

WILLOWTREE PLANNING



14 April 2026

REF: WTJ25-073

Prity Cleary
Senior Planning Officer (Affordable Housing Assessments)
Department of Planning, Housing and Infrastructure
4 Parramatta Square
12 Darcy Street
Parramatta, NSW 2150

RE: RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION – SSD-82548708

PROPERTY AT: 24, 26 AND 28 MIDDLE HARBOUR ROAD, LINDFIELD

Dear Prity,

Reference is made to **SSD-82548708**, which seeks development consent for the purposes of a residential flat building (RFB) with affordable housing and Build to House (BtH) housing at 24, 26 and 28 Middle Harbour Road, Lindfield (the Site).

This letter provides a response to the matters raised by the Department of Planning, Housing and Infrastructure (DPHI) on 20 March 2026 (**TABLE 1**) and by the Conservation Programs, Heritage and Regulation (CPHR) Group of the Department of Climate change, Energy, the Environment and Water on 26 March 2026 (**TABLE 2**)

This Letter is accompanied by the following supporting documentation:

- **Appendix 1** Updated Architectural Plans
- **Appendix 2** Updated Landscape Plan
- **Appendix 3** Civil Engineering Statement
- **Appendix 4** Arboricultural Impact Assessment Addendum

ACN: 146 035 707 ABN: 54 146 035 707
Suite 404, Level 4, 165 Walker Street
North Sydney NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Proposed Residential Flat Building including In-Fill Affordable Housing and Build-to-Rent Housing

24, 26 and 28 Middle Harbour Road, Lindfield

Lot 13 DP5374, Lot 1 DP119944, Lot 14 DP5374, Lot 1 DP1192386, Lot 1 DP312386, Lot 16 DP5374 & Lot 768 DP752031

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RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

TABLE 1 - RESPONSE TO DPHI COMMENTS		
Item	Submission	Response
1	Gross Floor Area (GFA) Clarify why the wall to the common vertical circulation such as lifts and stairs on the ground floor level is not included in the GFA calculation (see extract GFA diagram below). As per the Ku-ring-gai Local Environmental Plan 2015 GFA definition, these areas should be included in the GFA calculation.	The Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015) definition of GFA is per the below: Gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes— a) the area of a mezzanine, and b) habitable rooms in a basement or an attic, and c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes— d) any area for common vertical circulation, such as lifts and stairs, and e) any basement— (i) storage, and (ii) vehicular access, loading areas, garbage and services, and f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and g) car parking to meet any requirements of the consent authority (including access to that car parking), and h) any space used for the loading or unloading of goods (including access to it), and i) terraces and balconies with outer walls less than 1.4 metres high, and j) voids above a floor at the level of a storey or storey above.



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		The KLEP 2015 definition of GFA clearly states that any area for common vertical circulation (such as stair and lift cores) is excluded from the GFA calculations as these spaces are non-habitable and should not be used for the purposes of GFA. Therefore, excluding these specific areas from the GFA calculations of the Proposal is the correct approach, including areas at ground floor level. This approach has been applied to numerous State Significant Development Applications within NSW and more closely, Ku-Ring-Gai Council Local Government Area. An example where this approach has been adopted is 9-21 Beaconsfield Parade, Lindfield (SSD-81623209).
2	Civil Plans As per Council's Response to Submissions submission, the Department requests you address the following comments with additional information and amended plans:	See below for specific responses for subsections (a), (b), (c) and (d).



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TABLE 1 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
	<i>a) Approval from Council's Engineers within the Operations Department is required for the realign/divert Council's existing pit and pipe system. At this stage there is no approval for the works to discharge stormwater and/or realign Council's trunk drainage system.</i>	Approval from Council's Operations Department can be secured at detailed design stage prior to the issue of any Construction Certificate (CC) through a condition of consent. This matter is not considered to be appropriate at this stage of the Proposal and can easily be resolved at detailed design stage. Council's existing trunk drainage system is in a poor state of repair and has not been maintained by Council, which is confirmed by the CCTV undertaken and provided with the Response to Submissions package. The Proponent has not been contacted by the Council to either carry out survey works or remedial works to the existing trunk drainage system, which is the responsibility of Council to maintain. The Proposal would result in the upgrade and improvement of the existing trunk drainage system at no cost to Council, thus representing an improvement to the current situation.
	<i>b) Council's Operations Team have advised that the proposed trunk drainage diversion/realignment cannot be supported given that this design has several deviancies which is considered unacceptable and non-compliant.</i>	Xavier Knight had previously met with Council on 14 October 2025 to present the design and discuss Council's requirements of stormwater diversion. During the meeting, elements such as separation of the flood tank and hydraulic pipe capacity were discussed and have since been implemented into the proposed trunk drain deviation. At the time, no other specific requirements or standards were requested by Council. During the meeting, it was also noted that the cost of the replacement of the stormwater pipe could be secured within a voluntary planning agreement (VPA) and details secured in a condition. The Proposal would result in the upgrade and improvement of the existing trunk drainage system at no cost to Council, thus representing an improvement to the current situation. For clarity, the proposed flood tank would be treated as an on-site detention (OSD) tank with the onus on the Proponent to maintain, inspect and ensure functioning

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TABLE 1 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
		of the proposed OSD tank. The delineation will be at the connection to the OSD tank, thus not adding any additional onus to Council other than Council already have. Xavier Knight has prepared the Integrated Water Management Plan (IWMP) and plans, which demonstrates the improved capacity of the proposed stormwater deviation and compliance with Council's design requirements as per the Ku-ring-gai Development Control Plan 2026. As such, Council are required to identify clearly where there are believed to be deficiencies or non-complaint aspects of the diversion that can be addressed as part of the construction details of the stormwater pipe that would be submitted to council, post DA as this is the standard approach. This could be secured as a condition of consent, prior to the issue of any CC.
	c) <i>The proposal seeks to discharge the stormwater runoff created by the new development into Council's existing trunk drainage system which is located within the site. This trunk drainage system traverses diagonally through the property. The applicant has indicated that they wish to realign/divert Council's existing pit and pipe system to cater for the proposal. This cannot be supported in its current format as it is a major burden to Council's infrastructure and long-term maintenance, ongoing system failure, deficient pipe sizing etc of the trunk drainage system.</i>	As found in survey and CCTV investigations, the existing 900mm trunk drainage is in poor condition and needs replacement. The new diversion as part of the Proposal provides Council with an upgraded 1200mm pipe asset at no cost to the Council. The IWMP prepared by Xavier Knight previously provided at the RtS stage demonstrates that the new diversion pipe improves piped drainage capacity and provides some relief for flooding, which occurs within Middle Harbour Road, independent of the flood storage tank proposed as part of the Proposal. Where the existing diversion has buried or sealed pits, the proposed diversion also provides a larger easement and grated pits, which allows for improved points of access for maintenance and inspection. Further design development during the CC phase of the Proposal, secured through a condition of consent, will provide construction, access and maintenance details for Council's acceptance.



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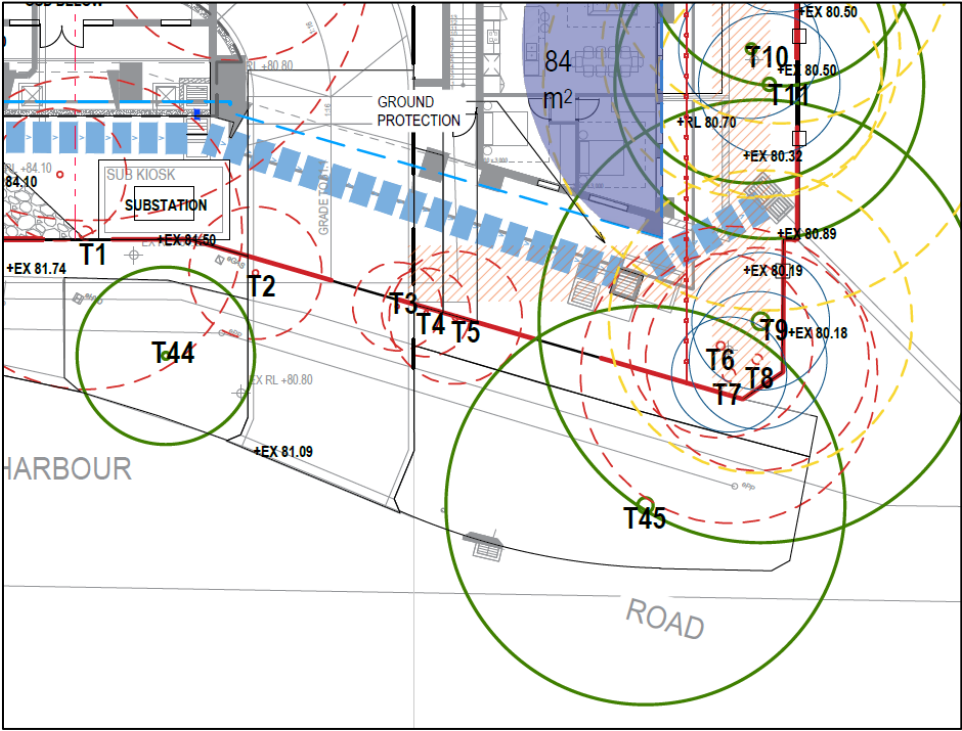
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TABLE 1 - RESPONSE TO DPHI COMMENTS

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	d) <i>A footpath design is to be provided along the site's frontage and is to be designed in accordance with Council drawing 2003-004 Rev. 'B'. A footpath longitudinal section will also need to show the extent of cut/fill, existing services and existing street tree locations. The project arborist will need to endorse the civil plans. All redundant driveway crossing are to be shown to be removed.</i>	This is considered to be a technical matter that can be resolved at detailed design stage, with details secured prior to any CC in a condition of consent. Both the original and revised Arboricultural Impact Assessments (AIA) confirm that all six (6) street trees (despite some being in poor condition) are proposed to be retained and protected throughout all stages of the Proposal, including the demolition and construction phases. One (1) street tree (Tree 45) is located in proximity to the proposed crossover and driveway, illustrated in Figure 1 below. The AIA recommends specific techniques for the excavation and construction of the proposed crossover and driveway to enable the identification of any roots of the tree. If woody roots are identified, advice from the Project Arborist would be required. The recommendations of the AIA, including protection measures, are captured within the updated Mitigation Measures within the RtS Report.



TABLE 1 - RESPONSE TO DPHI COMMENTS		
Item	Submission	Response
		 Figure 1: Proposed Crossover Street Tree Locations (Source: Land Form, 2026) Furthermore, the AIA assessed three (3) of the street trees (Tree 42, Tree 43 and Tree 44) to be in poor form and vigour, with two (2) having less than 5% foliage and appear to be dying. If Council considers it appropriate, these trees can be replaced as part of the Proposal as a condition of consent.

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TABLE 1 - RESPONSE TO DPHI COMMENTS		
Item	Submission	Response
		Lastly, it is noted that the Proposal does not seek to change the ground levels outside the red line boundary of the Site, therefore, minimising any potential for harming the existing street trees. Regarding the redundant driveway crossings to be removed from the Architectural Plans, this is can be secured as a condition of consent and submitted prior to any CC being issued.
3	Other matters	See below for specific responses for subsections (a), (b) and (c).
	a) Clarify how many affordable car parking spaces (TOD and In-fill) and how many market car parking spaces are proposed, provide a breakdown of car parking spaces.	Table 2 (on page 2) of the amended Architectural Plans (Appendix 2) provides a breakdown of required and proposed car parking spaces and is captured below. This table demonstrates compliance with car parking requirements and addresses RFI Point 3(a).



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		<table><tr><th colspan="2" rowspan="2">Type</th><th rowspan="2">No. of units</th><th colspan="2">Parking Requirements</th><th rowspan="2">Proposed Parking</th></tr><tr><th>Minimum Parking Rate</th><th>Minimum No. of Spaces</th></tr><tr><td rowspan="3">Non-Affordable Housing</td><td>1 bed</td><td>0</td><td>0.5</td><td rowspan="3">57</td><td rowspan="3">77</td></tr><tr><td>2 bed</td><td>12</td><td>1.0</td></tr><tr><td>3/4 bed</td><td>30</td><td>1.5</td></tr><tr><td rowspan="3">Affordable Housing</td><td>1 bed</td><td>1</td><td>0.4</td><td rowspan="3">15</td><td rowspan="3">15</td></tr><tr><td>2 bed</td><td>10</td><td>0.5</td></tr><tr><td>3/4 bed</td><td>9</td><td>1.0</td></tr><tr><td colspan="2">Build to Hold Housing</td><td>32</td><td>0.2</td><td>6</td><td>53</td></tr><tr><td colspan="2">Sub-Total - Residents</td><td>93</td><td>-</td><td>78</td><td>145</td></tr><tr><td colspan="2">Visitors</td><td>93</td><td>1 / 6 units</td><td>16</td><td>21</td></tr><tr><td colspan="2">Total</td><td></td><td></td><td>94</td><td>168*</td></tr></table>				Type		No. of units	Parking Requirements		Proposed Parking	Minimum Parking Rate	Minimum No. of Spaces	Non-Affordable Housing	1 bed	0	0.5	57	77	2 bed	12	1.0	3/4 bed	30	1.5	Affordable Housing	1 bed	1	0.4	15	15	2 bed	10	0.5	3/4 bed	9	1.0	Build to Hold Housing		32	0.2	6	53	Sub-Total - Residents		93	-	78	145	Visitors		93	1 / 6 units	16	21	Total				94	168*
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TABLE 1 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
	b) The Department has concerns with respect to potential level of amenity being received by apartment B-O-1-02. Accordingly, provide additional information including sections taken east-west through the living room and each of the bedroom of the apartment to demonstrate the apartment's relationship to adjoining ground level and its outlook. Additionally clarify whether the bedrooms are full length windows or landscape windows and their relationship to ground/soil level.	Apartment B-O-1-02 is a four (4) bedroom apartment located on the lower ground floor level. It is noted that the bedrooms, due to the external ground levels, incorporate high level windows. However, it is worth noting that other bedrooms of other apartments within the wider Proposal also benefit from similar sized windows, which are roughly 1m x 1m, albeit not high level. Therefore, these bedrooms would still receive similar levels of solar access and outlook compared to other proposed apartments. Notwithstanding, the apartment as a whole would still receive good levels of amenity, including solar access, as the main living area, which comprises an open plan kitchen, dining and living room, benefits from multiple full height floor to ceiling windows that open out onto a spacious private terrace. Further, bedrooms are typically used for sleeping during night hours and therefore, given that this window arrangement is only impacting one (1) apartment out of 93, is considered acceptable due to the complex Site constraints, including Site levels and the need to protect and retain existing trees.
	c) The retaining wall shown on elevation DA301 is inconsistent with the retaining wall shown on plan DA202 (see extract below). Accordingly, provide clarification and update any plans if required. Please note, if the retaining wall is as proposed in elevation, this would have significant additional impacts on trees proposed for retention.	The elevation has been amended (DA301 Rev 05) to be consistent with the proposed floor plans. Regarding impacts to retained trees, the revised AIA factors in the proposed retaining wall and confirms that the retained trees will not be adversely impacted and can be successfully retained.



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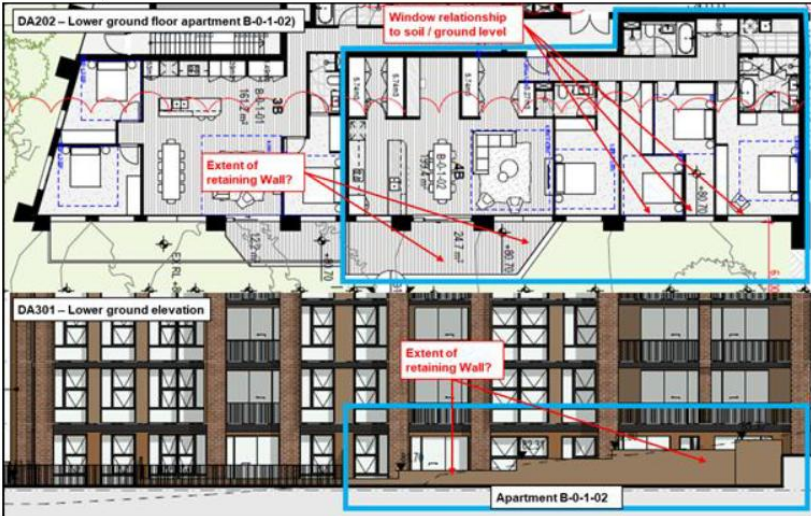
Item	Submission	Response
		

TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
Biodiversity		
1	Tree 18 - further information request The AIA concludes that Tree 18 cannot be viably retained under the current design. CPHR notes that this tree forms part of a critically endangered ecological community and was originally proposed for retention. In line with the requirement to avoid and minimise impacts	As detailed in the Arboricultural Impact Assessment (AIA) Addendum provided in Appendix 4, the tree has now been nominated for upon further by a Level 5 Arborist and root mapping investigations. Canopy impacts have been amended and clear measures provided to ensure its protection. All reasonable adjustments to the design that can be made to retain the tree and limit disturbances have been made. Any further modifications would require the



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TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
	under Clause 6.2 of the Biodiversity Conservation Act 2016 and Section 7 of the Biodiversity Assessment Method 2020 (BAM, 2020), the viable retention of this tree should be prioritised. At present, no clear justification has been provided to demonstrate why the design cannot be amended to facilitate its retention. Recommended actions: ▪ Review and amend the proposal, in consultation with a suitably experienced AQF Level 5 Arborist, to explore whether viable retention of Tree 18 can be achieved. ▪ Address both root-zone and canopy impacts, ensuring the design avoids unacceptable encroachment into the Tree Protection Zone (TPZ). ▪ Provide an updated AIA demonstrating that Tree 18 can be retained viably, including: ○ updated Tree Protection Specifications (TPS) ○ updated Tree Protection Plan (TPP). ▪ If the tree cannot be viably retained, clear justification is to be provided why retention is not feasible and why the design cannot reasonably be amended to facilitate its retention.	significant loss of units in the order of 16 dwellings, however as demonstrated in Appendix 4, this tree may be retained subject to those protection measures and these may be confirmed as conditions of consent.



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TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
2	Tree 37 - further information request The AIA outlines several options to minimise impacts to the TPZ from proposed stormwater infrastructure (rerouting, horizontal drilling, hand excavation). A definitive approach must be selected. Recommended action: ▪ Update the AIA to clearly specify the exact method proposed. ▪ Update all relevant plans to revised alignment if stormwater re-routing is proposed. ▪ If horizontal drilling is proposed: ○ assess and document impacts associated with the entry and exit drilling pits ○ demonstrate that drilling within the TPZ will occur at a depth >600mm below existing ground level, consistent with AS 4970:2025 ○ update stormwater plans to show: ▪ entry and exit pit locations (drawn to scale) ▪ a longitudinal profile confirming drilling depth within TPZ ○ update the TPS and TPP accordingly.	The Civil Engineering Plans prepared by Xavier Knight require stormwater in the locations shown that are designed to meet the required function, a realignment cannot be made to these elements. It is proposed in the location of Tree 37 to use a vacuum suction truck to carefully excavate this area and therefore minimize impacts to the tree. These works will be undertaken under the supervision of a suitable qualified AQF Level 5 Arborist as a condition of consent.



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TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
3	Root Mapping – Trees 16 and 18 The AIA states that “Tree 16 & Tree 18 are within 3m of each other the root mapping findings, it was assumed that roots 1 – 4 belonged to Tree 16. Roots 5 – 8 belonged to Tree 18.” Recommended action: Update the AIA to provide support for this assumption, including what evidence or justification was used to determine that the large root (root 5) belongs to Tree 18.	As detailed in Appendix 4, Root mapping was undertaken by a suitably qualified AQF Level 5 arborist of Complete Arbor Care to determine the extent of the subject tree’s root system within the proposed impact area. At the time of initial assessment, it was the professional opinion of three (3) consulting arborists that the tree would be unlikely to remain viable throughout the proposed construction works due to anticipated root disturbance. However, following further review of current arboricultural research, including adjustments made to the balconies and further analysis of the site levels in relation to the majority of the root zones and the building, it has been acknowledged that certain tree species possess the capacity for root grafting, enabling the transfer of water, nutrients and photosynthates between interconnected root systems. The process, known as inosculation, may improve trees’ tolerance to partial root loss. In consideration of the updated understanding, the requirement by CPHR to retain the subject tree and with adjustments made to balconies and levels in majority of the root zone, the tree is now assessed as capable of remaining viable throughout the proposed works, subject to strict implementation of all recommended tree protection measures in accordance with AS4970-2025. These measures may be imposed as conditions of consent.
4	Plan Amendments – Pier and Beam Construction The AIA identifies the need for pier and beam construction to facilitate retention of several trees. Recommended action: Update all relevant plans, including the TPP and Architectural Plans, to clearly show the required pier and beam construction.	Extensive excavation (some shallow will be required) and no load will be applied to the portion of the balconies within the TPZ/SRZD condition to signoff of engineering details and statement for the relevant CC.



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TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
5	Tree Protection Specifications and Tree Protection Plan The AIA has incorrectly interchanged the TPS and TPP. For clarity, CPHR refers to the TPS and TPP as defined in AS 4970:2025, noting that the submitted AIA currently refers to the TPS as the TPP and vice versa. The TPS section does not capture all tree protection measures referenced throughout the AIA. Recommended actions: ▪ Update the TPS to: ○ Consolidate all tree protection measures referenced throughout the AIA into one comprehensive TPS section. ○ Include arborist supervision requirements for all works within TPZs, not only selected activities. ○ Provide more detailed, unambiguous instructions consistent with AS 4970:2025 Sections 4 and 5 and Table 1. ○ Include requirements for arborist certification, including preparation of a final report confirming compliance with the TPS and TPP. ▪ The TPP, currently included in the Landscape Plan, is to be included in the AIA as an appendix so the AIA is a complete, standalone report that can be referred to throughout construction.	The AIA provided in Appendix 4 has been amended with the TPS and TPP as defined in AS 4970:2025. The amended TPS captures all required tree protection measures which may confirmed as conditions of consent.



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TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
6	Landscape Plan – species selection The following comment from CPHR’s advice on the EIS dated 2 July 2025 has not been addressed and remains relevant: The proposed use of Cupressus macrocarpa (an exotic species) and Acacia longifolia (a short-lived native species) is not considered appropriate given the objectives to enhance ecological values and support long-term canopy outcomes. Recommended action: Update the landscapes plans by replacing these two species with long-lived species characteristic of Sydney Turpentine Ironbark Forest (STIF). For guidance, refer to the species list in the NSW Scientific Committee’s final determination for STIF, available at: https://www.environment.nsw.gov.au/sites/default/files/sydney-turpentine-ironbark-forest-final-determination-CEEC.pdf	These trees may be excluded from the tree planting schedule and replaced with a preferred species. This may be confirmed as a condition of consent.
Flooding		
7	The following comment from CPHR’s advice on the EIS dated 2 July 2025 has not been addressed and remains relevant: <i>The FIRA has established a rainfall on grid (ROG) hydrological and hydraulic modelling to identify existing and post development flood behaviour. The FIRA ROG model has not been verified to Ku-ring-gai Council’s Middle Harbour Southern Catchments Flood Study (BMT, November 2024). CPHR notes that the FIRA ROG model did not</i>	Xavier Knight have provided a letter, titled Civil Engineering Statement – Response to CPHR RFIs, dated 08 April 2026 (Appendix 3) and referred to in this RFI Response as ‘the Xavier Knight Letter’. The Xavier Knight letter provides an itemised response to CPHR’s submissions relating to flooding (Items 7 to 9) and have been included below.



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TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
	<i>apply the verified parameters and inputs utilised in Council's model. The ROG extracted the Intensity-Frequency-Duration (IFD) rainfall depths directly from the Australian Rainfall and Runoff Data Hub without consideration to Council's adopted IFD which are based on the results of at-site rainfall analysis (refer to Table 6.3 of the Middle Harbour Southern Catchments Flood Study). As a result, the IFD rainfall depths used in the FIRA ROG are significantly lower than Council's adopted IFD.</i> It appears that, there is a misunderstanding of CPHR's comment. The comment is not related to current-near term climate change adjustment. Rather, it advises the consultant that the IFD from the Australian Rainfall and Runoff Data Hub is significantly lower than at-site IFD and requires the consultant to use the IFD adopted by Ku-ring-gai Council in the <i>Middle Harbour Southern Catchments Flood Study</i> which is based on at-site rainfall analysis. Recommended action: Review the ROG model to adopt the IFD rainfall depths values of the <i>Middle Harbour Southern Catchments Flood Study</i> (BMT, November 2024). Update the FIRA and maps accordingly.	The flood model has been prepared in accordance with Ku-ring-gai Development Control Plan (DCP) Section 24R.3, which sets out the requirements for preparing flood models. This part does not reference using site-specific rainfall data and instead refers to using principles set out in ARR, which is how the model has been prepared. Comparison between the 1% AEP rainfall data from the Middle Harbour Southern Catchments Flood Study (BMT, November 2024) and the 0.2% AEP rainfall data used in the FIRA shows a difference of rainfall (mm) of approximately 2%. As such, WMS propose that the 0.2% AEP be used as a proxy for the 1% AEP event with rainfall data from the 2024 BMT study. The flood level difference between the 1% AEP and 0.2% AEP is 0.45m within the swale at the perimeter of the Site, and 0.3m adjacent to the building. As the finished floor levels were > 1m above the 1% AEP flood levels, freeboard of 0.7m is still provided when considering the 0.2% AEP levels. The balconies and driveway entrances were 0.3m above the 1% AEP flood level. As there is no requirement for the driveway entrance freeboard, WMS have set the driveway to the 0.2% AEP level (equivalent to the 1% AEP event using IFD from Middle Harbour Southern Catchments Flood Study, BMT, 2024). Entrances from the balconies will achieve freeboard via enclosed balconies.
8	The following comment from CPHR's advice on the EIS dated 2 July 2025 has not been addressed and remains relevant: <i>The probable maximum flood (PMF) afflux map shows significant adverse impacts on neighbouring properties, particularly properties at 22 Middle Harbour Road, 15 Russell Avenue and 17 Russell Avenue.</i> The adverse impacts on neighbouring properties are significant. In the PMF flood depths increase up to 1.0m in 22 Middle Harbour Road,	Section 24D.2 of the DCP sets out the requirements for flood models for development types. Clause 3 notes that the Proposal is to be assessed based on the 1% AEP flood when subject to overland flow – this is what the Proposal's flood planning levels have been based on. Clause 4 notes consideration of flooding up to PMF event only applies to 'sensitive or hazardous' developments which the Proposal is not classified as such. The results of the PMF Afflux as provided in Appendix A of the Xavier Knight letter show that where an increase in the PMF flood level does occur in the post



RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Proposed Residential Flat Building including In-Fill Affordable Housing and Build-to-Rent Housing

24, 26 and 28 Middle Harbour Road, Lindfield

Lot 13 DP5374, Lot 1 DP119944, Lot 14 DP5374, Lot 1 DP1192386, Lot 1 DP312386, Lot 16 DP5374 & Lot 768 DP752031

SSD-82548708

TABLE 2 - RESPONSE TO DPHI COMMENTS

Item	Submission	Response
	0.30m in 15 Russell Avenue, and up to 0.70m in 17 Russell Avenue. These impacts are considered unacceptable. The assertion that increased flood impacts on neighbouring properties can be accepted on the basis that they occur outside building footprints is not supported. Recommended action: Refine the design of the development to reduce the adverse impacts on neighbouring properties to an acceptable level.	development scenario, it is isolated to existing residential backyard areas only, and as such would not pose any increased risk to existing dwellings. All surrounding properties would still retain emergency evacuation from the front of their properties onto the street.
9	The following comment from CPHR's advice on the EIS dated 2 July 2025 has not been addressed and remains relevant: <i>CPHR notes that in the PMF event, access to the development, including access to the main entrance and basement car park, is inundated by high hazard flooding. The site is mostly impacted by flooding except the northeast part. The FIRA indicates that the recommended evacuation strategy will be 'shelter in place' which the FIRA named incorrectly "vertical evacuation".</i> - CPHR highlights that, there is no diagram to show the proposed walkway location and its levels. - The response regarding the walkway indicates that the evacuation would be on foot from the development. - The response does not address the potential inundation of the basement car park. - The response regarding the basement crest provided to SES indicates that the basement would be inundated in rarer events such as the PMF, which would increase risk to life to the users of the development. An onsite signage would not eliminate this high risk to life.	An architectural figure showing the walkway was provided in the revised FIRA dated 10th of December 2025. A clearer image of the walkway and evacuation route has been provided in Appendix B of the Xavier Knight letter and illustrated below. As per the response to Item 8, there is no Council requirement to protect from the PMF – any risk associated with basement flooding during the PMF would be managed as part of the Operations of the building. The preparation of a Flood Emergency Response Plan (FERP) is envisaged to be a condition of consent of the Proposal and is to be prepared for the relevant CC. The FERP would detail evacuation measures and procedures beyond signage that would prohibit occupants from attempting to evacuate via the basement levels. CPHR's request for a 'Shelter in Place' strategy contradicts SES's advice dated 7th of July 2025 for horizontal evacuation – in this instance, it is considered SES's advice should take precedence.



TABLE 2 - RESPONSE TO DPHI COMMENTS		
Item	Submission	Response
	▪ If immunity for the full range of flooding cannot be achieved for the basement crest, the proponent should reconsider the appropriateness of a basement carpark for this development. The FIRA should address the Shelter in place guidelines to help guide the consent authority when assessing if shelter in place is an appropriate emergency management strategy for the site. Recommended action: Update the FIRA to address the Shelter in place guideline for flash flooding (DPHI, January 2025).	The diagram is a site plan for a residential development. It shows a building footprint with various rooms labeled: LOBBY, FIRE CONTROL ROOM, RESIDENT ENTRANCE, and BUSKIOSK. A pink dashed line indicates a 'FLOOD EVACUATION ROUTE' leading from the building towards the left. A yellow box highlights the 'FLOOD EVACUATION ROUTE'. A green dashed line shows a 'PROPOSED SWALE - OVERLAND FLOWPATH - REFER TO CIVIL DRAWINGS'. A red dashed line indicates a 'SWALE - OVERLAND FLOWPATH - PERMEABLE DECKING SUSCEPTIBLE'. A red dashed line also indicates an '8m FLOOD SETBACK'. The plan includes various elevation markers (e.g., RL +48.10, RL +48.08, RL +48.04, RL +48.02, RL +48.00, RL +47.98, RL +47.96, RL +47.94, RL +47.92, RL +47.90, RL +47.88, RL +47.86, RL +47.84, RL +47.82, RL +47.80, RL +47.78, RL +47.76, RL +47.74, RL +47.72, RL +47.70, RL +47.68, RL +47.66, RL +47.64, RL +47.62, RL +47.60, RL +47.58, RL +47.56, RL +47.54, RL +47.52, RL +47.50, RL +47.48, RL +47.46, RL +47.44, RL +47.42, RL +47.40, RL +47.38, RL +47.36, RL +47.34, RL +47.32, RL +47.30, RL +47.28, RL +47.26, RL +47.24, RL +47.22, RL +47.20, RL +47.18, RL +47.16, RL +47.14, RL +47.12, RL +47.10, RL +47.08, RL +47.06, RL +47.04, RL +47.02, RL +47.00, RL +46.98, RL +46.96, RL +46.94, RL +46.92, RL +46.90, RL +46.88, RL +46.86, RL +46.84, RL +46.82, RL +46.80, RL +46.78, RL +46.76, RL +46.74, RL +46.72, RL +46.70, RL +46.68, RL +46.66, RL +46.64, RL +46.62, RL +46.60, RL +46.58, RL +46.56, RL +46.54, RL +46.52, RL +46.50, RL +46.48, RL +46.46, RL +46.44, RL +46.42, RL +46.40, RL +46.38, RL 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RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Proposed Residential Flat Building including In-Fill Affordable Housing and Build-to-Rent Housing

24, 26 and 28 Middle Harbour Road, Lindfield

Lot 13 DP5374, Lot 1 DP119944, Lot 14 DP5374, Lot 1 DP1192386, Lot 1 DP312386, Lot 16 DP5374 & Lot 768 DP752031

SSD-82548708

Should you wish to discuss further, please contact Cameron Gray on 0477 003 429 or via email at enash@willowtp.com.au.

Yours Faithfully,



Andrew Cowan

Director

Willowtree Planning Pty Ltd

