



Environmental Impact Statement

Dian, Rose Bay – State Significant Development (SSD-101842729)

2A-6 Conway Avenue, 15-15A Fernleigh Avenue and 38-40 Carlisle Street

Prepared on behalf of Two Conway Pty Ltd

January 28, 2026

FPDplanning

Document control

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Project summary

Prepared on behalf of	Two Conway Pty Ltd
Land to be developed	2A-6 Conway Avenue, 15-15A Fernleigh Avenue and 38-40 Carlisle Street
Legal description	Various
Project description	Redevelopment of the site for an 8 storey residential flat building including infill affordable housing

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EIS Declaration

Project details	
Project Name	Dian Rose Bay
Application number	SSD-101842729
Address of the land in respect of which the development application is made	2A-6 Conway Avenue, 15-15A Fernleigh Avenue and 38-40 Carlisle Street, Rose Bay
Applicant details	
Applicant name	Two Conway Pty Ltd, C/ Mathieson Property Management Pty Ltd
Applicant address	L12, 25 Bligh St Sydney, NSW, 2000
Details of person by whom this EIS was prepared	
Name	Anna Johnston
Address	PO Box H219 Australia Square NSW 1215
Professional qualifications	B. Planning and Design, University of Melbourne Graduate Diploma of Environmental Planning, University of Tasmania
Declaration by registered environmental assessment practitioner	
Name	Michael File
Registration Number	8596
Organisation Registered With:	Member, Planning Institute of Australia
Declaration	The undersigned declares that this EIS: • has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021; • contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates; • does not contain information that is false or misleading; • addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; • identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; • has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement;

	- contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; - contains a consolidated description of the project in a single chapter of the EIS; - contains an accurate summary of the findings of any community engagement; and - contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.
Signature	 
Date	28 January 2026

Executive Summary

Purpose of report

This Environmental Impact Statement (EIS) is submitted to the Department of Planning, Housing and Infrastructure (DPHI) in support of a State Significant Development Application (SSDA) for the Dian Rose Bay, Infill Affordable Housing development.

The EIS has been prepared by FPD Planning on behalf of Two Conway Pty Ltd as the applicant. The EIS is informed by an architectural design prepared by MHNDU and supporting technical reports appended to this EIS.

The site

The site comprises land at 2A-6 Conway Avenue, 15-15A Fernleigh Avenue and 38-40 Carlisle Street, Rose Bay and has an area of 3,105sqm.

The site has frontages to Conway Avenue to the South, Carlisle Street to the east and Fernleigh Avenue to the north and is within an area characterised by low density dwellings and low rise apartment buildings.

The area is undergoing a process of renewal with the site and much of surrounds included in the R3 Medium Density Residential zone which allows residential flat buildings under the *Woollahra Local Environmental Plan 2014* (Woollahra LEP) and more recently being subject of the low and mid rise and infill affordable provisions of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) which allows for development of 6-8 storeys.

Proposed development

The SSD application seeks consent for the following:

- Site preparation works including demolition of existing buildings, tree removal and excavation
- Construction of a residential flat building of 8 storeys, comprising 70 dwellings
- Car parking within a 2-3 level basement
- A single driveway from Conway Avenue providing access to basement parking
- Associated landscaping and communal open space
- Infrastructure servicing
- Amalgamation of the properties into one development lot, which will be further strata subdivided post development.

A minimum of 15% of floor space is proposed as affordable housing suited to key workers comprising 17 of the total number of dwellings (24%).

Strategic context

The proposal directly responds to the NSW Government and Woollahra Council's strategic objectives for increased housing supply and more affordable housing as set out in the Greater Sydney Regional Plan 2036, Eastern City District Plan, Woollahra Local Strategic Planning Statement 2020 and Woollahra Local Housing Strategy 2021.

The NSW Government has identified that there is a critical need for affordable housing. The proposal directly responds to the NSW Government's commitment under the National Housing Accord to deliver approximately 377,000 new well-located dwellings by 2029. It also seeks to

implement the intended outcomes of the low and mid rise and in-fill affordable housing reforms (under the Housing SEPP) which aim to increase affordable housing and overall housing supply.

The development will deliver 70 new dwellings, including 17 affordable dwellings in a well-located area in Rose Bay serviced by a high level of amenity and facilities, and well serviced by public and active modes of transport.

The proposal is also consistent with the priorities and actions in the Woollahra Council's Local Strategic Planning Statement and Local Housing Strategy relating the delivery of housing diversity and affordable housing in a well-serviced location.

Statutory context

The site is zoned R3 Medium Density Residential under the Woollahra LEP.

Under the Woollahra LEP residential flat buildings are permissible with consent in the R3 zone.

The site is subject to the low and mid-rise and infill affordable housing provisions of the Housing SEPP.

Chapter 6 of the Housing SEPP sets out controls which apply to low and mid rise housing. It specifies height and FSR controls on land within 400m walking distance of specified town centres, including Rose Bay Town Centre.

The site is within the R3 zone and located 365m walking distance of the Rose Bay Town Centre as demonstrated in the survey plan at Appendix AD. Accordingly the site is considered to be within the low and mid rise 'inner area' for the purposes of the low and mid rise housing controls (see Table 3 below).

Chapter 2 of the Housing SEPP sets out bonus provisions for affordable housing within accessible areas, which includes areas within 400m of a bus stop with regular bus services that has at least 1 bus per hour servicing the bus stop between—

- 6am and 9pm each day from Monday to Friday, both days inclusive, and
- 8am and 6pm on each Saturday and Sunday.

The site is located 312m walking distance from a bus stop along New South Head Road as demonstrated in the survey plan at Appendix AD. This bus stop is serviced by bus routes 324, 325 and 386 which provide regular bus services to the Sydney CBD and Bondi Junction which meet these requirements.

The development potential under these provisions is detailed in the table below based on the 3,105sqm site area.

Summary of planning controls

Relevant provisions	Low and Mid Rise 'inner area'	Infill Affordable Bonus where 15% affordable is provided (30%)
Height in metres	22m	28.6
Height in storeys	6 storeys	8 storeys
Floor Space Ratio	2.2:1	2.86:1
Permissible GFA	6,831sqm	8,880sqm

The proposed development includes 15% affordable housing and is fully compliant with the maximum permissible FSR and maximum height of buildings under the low and mid rise and infill affordable housing provisions.

Engagement

A Stakeholder Engagement Report has been prepared by Hill PDA which provides details on the consultation and communication activities that have been undertaken including feedback provided and how this has been addressed in relation to the proposed development.

The applicant and project team have carried out consultation with key government stakeholder groups including:

- Woollahra Council
- Department of Planning, Housing and Infrastructure (DPHI)
- Service providers including Ausgrid, Sydney Water and Telstra / NBNCo.

The applicant has carried out consultation with community stakeholders as follows:

- Newsletter distributed to residents of the local area via letterbox drop
- Engagement portal and online survey to seek feedback on the proposal
- Dedicated phone line and email inbox to allow for questions and/or feedback on the proposal
- 2x community drop-in sessions on Saturday 22 November 2025 9.30am-11am and Thursday 27 November 2025 5.30pm-7pm.

Engagement was also carried out with the local Aboriginal community by Ecological Australia with La Perouse Local Aboriginal Land Council (La Perouse LALC) to review the draft Aboriginal Heritage Impact assessment report.

Following submission of this application, DPHI will exhibit the EIS and supporting technical reports on the Major Projects NSW Website and invite submissions from government agencies, Council and the community on the proposal. This will provide the opportunity for further feedback on the proposal.

Following exhibition, any issues raised in submissions will need to be addressed. DPHI may request the applicant prepare a Submissions Report to respond to the issues raised during the exhibition period. The applicant will continue to liaise with DPHI and key stakeholders during assessment process.

Assessment

The environmental impacts have been carefully considered through the preparation of the proposed development as detailed in this EIS and supporting documentation and as summarised below.

Summary of environmental impacts

Issue	Summary
Built form and urban design	• The proposed development has been designed to align with the built form controls which apply to the site whilst responding the site conditions and context • The proposed building envelope and gross floor area comply with the maximum permissible under the Housing SEPP.

Issue	Summary
	- Building setbacks which consider the Woollahra DCP controls, respond to the surrounding context and provide ADG compliant separation distances to surrounding residential buildings - The proposed development has been designed in accordance with the design quality principles of the Apartment Design Guide as detailed in the Design Verification Statement.
Overshadowing	Overshadowing impacts to surrounding dwellings have been minimised to the extent possible within the built form controls which apply to the site.
Visual impacts	View loss, where experienced, is, for the most part, to sky view only directly above the subject site, while the height envelope of the proposal is consistent with the controls which apply to the site.
Residential amenity	- The proposed development achieves residential amenity through a high level of compliance with the ADG. - The proposal provides for a combination of communal and private open space which meets the needs of the expected demographic of future residents. - Privacy for surrounding residents is maintained through generous separation distances and design measures.
Noise and vibration	Noise impacts on the proposed dwellings and surrounding area can be appropriately managed through mitigation measures outlined in the EIS.
Trees and landscaping	- Four of the five street trees adjacent to the site will be retained, and an additional six street trees planted. - The proposal includes extensive deep soil exceeding the ADG requirements and will result in an increased canopy cover from 12% to 34%.
Traffic and transport	- Traffic generation associated with the proposed use is minor with minimal impact on surrounding roads and intersections. - Parking is accommodated in accordance with the Woollahra DCP rates. - Construction traffic will be managed through preparation of a Comprehensive Construction Traffic Management Plan to be prepared prior to commencement of works.
Flooding and stormwater	- Flood risks are considered low and can safely be managed through a shelter in place strategy. - The proposed basement access is located above the PMF and 1% AEP level plus 300mm freeboard consistent with Council's requirements.
Geotechnical and contamination	- A Preliminary Geotechnical Assessment has been prepared which outlined recommendations to be applied as part of the construction certificate - The Preliminary Site Assessment indicates that gross or widespread contamination is not present on the site - Acid Sulfate Soils advice has been provided that concludes that the presence of ASS at the site is considered unlikely and further investigation or assessment is considered unwarranted.

Issue	Summary
Waste management	Waste streams associated with the construction and operation of the proposed development can be suitably managed in accordance with the Waste Management Plan submitted with the EIS.
Heritage	- The Heritage Impact Assessment confirms there would be no significant impact on adjacent local heritage. - The Aboriginal Heritage Impact Assessment concludes that due to past site disturbances the potential for intact subsurface archaeological deposits within the site is very low and that no further assessment is required.
Biodiversity	A BDAR Waiver has been granted by the Department of Planning, Housing and Infrastructure (DPHI) and the Department of Climate Change, Energy, the Environment and Water (DCCEE), issued on the 27 January 2026.
ESD	The proposal includes a series of sustainability measure including compliance with BASIX as outlined in the EIS.
Construction impacts	Construction impacts will managed through a Comprehensive Construction Management Plan including a detailed construction certificate staging plan to be prepared prior to the commencement of works.
Social impacts	- Overall, the proposal will have a positive social impact, delivering increased housing supply including affordable housing in an accessible location. - Any potential negative social impacts are expected to be largely limited to impacts during the construction phase including traffic, noise and vibration, and air quality. These matters are addressed within relevant sections of this EIS and will continue to be addressed through the preparation of a Comprehensive Construction Management Plan to be developed prior to commencement of works and implemented throughout the demolition and construction phases.

Justification and conclusion

This EIS demonstrates that the proposal is consistent with the strategic planning framework, will not result in any unacceptable environmental, social, or economic impacts, and is in the public interest.

There are no known site conditions that would prevent the proposed development from proceeding and all potential impacts can be appropriately mitigated. It is therefore recommended that the application is approved.

1 Introduction

This Environmental Impact Statement (EIS) is submitted to the Department of Planning, Housing and Infrastructure (DPHI) in support of a State Significant Development Application (SSDA) for the development of 2A-6 Conway Avenue, 15-15A Fernleigh Avenue and 38-40 Carlisle Street (the site) for infill affordable housing.

The EIS has been prepared by FPD Planning on behalf of Two Conway Pty Ltd as the applicant. The EIS is informed by an architectural design prepared by MHNDU and supporting technical reports appended to this EIS.

The proposed development is declared State Significant Development (SSD) in accordance with the following provisions of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP):

- Schedule 1, Section 26A which declares that development for the purpose of in-fill affordable housing to which Chapter 2, Part 2, Division 1 of the State Environmental Planning Policy (Housing) 2021 applies, with an EDC of more than \$75 million is SSD.

This EIS has been prepared in accordance with the requirements of:

- Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act)
- Division 5 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation),
- DPHI's '*State Significant Development Guidelines – Preparing an Environmental Impact Statement*'
- The Secretary's Environmental Assessment Requirements (SEARs) issued 12 May 2025. (Appendix A).

1.1 The Applicant

The applicant's details are provided in Table 1 below.

Table 1 Applicant details

Applicant details	
Applicant name	Two Conway Pty Ltd, C/ Mathieson Property Management Pty Ltd
Applicant address	L12, 25 Bligh St Sydney, NSW, 2000
ABN	689 167 833
Land ownership	See landowners consent letters

1.2 Site description

The site comprises land at 2A-6 Conway Avenue, 15-15A Fernleigh Avenue and 38-40 Carlisle Street, Rose Bay including land shown at Table 2 and has a land area of 3,105sqm.

The site has frontages to Conway Avenue to the South, Carlisle Street to the west and Fernleigh Avenue to the north and is within an area characterised by low density dwellings and low rise apartment buildings.

The area is undergoing a process of renewal with the site and much of the surrounds included in the R3 Medium Density Residential zone under the *Woollahra Local Environmental Plan 2014* (Woollahra LEP) and more recently being subject of the low and mid rise and infill affordable

provisions of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) which allows for development of 6-8 storeys.

Table 2 Site description

Address	Lot details
2A Conway Avenue	Lot 8 DP74055
2 Conway Avenue	SP81375
4 Conway Avenue	Lot 2 DP303984
6 Conway Avenue	Lot 3 DP303984
38 Carlisle Street	Lot B DP73175
15 Fernleigh Avenue	Lot 3 DP1201196
15A Fernleigh Avenue	Lot 2 DP1201196
40 Carlisle Street	Lot 1 DP1201196



Figure 1: Subject site (Source: Mecone Mosaic 2025)

1.3 Overview of the proposed development

The SSD application seeks consent for the following:

- Site preparation works including demolition of existing buildings, tree removal and excavation
- Construction of a residential flat building of 8 storeys, comprising 70 dwellings
- Car parking within a 2-3 level basement
- A single driveway from Conway Avenue providing access to basement parking
- Associated landscaping and communal open space
- Infrastructure servicing
- amalgamation of the properties into one development lot, which will be further strata subdivided post development.

A minimum of 15% of floor space is proposed as affordable housing suited to key workers comprising 17 of the total number of dwellings (24%).

1.4 Summary of planning controls

The site is zoned R3 Medium Density Residential under the Woollahra LEP.

Under the Woollahra LEP residential flat building are permissible with consent in the R3 zone.

The site is subject of the low and mid-rise and infill affordable housing provisions of the Housing SEPP.

Chapter 6 of the Housing SEPP sets out controls which apply to low and mid rise housing. It specifies height and FSR controls on land within 400m walking distance of specified town centres, including Rose Bay Town Centre.

The site within the R3 zone and located 365m walking distance of the Rose Bay Town Centre as demonstrated in the survey plan at Appendix AD. Accordingly the site is considered to be within the low and mid rise 'inner area' for the purposes of the low and mid rise housing controls (see Table 3 below).

Chapter 2 of the Housing SEPP sets out bonus provisions for affordable housing within accessible areas, which includes areas within 400m of a bus stop with regular bus services that has at least 1 bus per hour servicing the bus stop between—

- 6am and 9pm each day from Monday to Friday, both days inclusive, and
- 8am and 6pm on each Saturday and Sunday.

The site is located 312m walking distance of a bus stop along New South Head Road as demonstrated in the survey plan at Appendix AD. This bus stop is serviced by bus routes 324, 325 and 386 which provide regular bus services to the Sydney CBD and Bondi Junction which meets these requirements.

The development potential under these provisions is detailed Table 3 below based on the 3,105sqm site area.

The proposed development includes 15% affordable housing and is fully compliant with the maximum permissible FSR and maximum height of buildings under the low and mid rise and infill affordable housing provisions.

Table 3 Summary of planning controls

Relevant provisions	Low and Mid Rise 'inner area'	Infill Affordable Bonus where 15% affordable is provided (30%)
Height in metres	22m	28.6
Height in storeys	6 storeys	8 storeys
Floor Space Ratio	2.2:1	2.86:1
Permissible GFA	6,831sqm	8,880sqm

1.5 Project objectives

The objectives of the proposed development are to:

- Deliver a high-quality design outcome for a new residential flat building including infill affordable housing for 15 years
- Facilitate delivery of private and affordable housing to help address the housing crisis in NSW
- Provide development which positively addresses the surrounding streets and responds to the surrounding existing and desired future character
- Respond to the landscape context through retention of street trees and provision of new trees and landscaping which maximises canopy cover
- Accommodate generous communal and private open space to contribute to resident amenity designed specifically to respond to local demographics
- Minimise overshadowing and maximise privacy for surrounding dwellings.

2 Strategic context

2.1 Site analysis

2.1.1 Site context

The site is located withing walking distance of Rose Bay Town Centre (less than 400m) which provides a range of services and facilities. It is within the low and mid rise housing area located around Rose Bay Town Centre under the Housing SEPP. Rose Bay Beach is also within 300m walking distance of the site.

The site is well serviced by buses being approximately 300m walking distance of regular bus services along New South Head Road to the Sydney CBD and Bondi Junction.

The site is within 8km of the Sydney CBD.



Figure 2 Surrounding context (Source: MHNDU 2025)



Figure 3 District context (Source: MHNDU 2025)

2.1.2 Key features of the site and context

Table 4: Key features of the site and context

Relevant provisions	Consideration
Site configuration	The site has a total area of 3,105sqm with frontage to Fernleigh Avenue and Conway Avenue of approximately 80m and frontage to Carlisle Street of approximately 35m.
Land ownership	See landowners consent letters
Existing development	Nine dwellings comprised of 4 x two storey single dwellings, 3 x three storey semi-detached, 1 x two storey apartment building comprising 2 dwellings.
Site access and transport	The site currently has multiple access points to onsite parking from the surrounding streets. Pedestrian access to each of the existing dwelling is also from the surrounding streets, with footpaths available on both sides of Conway Avenue and Carlisle Avenue. The site is located approximately 300m walking distance of a bus stop along New South Head Road which is serviced by bus routes 324, 325 and 386 which provide regular bus services to the Sydney CBD and Bondi Junction. A number of other bus stops are accessible within a walking catchment which service bus routes 323, 362, and 387 which service the eastern suburbs.
Topography	The site is located on the high north side of the Fernleigh Avenue within gently (0° to 10°) southeast dipping topography with site levels varying from RL 47 mAHd at the north western site corner to RL 37 mAHd at the southern site corner.
Existing vegetation	A total of 34 trees are located within the subject site and five street trees are located adjacent to the site with all trees having low to medium retention value.

Relevant provisions	Consideration
Flooding and stormwater	Parts of the site are identified on Woollahra Council's Flood Planning Area map. Flooding in the locality is driven by short, intense storms, with overland flow confined mainly to Fernleigh Avenue and Carlisle Street. The site naturally drains toward the southern and eastern road corridors, connecting into Council's pit and pipe network at the Conway Avenue / Carlisle Street intersection.
Heritage	The site is not identified as a heritage item or within a heritage conservation area, however a local heritage building is located to the north west of the site. The heritage building fronts Fernleigh Avenue at 5 Fernleigh Gardens, Rose Bay, with the site being located to the rear of the property. An Aboriginal Heritage Impact Assessment has been prepared by Ecological Australia (Appendix K) which concludes that Aboriginal objects are unlikely to be present in the study area.
Geotechnical	A Preliminary Geotechnical Assessment has been prepared by EI Australia (Appendix S) which describes the site as comprising silty sandy / sandy gravel filling (to approximately 0.6m below ground level), overlaying Aeolian sand followed by residual silty clay and sandstone bedrock to a maximum depth of investigation of 18.86m below ground level.
Contamination	A Preliminary Site Assessment has been prepared by EI Australia (Appendix U) which indicates that gross or widespread contamination is not present on the site.
Restrictions and covenants	The site is not subject of any known restrictions or covenants which would preclude the proposed development.
Surrounding land uses	The uses surrounding the site comprises: • Recently constructed 3 storey residential flat building located to the west • 2-3 storey single dwellings and 2 storey semi-detached dwellings to the south across Conway Avenue • 2-3 storey single dwellings and apartment buildings to the east across Carlisle Street • 2 storey single dwellings to the north across Fernleigh Street.

2.2 Strategic context

The proposal directly responds to the NSW Government and Woollahra Council's strategic objectives for increased housing supply and more affordable housing as set out in the Greater Sydney Regional Plan 2036, Eastern City District Plan, Woollahra Local Strategic Planning Statement 2020 and Woollahra Local Housing Strategy 2021.

The NSW Government has identified that there is a critical need for affordable housing. The proposal directly responds to the NSW Government's commitment under the National Housing Accord to deliver approximately 377,000 new well-located dwellings by 2029. It also seeks to implement the intended outcomes of the low and mid rise and in-fill affordable housing reforms (under the Housing SEPP) which aim to increase affordable housing and overall housing supply.

The development will deliver 70 new dwellings, including 17 affordable dwellings in a well-located area in Rose Bay serviced by a high level of amenity and facilities, and well serviced by public and active modes of transport.

The proposal is also consistent with the priorities and actions in the Woollahra Council's Local Strategic Planning Statement and Local Housing Strategy relating the delivery of housing diversity and affordable housing in a well-serviced location.

The proposed development is consistent with the relevant strategic planning policies and guidelines as outlined in Table 5.

Table 5 Consistency with strategic framework

Strategic document	Consistency
National housing accord	In October 2022, the Federal Government announced the National Housing Accord, which committed to the delivering 1.2 million houses in well-located areas over the next five years, from mid-2024. As part of the National Housing Accord, the NSW Government has committed to building 377,000 new homes across the state, with a housing target of 1,900 new homes to be completed by 2029 in Woollahra LGA. The proposal responds directly to the NSW Housing Accord as it will deliver 70 new dwellings, including 17 affordable dwellings in a well-located area in Rose Bay serviced by a high level of amenity and services, and well serviced by public and active modes of transport.
Greater Sydney Region Plan	The Greater Sydney Region Plan, A Metropolis of Three Cities was released by the Greater Sydney Commission in March 2018. The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities. The Plan aims to provide ongoing housing supply and a range of housing types in the right places to create more liveable neighbourhoods and support Sydney's growing population. The proposed development locates new housing in an accessible inner area of Sydney which aligns with the Plan's vision for a '30 minute city'. The proposal directly responds to a number of objectives in the Plan including: • Objective 10: Greater housing supply • Objective 11: Housing is more affordable and diverse • Objective 12: Great places that bring people together • Objective 30: Urban tree canopy cover is increased • Objective 31: Public open space is accessible, protected and enhanced • Objective 37: Exposure to natural and urban hazards are reduced • Objective 38: Heatwaves and extreme heat are managed. The aspirations of the Plan are further considered and expanded in the Eastern City District Plan which is discussed below.

Strategic document	Consistency
Eastern City District Plan	The Eastern City District Plan was developed to support the Greater Sydney Region Plan. The 20- year District Plan seeks to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The proposal is consistent with the following planning priorities in the Eastern City District Plan: • Planning Priority E1: Planning for a city supported by infrastructure • Planning Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport • Planning Priority E6: Creating and renewing great places and local centres and respecting the District's heritage • Planning Priority E17: Increasing urban tree canopy cover and delivering green grid connections • Planning Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently • Planning Priority E20: Adapting to the impacts of urban and natural hazards and climate change.
Woollahra Local Strategic Planning Statement 2020	The Woollahra Local Strategic Planning Statement (LSPS) sets out a 20-year land use vision and planning priorities for the Woollahra LGA. The LSPS identifies Rose Bay as a key local centre within the LGA. It includes the following planning priorities of relevance to the proposed development: • Planning priority 1 Planning for integrated land use and transport for a healthy, sustainable, connected community and a 30-minute city • Planning priority 4 Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes • Planning priority 6 Placemaking supports and maintains the local character of our neighbourhoods and villages whilst creating great places for people. • Planning priority 11 Conserving, enhancing and connecting our diverse and healthy green spaces and habitat, including • bushland, tree canopy, gardens and parklands. Planning priority 13 Improving the sustainability of our built environment, businesses, transport and lifestyles by using resources more efficiently and reducing emissions, pollution and waste generation. It also includes Action 26 to develop affordable housing in response to the Eastern City District Plan. The proposed development supports the LSPS through delivery of diverse housing types and affordable housing which delivers a high quantity of deep soil and canopy cover and aligns with key sustainability requirements.
Woollahra Local Housing Strategy 2021	The Woollahra Local Housing Strategy establishes the basis for strategic planning for housing and residential development in the Woollahra LGA. The Housing Strategy includes the following objectives of relevance to the Proposed Development: • Housing objective 1 Sustain a diverse range of housing types and protect low density neighbourhoods and villages. • Housing Objective 2 Facilitate opportunities for housing growth in locations identified in the Woollahra Local Housing Strategy. • Housing objective 3 Ensure housing conserves heritage, maintains local character and achieves design excellence.

Strategic document	Consistency
	• Housing Objective 4 Ensure that new housing contributes to tree canopy and long-term sustainability outcomes • Housing Objective 5 Support increased supply of accessible housing and affordable rental housing. The Local Housing Strategy identifies the following requirements which must be met for amendments to the Woollahra LEP to support housing growth. • Contribute to the provision of infrastructure upgrades, active transport, public open space, community facilities, recreation facilities, and public domain improvements • Conserve heritage • Sensitively respond to local character • Be located within 400m easy walking distance of both an existing a local centre and high-frequency public transport service consistent with the vision for a 30-minute city • Maintain or increase the provision of social housing or affordable rental housing; and • If located in a local centre, support, and be ancillary to the business and employment role of the centre • Demonstrate consistency with the objectives of the Woollahra Local Housing Strategy 2021. Whilst the proposed development does not require rezoning given the application of the NSW Government policies on low and mid rise and infill affordable housing, it is noted the proposed development meets these requirements. In particular the site is located within 400m of Rose Bay local centre and high frequency bus services. It also provides for affordable housing and will contribute to the provision of local infrastructure through payment of local infrastructure contributions. The proposed development responds to the surrounding existing and future built form context through appropriate built form transitions and to the heritage context as detailed in the Heritage Impact Assessment at Appendix P. The proposed development supports the LSPS through delivery of diverse housing types and affordable housing which delivers a high quantity of deep soil and canopy cover and aligns with key sustainability requirements.

2.3 Cumulative impacts

The site is located within the residential suburb of Rose Bay and is surrounded largely by low and medium density residential development. The land to the south of Fernleigh Avenue is largely zoned R3 Medium Density Residential and has similar development potential under the low and mid rise and infill affordable housing provisions of the Housing SEPP as apply to the subject site. The land to the north of Fernleigh is zoned R2 Low Density Residential has potential for development of up to three storeys under the low and mid rise provisions of the Housing SEPP.

A number of other SSD applications have been submitted for the surrounding area as detailed in Table 6 below.

The mitigation measures provided at Appendix C demonstrate that all potential impacts will be appropriately managed and mitigated. This includes construction management measures to ensure all construction related impacts are appropriately mitigated during the construction phase of the project. A detailed construction management plan will be prepared prior to commencement of works will which take into consideration any other construction works taking place in the vicinity.

The proposal is expected to result in positive impacts through the provision of 70 new dwellings including 17 affordable dwellings to meet the critical need for more housing in accessible locations of Sydney.

Table 6 Surrounding proposed development

Project	Details	Status
23-31 Dover Road, Rose Bay (SSD-86017721)	Demolition of existing buildings and construction of a residential apartment development comprising 60 dwellings, including affordable housing apartments, above basement car parking.	Response to submissions
2-16 Spencer Street, Rose Bay (SSD-086122958)	Demolition of existing buildings and construction of a residential apartment development comprising 54 dwellings, including affordable housing apartments, above basement car parking.	Response to submissions

2.4 Analysis of alternatives

2.4.1 Option 1 – Do Nothing

This option is not a desirable outcome as it will not support delivery of housing supply in an accessible location as envisaged by the low and mid and infill affordable housing policy which apply to the site.

The development of this site will play an important role in delivering new housing supply including affordable housing.

2.4.2 Option 2 – Alternative design

The proposal has been informed by an urban design assessment and detailed design development process which has included consideration of alternative design options for the site and has informed the proposed development which responds to the planning controls, site constraints and surrounding context.

2.4.3 Option 3 – The proposal

The proposed development has resulted from a detailed urban and architectural design development process which has informed a well considered design which provides for high quality renewal of the site, delivers a high level of amenity for future residents and minimises impacts on the surrounding area.

The proposal is fully compliant with the land use and built form controls under the Housing SEPP and Tree Canopy Guide for Low and Mid Rise Housing (DPHI 2025). The proposal is also largely consistent with the Apartment Design Guide and relevant controls under the Woollahra DCP.

3 Project description

3.1 Project overview

The SSD application seeks consent for the following:

- Site preparation works including demolition of existing buildings, tree removal and excavation
- Construction of a residential flat building of 8 storeys, comprising 70 dwellings
- Car parking within a 2-3 level basement
- A single driveway from Conway Avenue providing access to basement parking
- Associated landscaping and communal open space
- Infrastructure servicing
- amalgamation of the properties into one development lot, which will be further strata subdivided post development.

A minimum of 15% of floor space is proposed as affordable housing suited to key workers comprising 17 of the total number of dwellings (24%).

3.2 Project details

Table 7: Summary of project details

Project element	Summary of the project
Site Area	3,105sqm
Land use	Residential flat building
Demolition	All existing structures are proposed to be demolished.
Earthworks	Bulk excavation to facilitate a 2-3 storey basement.
Total GFA	8,880sqm
Maximum building height	28.6m
Dwelling yield	70 dwellings
Dwelling mix	• 1 bedroom: 10 (14%) • 2 bedroom: 26 (37%) • 3-4 bedroom: 34 (49%)
Parking spaces	130 carparking spaces across 2-3 basement levels
Bicycle spaces	77 bike parking spaces within a secure room within the basement
Communal / private open space	The project includes a combination of communal space (169sqm) and generous private open space which significantly exceeds the minimum private open space requirements of the ADG (by 2,009sqm) representing a total of 2,168sqm (70% of the site area).
Deep soil	468sqm (15% of the site)
Canopy cover	34%
Landscaped area	36%

Project element	Summary of the project
Operational jobs	0
Construction jobs	173
Estimated Development Cost	\$86,958,526 (Excl GST)

3.3 Site preparation

All existing structures are proposed to be demolished as detailed in the Demolition Plan included in the Architectural Plans at Appendix F. Bulk excavation is proposed to facilitate a 2-3 storey basement across part of the site.

A total of 34 trees are located within the subject site and five street trees are located adjacent to the site with all trees having low to medium retention value. All trees within the subject site are proposed to be removed and one street tree is proposed to be removed.

Extensive landscaping and tree planting is proposed which is discussed in Section 3.5.

3.4 Built form and design

3.4.1 Site layout and building form

The proposed development comprises a single residential flat building of eight storeys with 2-3 levels of basement car parking.

The building layout and envelope has been informed by the Housing SEPP low and mid rise and infill affordable controls as well as Woollahra DCP controls including building setbacks, ADG building separation distances, and the surrounding built form context including as follows:

- Building height within the 28.6m height limit and takes into consideration the topography of the site
- Setbacks to the street frontages being Conway Avenue, Carlisle Street and Fernleigh Avenue which respond to the surrounding streetscape and built form and provides for ADG compliant building separation distance including:
 - Conway Avenue: Predominantly 4.5m setback which responds to the 4.5m front setback of the recently constructed building adjacent to the site at 8 Conway Avenue and the front setbacks at 10 and 12 Conway Avenue of 2.72m and 2.06m respectively
 - Fernleigh Avenue: A variable setback to which transitions from 4.5m on the eastern side of the site where the adjacent street setback is 1.5m with the setback increasing as the building moves towards the west to 9.8m to respond to the heritage item to the north west and the adjacent rear setback to the recently constructed apartment building at 8 Conway Avenue
 - Carlisle Street: A 4.5m setback to which provides for continuity of the street wall from Conway Avenue and Fernleigh Avenue.
- An ADG compliant habitable to non-habitable setback to 8 Conway Avenue to the west which responds to the existing blank boundary wall along that interface with proposed screening of lower level windows and balcony treatments and louvres at upper levels to enhance privacy
- Upper level setbacks above the 3-4th level to provide an appropriate built form transition to surrounding development and provide for human scale at the street level
- Further setback of the uppermost level to minimise the overall visual bulk and scale.

The site's three street frontages enable generous separation distances to existing residential development to the north, south and east which are well in excess of the ADG. The setbacks support significant tree planting and enhanced landscaping buffer to all frontages.

The design further reduces perceived scale through:

- Breaking down the massing into three vertical massings and stepped upper levels, creating tiered horizontal profile
- Balconies, window proportions and façade modulation designed to balance solid and void, ensuring visual interest while addressing privacy and solar control.
- Vertical integration of landscaping through planter edges and terraces, softening the built form and reinforcing connections to the coastal and garden suburb context.

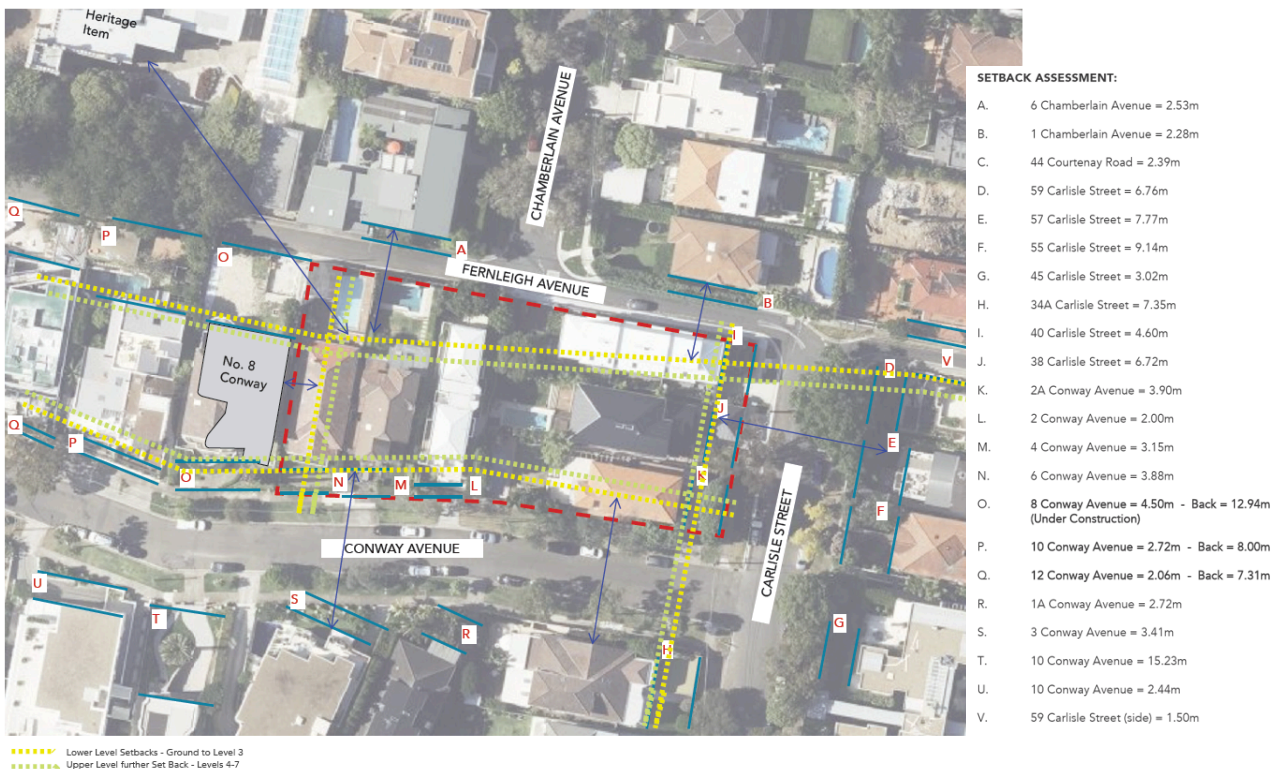


Figure 4 Setback contextual analysis and response (Source: MHNDU 2025)

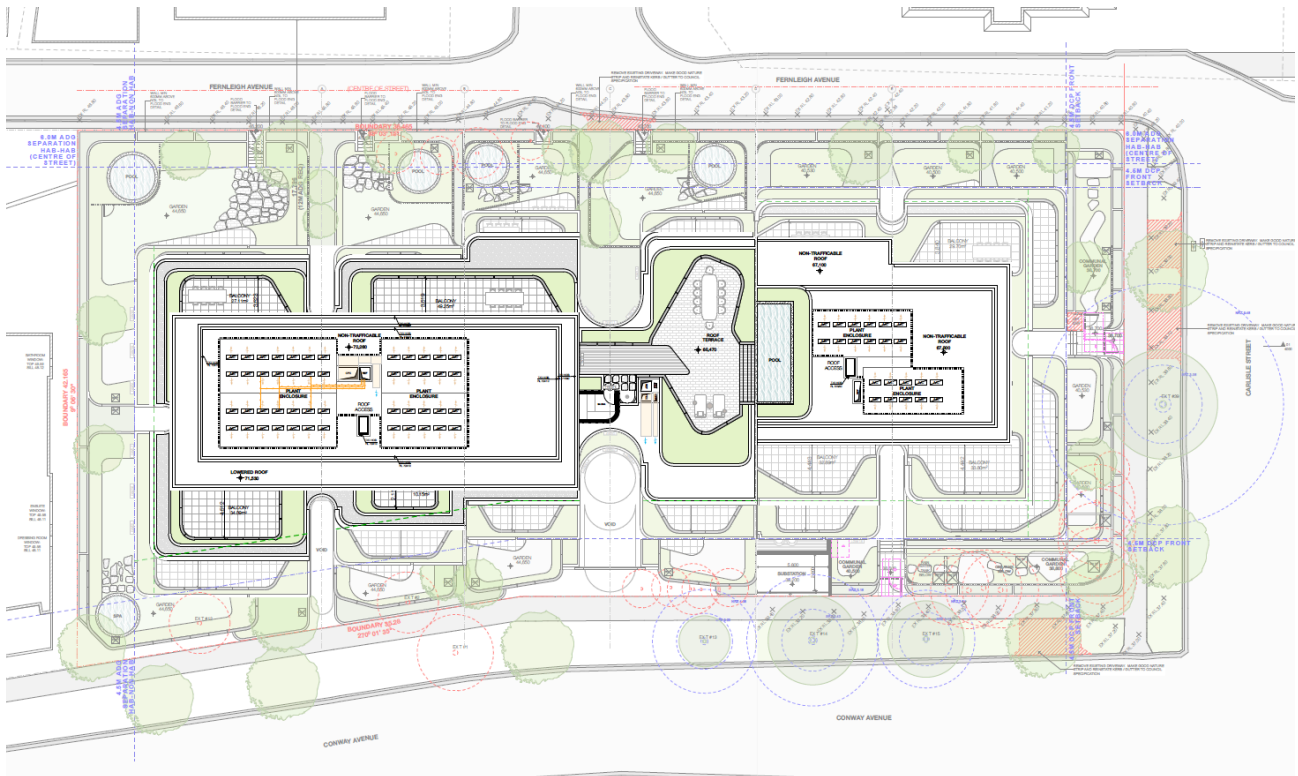


Figure 5 Site layout plan (Source: MHNDU 2025)

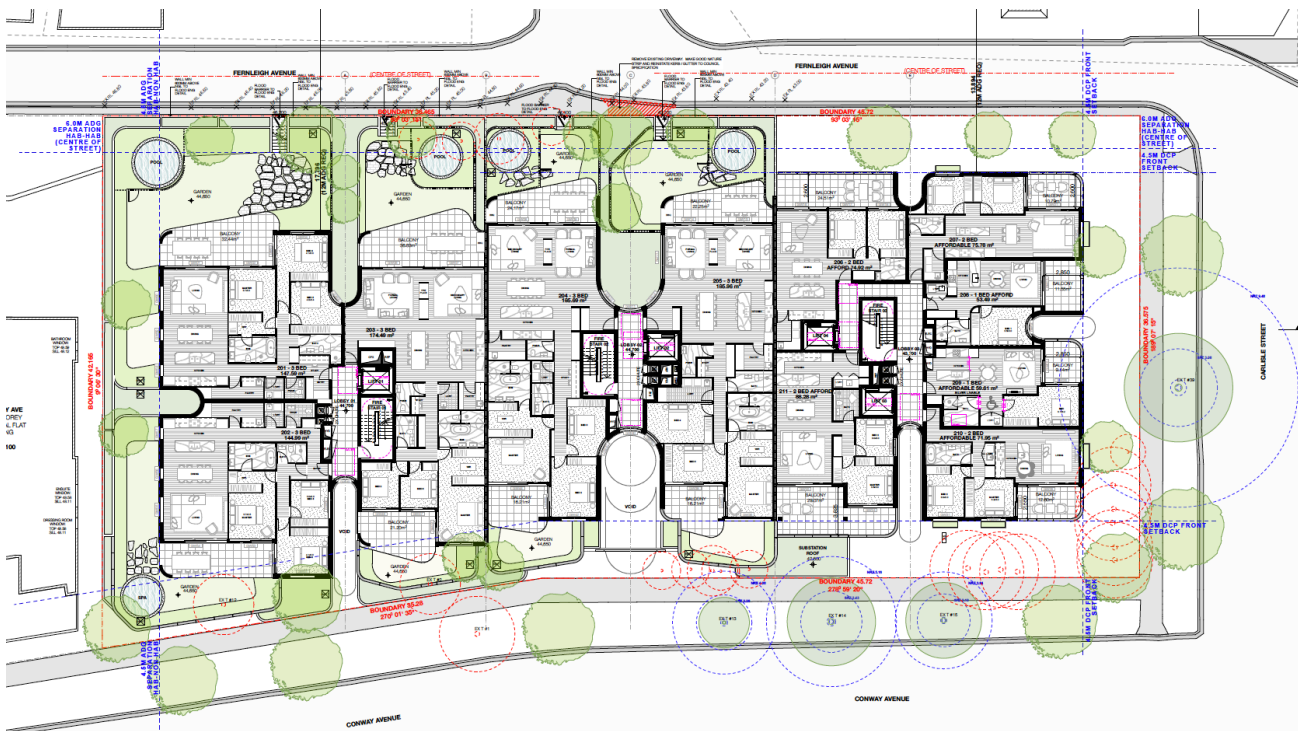


Figure 6 Ground floor plan (Source: MHNDU 2025)



Figure 7 Visualisation of Conway Avenue elevation (Source: MHNDU 2025)

3.4.2 Materials and finishes

The development reimagines the familiar elements of Rose Bay’s architectural identity — verandas, strong geometry order, symmetry, and greenery — into a contemporary residential design that is respectful of its context and designed to enhance the local community.

The building adopts a refined garden-terrace design, drawing inspiration from nearby landmarks like ‘The Castle’ local heritage item, known for its distinctive use of sandstone.

A solid sandstone boundary wall anchors the building within its context, whilst the three projecting masses are articulated by stone alcoves providing depth and texture to the external form. The upper floors are setback and facade treatment ‘lightened’ to reduce visual impact and provide amenity to neighbouring properties

A carefully chosen palette of warm and natural colours for honed fine aggregate concrete, accented with bronzed metal cladding and integrated with lush planting connects the building seamlessly into its surroundings.

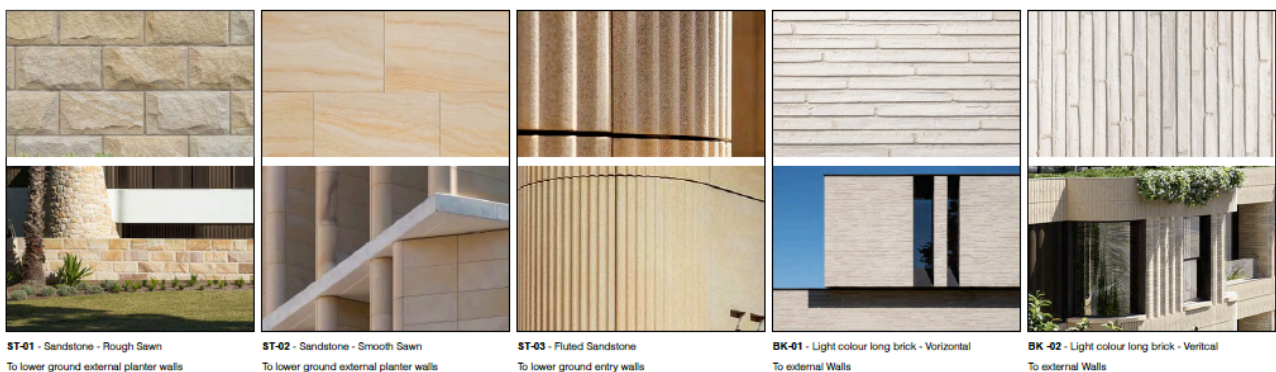


Figure 8 Building materials and finishes (Source: MHNDU 2025)

3.5 Landscaping and open space

The Landscape Design for the site is detailed in the Landscape Report at Appendix H and Landscape Plans at Appendix I prepared by Dangar Barin Smith.

The design seeks to connect and enhance the adjacent street canopy and continue vegetation corridors through site through extensive landscape planting. It also maximises canopy cover and provides a balance of communal open space with adjacent internal communal space and generous private open space to meet the needs of future residents.

Street tree planting is proposed to be enhanced through the addition of six new street trees adjacent to the site fronting Conway Avenue and Carlisle Street and landscape planting on the site will significantly enhance canopy cover from 12% existing to 34%, exceeding the 15% base and 20% enhanced target requirement of the Tree Canopy Guide for Low and Mid Rise Housing (DPHI 2025).

Whilst the existing public domain along Fernleigh Ave has limited opportunity for tree planting and landscaping, large trees and landscape planting are accommodated within the front setback to the Fernleigh frontage with this treatment is continued along Carlisle and Conway setbacks.

The landscape design includes landscaped building edges and balconies which soften the building form and provides for privacy screening along with generous landscaping of setbacks and entry forecourts.

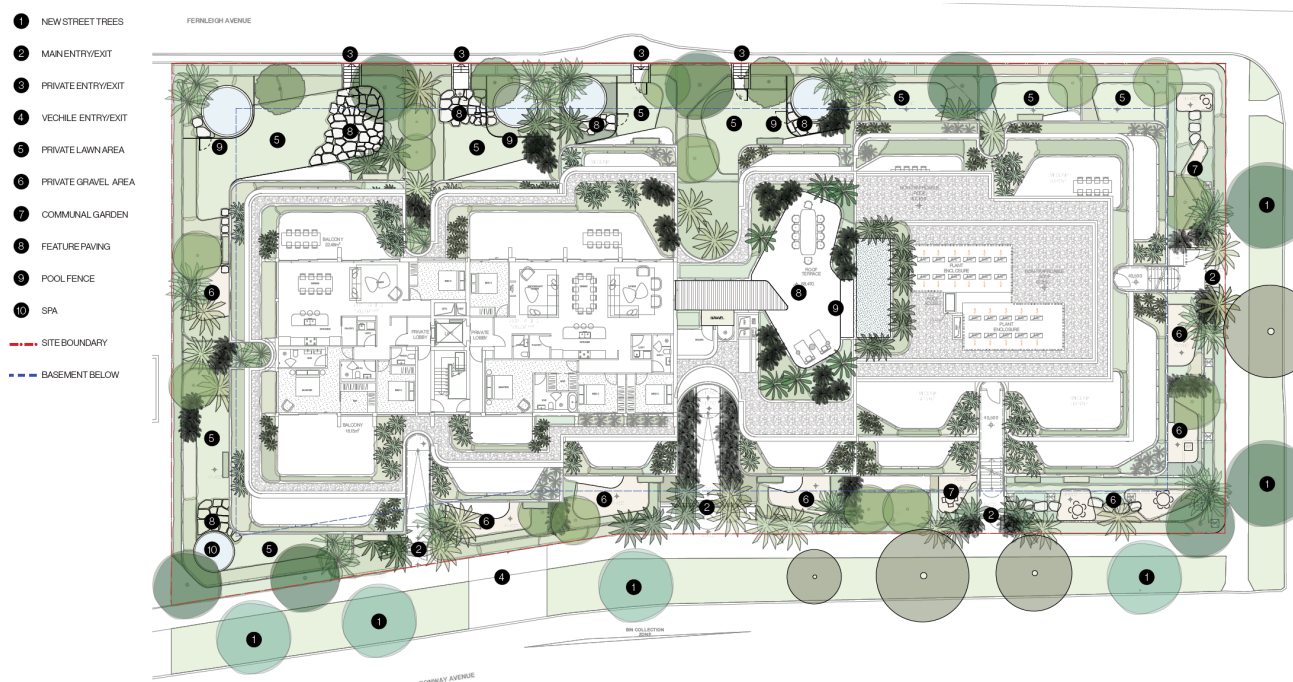


Figure 9 Landscape Masterplan (Source: Dangar Barin Smith 2025)

3.6 Access and car parking

The building form is organised around three lift cores each with a designated pedestrian entry forecourt and lobby accessed from Conway Avenue, with an additional entry forecourt and lobby from Carlisle Street for the eastern core.

Vehicle access to the site is proposed to be via a single driveway from Conway Avenue to a 2-3 storey basement accommodating the following parking arrangements:

- 130 car parking spaces including 9 accessible spaces and one car wash bay
- 77 bike parking spaces
- 7 motorcycle parking spaces.

3.7 Stormwater

The following stormwater management measures are proposed as outlined in the Integrated Water Management Plan at Appendix Q and illustrated in the Civil Plans at Appendix L:

- All runoff from the site will be conveyed to the nearest existing stormwater inlet pit located at the corner of Conway Avenue and Carlisle Street.
- Incorporation of an onsite detention system (63.8sqm approximate volume) to mitigate potential increases in site runoff
- Installation of a stormwater treatment train including rainwater harvesting, underground water-quality treatment via rainwater harvesting and proprietary device systems.

3.8 Staging and delivery

The project will be delivered in a single stage with construction managed across several construction certificate stages which may include the following subject to the requirements of building contractor:

- CC1: Demolition
- CC2: Site preparation and excavation
- CC3: Construction, fit-out, landscaping and external works.

A detailed staging plan will be prepared as part of the Construction Management Plan (CMP) to be submitted prior to the commencement of works.

3.9 Management of affordable housing

The proposed development includes 15% of the floor space as affordable housing comprising 17 of the total number of dwellings (24%) to be managed for a minimum of 15 years by a Community Housing Provider.

A letter has been provided by Bridge Housing that it agrees to manage the affordable housing apartments for at least 15 years to fulfil the requirements of the Housing SEPP (Appendix AG). The letter also confirms that the proposed type and size of all affordable apartments is acceptable.

4 Statutory framework

4.1 Power to grant approval

Development consent will be sought under 'Division 4.7 – Development that is State Significant Development' of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 4.36(2) of the EP&A Act states that:

A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

Schedule 2 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) sets out identified sites and development which is declared State significant development (SSD).

Schedule 2, Section 26A of the Planning Systems SEPP, sets out that Development to which the Housing SEPP, Chapter 2, Part 2, Division 1 applies (being infill affordable housing) is SSD where the part of the development that is residential development has an estimated development cost of more than \$75 million.

The proposed development is for the purpose of infill affordable housing and has an EDC of \$86,958,526 (Excl GST). Therefore, the proposed development is SSD (see EDC report at Appendix AJ).

4.2 Permissibility

The site is zoned R3 Medium Density Residential under the *Woollahra Local Environmental Plan 2014* (Woollahra LEP) as shown at Figure 10.

The proposed development is for a residential flat building which is permissible with consent in the zone.

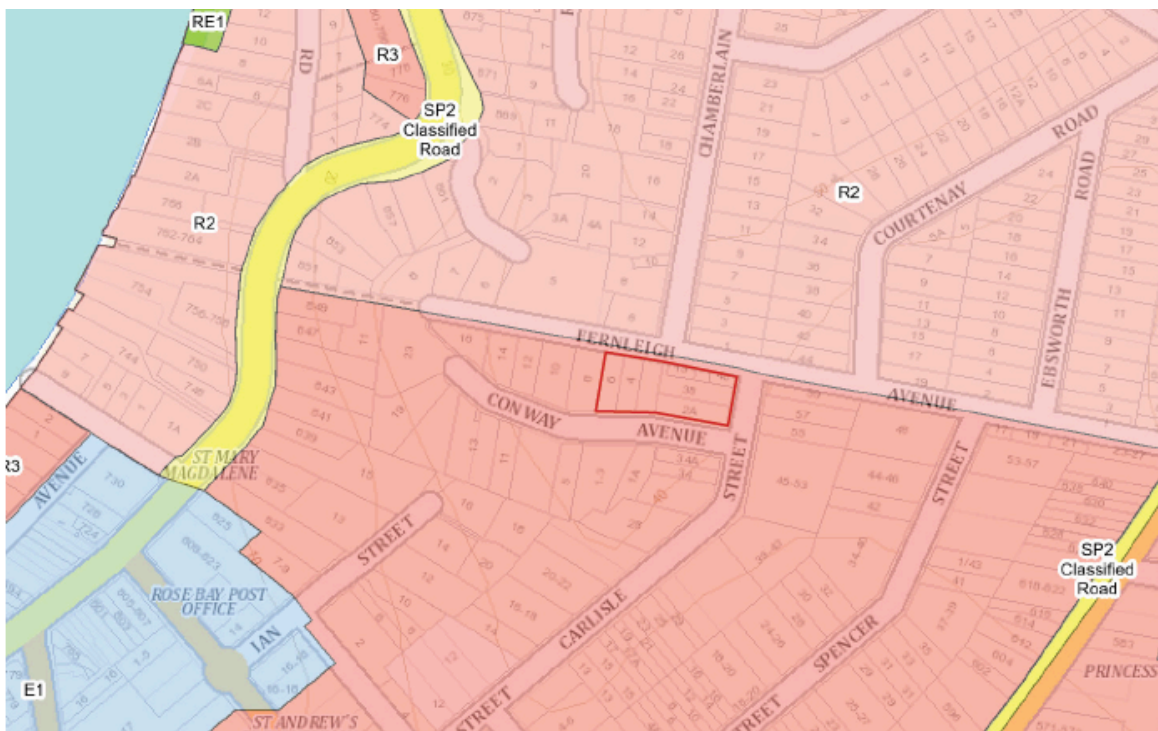


Figure 10 Zoning map – Woollahra LEP (Source: Atlas Urban)

4.3 Other approvals

Consistent Approvals

Table 8 below sets out approvals or authorisations which are required to facilitate the proposed development. In accordance with Clause 4.42 of the EP&A Act, the following authorisations cannot be refused if the proposal is approved and must be substantially consistent with the approval.

Table 8: Section 4.42 Consistent approvals

Approval	Approval required
Fisheries Management Act 1994 – aquaculture permit under section 144	No
Coal Mine Subsidence Compensation Act 2017 – approval under Section 22	No
Mining Act 1961 - mining lease	No
Petroleum (onshore) Act 1991 – production lease	No
Protection of Environmental Operations Act 1997 – environmental protection license	No
Roads Act 1993 – consent under Section 138	Yes, it is proposed to accommodate a new vehicular access and make good the public verge.
Pipelines Act 1967 – license requirements	No

Approvals Not Required for State Significant Development

Section 4.41 of the EP&A Act has the effect that several approvals, which would have otherwise been required if the Proposal were not SSD, are not required. These are set out in Table 9 below along with consideration of whether these approvals would have otherwise been required if the proposal was not SSD.

Table 9: Section 4.41 Approvals not required

Approval	Approval otherwise required
Fisheries Management Act 1994 – permits under section 201, 205 or 219)	No
Heritage Act 1977 – an approval under Part 4, or an excavation permit under section 139	No
National Parks and Wildlife Act 1974 – an Aboriginal heritage impact permit under section 90	No
Rural Fires Act 1997 – a bush fire safety authority under Section 100B	No
Water Management Act 2000 – a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91	Yes, basement excavations may intercept groundwater.

4.4 Pre-conditions to exercising the Power to Grant Consent

Table 10 identifies pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent. These are considered in detail in the Statutory Compliance Table at Appendix B.

Table 10: Pre-conditions to approval

Legislation	Pre-condition	Section in EIS
Biodiversity Conservation Act 2016		
Section 7.9	<u>Biodiversity Development Assessment Report Waiver</u> A development application for SSD is to be accompanied by a Biodiversity Development Assessment Report, 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.	BDAR Waiver at Appendix X.
State Environmental Planning Policy (Housing) 2021		
Section 21	<u>Must be used as affordable housing for at least 15 years</u> Sets out that development consent must not be granted unless the consent authority is satisfied that 15% of the floor space will be used for affordable housing for a period of at least 15 years commencing on the day an occupation certificate is issued for the development	Community Housing Provider Letter (Appendix AG).
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Section 2.48	<u>Development near electricity network</u> Requires a referral to the energy supply authority prior to approval for development which may impact on an electricity transmission or distribution network including where development would occur within 5m of an overhead electric power line. It requires the consent authority to take into consideration any response to that notice before granting consent to a development.	Relevant referrals will be undertaken as part of the notification given the location of above ground power lines adjacent to the site.
State Environmental Planning Policy (Resilience and Hazards) 2021		
Section 4.6	<u>Remediation of land</u> A consent authority must not consent to the carrying out of development unless: - it has considered whether the land is contaminated, and - if the land is contaminated that that it will be suitable for the purpose for which the development is proposed to be carried out, and - if remediation is required, the consent authority is satisfied that the land will be remediated before the land is used for that purpose.	Preliminary Site Assessment (Appendix U)
State Environmental Planning Policy (Sustainable Buildings) 2022		
Section 2.1	<u>Embodied Energy</u> Sets out development consent must not be granted for certain development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.	BASIX report (Appendix Z)

4.5 Mandatory matters for consideration

Table 11 sets out matters that the consent authority is required to consider in deciding whether to grant consent to a development application. These are considered in detail in the Statutory Compliance Table at Appendix B.

Table 11: Mandatory matters for consideration

Legislation	Matters for consideration	Section in EIS
Environmental Planning and Assessment Act 1979		
Section 1.3	Relevant objects of the Act	Statutory Compliance Table at Appendix B.
Section 4.15	Relevant Environmental Planning Instruments	Statutory Compliance Table at Appendix B.
	Relevant proposed Environmental Planning Instruments	Not applicable
	Relevant planning agreement	Not applicable
	Development control plans Section 2.10 of the Planning Systems SEPP sets out that DCP's do not apply to SSD. Notwithstanding, the relevant provisions of the Woollahra DCP have been considered.	Statutory Compliance Table at Appendix B.
	The regulation (where they prescribe matter related to Section 4.15)	Statutory Compliance Table at Appendix B.
	The likely impacts of the development (environmental, social and economic)	Section 6
	Suitability of the site for development	Section 6
	Any submissions made in accordance with the EP&A Act.	To be considered as part of the assessment process.
	The public interest	Section 7
State Environmental Planning Policies		
State Environmental Planning Policy (Housing) 2021	Chapter 2 – Infill Affordable Housing The proposal follows the in-fill affordable housing provisions outlined in Chapter 2, Part 2, Division 1, of the Housing SEPP, which allows for additional height and floor space for projects which include affordable housing. The bonus provisions apply the following maximum built form controls: - Height of buildings: 28.6m - FSR: 2.86:1	Section 1.4 and Statutory Compliance Table at Appendix B.

Legislation	Matters for consideration	Section in EIS
	<u>Chapter 4 – Design of residential apartment buildings</u> Chapter 4 of the Housing SEPP applies to development for the purposes of residential flat buildings of at least 3 storeys and if the building contains at least 4 dwellings. Section 147 sets out that development consent must not be granted to residential apartment development unless the consent authority has considered the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9, the Apartment Design Guide, and any advice received from a design review panel. <u>Chapter 6 Low and mid rise housing</u> Chapter 6 of the Housing SEPP sets out controls which apply to low and mid rise housing within walking distance of train stations and specified town centres, including Rose Bay Town Centre. The site within the low and mid rise 'inner area' for the purposes of the low and mid rise housing controls and the following built form controls apply: • Height of buildings: 22m • FSR: 2.2:1. It also requires consideration of the Tree Canopy Guide for Low and Mid Rise Housing.	Architectural Design Report (Appendix E). Section 1.4 and Statutory Compliance Table at Appendix B.
State Environmental Planning Policy (Sustainable Buildings) 2022	<u>BASIX</u> Sets out BASIX requirements for residential development.	ESD Report (Appendix AA) and BASIX Certificate (Appendix Z).
State Environmental Planning Policy (Biodiversity and Conservation) 2022	<u>Chapter 6 – Regulated catchments</u> Chapter 6 requires the consent authority to consider potential impacts within regulated catchments, including: • Water quality and quantity • Aquatic ecology • Flooding • Recreation and public access.	Integrated Water Management Plan (Appendix Q) and Flood Impact and Risk Assessment (Appendix R)
Local Environmental Plans		
Woollahra LEP	• Objectives and land uses for R3 zone • Clause 4.3 Height of buildings • Section 4.4 Floor space ratio • Section 5.10 Heritage conservation • Clause 5.21 Flood Planning • Clause 6.1 Acid sulfate soils • Clause 6.2 Earthworks • Clause 6.9 Tree canopy in zones R2 and R3.	Statutory Compliance Table at Appendix B.

5 Engagement

5.1 Engagement carried out to inform the EIS

A Stakeholder Engagement Report has been prepared by Hill PDA (Appendix AC) which provides details on the consultation and communication activities that have been undertaken including feedback provided and how this has been addressed in relation to the proposed development.

5.2 State government agency consultation

The applicant and project team have carried out consultation with key State government stakeholder groups including:

- Department of Planning, Housing and Infrastructure (DPHI)
- Service providers including Ausgrid, Sydney Water and Testra / NBNCo.

Further details of the consultation activities carried out with Government stakeholders are provided in the Stakeholder Engagement Report.

5.3 Local government consultation

The applicant and project team met with Woollahra Council staff on 5 December 2025. Council's comment are addressed in the table below.

Table 12: Consideration of matters raised by Woollahra Council

Comment	Response
Excavation • Council raised concerned about impacts of excavation, particularly the potential impact on the structural and geological integrity of buildings in the Rose Bay area which may occur due to groundwater drawdown during excavation. • The application should consider the potential impacts of excavation including the accumulative impacts of LMR developments. • Regard should be given to Chapter E2 (Stormwater, Flood and Geotechnical Risk Management) of the Woollahra DCP. • Any geotechnical and hydrogeological report should be prepared in accordance with attachment 6 to Council's DA Guide.	This is addressed in the Preliminary Geotechnical Assessment been prepared by EI Australia (Appendix S).
Car parking • Council raised concern about the extent of car parking proposed. • Council requested that parking provision should be reduced in accordance with its Draft DCP for accessible areas and two parking spaces should be allocated for car share use.	The proposed development includes 130 car parking spaces which is in accordance with the minimum non-discretionary car parking rates for affordable housing under the Housing SEPP and maximum rates under the Woollahra DCP. This responds to demand and the significant concerns about impacts on street parking which were raised by the community through consultation carried out by the applicant and is considered appropriate given the level of accessibility associated with this site.

Comment	Response
Heritage - The subject site is located within an area of potential Aboriginal Heritage Sensitivity. - Preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) is supported.	An Aboriginal Heritage Impact Assessment has been prepared by Ecological Australia (Appendix K) which concludes that due to past site disturbances the potential for intact subsurface archaeological deposits within the site is very low and that no further assessment is required.
Trees and landscaping - An Arboricultural Assessment Report and Tree Protection Plan should be prepared by an Arborist with a minimum qualification of Australian Qualification Framework Level 5. The report should address all trees which are impacted upon by the proposed development. - Council will look for compliance with the Urban Tree Canopy Guide for Low and Mid Rise Housing to see that the objectives are met in so far as canopy is maintained and enhanced. - The proposal should reflect the Deep Soil requirements in Table 7 of the Tree Canopy Guide.	This is addressed in the Arboricultural Impact Assessment has been prepared by Capability Green Co. (Appendix J). The proposal includes deep soil and canopy cover which complies with the Tree Canopy Guide for Low and Mid Rise Housing.
Affordable housing - The affordable housing dwellings should receive equitable access to solar and ventilation when compared to the market rate dwellings. - It is suggested that EIS includes advice from the CHP confirming that the proposed dwelling mix, and the design fittings and fixtures of the affordable housing apartments meet the needs of low and moderate income households.	Solar compliance is addressed in the Architectural Drawings (Appendix F). This illustrates that for the affordable dwellings solar exceeds the ADG requirements (76% achieving 2 hours solar) and cross ventilation is slightly below the ADG requirement (57% achieving cross ventilation). A letter has been provided by Bridge Housing (Appendix AG) which confirms that the proposed dwelling type and size of all affordable apartments is acceptable.
Privacy If the proposal is designed to capture the available views to the city and Rose Bay to the north west, concern is raised that western setback is inadequate.	Privacy is addressed through a combination of separation distances, landscape planning and location of privacy louvres and balcony treatments that allow occupants access to distant views whilst minimising overlooking.
Solar access It should be demonstrated how the proposal achieves Objective 3B-2 of the ADG by ensuring overshadowing of neighbouring properties is minimised during mid-winter.	This is addressed in the solar analysis that forms part of the Architectural Design Report (Appendix E) and Section 6.2.1 of this EIS.
Substation design Section B3.7.3 of the Woollahra DCP 2015 objectives O12 and O13 and controls C14 and C15, which address substation design should be considered.	This is addressed in the Statutory Compliance Table at Appendix B.
Gross floor area The proposal should ensure that any storage and waste area that are not in a basement are included in the floor area calculations.	All storage and waste areas are located with the basement.

Comment	Response
Communal open space The proposal should include communal open space which provides facilities for all age ranges.	Communal areas include facilities to meet the needs a wide range of residents including, informal seating lounges, and vegetable gardens, as well as an adjacent internal communal space suitable for meetings or social gathering.

5.4 Community consultation

The applicant has carried out consultation with community stakeholders as follows:

- Newsletter distributed to residents of the local area via letterbox drop
- Engagement portal and online survey to seek feedback on the proposal
- Dedicated phone line and email inbox to allow for questions and/or feedback on the proposal
- 2x community drop-in sessions on Saturday 22 November 2025 9.30am-11am and Thursday 27 November 2025 5.30pm-7pm.

Engagement was also carried out with the local Aboriginal community by Ecological Australia with La Perouse Local Aboriginal Land Council (La Perouse LALC) to review the draft Aboriginal Heritage Impact assessment report.

Further details of the consultation activities carried out with community stakeholders are provided in the Stakeholder Engagement Report.

5.5 Engagement to be carried out

Following submission of this application, DPHI will exhibit the EIS and supporting technical reports on the Major Projects NSW Website and invite submissions from government agencies, Council and the community on the proposal.

This will provide the opportunity for further feedback on the proposal.

Following exhibition, any issues raised in submissions will need to be addressed. DPHI may request the applicant prepare a Submissions Report to respond to the issues raised during the exhibition period. The applicant will continue to liaise with DPHI and key stakeholders during assessment process.

6 Assessment and mitigation of impacts

6.1 Built form and urban design

The proposed development has been designed to align with the built form controls which apply to the site whilst responding the site conditions and site constraints to establish a residential apartment building including affordable housing. The design has been developed by MHNDU Architects along with expert urban design input from Atlas Urban, to present a high quality building design with careful consideration to the building massing, proportions and materials contributing to a cohesive formal language that is both contemporary and sympathetic to the surroundings.

The proposed development is fully compliant with the provisions of the Housing SEPP, Woollahra LEP, and Tree Canopy Guide to Low and Mid Rise Housing.

The proposed development is largely compliant with the Apartment Design Guide (ADG) as detailed in the Architectural Design Report (Appendix E) and the relevant controls of the Woollahra DCP as detailed in the Statutory Compliance Table (Appendix B).

6.1.1 Building height and FSR

The site is subject of the Housing SEPP low and mid rise and infill affordable provisions which allow for a maximum building height of 28.6m and maximum floor space ratio of 2.86:1.

The building height is fully compliant with the maximum permissible height of buildings as demonstrated in the height plane diagram at below.

The proposed floor space of 8,800sqm is within the maximum permissible FSR.

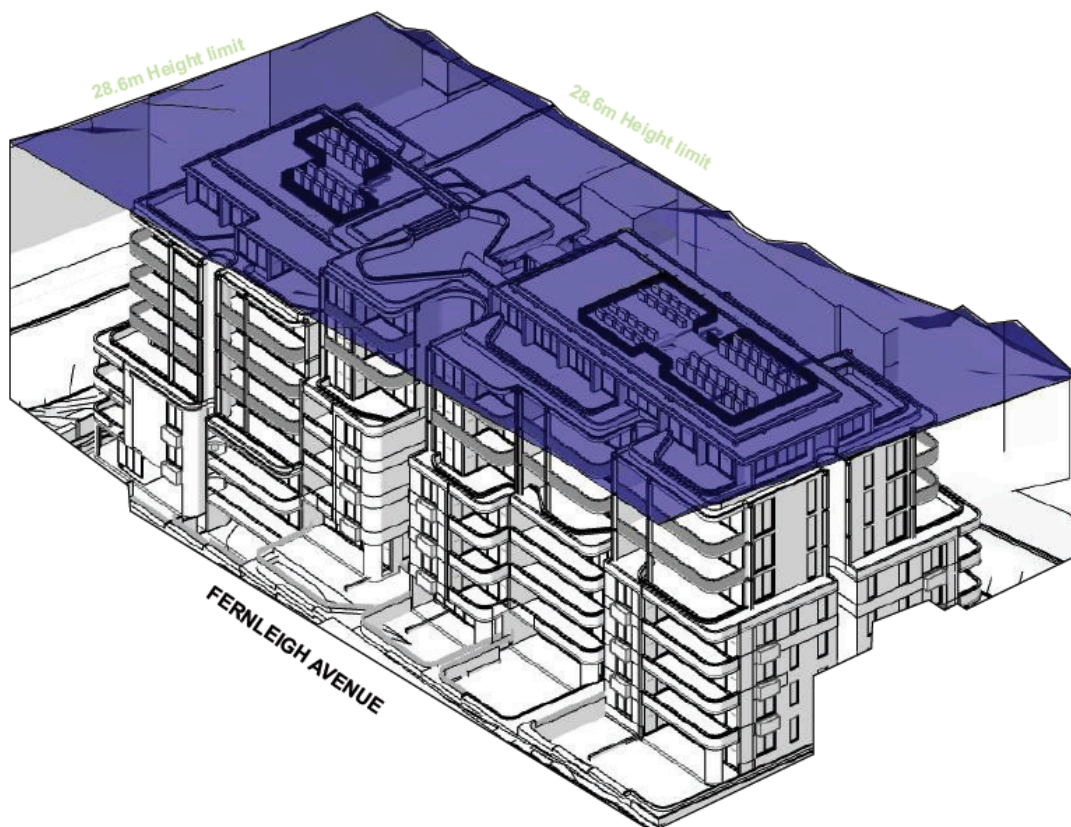


Figure 11 Height plane diagram (Source: MHNDU 2025)

6.1.2 Building setbacks and separation

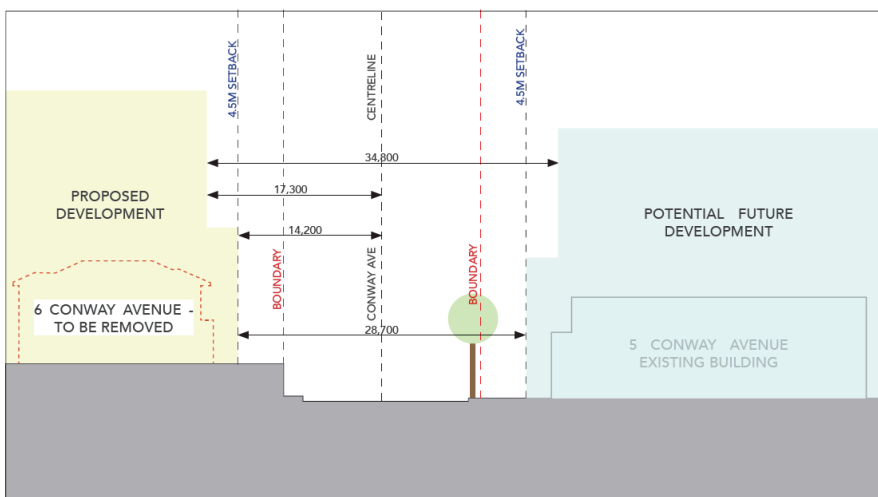
The proposed building envelope has been developed through careful consideration of the Woollahra DCP controls, the surrounding built form context and , Apartment Design Guide (ADG) building separation distances, as detailed in Section 3.4.1.

The site configuration with three street frontages provides for generous separation to surrounding development to the north, south and east which are well in excess of the ADG.

To the western boundary which interfaces with a recently constructed residential flat building at 8 Conway Avenue, a 4.5m boundary setback is provided which meets the requirements of ADG for a non-habitable to a habitable building separation noting the existing blank façade adjacent to the site with screening of windows proposed on this interface. A boundary setback of 6m is accommodated at the upper levels to provide a future habitable to non-habitable separation distance noting the proposed upper level balconies which include design features and louvres to enhance privacy.

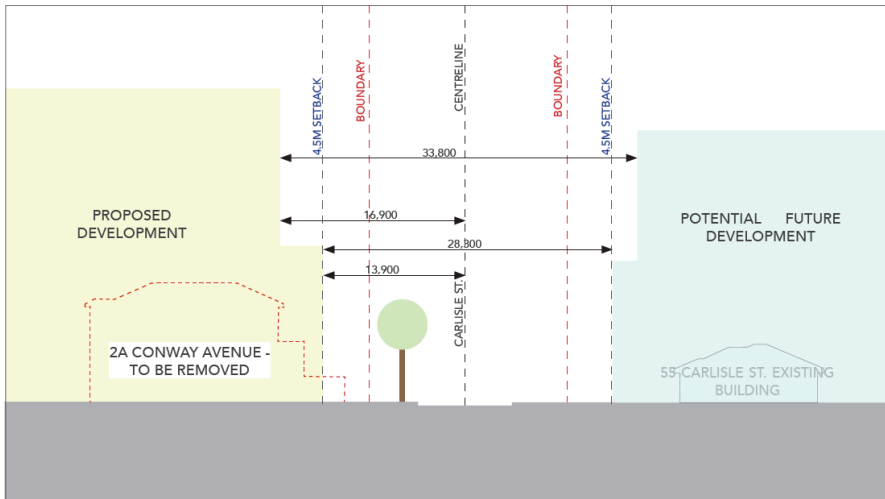
Setbacks to the street frontages being Conway Avenue, Carlisle Street and Fernleigh Avenue respond to the surrounding streetscape and built form and provide for ADG compliant building separation distances including:

- Conway Avenue: Predominantly 4.5m setback which responds to the 4.5m front setback of the recently constructed building adjacent to the site at 8 Conway Avenue and the front setbacks at 10 and 12 Conway Avenue of 2.72m and 2.06m respectively
- Fernleigh Avenue: A variable setback to which transitions from 4.5m on the eastern side of the site where the adjacent street setback is 1.5m with the setback increasing to 9.8m as the building moves towards the west to respond the heritage item to the north west and the adjacent rear setback to the recently constructed apartment building at 8 Conway Avenue
- Carlisle Steet: A 4.5m setback which provides for continuity of the street wall from Conway Avenue and Fernleigh Avenue.



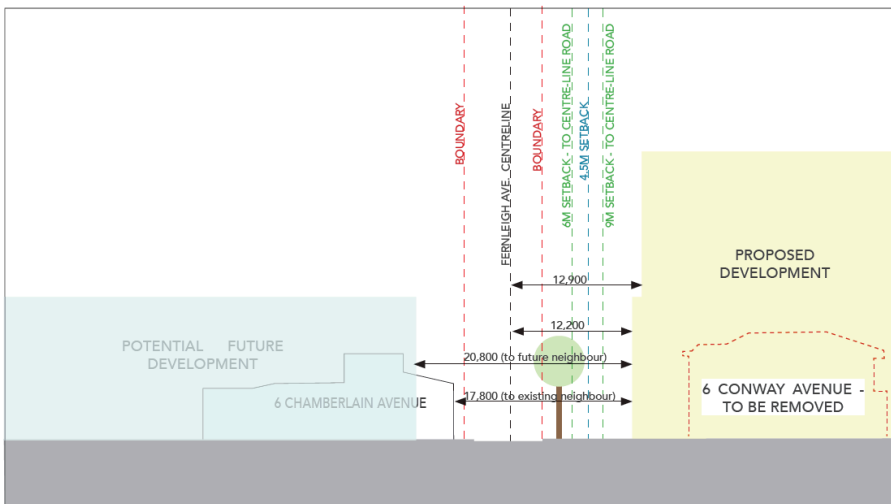
Building Separation- Conway Avenue
HABITABLE TO HABITABLE ADG SEPARATION REQUIREMENT EXCEEDED

Figure 12 Building separation – Conway Avenue (Source: MHNDU 2025)



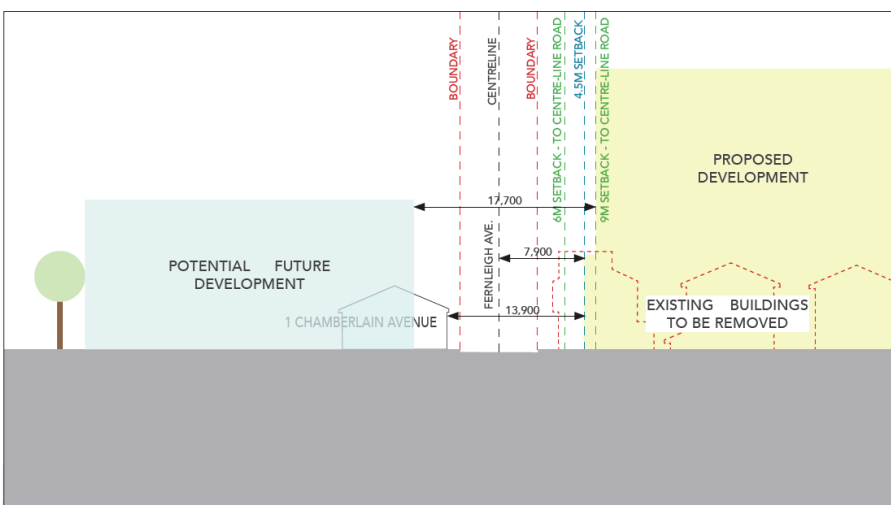
Building Separation- Carlisle Street
HABITABLE TO HABITABLE ADG SEPARATION REQUIREMENT EXCEEDED

Figure 13 Building separation – Carlisle Street (Source: MHNDU 2025)



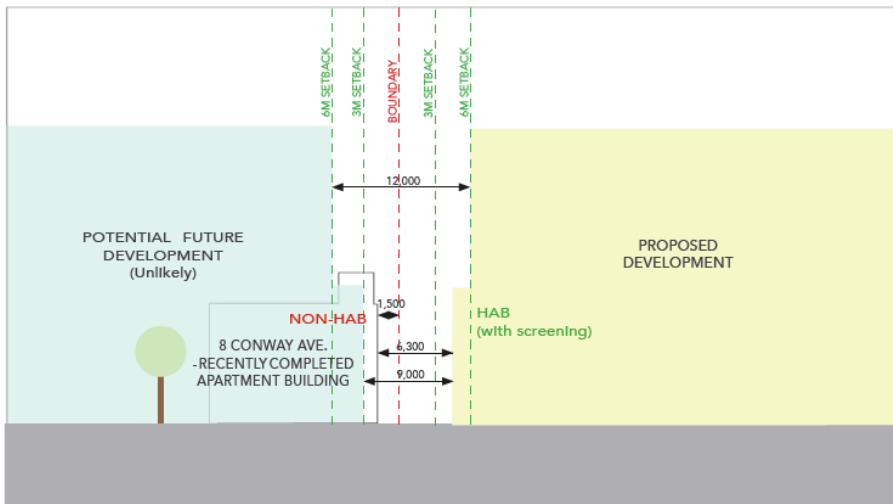
Building Separation- Fernleigh Avenue - West of Chamberlain Ave.
HABITABLE TO HABITABLE ADG SEPARATION REQUIREMENT EXCEEDED

Figure 14 Building separation – Fernleigh Avenue west (Source: MHNDU 2025)



Building Separation- Fernleigh Avenue - East of Chamberlain Ave.
HABITABLE TO HABITABLE ADG SEPARATION REQUIREMENT EXCEEDED

Figure 15 Building separation – Fernleigh Avenue east (Source: MHNDU 2025)



Building Separation- West Boundary / Facing 8 Conway Avenue

NON HABITABLE TO HABITABLE FACADE WITH SCREENING PROVIDING APPROPRIATE SEPARATION REQUIREMENT OF 6 M (UP TO 4 STOREYS) ACHIEVED

NON HABITABLE TO HABITABLE ADG SEPARATION REQUIREMENT OF 12 M (5th TO 8th STOREY) ACHIEVED TO POTENTIAL FUTURE DEVELOPMENT (UNLIKELY)

Figure 16 Building separation – 8 Conway Street (Source: MHNDU 2025)

6.1.3 Design quality

The proposal has been designed in accordance with the design quality principles of the Apartment Design Guide as detailed in the Design Verification Statement which forms part of the Architectural Design Report at Appendix E.

Section 3.4 sets out how the design has responded to the relevant planning controls and site context including the existing character and the desired future character.

In urban design terms, the proposal reinforces the evolving character of Rose Bay as a mixed low-to mid-rise residential area, without compromising local amenity or streetscape quality. The careful calibration of height, setbacks and material expression ensures the building sits comfortably within its setting. Overall, the development is considered to make a positive contribution to the public domain and the broader urban structure of the area, supporting orderly and sustainable urban growth.

6.2 Residential and environmental amenity

6.2.1 Overshadowing

An overshadowing analysis is included in the Architectural Design Report which illustrates that almost all existing surrounding dwellings will maintain an acceptable level of solar access following the development in accordance with the requirements of the ADG set out below.

Apartment Design Guide

- Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at midwinter

Woollahra DCP:

- The development is designed so that sunlight is provided to at least 50% (or 35m² with a minimum dimension of 2.5m, whichever is the lesser) of the main ground level private open

space of adjacent properties for a minimum of 2 hours between 9am and 3pm on 21 June.
Where existing overshadowing is greater than this, sunlight is not further reduced

- Lot orientation may make the above difficult to achieve so a reduced amount of solar access may be considered, provided the proposed building complies with all setback controls.

This extent of compliance is considered acceptable noting that the surrounding area is undergoing ongoing renewal and that the proposed development is fully compliant with the controls that apply to the site.

The key solar impacts to surrounding dwellings is outlined in Table 13 below.

Table 13: Summary of solar impacts

Address	Impacts
1-3 Conway Avenue – 3 storey apartment building located to the south of the site	Maintains at least 2 hours of solar access to north facing balconies and windows
1A Conway Avenue – 3 storey apartment building located adjacent to the site	Private open space and living areas of this building appear to be oriented predominantly to the south and are already overshadowed. Impacts on these areas will not be increased as a result of the proposal.
34A Carlise Street – semi-detached dwellings located to the south of the site	The proposed development will overshadow west facing private open space and living rooms of this dwelling. This is considered acceptable noting that the proposed development is consistent with the built form controls which apply to the site, and that 34A is located within an area subject of ongoing renewal with this lot also being located within the low and mid rise inner area and subject of the infill affordable housing controls.
34 Carlise Street – semi detached dwelling located to the south of the site	The proposed development will overshadow west facing private open space and living rooms of this dwelling. This is considered acceptable noting that the proposed development is consistent with the built form controls which apply to the site, and that 34A is located within an area subject of ongoing renewal with this lot also being located within the low and mid rise inner area and subject of the infill affordable housing controls.
8 Conway Avenue – recently completed apartment building located to the west of the site.	This building is only marginally impacted prior to 10am ensuring that solar compliance would be maintained.

6.2.2 Visual privacy

The development maintains visual privacy for surrounding dwellings through generous setbacks and design responses including as follows:

- Separation distances to the north, south and east well in excess of the ADG which is afforded by generous street setbacks and the adjacent street frontages
- An existing non-habitable interface located at 8 Conway Avenue to the west of the site
- A curtilage of greenery and mature landscape which wraps the perimeter of the building, and acts as a visual and privacy buffer to neighbouring properties.
- Location of privacy louvres and balcony treatment that allow occupants access to distant views whilst minimising overlooking.

6.2.3 ADG compliance

The proposed development achieves a high level of compliance with the Apartment Design Guide as detailed in the Architectural Design Report at Appendix E including through the following:

- Solar access to private open space: 59 of the 70 apartments (84%) receiving 2 hours of sunlight to between 9am and 3pm exceeding the required 70%
- Solar access to living rooms: 54 of the 70 apartments (77%) receiving 2 hours of sunlight between 9am and 3pm exceeding the required 70%
- Cross ventilation: 51 of 70 apartments (81%) achieve Cross Ventilation exceeding the required 60%
- Separation distances: which comply with the ADG as detailed at Section 6.1.2
- Private open space and balconies in excess of the ADG minimum requirements

The proposal provides for a combination of communal and private open space which meets the needs of the expected demographic attributes of future residents. This includes 160sqm of communal space and generous private open space including ground floor terraces, balconies and an upper level terraces which significantly exceeds the minimum private open space requirements of the ADG by 2,009sqm representing a total of 2,168sqm (70% of the site area). This is considered to meet the objective of the ADG for communal open space whilst providing a high level of amenity for residents. Deep soil is also generally compliant with the ADG as discussed in Section 6.4.2.

6.2.4 Noise and vibration impacts

An Acoustic Report has been prepared by West and Associates to support the EIS (Appendix M) which includes an assessment of:

- Noise intrusion from surrounding local roads on the proposed development
- Noise impacts from the operation of the development on surrounding noise sensitive receivers
- Noise and vibration impacts from construction activities on surrounding noise sensitive receivers.

The Acoustic Report noted that during the noise monitoring undertaken as part of the assessment, road works were being carried out at Carlisle Street and construction work was being carried out at 8 Conway Avenue. It noted that typically noise sources in the area would be dominated by road traffic noise from Carlisle Street and that accordingly the day period is technically non-compliant with the Noise Policy for Industry 2019 requirements for logging. The Acoustic Report recommended that as a condition of consent acoustic monitoring be repeated for the site during the CC stage to verify background noise measurements and findings. This is reflected in the Mitigation Measures at Appendix C.

Noise intrusion

The analysis carried out as part of the Noise Report concluded that due to the overall quiet nature of the area there are no acoustic requirements or recommendations for the architectural structure and that the required criteria can be met through standard 6.38mm laminated glass. It also confirmed that relevant criteria can be met without the need for mechanical ventilation.

It recommended that during the construction stage the Acoustic Report be applied to ensure that the installed products meet the calculated required noise attenuation. This is reflected in the Mitigation Measures at Appendix C.

Operational noise impacts on sensitive receivers

The Acoustic Report set out that operational noise impact associated with mechanical exhaust system. It recommended that the mechanical services comply with the relevant criteria being Rating Background Level (RBL) +5dB(A) during the day and evening.

This will be further assessed as part of the construction certificate design as detailed in the mitigation measures at Appendix C.

The Acoustic report also concludes that the impact of additional cars and the location of communal open space would not generate any unacceptable noise levels.

Construction noise and vibration impacts

The Acoustic Report sets out the proposed demolition and construction works are not expected to exceed the EPA's 'highly affected noise criteria' at the closest receiver, being the level at which there may be strong community reaction. It also set out that whilst there would be expected to be exceedances of the EPA's Noise Effect Criteria this could be managed through the construction management plan including construction timetable to be distributed to immediate neighbours along with implementation of appropriate process to manage noise complaints.

The Acoustic Report also assessed the expected vibration impacts to the closest sensitive receiver from the development as being minimal to non-existing and being able to be managed through monitoring and appropriate process to manage noise complaints.

These requirements are reflected in the Mitigation Measures at Appendix C.

6.3 Visual impact

A Visual Impact Assessment (VIA) has been prepared by Urbaine Design Group (Appendix AE) to consider the visual impacts of the proposed development on the surrounding area.

The VIA considered 18 viewpoints from the public domain both within the immediate street context, surrounding area and the wider Rose Bay context (see Figure 17 below).

In summary the VIA demonstrates that:

- For a number of viewpoints from the streets directly surrounding the site, view impacts were assessed as being severe, with these views identified as having only minor to moderate value
- The proposed development is obscured from the viewpoint from Fernleigh Gardens at the frontage of the local heritage residence 'Fernleigh Castle'
- All more distant views to the site were assessed as being subject to moderate, minor, negligible or nil impact.

The VIA concluded that view impacts are acceptable when assessed against the permissible building envelope proposed for the site. It noted that view loss, where experienced, is, for the most

part, to sky view only above the subject site (as illustrated in Figure 18 and Figure 19), while the height envelope of the proposal is consistent with the controls which apply to the site. As such, being one of the early developments under the Housing SEPP, the height difference is noticeable but will diminish over time.

A summary of the VIA is provided at Table 14 below.



Figure 17 VIA – viewpoints (Source: Urbaine Design Group 2025)

Table 14: Summary of visual impacts

Viewpoint	Value of view	Extent of impact
Viewpoint 01 – New South Head Road pedestrian promenade looking east	High	Negligible
Viewpoint 02 – Lyne Park Rose Bay looking east – northeast	High	Moderate
Viewpoint 03 – Woollahra Oval looking northeast	High	Nil (development is visually obscured)
Viewpoint 04 – New South Head Road pedestrian footpath looking northeast	Medium	Negligible
Viewpoint 05 – New South Head Road footpath looking south-southeast	Medium	Minor to moderate
Viewpoint 06 – Fernleigh Gardens facing southeast	Medium	Nil (development is visually obscured)
Viewpoint 07 – New South Head Road footpath looking east	Low to medium	Negligible

Viewpoint	Value of view	Extent of impact
Viewpoint 08 – Hamilton Street / Carlisle Street intersection looking north east	Medium	Nil (development is visually obscured)
Viewpoint 09 – Chamberlain Avenue looking south east	Medium	Minor to moderate
Viewpoint 10 – Chamberlain Avenue looking southward	Low to medium	Negligible
Viewpoint 11 – Fernleigh Avenue looking westward	Medium	Minor to moderate
Viewpoint 12 – Carlisle Street looking northward	Low to medium	Severe
Viewpoint 13 Conway Avenue footpath facing east	Low to medium	Negligible to minor
Viewpoint 14 – Conway Avenue footpath facing east (see Figure 18 below)	Low to medium	Severe
Viewpoint 15 – Conway Avenue facing north-northwest	Low to medium	Severe
Viewpoint 16 – Chamberlain Avenue facing south west (see Figure 19 below)	Low to medium	Severe
Viewpoint 17 – Gilbert Street facing west-northwest	Medium	Moderate
Viewpoint 18 – Dudley Page Reserve looking westward	High	Moderate



Figure 18 VIA – viewpoint 14 (Source: Urbaine Design Group 2025)



Figure 19 VIA – viewpoint 16 (Source: Urbaine Design Group 2025)

6.4 Tree Canopy and Landscaping

6.4.1 Trees

An Arboricultural Impact Assessment has been prepared by Capability Green Co. (Appendix J) which has assessed trees within and surrounding the site.

It identifies a total of 33 trees located within the subject site as follows:

- 21 trees with low retention value
- 12 trees with medium retention value

It also identifies five street trees adjacent to the site including four with medium retention value and one low-medium retention value which is identified as having poor health.

All trees within the subject site are proposed to be removed.

Four of the street trees would be retained, however one of the street trees on Conway Avenue closest to the western boundary is recommended for removal due to its poor health and impacts of the proposed driveway cross over.

The Arboricultural Impact Assessment sets out tree protection measures which would need to be implemented during demolition and construction.

Extensive landscaping and tree planting is proposed which is discussed in Section 3.5.

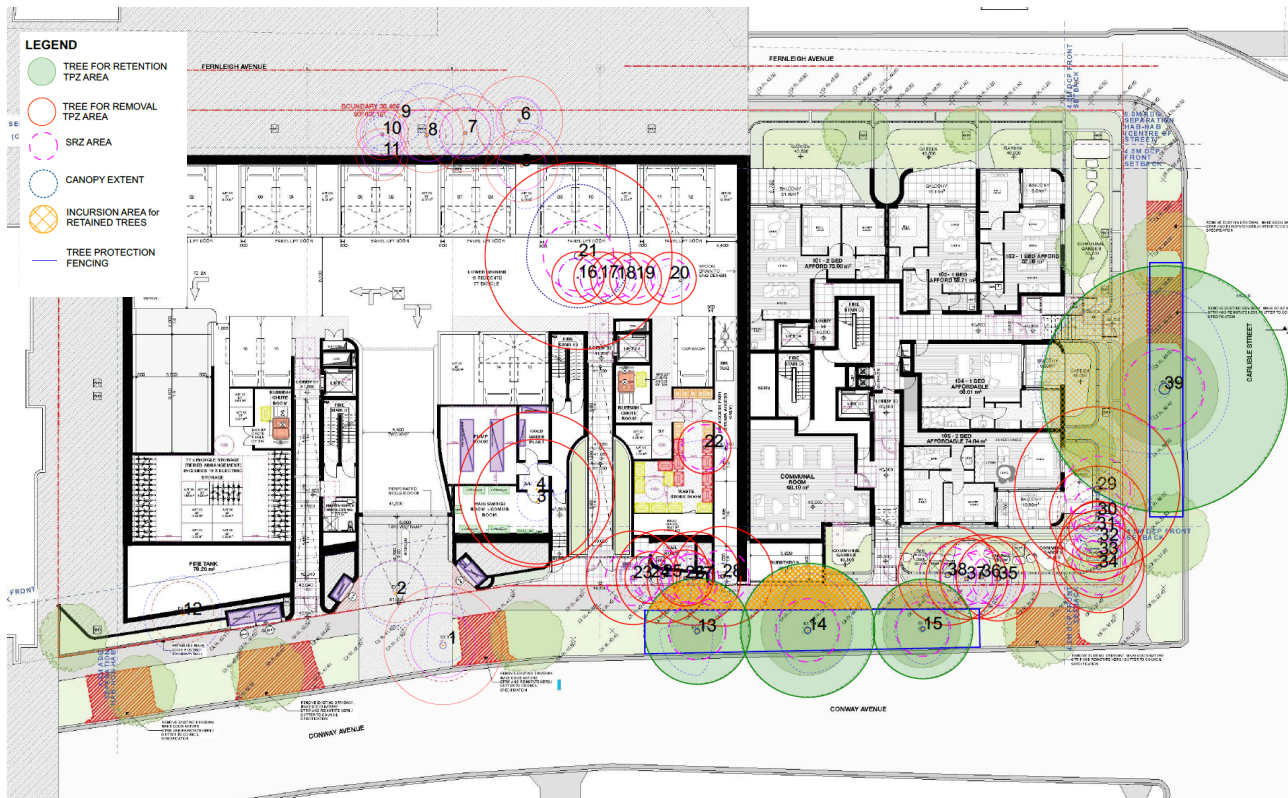


Figure 20 Tree retention and removal (Source: Capability Green Co. 2025)

6.4.2 Landscaping and tree canopy cover

The proposed maximises landscaping, communal open space and tree canopy cover across the site to meet and exceed relevant benchmarks as detailed below.

- Deep soil: 15% deep soil is proposed which meets the base target of 7% and extended target of 15% with a minimum dimension of 3m as required by the Tree Canopy Guide for Low and Mid Rise Housing (DPHI 2025)
- Canopy cover: increases from 12% existing to 34% which substantially exceeds the Tree Canopy Guide for Low and Mid Rise Housing (DPHI 2025) requirement of 15-20%
- Landscaped area: 36% consistent with the non-discretionary development standard in the Housing SEPP.

The ADG design criteria for deep soil requires 7% with a minimum dimension of 6m. Deep soil within the site is limited to 4.5m in depth. Whilst not strictly compliant with the ADG the proposed development provides a significantly greater percentage of deep soil than required under the ADG which is able to support canopy planting noting that a high level of canopy cover of 34% would be achieved. This is considered to meet the objectives of the ADG for deep soil. Further, the inclusion of 4.5m deep soil enables a continuous band of deep soil to be provided along all frontages allowing for generous and equitable landscape planting along all site interfaces.

This is detailed in the Architectural Design Report at Appendix E and Landscape Plans at Appendix I.

6.5 Traffic, Transport and Accessibility

A Traffic Impact Assessment has been prepared by Traffix (Appendix N) with key aspects summarised below.

6.5.1 Access

Vehicle access to the site is proposed to be via a single driveway from Conway Avenue to a 2-3 storey basement accommodating parking and storage.

The Traffic Impact Assessment includes swept path diagrams and confirms that the basement access and basement layouts comply with relevant Australian Standards.

6.5.2 Traffic generation

The traffic generation arising from the development has been assessed as a net change over existing conditions that equates to an additional seven vehicle trips per hour during the morning peak and an additional four vehicle trips per hour during the evening peak which is considered minor with minimal impact on surrounding roads and intersections.

6.5.3 Car Parking

The proposed development includes 130 car parking spaces which is in accordance with the minimum non-discretionary car parking rates for affordable housing under the Housing SEPP and maximum rates under the Woollahra DCP as set out in Table 15 below.

This responds to demand and the significant concerns about impacts on street parking which were raised by the community through consultation carried out by the applicant and is considered appropriate given the level of accessibility associated with this site.

The development includes nine accessible car parking spaces meaning that all of the seven proposed adaptable apartments would be allocated an accessible space.

Table 15: Car parking assessment

Type	No. of dwellings	Housing SEPP minimum	Minimum spaces	Woollahra DCP maximum	Maximum spaces
Affordable housing					
Resident – 1 bedroom	7	0.4 space	3	1 space	7
Resident – 2 bedrooms	10	0.5 space	5	1.5 spaces	15
Visitor	17	NA	0	0.25 space	4.25
Private housing					
Resident – 1 bedroom	3	0.5 space	2	1 space	3
Resident – 2 bedrooms	16	1 space	16	1.5 spaces	24
Resident – 3+ bedroom	34	1.5 spaces	51	2 spaces	68
Visitor	53	NA	0	0.25 space	13.25
Total required			77		135
Proposed car parking			130 spaces (including 18 visitor spaces)		

6.5.4 Bicycle and motorcycle parking

The proposed development includes 77 bicycle parking spaces located on the lower ground level basement in a secure room. This meets the following requirements of the Woollahra DCP:

- One per dwelling in an individual locker or secure room.
- One per 10 dwellings in the form of racks or bicycle parking device.

Motorcycle parking is not required under the Housing SEPP however 7 spaces have been provided within the basement levels. Whilst the Woollahra DCP rate of 1 motorcycle parking space per 10 car parking spaces would require 13 spaces, the proposed approach is considered appropriate noting the Housing SEPP requirements and scale of the proposed development.

6.5.5 Loading and servicing

It is proposed that all garbage collection will be undertaken kerbside on Conway Avenue by Council's waste collection vehicle consistent with the existing arrangement. Garbage bins would be transferred from the waste storage area to Conway Avenue kerbside for collection.

6.5.6 Construction Traffic Management

A Preliminary Construction Traffic Management Plan (CTMP) has been prepared by Traffix (Appendix O) to outline the key principles for traffic management on site.

Prior to the commencement of construction for the site, a comprehensive CTMP will be prepared based on the construction methodology adopted by the appointed builder.

This is included in the Mitigation Measures at Appendix C.

6.6 Flooding and stormwater

6.6.1 Stormwater management

An Integrated Water Management Plan has been prepared by RTS to support the SSD (Appendix Q) which recommends the following to meet relevant State and local government policies.

- All runoff from the site will be conveyed to the nearest existing stormwater inlet pit located at the corner of Conway Avenue and Carlisle Street. A new 300 mm diameter PVC (SN8) outlet pipe is proposed to convey development runoff to the inlet pit. The existing 225 mm diameter Council pipe may require upgrade to a 375 mm RCP across Conway Avenue.
- Incorporation of an onsite detention system (63.8sqm approximate volume) to mitigate potential increases in site runoff
- Installation of a stormwater treatment train including rainwater harvesting, underground water-quality treatment via rainwater harvesting and proprietary device systems.

The proposed water management measures are illustrated in the Civil Plans at Appendix L.

Water quality modelling carried out as part of the Integrated Water Management Plan indicates that the proposed treatment system is efficient in achieving the Woollahra DCP water quality objectives exceeding the minimum required pollutant reduction targets.

The Integrated Water Management Plan also sets out a maintenance strategy to ensure the internal drainage system continues to operate effectively.

A conceptual erosion and sediment control plan has been included in the Civil Plans at Appendix L and an erosion and sediment control plan will be prepared prior commencement of works and be implemented and maintained through the construction phase.

6.6.2 Flooding risk

A Flood Impact and Risk Assessment (FIRA) has been prepared by RTS to support the EIS (Appendix R) which sets out that flood in the locality is driven by short, intense storms, with overland flow confined mainly to Fernleigh Avenue and Carlisle Street.

The FIRA confirms that flood hazards can be appropriately managed as follows:

- Along Fernleigh Avenue and part of Carlisle Street frontage, the development incorporates a series of raised planters that have been deliberately designed to function as a continuous flood barrier between the roadway
- Flood gates and planter walls have been established to create a defined flood protection line that prevents overtopping during an extraordinary design storm event up to the PMF.
- The flood gates and raised planters maintain continuity with no low points or openings, ensuring that floodwaters remain confined to the roadway and do not encroach upon the building footprint.
- With the planter levels set to the nominated protection levels, flood modelling demonstrates that overland flow is unlikely to enter the development site, and all relevant floor levels are generally compliant with the 1% AEP flood levels plus 0.5 m freeboard and the PMF levels.
- The basement entrance locations proposed along Conway Avenue where floodwaters are contained within road kerb, and PMF effects diminish at or lower than the property boundary. The basement entrances are located above the PMF and the 1% AEP flood levels plus freeboard consistent with Woollahra DCP intent.
- Residual flood risk is considered low and can be safely managed through a shelter-in-place strategy, reliable vertical access to refuge areas above the PMF and the implementation of basement flood-warning signage and a detailed Flood Risk Management Plan at Construction Certificate stage.

The FIRA also sets out that flood modelling indicates that the proposed development does not obstruct or divert the existing overland flow path, and there would be no predicted significant changes to flood levels or velocities on adjoining properties, the public road corridor, or the broader floodplain. Flood behaviour continues to be contained within roadway corridors, and no new overland flow pathways are generated across the site or toward neighbouring properties.

The FIRA recommends mitigation measures to be demonstrated as part of the construction certificate documentation including:

- Basement entrances and service penetrations must maintain existing boundary levels at Conway Avenue and must adopt the nominated flood barrier levels along Fernleigh Avenue and Carlisle Street. Essential services (power, pumps, switchboards, plant) must adopt the same protection levels.
- All building elements located below PMF levels must be flood-compatible
- Flood barrier structures are to be certified by a structural engineer to the PMF level
- Permanent flood awareness signage is to be installed within the basement car park.
- A flood risk management plan (including shelter in place strategy) is to be prepared.

This is reflected in the Mitigation Measures at Appendix C.

6.7 Geotechnical and ground water

A Preliminary Geotechnical Assessment has been prepared by EI Australia (Appendix S) which describes the site as comprising silty sandy / sandy gravel filling (to approximately 0.6m below

ground level), overlaying Aeolian sand followed by residual silty clay and sandstone bedrock to a maximum depth of investigation of 18.86m below ground level.

It highlights that groundwater was observed within Unit 4 (Class III Sandstone) in one of the boreholes at approximately 7m below existing ground level (RL39.0mAHD) which is expected to be near the basement excavation level (BEL) for the development. Excavation to reach BEL is expected to extend approximately up to 9 m below existing ground level (BEGL) and locally deeper excavations may be required for detailed excavations.

The Preliminary Geotechnical Assessment recommended the following be carried out prior to construction certificate:

- Additional Geotechnical Investigations in the form of four cored boreholes to confirm the depth and quality of Class III Sandstone (Unit 4) bedrock
- Detailed groundwater investigations, including installation of at least 2 additional groundwater wells, long term groundwater monitoring, and a Groundwater Seepage Analysis (GSA) to support the feasibility of a drained basement structure and the approvals process with reference to the DPIE (2022) guidelines
- Dilapidation surveys of adjacent structures and assets
- If required, design of working platforms for construction plant by an experienced and qualified geotechnical engineer
- Classification of all excavated material transported off site
- Construction stage geotechnical inspections of piling, footing excavations and rock faces by an experienced geotechnical professional.

The Mitigation Measures at Appendix C includes requirements to ensure that all recommendations of the Geotechnical Assessment are implemented prior to the relevant construction certificate.

6.8 Contamination

A Preliminary Site Assessment has been prepared by EI Australia (Appendix U) which indicated that gross or widespread contamination is not present on the site. It concluded that the potential for site contamination is low and the site is deemed suitable for proposed residential development in accordance with the Resilience and Hazards SEPP.

The Preliminary Site Assessment made the following recommendations for the construction phase of the development:

- Preparation of a Hazardous Materials survey prior to commencement of any demolition work and appropriate management of hazardous materials during construction were relevant.
- Preparation of a dewatering management plan should dewatering be required.

It also set out standard requirements for offsite disposal of fill and importation of clean fill.

The recommendations of the Preliminary Site Assessment are included in the mitigation measures at Appendix C.

6.9 Acid sulfate soils

Advice on the presence of Acid Sulfate Soils has been provided by EI Australia (Appendix V) that advises that the presence of ASS at the site is considered unlikely and further ASS related investigation or assessment is considered unwarranted.

However, it recommended that all excavation and construction activities at the site be monitored and should indicators as ASS be observed excavation work is to stop and an environmental

consultant be contacted to determine what actions are required to be taken before work can recommence. This is included in the mitigation measures at Appendix C.

6.10 Waste management

6.10.1 Demolition and construction waste management

Management of demolition and construction waste is addressed in the Waste Management Plan (Appendix Y) prepared by MRA Consulting Group which estimates volumes of waste materials associated with the demolition and construction phases and outlines measures to manage storage and removal of waste and to divert waste from landfill where possible.

The Construction and Demolition Waste Management Plan is to be implemented on site during construction and will be subject of review as part of the preparation of the Construction Management Plan. This is reflected in the Mitigation Measures at Appendix C.

6.10.2 Operational waste management

Management of operational waste is addressed in the Waste Management Plan (Appendix Y) prepared by MRA Consulting Group which calculates expected waste streams in accordance with relevant policies and provides advice on the management, storage and collection of waste for the development.

The Waste Management Plan concludes that Waste management strategies related to site operations have been established in accordance with the controls in Section E5 Waste Management of the Woollahra DCP and NSW EPA guideline documents, including through the identification of the following arrangements for operation waste management:

- Each of the three cores will be provisioned with a dual chute system
- Each dual chute system will manage general waste and recyclables, with outlets discharging into respective bins stored in dedicated chute rooms.
- Each habitable level will have access to chute hoppers stored in bin cupboards for disposing general waste and recyclables.
- Residents will dispose of organic waste into the 240L bins provided within the main residential waste storage areas on the lower ground-level
- A residential waste storage and recycling area of approximately 42sqm along with a separate 10sqm bulky waste room, will be provided on the lower ground level. These areas are sufficient to accommodate the required bins and bulky waste storage to meet the estimated waste streams
- Waste generated from the proposed residential component of the building will be collected weekly for general waste, recycling and FOGO by Council collection. Building Management will present bins from the bin storage area to the kerbside along Conway Avenue for collection.
- Bulky waste collection will be organised promptly by the building management with Council as required.

6.11 Heritage

6.11.1 European heritage

The site is not identified as a heritage item or within a heritage conservation area, however a local heritage building is located to the north east of the site fronting Fernleigh Avenue at 5 Fernleigh Gardens, Rose Bay referred to as Fernleigh Castle.

A Heritage Impact Assessment has been prepared by Architectural Projects (Appendix P) which concludes that the proposed development has no impact on the physical fabric of the Fernleigh Castle, being separated by Fernleigh Avenue with the heritage item's frontage being to Fernleigh Gardens.

It notes that the heritage item is located 77-96m away and that the proposed development is not visible from the key views of Fernleigh Castle. A dense group of trees to 17m and a solid fence screens the development on the other side of the street. Filtered views are available through the trees which are negligible.

6.11.2 Aboriginal Cultural Heritage

An Aboriginal Heritage Impact Assessment has been prepared by Ecological Australia (Appendix K) which concludes that due to past site disturbances the potential for intact subsurface archaeological deposits within the site is very low and that no further assessment is required.

It recommended an unexpected finds protocol and Aboriginal heritage induction be implemented as part of the construction works. This is included in the mitigation measures at Appendix C.

Engagement was carried out with the local Aboriginal community by Ecological Australia with La Perouse Local Aboriginal Land Council (La Perouse LALC) to review the draft Aboriginal Heritage Impact Assessment report, who supported the recommendations of the Aboriginal Heritage Impact Assessment (see Consultation Report at Appendix AC).

6.12 Biodiversity

A Biodiversity Development Assessment Report (BDAR) Waiver Request has been prepared (Appendix W) which sets out that:

- There is no existing native vegetation supported by the site, with the vegetation present restricted to planted specimens for landscaping purposes and the vegetation does not form any vegetation community
- No hollow-bearing trees, microbat roosts or other resources of potential importance to native fauna are present on the site
- The existing human-made structures are overall well kept, frequently used and show no evidence of use by any threatened species known to utilise this potential habitat (i.e., microbats roosts)
- The site does not form part of any ecological corridor or movement corridor for any listed fauna species
- The proposed development is not likely to result in a significant impact on any threatened species, populations or Threatened Ecological Communities (TECs).

A BDAR Waiver has been granted by the Department of Planning, Housing and Infrastructure (DPHI) and the Department of Climate Change, Energy, the Environment and Water (DCCEEW), issued on the 27 January 2026 and is provided at Appendix X.

6.13 Ecological Sustainable Development

The proposed development is accompanied by an ESD Report (Appendix AA) and BASIX certificate (Appendix Z) which illustrates compliance with BASIX delivering high performance in water, energy, and thermal comfort while minimising environmental impacts.

A high level of sustainability is achieved through:

- Compliance with BASIX – energy, water and thermal comfort

- Compliance with NCC Section J – Energy efficiency
- Natural cross-ventilation and solar access to a high proportion of units, exceeding ADG minimum targets
- Energy efficiency via high-performance glazing and orientation of living areas.
- EV car parking and bike parking along with provision for additional future EV charging within the basement parking area
- A high level of canopy cover increasing from 12% existing 34% along with green cover across terraces to further enhance shading and urban cooling.

6.14 Construction impacts

A Comprehensive Construction Management Plan including a detailed construction certificate staging plan will be prepared and submitted prior to the commencement of works.

This is included in the Mitigation Measures at Appendix C.

6.15 Social impact

Overall, the proposal will have a positive social impact, delivering increased housing supply including affordable housing in an accessible location. The proposal will also provide social benefits through provision of new high-quality housing and associated communal open space and landscaping. The proposal seeks to respond to the surrounding context and minimise impacts on adjoining neighbours.

Any potential negative social impacts are expected to be largely limited to impacts during the construction phase including traffic, noise and vibration, and air quality. These matters are addressed within relevant sections of this EIS and will continue to be addressed through the preparation of a Comprehensive Construction Management Plan to be developed prior to commencement of works and implemented throughout the demolition and construction phases.

Overall, the proposal will have a positive social impact, delivering increased housing supply including affordable housing in an accessible location within close proximity to public transport, jobs, services and amenities. The proposal will also provide social benefits through provision of new high-quality housing and associated communal open space and landscaping.

6.15.1 Access to infrastructure and services

Future residents of the site will have excellent access to services and infrastructure in the local area and via public transport.

The site is well serviced by community facilities and open space including:

- Rose Bay Public School located approximately 600m from the site
- Rose Bay Secondary College located approximately 1.6km from the site
- Shops services and facilities in Rose Bay centre located within 400m of the site
- Open space within walking distance including Rose Bay Beach (300m) and Dudley Page Reserve (700m)
- District open space including Lyne Park, Dangar Oval and Woollahra Oval approximately 1.5km from the site.

The site also has easy access to jobs and services within the Sydney CBD and Bondi Junction via high frequency bus services along New South Head Road.

6.16 Contributions and Public Benefit

6.16.1 Local infrastructure

The *Woollahra Section 7.12 Development Contributions Plan 2022* sets out that development with an estimated development cost (EDC) of more than \$200,000 is subject to a contributions rate of 1% of EDC.

It is noted that Section 208 of the EP&A Regulation sets out that affordable housing must be excluded for the estimated development cost for the purposes of 7.12 levies.

Contributions under the Woollahra Section 7.12 contributions plan will apply to the development.

6.16.2 State infrastructure

The Housing and Productivity Contribution will apply to the development with a contribution rate of \$10,000 per private dwelling.

It is noted that the HPC does not apply to affordable housing and therefore would only apply to the proposed private dwellings.

7 Justification of the project

The proposal is consistent with the strategic framework

The proposal directly responds to the NSW Government and Woollahra Council's strategic objectives for increased housing supply and more affordable housing as set out in the Greater Sydney Regional Plan 2036, Eastern City District Plan, Woollahra Local Strategic Planning Statement 2020 and Woollahra Local Housing Strategy 2021.

The proposal directly responds to the NSW Government's commitment under the National Housing Accord to deliver approximately 377,000 new well-located dwellings by 2029 and will deliver critical housing to help meet the needs of a wide range of households and contribute to greater housing supply and housing diversity in Woollahra LGA

The proposal is generally consistent with the statutory planning framework

The proposal is consistent with the statutory planning framework, including the objects of the EP&A Act, relevant SEPP's and the Woollahra LEP as outlined in the Statutory Compliance Table at Appendix B.

The EIS is consistent with the principles of ecologically sustainable development in accordance with Clause 192 of the EP&A Regulation 2021.

The site is suitable for the proposal and all likely impacts can be appropriately mitigated

The environmental impacts have been carefully considered through the preparation of the proposed development as detailed in this EIS and supporting documentation and as summarised below.

Table 16: Summary of environmental impacts

Issue	Summary
Built form and urban design	- The proposed development has been designed to align with the built form controls which apply to the site whilst responding the site conditions and context - The proposed building envelope and gross floor area comply with the maximum permissible under the Housing SEPP. - Building setbacks which consider the Woollahra DCP controls, respond to the surrounding built form context, and provide ADG compliant separation distances to surrounding residential buildings - The proposed development has been designed in accordance with the design quality principles of the Apartment Design Guide as detailed in the Design Verification Statement.
Overshadowing	Overshadowing impacts to surrounding dwellings have been minimised to the extent possible within the built form controls which apply to the site.
Visual impacts	View loss, where experienced, is, for the most part, to sky view only directly above the subject site, while the height envelope of the proposal is consistent with the controls which apply to the site.
Residential amenity	The proposed development achieves residential amenity through a high level of compliance with the ADG.

Issue	Summary
	- The proposal provides for a combination of communal and private open space which meets the needs of the expected demographic of future residents. - Privacy for surrounding residents is maintained through generous separation distances and design measures.
Noise and vibration	Noise impacts on the proposed dwellings and surrounding area can be appropriately managed through mitigation measures outlined in the EIS.
Trees and landscaping	- Four of the five street trees adjacent to the site will be retained, and an additional six street trees planted. - The proposal includes extensive deep soil exceeding the ADG requirements and will result in an increased canopy cover from 12% to 34%.
Traffic and transport	- Traffic generation associated with the proposed use is minor with minimal impact on surrounding roads and intersections. - Parking is accommodated in accordance with the Woollahra DCP rates. - Construction traffic will be managed through preparation of a Comprehensive Construction Traffic Management Plan to be prepared prior to commencement of works.
Flooding and stormwater	- Flood risks are considered low and can safely be managed through a shelter in place strategy. - The proposed basement access is located above the PMF and 1% AEP level plus 300mm freeboard consistent with Council's requirements.
Geotechnical and contamination	- A Preliminary Geotechnical Assessment has been prepared which outlined recommendations to be applied as part of the construction certificate - The Preliminary Site Assessment indicates that gross or widespread contamination is not present on the site - Acid Sulfate Soils advice has been provided that concludes that the presence of ASS at the site is considered unlikely and further investigation or assessment is considered unwarranted.
Waste management	Waste streams associated with the construction and operation of the proposed development can be suitably managed in accordance with the Waste Management Plan submitted with the EIS.
Heritage	- The Heritage Impact Assessment confirms there would be no significant impact on adjacent local heritage. - The Aboriginal Heritage Impact Assessment concludes that due to past site disturbances the potential for intact subsurface archaeological deposits within the site is very low and that no further assessment is required.
Biodiversity	A BDAR Waiver has been granted by the Department of Planning, Housing and Infrastructure (DPHI) and the Department of Climate Change, Energy, the Environment and Water (DCCEEW), issued on the 27 January 2026.

Issue	Summary
ESD	The proposal includes a series of sustainability measure including compliance with BASIX as outlined in the EIS.
Construction impacts	Construction impacts will managed through a Comprehensive Construction Management Plan including a detailed construction certificate staging plan to be prepared prior to the commencement of works.
Social impacts	- Overall, the proposal will have a positive social impact, delivering increased housing supply including affordable housing in an accessible location. - Any potential negative social impacts are expected to the largely limited to impacts during the construction phase including traffic, noise and vibration, and air quality. These matters are addressed within relevant sections of this EIS and will continue to be addressed through the preparation of a Comprehensive Construction Management Plan to be developed prior to commencement of works and implemented throughout the demolition and construction phases.

The proposal is in the public interest

The proposal is in the public interest as it will:

- Deliver a new high quality, residential flat building with 70 dwellings including 17 affordable housing dwellings in an area that is well located and serviced by surrounding amenities, services and public transport.
- Increase the supply of private and affordable housing which directly aligns with the NSW Government's priorities in accordance with the National Housing Accord 2022, as well as local housing targets for Woollahra LGA
- Enhance the streetscape and public domain along the surrounding street including through new landscaping and tree planting.

Conclusion

This EIS demonstrates that proposal is consistent with the strategic planning framework, will not result in any unacceptable environmental, social, or economic impacts, and is in the public interest.

There are no known site conditions that would prevent the proposed development from proceeding and all likely impacts can be appropriately mitigated. It is therefore recommended that the application is approved.