p>Noted.</p>
	<p><i>(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—</i></p> <p><i>(a) a minimum site area of 450m<sup>2</sup>,</i></p>	<p>The subject site area is approximately 6,000 sqm.</p>
	<p><i>(b) a minimum landscaped area that is the lesser of—</i></p> <p><i>(i) 35m<sup>2</sup> per dwelling, or</i></p> <p><i>(ii) 30% of the site area,</i></p>	<p>Further details on the landscaping proposal for the development will be provided at the EIS stage. The scheme is expected to deliver at least the minimum landscaped area required.</p>
	<p><i>(c) a deep soil zone on at least 15% of the site area, where—</i></p> <p><i>(i) each deep soil zone has minimum dimensions of 3m, and</i></p> <p><i>(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i></p>	<p>Not applicable – refer to s19(3) below.</p>

Legislation	Matters for Consideration	Comment
	<i>(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,</i>	Not applicable – refer to s19(3) below.
	<p><i>(e) the following number of parking spaces for dwellings used for affordable housing—</i></p> <p><i>(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,</i></p> <p><i>(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,</i></p> <p><i>(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,</i></p>	<p>The proposal will achieve at least the minimum non-discretionary standards set out in the Housing SEPP.</p> <p>The final car parking provision will be agreed as part of the design development and is anticipated to comply with these requirements.</p>
	<p><i>(f) the following number of parking spaces for dwellings not used for affordable housing—</i></p> <p><i>(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,</i></p> <p><i>(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,</i></p> <p><i>(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</i></p>	<p>The proposal will achieve at least the minimum non-discretionary standards set out in the Housing SEPP.</p> <p>The final car parking provision will be agreed as part of the design development and is anticipated to comply with these requirements.</p>
	<i>(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,</i>	Noted – an assessment will be undertaken as part of the EIS.
	<i>(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.</i>	Noted – Chapter 4 applies to this development. Accordingly, subsection (2)(c) and (d) do not apply.
	<b>20 Design Requirements</b>	
	<i>(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.</i>	Not applicable – refer to 20(2) which identifies that subsection (1) does not apply to development to which Chapter 4 applies.
	<i>(2) Subsection (1) does not apply to development to which Chapter 4 applies.</i>	Noted.

Legislation	Matters for Consideration	Comment
	<p>(3) <i>Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—</i></p> <p>(a) <i>the desirable elements of the character of the local area, or</i></p> <p>(b) <i>for precincts undergoing transition—the desired future character of the precinct.</i></p>	<p>A detailed assessment will be undertaken as part of the EIS noting the site is located within a TOD precinct with a planned transition anticipated for this locality.</p>
	<p><b>21 Must be used for affordable housing for at least 15 years</b></p>	
	<p>(1) <i>Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—</i></p> <p>(a) <i>the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i></p>	<p>Noted – the Proponent commits to this outcome, and it is their expectation this will be conditioned by the Department at the consent stage.</p>
	<p>(b) <i>the affordable housing component will be managed by a registered community housing provider.</i></p>	<p>Noted.</p>
	<p>(2) <i>This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.</i></p>	<p>Not applicable.</p>
Chapter 4 Design of Residential Apartment Development	<p>142 <i>Aims of chapter – 149 Apartment Design Guide prevails over development control plans</i></p>	<p>Compliance with the relevant standards (i.e. Cl. 148 non-discretionary standards, where relevant) and the ADG will be demonstrated in the EIS and supporting documentation.</p>
Chapter 5 Transport oriented development	<p>151 <i>Definitions</i></p> <p><i>Relevant residential zone</i></p> <p><i>Transport oriented development area</i></p>	<p>The R2 zoning of the land is a <i>relevant residential zone</i>. The site is located within a ‘Tier 2’ TOD area.</p>
	<p>152 <i>Land to which this chapter applies</i></p> <p>(i) <i>Ku-ring-gai</i></p>	<p>The site is in the Ku-ring-gai LGA and is 350 metres from Gordon Railway Station (being less than 400 metres).</p>
	<p>153 <i>Relationship to other environmental planning instruments</i></p> <p>If there is an inconsistency between this chapter and another provision of this or another EPI, whether made before or after the commencement</p>	<p>Noted.</p>

Legislation	Matters for Consideration	Comment
	of this chapter, this chapter prevails to the extent of an inconsistency.	
	<i>154 Development permitted with development consent in a TOD area</i>	RFBs are permitted with development consent in the R2 zone under Chapter 5 of the Housing SEPP.
	<i>155 Maximum building height and maximum floor space ratio</i> This section identifies development standards for development under this chapter that, if complied with, prevent the consent authority from requiring more onerous standards for matters. Maximum HOB for RFBs: 22 metres Maximum FSR for RFBs: 2.5:1	Noted. As per earlier in this table, the up to 30% height and FSR bonus has been applied to these base TOD development standards.
	<i>156 Affordable housing</i> 2% of the GFA to be used for affordable housing and managed by a registered community housing provider in perpetuity.	2% of the GFA will be utilised for affordable housing in perpetuity to satisfy the TOD provisions.
	<i>157 Affordable housing parking spaces</i> (a) for each dwelling containing 1 bedroom—0.4 parking space, (b) for each dwelling containing 2 bedrooms—0.5 parking space, (c) for each dwelling containing 3 or more bedrooms—1 parking space.	These will be complied with at the EIS stage.
	<i>159 Minimum lot width</i> 21 metre wide at the front building line.	The site has a width of approximately 85 metres to the front of Edward Street, therefore complying with s159.
	<i>160 Active street frontages</i>	Not applicable.
	<i>161 Consideration of the Apartment Design Guide</i>	A detailed ADG compliance check will be prepared by PMDL and be captured in the EIS.
<b><i>Ku-ring-gai Local Environmental Plan 2015</i></b>		
<u>2.2 Zoning of the land to which this Plan applies</u>	The zoned R2 Low Density Residential. RFBs are prohibited in the R2 zone in the KLEP. Notwithstanding, the site benefits from the provisions under Chapter 5 of the Housing SEPP, which make RFBs permissible with consent.	N/A
<u>2.3. Zone objectives and Land Use Table</u>	<ul style="list-style-type: none"> <li><i>To provide for the housing needs of the community within a</i></li> </ul>	Yes - the proposed development will deliver additional housing, including up

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<p><b>4.3 Height of Building</b>  <i>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u>.</i></p> <p><b>4.4 Floor Space Ratio</b>  <i>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the <u>Floor Space Ratio Map</u>.</i></p> <p><b>5.10 Heritage Conservation</b>  <i>(a) to conserve the environmental heritage of Ku-ring-gai,            (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,            (c) to conserve archaeological sites,            (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p><i>low density residential environment.</i></p> <ul style="list-style-type: none"> <li><i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li> <li><i>To provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai.</i></li> </ul>	<p>to 17% affordable housing. This will contribute to meeting the housing needs of the community.</p> <p>The residential proposal does not impact the provision of facilities or services on other suitably zoned sites.</p> <p>The proposal will be compatible with the existing environmental and built character of Ku-ring-gai. This will be addressed in detail in the EIS.</p>
	<p>The applicable building height is 9.5 metres.</p>	<p>N/A - see discussion earlier in this letter.</p>
	<p>The applicable FSR is 0.3:1.</p>	<p>N/A - see discussion earlier in this letter.</p>
	<p>The site is located within a heritage conservation area (HCA #C13 – <i>Roberts Grant Conservation Area</i>) – see below. The site is also adjacent to a heritage conservation area (HCA #C39 <i>Robert Street/Khartoum Avenue Conservation Area</i>) and in close proximity to the following heritage items:</p> <ul style="list-style-type: none"> <li>- <i>126 Dwelling house</i> 10 Rosedale Road</li> <li>- <i>17 Dwelling house</i> 16 Khartoum Avenue</li> <li>- <i>189 Lady Gowrie Retirement Village</i> 10 Edward Street</li> </ul>	<p>Yes.</p>

Legislation	Matters for Consideration	Comment
<p><b>6.1 Acid sulfate soils</b>  <i>(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</i></p> <p><b>6.2 Earthworks</b>  <i>(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</i></p> <p><b>6.3 Biodiversity protection</b>  <i>(1) The objective of this clause is to protect, maintain and improve the diversity and condition of native vegetation and habitat.</i></p> <p><b>6.5 Stormwater and water sensitive urban design</b>  <i>(1) The objective of this clause is to avoid or minimise the adverse</i></p>	 <p>The SSDA will be supported by a Heritage Impact Assessment.</p>	
	<p>The site is classified as Class 5 on the Acid Sulfate Soils Map.</p>  <p>Works are not within 500 metres of adjacent Class 1, 2, 3 or 4 land.</p>	Yes.
	<p>A Geotechnical Investigation will be prepared to consider the excavation and filling required on site to facilitate the proposed development.</p>	Yes.
	<p>A suitably qualified ecologist to carry out a preliminary investigation and most likely a BDAR waiver will follow for the EIS to address the Biodiversity Conservation SEPP and clause 6.3 of the LEP.</p>	Yes.
	<p>A suitably qualified civil engineer will be engaged to prepare a stormwater design to support the SSD proposal. Clause 6.5 will be addressed in detail in the engineer's report.</p>	Yes.

Legislation	Matters for Consideration	Comment
<p><i>impacts of urban stormwater on the land on which development is to be carried out, adjoining properties, native bushland, waterways and groundwater systems.</i></p> <p><b>6.6 Requirements for multi dwelling housing and residential flat buildings</b></p> <p><i>2) Despite any other provision of this Plan, development consent must not be granted for the erection of multi dwelling housing or a residential flat building on a lot in a residential zone unless the lot has an area of at least 1,200 square metres and minimum dimensions (width and depth) of at least—</i></p> <p><i>(a) if the area of the land is less than 1,800 square metres—24 metres, or</i></p> <p><i>(b) if the area of the land is 1,800 square metres or more—30 metres.</i></p>	<p>The site has a total area of 5,933 sqm.</p> <p>The site has a width and depth of at least 30 metres.</p>	<p>Yes, the site has a width of approximately 85 metres and a depth of approximately 68 metres.</p>

**Community housing provider**

In accordance with sections 21 and 156 of the Housing SEPP the affordable housing component for the development required under sections 16, 18 and 156 of the Housing SEPP, will need to be managed by a CHP for at least 15 years. The proponent has a working relationship with Echo Realty who are the CHP for a number of other SSDAs the applicant have worked with and they are expected to be the CHP for this site. This will be confirmed as part of the SSDA lodgement.

**Accompanying documentation**

PMDL has prepared a preliminary architectural package which accompanies this scoping meeting request. It provides preliminary site analysis and includes a concept building layout plan. The envelope design for the site is quickly evolving through design development and will be significantly progressed over the coming weeks.

**Housing Industry Specific SEARs**

Housing Industry Specific SEARs are being requested for this project.

## Timing of SEARs and SSSA submission

We note that Ku-ring-gai Council are currently reviewing the TOD provisions applying to the site, and that this review may result in the site no longer benefitting from the TOD provisions. This review is anticipated to be concluded in the coming days, and recent advice from DPHI has indicated that sites with valid SEARs issued before 13 June 2025 will benefit from savings provisions.

## Conclusion

We trust the information provided is sufficient for Industry Specific Housing SEARs to be issued for this project.

Should you wish to discuss the contents of this letter, please do not hesitate to contact the undersigned or Rebecca Sladen (Senior Associate) on [RebeccaS@gyde.com.au](mailto:RebeccaS@gyde.com.au).

Yours sincerely,



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