

Environmental Impact Statement

59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield

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Appendices

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Appendix B	Architectural Plans	DKO
Appendix C	CHP Supporting Letter	Landmark Property Management Group
Appendix D	Design Report	DKO
Appendix E	Community Engagement Report	Colliers Ethos Urban
Appendix F	Survey Plan	Norton Survey Partners
Appendix G	Biodiversity Development Assessment Report	Keystone Ecological
Appendix H	First Nations Co-Design Values Report	JMP Aboriginal Consultancy
Appendix I	Aboriginal Heritage Impact Assessment	Artefact

Appendix J	Statement of Heritage Impact	Urbis
Appendix K	Preliminary Historical Archaeological Assessment	Urbis
Appendix L	Landscape Plan	Paul Scrivener Landscape Architects
Appendix M	Ecologically Sustainable Development Report	SLR
Appendix N	Arboricultural Impact Assessment	Urban Arbor
Appendix O	Preliminary Site Investigation	El Australia
Appendix P	Clause 4.6 Variation Request – Building Height	Planning & Co
Appendix Q	Traffic Impact Assessment	PDC
Appendix R	CPTED Report	Sarah George Consulting
Appendix S	Integrated Water Management Plan	SGC
Appendix T	Design Verification Statement	DKO
Appendix U	BASIX Certificate	SLR
Appendix V	Geotechnical Investigation Report	Morrow Geotechnics
Appendix W	Visual Impact Analysis	Urbaine
Appendix X	Dewatering Management Plan	Morrow Geotechnics
Appendix Y	Noise and Vibration Impact Assessment	Acoustic Dynamics
Appendix Z	Hydrogeology Report	Morrow Geotechnics
Appendix AA	Operational Waste Management Plan	Elephants Foot
Appendix BB	Social Impact Assessment	Sarah George Consulting
Appendix CC	Statutory Compliance Table	Planning& Co
Appendix DD	Estimated Development Cost Report	Newton Fisher

REAP Declaration

REAP Declaration Project Details		
Project Name	Residential development with infill affordable housing, 59-63 Trafalgar Avenue 1A&1B Valley Road Lindfield	
Application Number	SSD-79276958	
Address	59-63 Trafalgar Avenue and 1A&1B Valley Road, Lindfield	
Applicant Details		
Applicant Name	Castle Hill No. 8 Pty Ltd	
Applicant Address	Level 17, 2 Chifley Plaza, Sydney NSW 2000	
Details of person by whom this EIS was prepared		
Name	Sarah Lee	Jim Murray
Address	80 William Street, Woolloomooloo, NSW 2011	80 William Street, Woolloomooloo, NSW 2011
Qualifications	Bachelor of City Planning (Honours)	Masters of Urban and Regional Planning
Declaration by Registered Environmental Assessment Practitioner		
Name	Tom Goode	
Address	80 William Street, Woolloomooloo, NSW 2011	
Qualifications	Bachelor of City/Urban, Community and Regional Planning	
Registration Number	4190	
Organisation Registered With	Planning Institute of Australia	
	The undersigned declared that this EIS: • the statement has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021, and • contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which this EIS relates, and • does not contain any information that is false or misleading, and • contains the required information under the Registered Environmental Assessment Practitioner Guidelines. • 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.
<i>Signature</i>	
<i>Date</i>	22/04/25

Summary

Introduction

This Environmental Impact Statement (EIS) has been prepared by Planning & Co on behalf of Castle Hill No. 8 Pty Ltd (the Applicant) in support of a State Significant Development Application (SSDA) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This SSDA is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for demolition of all existing structures and site clearing, and the construction of a 9-storey residential flat building development comprising 220 apartments including approximately 46 affordable rental housing apartments at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield (the site). This SSDA seeks to provide market and much needed affordable housing supply within the Lindfield Transport Oriented Development (TOD) catchment within the Ku-ring-gai local government area (LGA).

Development that provides infill affordable housing in the Eastern Harbour City, with an estimated development cost (EDC) of more than \$75 million, and that is not prohibited under an applicable environmental planning instrument (EPI), qualifies as State Significant Development (SSD) by virtue of Section 26A In-fill Affordable Housing of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). In this regard:

- the proposed development is for a residential flat building with infill affordable housing that is provided under the provisions of Chapter 2, Part 2, Division 1 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP).
- residential flat buildings are permitted with consent at the site under the provisions of Chapter 5 'Transport oriented development of the Housing SEPP.
- the proposed development's EDC is \$81,080,000 (excl. GST). (Refer to **Appendix DD**)

Therefore, the development is characterised as SSD.

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Section 175 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulations) and the Secretary's Environmental Assessment Requirements (SEARs) received for the preparation of this EIS. This EIS should be read in conjunction with supporting technical documentation and plans attached as appendices, accompanying this statement.

Appendix A provides a SEARs Compliance Table that indicates where the SEARs have been addressed in this EIS and technical reports prepared.

The Site

The site is located at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield within Ku-ring-gai LGA. The site is located at the intersection of Trafalgar Avenue, Russell Avenue and Russell Lane, and has access to Valley Road. The site is situated on the land of the Darramurragal and Terramerragal people.

Although the site is situated within an established low density residential area, the introduction of the TOD program is expected to facilitate future higher density development within this area. This is further supported by an emerging presence of medium density development in an evolving Lindfield Town Centre over recent years.

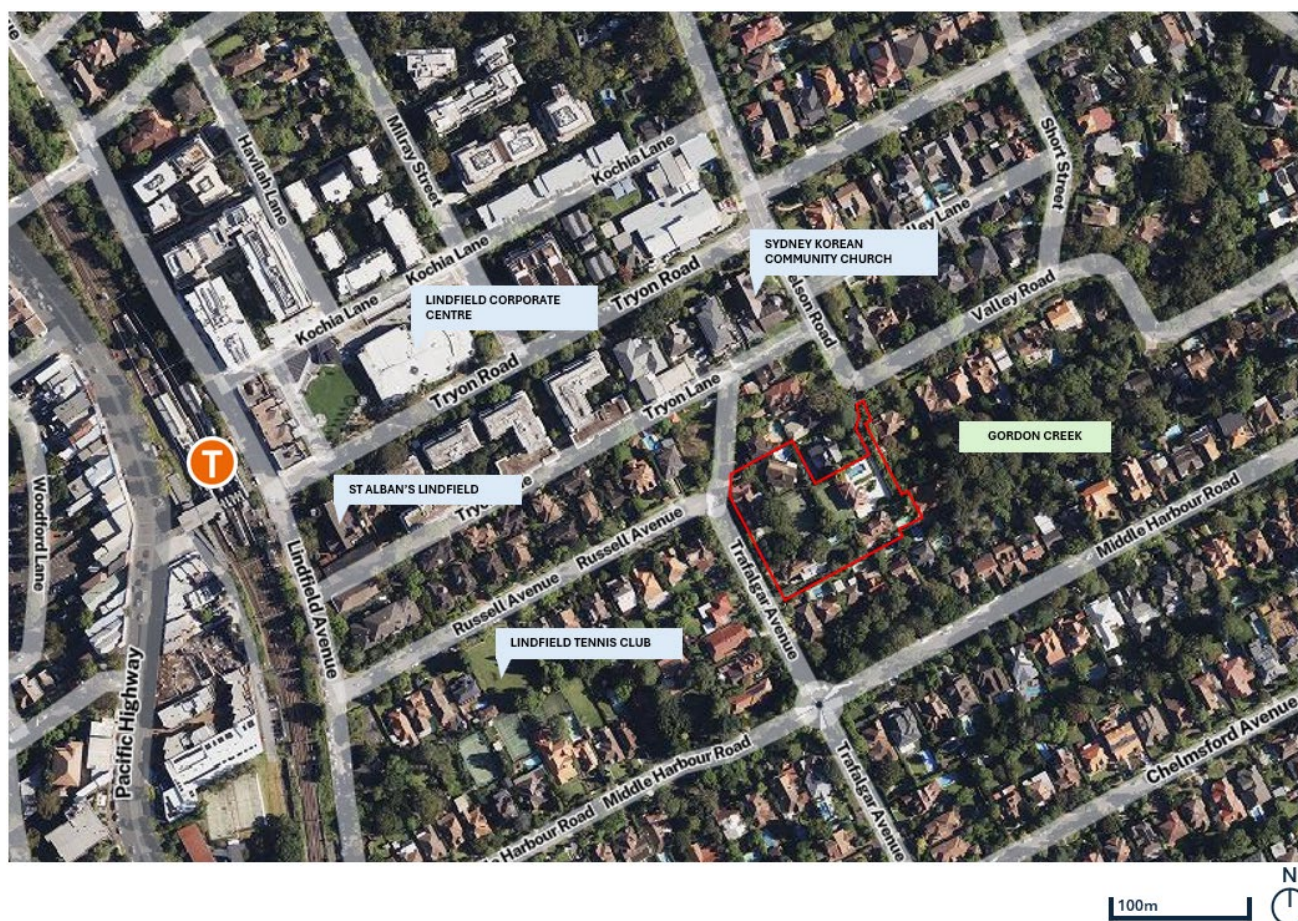


Figure 1 Local Context (SDT Explorer, Planning & Co)

The site is located within the Lindfield TOD catchment, approximately a 400-metre walking distance from Lindfield rail station. Lindfield train station services the T1 and T9 trainlines which connect to Chatswood, Hornsby, St Leonards, North Sydney and Sydney CBD. **Figure 4** demonstrated the regional context of the site.

Project Objectives

The overarching objectives of the proposal are summarised below:

- Deliver new homes in a highly accessible location close to public transport, shops and services, in a manner that is compatible with the future character of the TOD precinct and considerate of the setting of nearby heritage items.
- Deliver new infill affordable housing to meet the needs of low- and moderate-income households.
- Enhance the existing landscape character to street and all building interfaces.
- Maximise retention of significant trees.
- Provide a new laneway connection between Trafalgar Avenue to Valley Road for residents.
- Built form designed to be responsive to the existing surroundings, minimising amenity impacts on neighbouring properties.
- Architectural character inspired by the existing built character of Lindfield.

Project Description

Development consent is sought under Division 4.7 State Significant Development of the Environmental Planning & Assessment Act 1979 (EP&A Act) for a new 9-storey residential flat building development which includes the provision of in-fill affordable housing on the site at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield.

Specifically, this SSDA seeks approval for:

- Site preparation including demolition of all existing structures and site;

- Tree removal;
- Construction of a residential flat building with basement parking;
- External landscaping works

Further details of the proposal are provided in **Section 4.0**. The proposal will be in accordance with the Architectural Plans as prepared by DKO (**Appendix B**).

Consultation

A Consultation Outcomes (Engagement) Report has been prepared by Ethos Urban and is attached as **Appendix E** in support of the proposed development.

Relevant groups were consulted and engaged in the preparation of this SSDA including Surrounding property owners, local residents and businesses near the site, DPHI and First Nations engagement.

Engagement activities consisted of letterbox drop of community notification flyers, 2 online community webinars, and enquiry management. Key issues have been collated and responded to.

In accordance with the SEARs requirements for engagement, the Applicant has implemented a strategy to inform and seek feedback from local residents and businesses, Council, and key government agencies.

As the Proposal evolves, Castle Hill No.8 Pty Ltd will continue to engage local residents, landowners, businesses and key agencies, ensuring that community input remains an essential part of the development process. This includes during public exhibition, assessment, and following determination phases of the SSD.

Justification

This EIS assesses the Proposal having regard to relevant planning instruments and policies and outlines the mitigation measures to ensure that the development does not result in any unreasonable environmental impacts.

The key environmental assessment matters identified in the SEARs have been assessed in detail. The summary of the key findings, recommendations and mitigation measures from technical reports are presented in **Section 7.0**. This EIS confirms that the environmental impacts of the proposed development are positive, reasonable in the circumstances or can be appropriately managed.

Holistically, the Proposal will provide a net positive outcome for the site, the surrounding area and Sydney more broadly, for the following reasons:

- The proposal responds to the immediate strategic context:
The proposed development responds to its proximity to Lindfield Station within the TOD catchment, which allows greater height and density on the site. Importantly, the proposal allows for much needed supply of both market and affordable housing in New South Wales.
- The proposal is consistent with the state and local strategic planning framework
The proposal is consistent with the relevant objectives and priorities of the following strategic documents:
 - NSW Housing Strategy: Housing 2021
 - Greater Sydney Region Plan: A Metropolis of Three Cities
 - North District Plan 2018
 - Ku-ring-gai Local Strategic Planning Statement
 - Ku-ring-gai Housing Strategy
 - Ku-ring-gai Draft Affordable Housing Policy
 - NSW Future Transport Strategy
 - Better Placed
- The proposal satisfies the applicable state and local development controls:
The proposal is permissible with consent under the Housing SEPP and meets the relevant statutory requirements of the relevant EPIs including:
 - State Environmental Planning Policy (Planning Systems) 2022
 - State Environmental Planning Policy (Housing) 2021

- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Ku-ring-gai Local Environmental Plan 2015
- The likely environmental, economic and social impacts have been assessed as being reasonable in the circumstances as summarised below:

Natural Environment Impacts

The impacts to the natural environment are comprehensively addressed in **Section 7.0**. In summary:

- **Biodiversity:** A BDAR supports this SSDA, confirming that the development will have insignificant impacts on the biodiversity values on the site.
- **Ecologically Sustainable Development:** The ESD principles are addressed in the ESD Report attached at **Appendix M** in accordance with the requirements under Clause 191 of the Regulations.
- **Trees:** 42 trees are proposed to be removed within the site, 18 trees requiring tree sensitive construction and/or root investigations, and 7 trees recommended to be retained. An AIA Report prepared by Urban Arbor, attached as **Appendix N** supports the proposal.
- **Landscaping:** Additional landscaping and new tree planting strategy has been proposed to support the built form as illustrated by the Landscape Plan prepared by Paul Scrivener Landscape Architects, attached as **Appendix L**.
- **Flood Risk and Bushfire Risk:** The site is not identified as flood prone or bushfire prone.
- **Contamination:** Due to the long standing historical residential use of the site and the surrounding land, the site is not subject to any significant contamination or at risk from any dangerous goods storage or underground high-pressure pipelines.

Built Environment Impacts

The impacts to the built environment are comprehensively addressed in **Section 7.0**. In summary:

- **Built Form and Urban Design:**
 - The Proposal has gone through an SDRP meeting prior to the lodgement of the SSDA and DKO have addressed the SDRP's advice and recommendations in the Design Report prepared DKO, attached as **Appendix D**.
 - Alternatives for the built form were considered, and the proposal demonstrates the most suitable response to the planning controls, planning context, site context and environmental constraints.
 - Site specific design outcomes have incorporated outcomes influenced by a Walk on Country and Design Input Session with Traditional Owners.
 - The affordable dwellings have been designed equitably regarding amenity in relation to the proposed market dwellings. The affordable dwellings will meet the expected needs of tenants.
 - The proposed variation to the maximum building height is supported by a Clause 4.6 Variation Request (**Appendix P**) which demonstrates that compliance with the maximum building height is unreasonable in the circumstances and there a sufficient environmental planning grounds to justify the proposed variation.
- **Residential Amenity:** Woods Bagot have undertaken an assessment against the Apartment Design Guide (ADG) which confirms the Proposal achieves a high level of compliance with the ADG design criteria. Where variations to the numeric criteria are proposed, it has been demonstrated that the ADG design guidance have been incorporated and/or have been achieved.
- **Visual and View Impact:** The Visual and View Impact Assessment confirms that the Proposal is reasonable considering the objectives and intent of relevant State government strategic policy and provisions.
- **CPTED:** The CPTED assessment confirms that the Proposal incorporates design strategies to limit potential crime opportunities and increase safety and perceived safety and recommends design and management principles to increase actual and perceived safety within the proposed development and the surrounding areas.

Traffic, Transport and Accessibility

The TIA assessed the impact of the proposed development on traffic during operation and during construction. In summary.

- Basement access as well as loading dock access is proposed from Trafalgar Avenue. Swept path analysis has been undertaken to confirm compliance with relevant Australian Standards.
- The proposed development provides 367 car parking spaces, 15 motorcycle parking spaces and 22 bicycle parking spaces.
- The proposed development includes two dedicated loading bays. These service bays are provided at-grade and therefore these trucks are not required to enter the basement parking areas.
- The traffic generation assessment confirms that the development will generate a net increase of 39 vehicle trips / hour during the AM peak period and 29 vehicle trips / hour during the PM peak period once the generation of the existing development is considered. This is considered acceptable as it will have negligible impact on the nearby intersection.

Other Environmental Impacts

The EIS considers the environmental impacts of the Proposal with regard the following matters for consideration and concludes that the anticipated impacts are acceptable subject to the relevant mitigation measures.

- Noise and Vibration
- Water Management
- Ground and Water Conditions
- Contamination and Remediation
- Waste Management
- Heritage (Aboriginal Cultural and Environmental)
- Bushfire
- Aviation
- Social impact
- Economic impacts
- **The proposal is suitable for the site:**

The site is considered highly suitable for the proposed development for reasons outlined below:

 - The proposal is consistent with the aims of the chapter for Chapter 5 Transport Oriented Development and is permitted with consent under the Housing SEPP.
 - A PSI (**Appendix O**) conducted for the site concluded that the proposed use of the site as residential is appropriate for the site.
 - The site is currently underutilised in its existing condition and does not align to the density and height envisioned for the site by State government policy.
 - The site is not affected by any natural hazard risks nor does it significantly impact biodiversity values.
 - The proposal is largely compliant with statutory provisions including FSR (inclusive of additional 30% bonus under Housing SEPP). A variation is sought for the maximum building height development standard, through the Clause 4.6 Variation Request (**Appendix P**).
 - The character and scale of the development is compatible with the existing and envisioned future surrounding context.
 - The proposal will provide the maximum GFA over the site for increased housing supply in an accessible area as envisioned by State government.
- **The proposal is in the public interest:**
 - The proposal delivers 46 affordable housing dwellings in an accessible location which consists of the State government's mandated 2% of GFA for affordable housing in the TOD catchment, in perpetuity, as well as an additional 15% of GFA as affordable housing as part of in-fill affordable housing delivered under the provisions of the Housing SEPP.
 - Considerable effort has been made to ensure equitable residential amenity outcomes for affordable housing dwellings in comparison to market dwellings.

- The proposal is consistent with the state and local strategic framework and largely complies with the relevant statutory controls. Importantly, the proposal provides an outcome that is consistent with the outcomes envisioned by recent State government's TOD program.
- Subject to the implementation of the mitigation measures identified for the proposed development, potential social and environmental impacts resulting from the proposal will be eliminated or at an appropriate extent.
- The proposal will allow key workers to be located closer to their place of work through affordable housing tenancy.
- The proposal will deliver approximately 300 jobs in the near term through construction works, providing benefits to the local economy.
- The site will facilitate the orderly and economic redevelopment of the site through the intensification of the existing residential use of the land.

We conclude that the approval of this SSDA, subject to appropriate conditions of consent, is recommended for the proposed development as it has considered all relevant matters, has demonstrated significant merit and is appropriate for the site.

1.0 Introduction

This Environmental Impact Statement (EIS) has been prepared by Planning & Co on behalf of Castle Hill No. 8 Pty Ltd (the Applicant) in support of a State Significant Development Application (SSDA) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This SSDA is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for demolition of all existing structures and site clearing, and the construction of a 9-storey residential flat building development comprising approximately 220 apartments including 46 affordable rental housing units at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield (the site). This SSDA seeks to provide market and much needed affordable housing supply within the Lindfield Transport Oriented Development (TOD) precinct within the Ku-ring-gai local government area (LGA).

Development that provides infill affordable housing in the Eastern Harbour City, with an estimated development cost (EDC) of more than \$75 million, and that is not prohibited under an applicable environmental planning instrument (EPI), qualifies as State Significant Development (SSD) by virtue of Section 26A In-fill Affordable Housing of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). In this regard:

- the proposed development is for a residential flat building with infill affordable housing that is provided under the provisions of Chapter 2, Part 2, Division 1 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP).
- residential flat buildings are permitted with consent at the site under the provisions of Chapter 5 ‘Transport oriented development of the Housing SEPP.
- the proposed development’s EDC is \$81,080,000 (excl. GST). (Refer to **Appendix DD**)

Therefore, the development is characterised as SSD.

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, Section 175 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulations) and the Secretary’s Environmental Assessment Requirements (SEARs) received for the preparation of this EIS. This EIS should be read in conjunction with supporting technical documentation and plans attached as appendices, accompanying this statement. **Appendix A** provides a SEARs Compliance Table that indicates where the SEARs have been addressed in this EIS and technical reports prepared.

1.1 Applicant Details

The applicant details for the proposed development are provided in below.

Table 1: Applicant Details

Description	Applicant Details
Applicant name	Castle Hill No.8 Pty Ltd
Postal Address	Level 17, 2 Chifley Plaza, Sydney NSW 2000
ABN	92 144 079 792

1.1.1 The Applicant

The Applicant is an Australian property developer and builder that has been specialising in residential development in metropolitan Sydney for over 25 years. The Applicant has established a strong reputation for delivering large-scale, mixed-use developments and master-planned communities that combine residential, affordable housing, and public spaces.

Aligned with a registered Community Housing Provider, the Applicant has successfully delivered a wide range of projects with a focus on quality, functionality, and affordable housing. Their portfolio reflects a commitment to delivering sustainable, well-designed developments that meet the needs of modern living while contributing to long-term urban growth and affordable housing.

1.2 Project Description

Development consent is sought under Division 4.7 State Significant Development of the Environmental Planning & Assessment Act 1979 (EP&A Act) for a new 9-storey residential flat building development which includes the provision of in-fill affordable housing on the site at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield.

Specifically, this SSDA seeks approval for:

- Site preparation including demolition of all existing structures and site;
- Tree removal;
- Construction of a residential flat building with basement parking
- External landscaping works

Further details of the proposal are provided in **Section 4.0**. The proposal will be in accordance with the Architectural Plans as prepared by DKO (**Appendix B**).

1.2.1 Key Objectives of the Development

The overarching objectives of the proposal are summarised below:

- Deliver new homes in a highly accessible location close to public transport, shops and services, in a manner that is compatible with the future character of the TOD precinct and considerate of the setting of nearby heritage items.
- Deliver new infill affordable housing to meet the needs of low- and moderate-income households.
- Enhance the existing landscape character to street and all building interfaces.
- Maximise retention of significant trees.
- Provide a new laneway connection between Trafalgar Avenue to Valley Road for residents.
- Built form designed to be responsive to the existing surroundings, minimising amenity impacts on neighbouring properties.
- Architectural character inspired by the existing built character of Lindfield.

1.2.2 Site Description and Context

The site is located at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield within the Ku-ring-gai LGA, approximately a 400-metre walking distance from Lindfield rail station. The site currently comprises five allotments and has a total site area of 6,680 sqm. A detailed Site Overview is provided in **Section 2.0**.

Figure 2 shows the site within its local context.

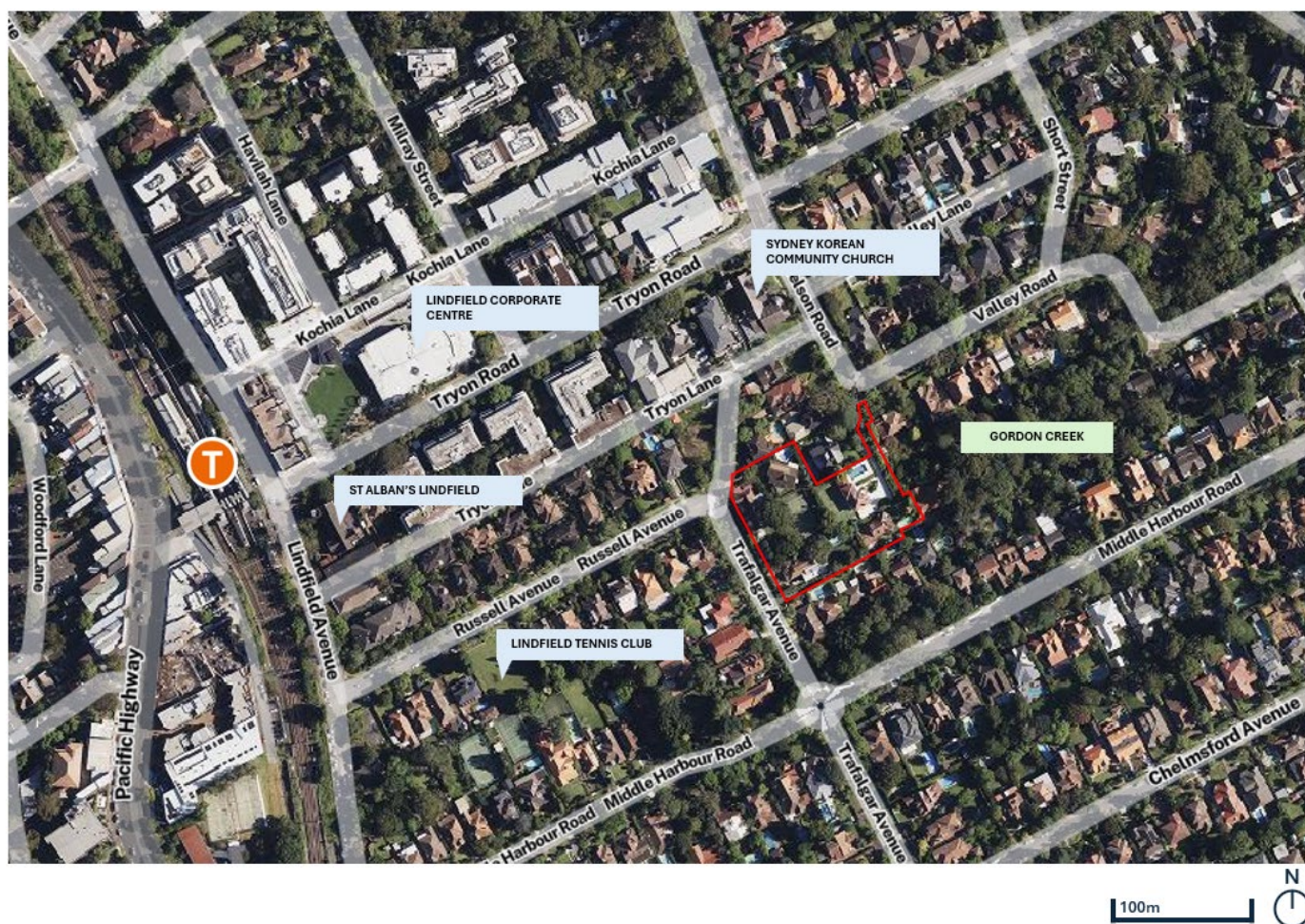


Figure 2: Local Context (SDT Explorer, edited by Planning & Co)

1.3 Transport Oriented Development

The TOD Program forms part of the significant planning reforms led by the NSW State Government to address the current housing crisis. The TOD amendment to the Housing SEPP was made on 24 April 2024 and in force from 13 May 2024. The objective of the TOD program is to facilitate the development of well-located and well-designed mid-rise housing including affordable housing within 400m of public transport to address the housing crisis.

This is discussed further in **Section 3.2.2**.

1.4 Affordable Housing

‘Affordable Housing’ in NSW is available to very low to moderate income households with rent priced so that households can meet other basic living costs. Ku-ring-gai Council exhibited their first Draft Affordable Housing Policy from 3 February 2025 to 3 March 2025. The policy sets out objectives and outlines a plan for the delivery and management of affordable housing in the LGA. Without an existing affordable housing policy in place, this draft policy recognises the need for one.

It is proposed that this development will provide 46 affordable housing dwellings under the provisions of the Housing SEPP. Under clause 156 under Chapter 5 of the Housing SEPP, development for the purposes of residential flat buildings (with a GFA of at least 2,000 sqm) in a TOD area are required to dedicate 2% of the GFA to affordable housing in perpetuity to be managed by a registered Community Housing Provider (CHP) Further, Chapter 2 Part 2 Division 1 of the Housing SEPP applies to the proposed development. As such, 15% of the total proposed GFA will be provided as affordable housing and managed by a registered CHP for a period of at least 15 years. Under the provisions of Chapter 2 Part 2 Division 1, development is permitted an additional 30% on top of the maximum permissible floor space ratio and maximum permissible building height.

The CHP for the affordable housing component of this development is Landmark Group Property Management Pty Ltd, details are outlined in **Table 2**. It is currently proposed that 5 dwellings will be managed in perpetuity, under the

Chapter 5 provisions, and 41 dwellings will be managed for a minimum of 15 years, under the Chapter 2 provisions. Refer to the CHP Letter, attached as **Appendix C**.

Table 2: CHP details

Description	CHP Details
<i>CHP Name</i>	Landmark Group Property Management Pty Ltd
<i>Registration Number</i>	R8409230614
<i>Category of Registration</i>	Tier 3
<i>ABN</i>	39 657 054 585

1.5 Consultation

1.5.1 Scoping Meeting

A Scoping Meeting was held on 10 January 2025 with DPHI. The purpose of the meeting was to outline the nature and scope of the project, identify and discuss potential site constraints, and the process for requesting industry SEARs. Government Architect NSW (GANSW) discussed timing for a State Design Review Panel. Industry specific SEARs were issued on 16 January 2025 under SSD-79276958. Refer to the SEARs Compliance Table attached as **Appendix A** which outlines where they have been addressed in the EIS and supporting documentation.

1.5.2 State Design Review Panel

An SDRP meeting was held on 5 February 2025. Initial designs, concepts and development metrics were presented, and the concept was overall well received. SDRP feedback was received 14 February 2025 where the following elements of the proposal were supported:

- Intent for the design to respond to:
 - The local street and landscape character
 - The site hydrology in proximity to the riparian/ biodiversity zone
 - Minimal overshadowing to the Middle Harbour Road dwellings.
- The extent of communal open space and deep soil over 6m in width (25% coverage), enabling tree retention and new thriving mature trees.
- The Trafalgar Avenue right-of-way as vehicle and pedestrian access.
- The general approach to floor level datums in response to site falls
- A material palette informed by the Lindfield architectural character.
- Shared access for affordable and market residents to all common spaces and facilities.

Key design responses to the SDRP feedback are summarised below. A detailed response to the SDRP feedback is provided in the Design Report prepared by DKO attached as **Appendix D**.

1.5.3 First Nations Engagement

A Walk on Country took place on 13 March 2025 led by Elder Aunty Jean Moran, Paige Moran and Anthony Freeman from Bush to Bowl. A design input session followed the Walk on Country, which allowed the Elders and Design Team to collaborate and blend modern design with Indigenous Traditional input.

1.5.4 Community Consultation

Community and stakeholder consultation was undertaken prior to lodgement to inform and provide an opportunity to give feedback. Two community consultation webinars were held, both on 26 March 2025, at 1pm and 6pm. The outcomes of community engagement activities are further discussed in **Section 0** and the Community Engagement Report attached as **Appendix E**.

2.0 Site Overview

2.1 Site Location and Context

The site is located at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield within Ku-ring-gai LGA. The site is located at the intersection of Trafalgar Avenue, Russell Avenue and Russell Lane, and also has access to Valley Road. The site is situated on the land of the Darramurragal and Terramerragal people of Lindfield.

Although the site is situated within an established low density residential area, the introduction of the TOD program is expected to facilitate future development with higher density within this area. This is supported by the emergence of medium density development in Lindfield Town Centre over recent years.

The site is located at the eastern boundary of the Lindfield TOD precinct, approximately a 400-metre walking distance from Lindfield rail station. Lindfield train station is serviced by the T1 and T9 trainlines which connect to Chatswood (Sydney Metro), Hornsby, St Leonards, North Sydney and Sydney CBD. **Figure 4** demonstrates the regional context of the site.

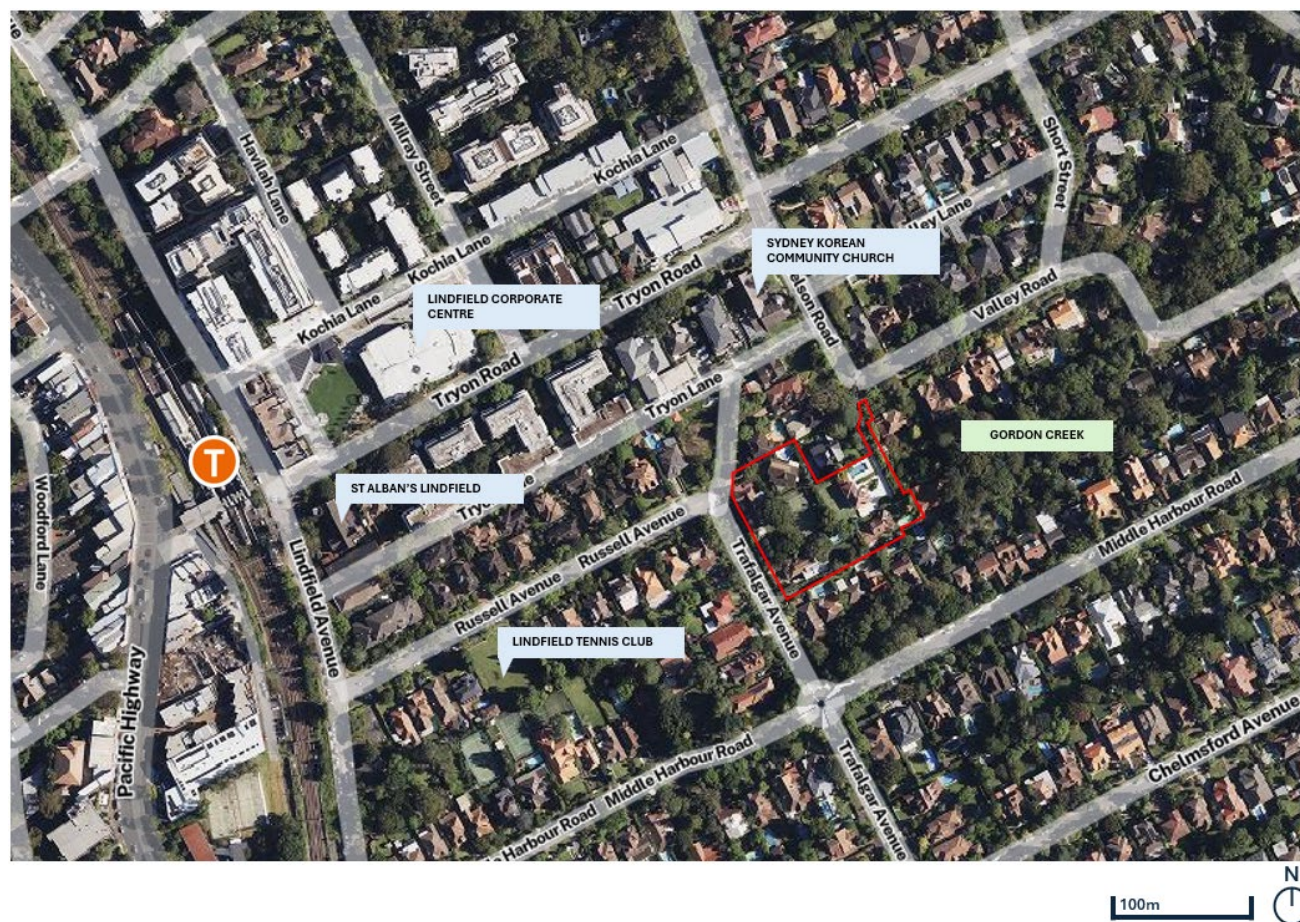


Figure 3: Local Context (SDT Explorer, edited by Planning & Co)

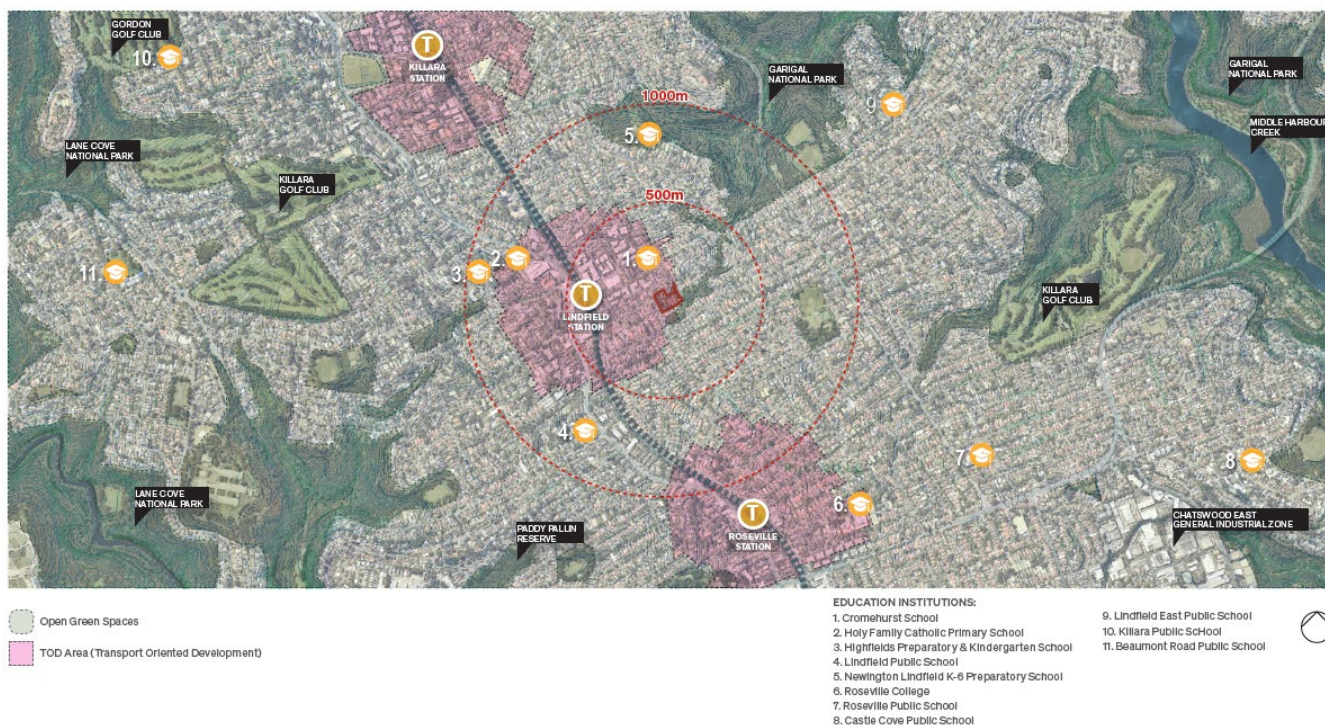


Figure 4: Regional Context (DKO)

2.2 Key Features of Site and Surrounds

2.2.1 Site Description

The site consists of five allotments. The legal description of each lot is identified in **Table 3** below.

The total site area of the site is 6,672 sqm.

Table 3: Legal Descriptions of Site

Address	Legal Description
59 Trafalgar Avenue, Lindfield	Lot 71 / DP 4665
61 Trafalgar Avenue, Lindfield	Lot 30 / DP 4215
63 Trafalgar Avenue, Lindfield	Lot 1 / DP 127411
1A Valley Road, Lindfield	Lot B / DP 344051
1B Valley Road, Lindfield	Lot 7 / DP 17373



Figure 5: The Site (SIXMAPs, edited by Planning & Co)

2.2.2 Restrictions and Covenants

Table 4 outlines the easements that affect the site currently and the proposed actions for the proposal. Refer to the Survey Plan by Norton Survey Partners, attached at **Appendix F**. The proposed plan for the retention of the retained right of way (C261479) and Right of carriageway (C975975) is in the Design Report prepared by DKO at **Appendix D**.

Table 4: Easements

Affected Lot/s	Easement Description	Proposed Action
Lots 2-6 inclusive DP 17373	Right of way 4.57 wide (C261479)	Retained
Lot A DP 344051	Easement to drain sewage over existing line of pipes (C975975)	Diverted
Lot 7 DP 17373	Right of way variable width (C261479)	Extinguished
Lot A DP 344051	Right of carriageway (C975975)	Extinguished
Lot B DP 344051	Right of carriageway (C975975)	Retained

2.2.3 Existing Development

The existing developments on the site are described in **Table 5** below.

Table 5: Existing Development on the Site

Address	Description	Image
59 Trafalgar Avenue, Lindfield	This property consists of a single detached 3-storey, 5 bedroom residential dwelling in a landscaped garden setting.	

Figure 6: 59 Trafalgar Avenue, Lindfield (RealEstate.com)

61 Trafalgar Avenue, Lindfield	This property consists of a single detached 2-storey, 5 bedroom residential dwelling in a landscaped garden setting.	
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Figure 7: 61 Trafalgar Avenue, Lindfield (RealEstate.com)

63 Trafalgar Avenue, Lindfield	This property consists of a single detached 3-storey, 5 bedroom residential dwelling in a landscaped garden setting.	
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Figure 8: 63 Trafalgar Avenue, Lindfield (RealEstate.com)

**1A Valley Road,
Lindfield**

This property consists of a single detached 3-storey, 5 bedroom residential dwelling in a landscaped garden setting.



Figure 9: 1A Valley Road, Lindfield (RealEstate.com)

**1B Valley Road,
Lindfield**

This property consists of a single detached 2-storey, 3 bedroom residential dwelling in a landscaped garden setting.



Figure 10: 1B Valley Road, Lindfield (RealEstate.com)

2.2.4 Topography and Site Orientation

The site has an approximate frontage of 85m along Trafalgar Avenue which is orientated to the south-west and 4.95m frontage to Valley Road. The site falls approximately 11.5m from the south-eastern extent to the north-western extent.



Figure 11: Topography Map (Ku-ring-gai Online Map Viewer, edited by Planning & Co)

2.2.5 Natural Environmental Risks or Hazards

The site has no natural environmental affectations including bushfire, flood risk, and does not contain any significant biodiversity values. A Biodiversity Development Assessment Report (BDAR) has been prepared by Keystone Ecological attached as **Appendix G**.

2.2.6 Aboriginal Cultural Heritage

The Traditional Custodians of the land on which the proposal will take place are the Darramuragal and Terramerragal people of Lindfield. To best represent the Darramuragal and Terramerragal People in the Connecting to Country and embedding their cultural views into this proposal, the project team participated in appropriate engagement activities (**Section 1.5.3**). A First Nations Co-Design Values Report has been prepared by JMP Aboriginal Consultancy and is attached as **Appendix H** which provides an overview of Connecting to Country, outlines Darramuragal and Terramerragal culture and influence in design, and documents the Walk on Country & Design Input Session that occurred.

Artefact have prepared an Aboriginal Heritage Impact Assessment (AHIA), attached as **Appendix I**. The AHIA findings state that the site is considered disturbed land, with no Aboriginal objects or areas where objects may occur beneath the ground surface. Therefore, as the proposed development on the site will have no impact, an Aboriginal Cultural Heritage Assessment report (ACHAR) is not required.

2.2.7 Environmental Heritage

The site is located within the Middle Harbour Road Heritage Conservation Area (C42 in Schedule 5 of KLEP). A Statement of Heritage Impact has been prepared by Urbis and is attached as **Appendix J**. The report provides details on relevant heritage matters and provides an assessment of the impact and is also discussed in **Section 7.18** of this EIS. **Figure 12** identifies the following Heritage Conservation Areas (HCAs) and local heritage items, under the *Kuring-gai Local Environmental Plan 2015* (KLEP), associated with or adjacent to the site:

- Middle Harbour Road Heritage Conservation Area
- Trafalgar Avenue Conservation Area
- Dwelling House, 34 Middle Harbour Road (Item I452)
- Dwelling House, 32A Middle Harbour Road (Item I453)
- Dwelling House, 1 Valley Road (Item I479)
- Dwelling House, 3 Valley Road (Item I480)

A Preliminary Historical Archaeological Assessment (PHAA) has been prepared by Urbis and is attached as **Appendix K**. The preliminary archaeological assessment identified no potential archaeological resources within the subject area. As no potential archaeological resources have been identified, relics of either Local or State heritage significance are unlikely to occur within the subject area.



Figure 12: Heritage Map (KLEP 2015, edited by Planning & Co)

2.2.8 Transport and Access

The site is in a highly accessible location as described below.

Train

The site is a 400m walk to Lindfield rail station. Lindfield rail station is serviced by the T1 North Shore & Western Line and the T9 Northern Line which connect the site to Hornsby, Chatswood (Sydney Metro), North Sydney, Sydney CBD, Parramatta, Westmead, Rhodes and Penrith. Trains stop every 5-10 minutes in peak commuter periods. Lindfield is two stations from the Chatswood M1 metro station which provides high frequency services to Macquarie Park, Macquarie University and north-western Sydney in addition to North Sydney, Barangaroo and the Sydney CBD.

Bus

The site is located 120m from a bus stop on Middle Harbour Road which is serviced by the 558 Route from Chatswood to Lindfield. Other bus stop within walking distance and their serviced routes are as follows:

- Lindfield Avenue (at Lindfield Station):
 - Route 556 – Lindfield to East Killara (Loop Service)
- Pacific Highway (at Lindfield Station):
 - N90 – Hornsby to City Town Hall via Chatswood (Night Service)
 - 98T1 – Hornsby to Chatswood
 - 565 – Chatswood to Macquarie University
- Archibold Road:
 - 194/ 194X – St Ives to City QVB
 - 558 – Chatswood to Lindfield
 - 594 – North Turramurra to City QVB

Cycle

The site is close to existing identified cycle routes that provide access throughout the North Shore including connections to Chatswood CBD, Artarmon local centre, Artarmon industrial area, St Leonards, and regional destinations such as Naremburn, Lane Cove, North Sydney and Macquarie Park.

Pedestrian

The main pedestrian route to the site from Lindfield Station is via Lindfield Avenue and Russell Avenue along the local road network.

Road Network

The local road network connects to the Pacific Highway and Archibold Road, which connects to the regional road network.

2.2.9 Surrounding Development

The existing development surrounding the site is predominantly residential. The Lindfield town centre is located north-west of the site and accommodates a range of medium density residential apartment buildings refer to **Figure 13**. Roseville Park, Lindfield Oval are both within 1km from the site. The surrounding development is described in further detail below. Existing development in the immediate area is lower scale residential (refer to **Figure 14** to **Figure 19**).

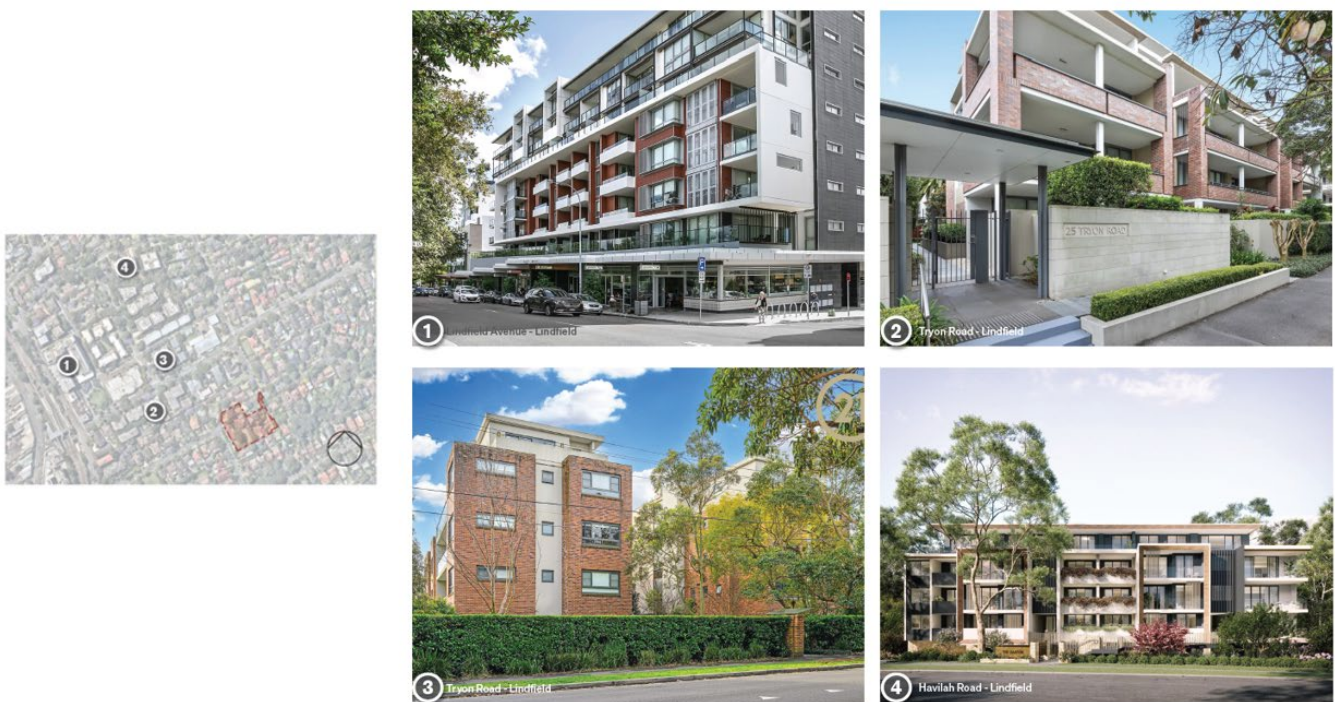


Figure 13: Medium density developments in Lindfield (DKO)



Figure 14: 1 Valley Road, Lindfield to the north, adjoining the site (Realestate.com)

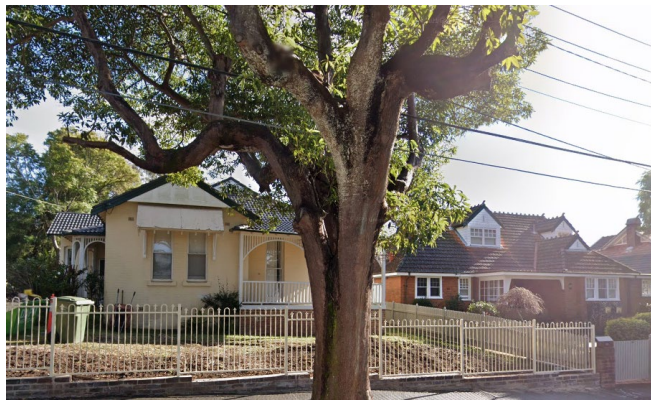


Figure 15: 2 and 4 Valley Road, Lindfield to the north of the site (Google maps)



Figure 16: 55 Trafalgar Avenue, Lindfield to the south, adjoining the site (Google maps)



Figure 17: 34 Middle Harbour Road, Lindfield to the south, adjoining the site (Realestate.com)



Figure 18: 52 Trafalgar Avenue, Lindfield to the west of the site (Realestate.com)



Figure 19: 5 Valley Road, Lindfield to the east of the site (Realestate.com)

2.2.10 Future Character

The site and the wider area are within the Lindfield TOD precinct (**Figure 20**) which comprise of lots identified within a 400m walking catchment of Lindfield Station as part of the TOD program led by State Government which aims to increase housing density around rail and metro station by permitting future residential development to achieve a maximum FSR of 2.5:1 and an a maximum building height of 22 metres. The area is also subject to the infill affordable housing provisions of the Housing SEPP which permit up to an additional 30% FSR and height subject to the providing affordable housing. More details regarding the TOD program are discussed in **Section 3.2.2**.

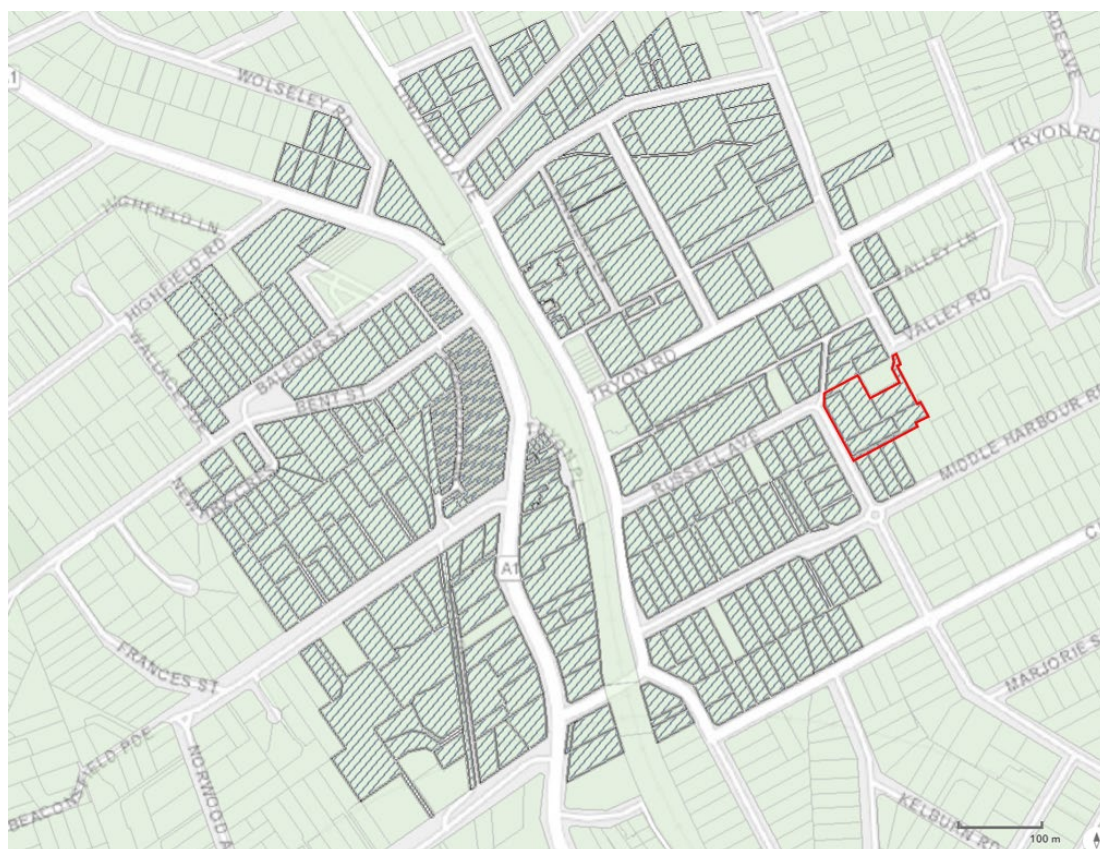


Figure 20: Lindfield TOD area (NSW Planning Portal Digital EPI Viewer)

Future TOD Development

As of April 2025, the following sites are also undergoing an SSDA or DA process within the Lindfield TOD catchment since the introduction of the TOD Program.

Table 6: Current SSDAs and DAs in proximity to the site

SSD Number / DA Number	Address	Approx. Distance from Site	Description and Key Metrics
SSD-7866923pril4	27-29 Tryon Road, Lindfield	100m	Demolition of existing structures and the construction of a 9 storey residential flat building with 66 apartments, including affordable housing.
SSD-78493518	2-8 Highgate Road, Lindfield	530m	Construction of a 9 storey residential flat building containing 83 apartments.
SSD-78156462	12-16 Bent Street, Lindfield	540m	Construction of a 10 storey residential flat building with infill affordable housing and basement car parking within the Lindfield TOD area. Currently in the 'Prepare EIS' stage, the Scoping Report stated the utilisation of 30% maximum building height and FSR bonuses afforded under Chapter 2, Part 2, Division 1 of the Housing SEPP for the future proposed development.
SSD-79261463	2-4 Woodside Ave; 1-3 Reid Street, Lindfield	580m	Construction of a residential flat building with in-fill affordable housing.
DA0114/25 (Determined 20/03/2025)	3 Beaconsfield Parade, Lindfield	800m	Demolition of the existing structures and construction of a residential flat development over basement carparking and with roof top private communal open space facilities.
DA0376/24	4 Beaconsfield Parade, Lindfield	800m	Demolition of existing structures, construction of a residential flat building including 38 apartments, basement parking and associated works

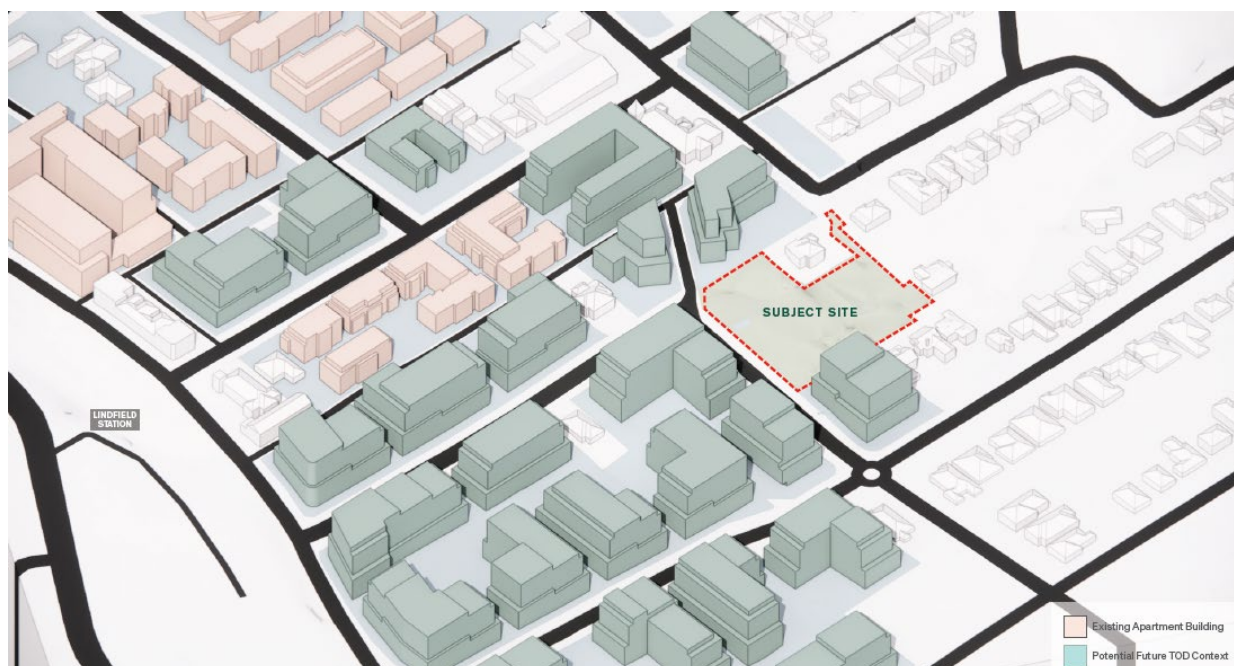


Figure 21: Potential Future TOD Context (DKO)

Low- and Mid-Rise Housing Development

Nearby residential areas within Lindfield that sit outside the TOD precinct have been identified on the state government's new mapping for land subject to the low and mid-rise housing provisions (**Figure 22**) under Chapter 6 of the Housing SEPP. The new provisions facilitate attached dwellings and terraces up to a maximum height of 9.5m (i.e. 3 storeys). It is noted that Chapter 6 of the Housing SEPP does not apply to land within heritage conservation areas unless the land accommodates a heritage item.

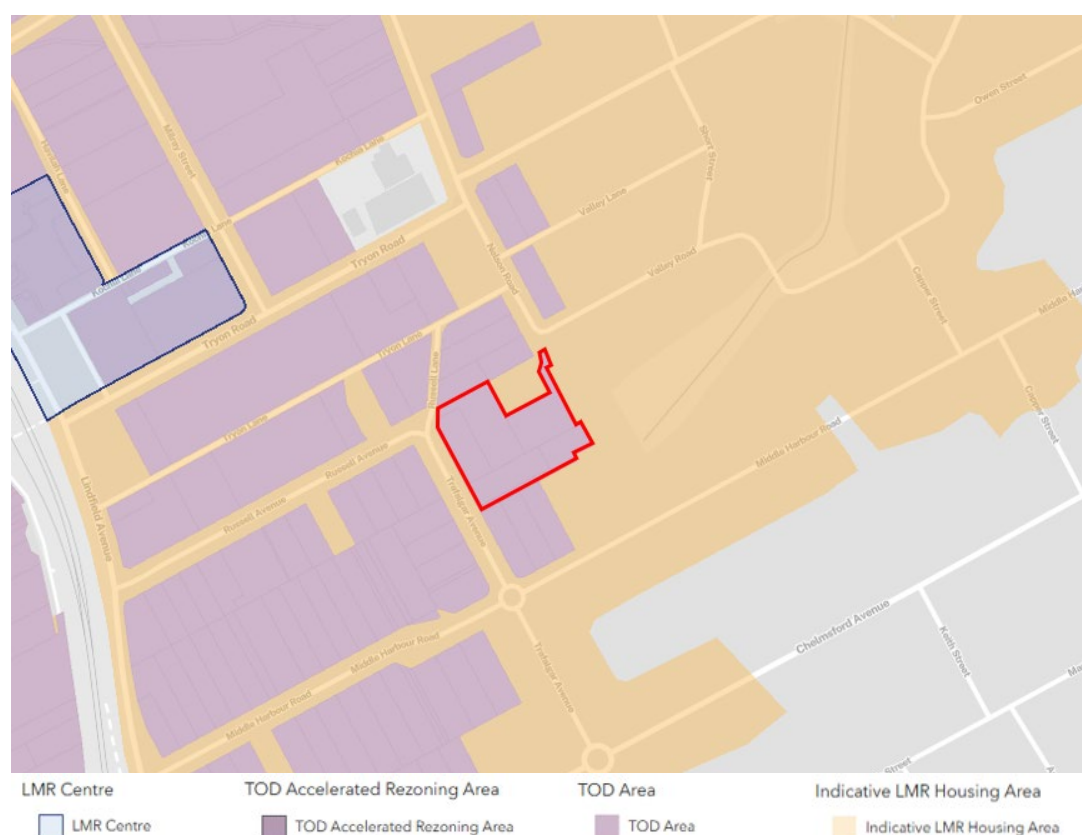


Figure 22: Low and Mid-Rise Housing Policy Indicative Map (NSW Government)

3.0 Strategic Context

This Section identifies the key strategic considerations relevant to the assessment of the Project and provides a justification in consideration of its context. This section also provides an analysis of alternatives that were considered as part of the design development.

3.1 Federal Strategic Planning Context

3.1.1 The National Housing Accord 2022

In October 2022, the National Housing Accord (Housing Accord) was announced by the Federal Government, which aims to deliver 1.2 million well-located homes across Australia, including 377,000 in New South Wales by 2029. Kuring-gai Council's housing target, aligned to the Accord, is to provide 7,600 new homes by 2029. The proposal will provide 220 new dwellings including 46 affordable dwellings, within a walking distance of public transport, employment, local businesses and open space.

3.2 State Strategic Context

3.2.1 NSW Housing Strategy: Housing 2021

The *NSW Housing Strategy: Housing 2021* was released in March 2021. This strategy sets out a 20-year strategy for better housing outcomes for NSW including more high-density housing and affordable housing to expand housing choice. This proposal is completely aligned with the NSW Housing Strategy as it will deliver more housing including 46 new affordable dwellings.

3.2.2 Transport Oriented Development Program

The TOD Program is part of the planning reforms led by State Government to address the housing crisis. The TOD amendment to the Housing SEPP has been in force from 13 May 2024. The TOD program aims to allow for "development of new well-located and well-designed mid-rise housing and affordable housing within 400m of public transport" (Department of Planning) to address the housing crisis.

Chapter 5 of the Housing SEPP identifies TOD areas around train stations in 12 local government areas. The stations were determined based on a multi-criteria assessment that was conducted by DPHI considering strategic alignment, planning status, land fragmentation, government owned land and planning for balanced growth, as well as a planning and infrastructure review.

Under the TOD provisions, key development standards include a maximum building height of 22m (for residential flat buildings) and an FSR of 2.5:1. The TOD provisions have established inclusionary zoning for TOD areas that requires the delivery of a 2% affordable housing contribution for all new developments that is to be managed by a register CHP in perpetuity.

The proposal plans for the provision of 220 dwellings including 46 affordable housing dwellings within the defined Lindfield TOD area that is well serviced and approximately 400m walking distance from Lindfield Station. The proposal demonstrates its alignment with the aims of the TOD as stated in Section 150 of the Housing SEPP in **Section 5.1**.

3.2.3 Greater Sydney Region Plan: A Metropolis of Three Cities

The *Greater Sydney Region Plan – A Metropolis of Three Cities* (Region Plan) sets out the overarching strategic plan for the Greater Sydney Region. The 40-year vision is supported by four key directions of Infrastructure & Collaboration, Liveability, Productivity and Sustainability that collectively form a strategic framework which guides local strategic planning by councils. The following outlines how the proposed development aligns with the directions of the Region Plan:

Table 7: Assessment against the Region Plan

Direction	Alignment to the Direction
Infrastructure and Collaboration	
<i>A city supported by infrastructure</i>	The proposed development is walking distance from Lindfield station, which is two stations from Chatswood rail and metro station and Chatswood bus interchange which provides broader access to a network of key destinations including Sydney CBD, North Sydney, Macquarie, the Hills area, and Northern Beaches.
<i>A collaborative city</i>	The proposal will increase the population in a strategic location close to key services that can leverage existing transport and social infrastructure and services in the area. Community and agency engagement has been conducted to ensure key stakeholders are aware of the project.
Liveability	
<i>A city for people</i>	Through the delivery of market housing and in-fill affordable housing the proposed development is addressing the changing needs of the community. The delivery of housing density within walking distance of the station will enable the community to walk to transport and be connected to the city around them by capitalising on the potential for housing growth as identified by DPHI.
<i>Housing the city</i>	One of the key planning priorities of this direction is to provide housing supply, choice and affordability with access to jobs, services and public transport. To facilitate greater housing supply, the Plan sets housing targets for each District. The North District, which includes Ku-ring-gai, is required to deliver an additional 157,700 dwellings between 2016 – 2036. However, as previously stated, this target has now been replaced to align to the Housing Accord's housing targets. Ku-ring-gai Council's housing target, aligned to the Accord, is to provide 7,600 new completed homes by 2029. The proposal will provide 220 new dwellings, within a walking distance of public transport, employment, local businesses and open space.
<i>A city of great places</i>	This proposal will deliver an architecturally designed residential flat building within the Lindfield town centre which will enhance the diversity and vibrancy in Lindfield.
Productivity	
<i>A well-connected city</i>	The proposed development delivers 220 new dwelling including 46 affordable dwellings within a TOD precinct, within 400m walking distance of the Lindfield Station.
<i>Jobs and skills for the city</i>	The proposed development will provide housing and in-fill affordable housing close to public transport with high frequency connections to jobs and strategic employment centres.
Sustainability	
<i>A city in its landscape</i>	The Ku-ring-gai LGA has a well-established landscape character and the existing surrounding area has a high level of tree canopy. The proposed development including the interface with the public domain has been designed cognisant of the existing landscape context. The Architectural Plans (Appendix B) and Landscape Plans (Appendix L) celebrate landscape in the courtyard apartments, communal open spaces and common circulation areas.
<i>An efficient city</i>	The proposal integrates ESD principles (Appendix M). This includes initiatives to ensure energy efficiency, water efficiency, thermal comfort and minimising overall environmental impact.
<i>A resilient city</i>	The proposed development is not subject to natural hazards such as periodic flooding or bush fire risk.

3.2.4 North District Plan 2018

Drawing on the Region Plan, the *North District Plan* (District Plan) sets the 20 year strategic directions for City of Ryde, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Northern Beaches, and Willoughby LGAs. The District Plan aims to help the councils of these LGAs to plan for and support growth and change in these areas. To ensure an integrated approach between the Region Plan and the District Plan, relevant Objectives, Strategies and Actions from the Region Plan have been embedded in each of the Planning Priorities of this plan.

The proposed development will support the overarching directions for the reasons given below:

- **Infrastructure and Collaboration:** This proposed development supports the aims of the TOD program by delivering more homes within walking distance of the station to encourage the use of existing transport infrastructure.
- **Liveability:** The proposed development will deliver 220 new dwellings including 46 affordable dwellings in an established residential area. The proposed development has been designed to maximise residential amenity and has incorporated communal spaces to promote incidental social interactions and community cohesion.
- **Productivity:** The additional supply of residential dwellings will support the sustainable growth of the Ku-ring-gai LGA enabling workers, students and families to live close to work or school. Further, the provision of more affordable housing will meet the need for more supply particularly for essential workers in the area.
- **Sustainability:** Landscaping and ESD principles have been incorporated into the building design to enhance the amenity and character of the development. The development provides a total of 3,124 sqm of landscaped area.

This proposal specifically aligns with Priority E5 to increase housing supply, choice and affordability with access to jobs, services and public transport by providing much needed market and affordable housing in a range of sizes within walking distance of Lindfield station.

3.3 Local Strategic Context

3.3.1 Ku-ring-gai Local Strategic Planning Statement (LSPS) 2022

The *Ku-ring-gai Local Strategic Planning Statement* (KLSPS), published March 2020, outlines the 20- year vision, planning priorities and actions for land use for the Ku-ring-gai LGA. Within the LSPS, Lindfield has been identified as a Local Centre and the Lindfield Area earmarked to 'Investigate New Housing Opportunities (2021-2026)' within the Ku-ring-gai Structure Plan. The LSPS outlines planning priorities that reinforce the strategic plan for additional and diverse housing, housing affordability and developing in accessible areas and thriving centres.

The LSPS identified several planning priorities which align with the proposal:

- **Planning Priority K3:** Providing housing close to transport, services and facilities to meet the existing and future requirements of a growing and changing community.
- **Planning Priority K4:** Providing a range of diverse housing to accommodate the changing structure of families and households and enable ageing in place.
- **Planning priority K5:** Providing affordable housing that retains and strengthens the local residential and business community.
- **Planning Priority K11:** Promoting Lindfield as a thriving and diverse centre.
- **Planning Priority K12:** Managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character.
- **Planning priority K22:** Providing improved and expanded district and regional connections through a range of integrated transport and infrastructure to enable effective movement to, from and within Ku-ring-gai.

The proposal reinforces the plan through the provisions of additional and diverse housing, supporting housing affordability and developing in accessible areas and thriving centres.

3.3.2 Ku-ring-gai Housing Strategy

The *Ku-ring-gai Local Housing Strategy* (KLHS) was approved by the then, NSW Department of Planning, Industry & Environment (DPIE) on 5 July 2021 and sets out the strategic direction for housing in the Ku-ring-gai LGA over the next 20 years. It supports the delivery of the 0–5-year and 6–10-year housing targets. This has been superseded by the

NSW Government setting an updated housing target of 7,600 new homes by 2029 to help achieve objective of the National Housing Accord.

The proposal will contribute to the achievement of the following planning priorities for housing in Ku-ring-gai LGA:

- **Planning Priority C4:** Fostering healthy, creative, culturally rich and socially connected communities.
- **Planning Priority C5:** Providing housing supply, choice and affordability
- **Planning Priority C6:** Creating and renewing great places and local centres and respecting the District’s heritage.

The design of the proposed scheme is sensitive to the characteristics of the Middle Harbour Road, Lindfield Conservation Area (C42) and the extant structures located on the subject lot. The form, massing, materiality and façade articulation of the proposal is informed by the local visual context of the site’s intersection location and its sloping topography, additionally the proposal respects the established setback pattern of the Trafalgar Avenue streetscape.

3.3.3 Ku-ring-gai Draft Affordable Housing Policy

Ku-ring-gai Council exhibited their first Draft Affordable Housing Policy from 3 February 2025 to 3 March 2025. The policy sets out objectives and outlines a plan for the delivery and management of affordable housing in the LGA.

Without an existing affordable housing policy in place, this draft policy is the start of a process to establish a mechanism for the delivery of affordable housing in Ku-ring-gai. The Council identify the following key facts on their website:

- 71.6% of Ku-ring-gai’s essential workers are living outside the Ku-ring-gai council area, and therefore more likely to be subject to long commutes and workplace burnout.
- 23% of Ku-ring-gai’s renters are in housing stress.

The proposal directly supports and is aligned to the Draft Affordable Housing Policy by way of providing 46 affordable housing dwellings with equitable residential amenity outcomes.

3.3.4 NSW Future Transport Strategy

The *Future Transport Strategy* sets out a 40-year vision, directions and outcomes which will guide transport investment and the movement of people in NSW. There is a new focus on the Six Cities Region to revitalise and connect neighbourhoods and key economics centres.

The proposal is consistent with the strategy as it supports the use of existing transport infrastructure but locating increased residential dwellings including affordable housing in a highly accessible location with good access to transport, jobs and services.

3.3.5 Better Placed

Better Placed was released by the GANSW in August 2017 as a design policy to establish priorities and objectives addressing key challenges and provides directions for good design outcomes in the built environment. The table below outlines how the proposed development is consistent with the objectives of the *Better Placed* policy.

Table 8: Alignment with Better Placed objectives

Objective	Design Response
<i>Better Fit</i>	The proposed development responds to the future character and setting of this area and forms part of the second stage of the TOD program. This will be further complemented by future growth facilitated by the introduction of the low and mid-rise housing provisions, which apply to land 400-800m from Lindfield Station. These provisions apply to land within heritage conservation areas unless the site contains a heritage item. The proposed design respects the existing low density dwelling houses, in particular, heritage items which are located near or adjoining the site.
<i>Better Performance</i>	The proposed development implements ESD principles and meets ESD targets including BASIX (refer to Appendix M) to ensure responsiveness to environmental sustainability.
<i>Better Community</i>	The provision of 46 affordable dwellings directly contributes to resolving the existing housing affordability crisis and will enable key workers to live close to work and/or public transport. The design has endeavoured to provide equitable residential amenity

	outcomes to minimise disparities between affordable and market housing and foster community and social cohesion within the development.
<i>Better for People</i>	Residential safety and comfort are achieved through ADG compliance. Where non-compliances may exist, alternatives have been considered and justified which are further discussed in Section 7.2 . Dedicated communal open spaces within the proposed development are designed for usability and convenience to improve the comfortability in residential living.
<i>Better for Working</i>	The proposed development is close to public transport, existing services and shops. The provision of both market and affordable housing on the site supports the State government's efforts to alleviate housing affordability and increase housing supply in well located areas. Design development has considered and facilitates increased work-from-home arrangements and functionality of communal spaces to be able to adapt to a range of purposes.
<i>Better Value</i>	The provision of additional housing supply including 46 affordable housing dwellings close to Lindfield Station will deliver significant return on infrastructure investment and policy investment by State government to address the housing crisis. The proposed development provides diverse housing types for both market and affordable housing, that align to the needs of the community in Ku-ring-gai and Sydney more broadly.
<i>Better Look and Feel</i>	The design of the built form and landscaping for the proposed development has taken careful consideration of the existing surrounding context and the strong affiliation of the Ku-ring-gai area with the existing landscape character. The materials and finishes have been chosen to provide a high quality design that will integrate with the surrounding context. Traditional Owners have been consulted during the design development to help inform the landscape response to the site and its surrounds.

3.4 Cumulative Impacts

The character of the Lindfield area is changing as evidenced by the higher density development emerging within the town centre. Lindfield's suitability for higher density residential has been affirmed by its inclusion in the State government's TOD program. Further, land within a 400m-800m radius from Lindfield rail station is identified as a 'low and mid-rise housing outer area' where the low and mid-rise housing provisions of the Housing SEPP apply. Due to the fact these provisions were recently introduced, 2024 and 2025 respectively, it is understandable that future development reflecting the new provisions is still in the planning stage. However, it is imperative to consider these provisions when assessing matters such as bulk, scale and density.

3.5 Approvals and Endorsed Plans Applicable to the Site

There are no existing approvals that apply to the site including any concept approvals. There are no endorsed or draft master plans, precinct plans or any recommendations applicable to the site from Gateway determination.

3.6 Planning Agreements

This Proposal is not subject to any planning agreements.

3.7 Consistency with SEARs Request and Project Justification

The proposed development is generally consistent with the intended development as described in the Scoping Report submitted for the SEARs request which was "demolition of all existing structures and site clearing, and the construction of a multi-storey residential flat building development comprising approximately 237 apartments including approximately 48 affordable rental housing units". The proposed development makes provisions for 220 apartments including 46 affordable rental housing apartments. The variation in apartment quantity is due to more detailed design development which has been influenced by potential environmental impacts and the objective to maximise residential amenity.

As detailed at **Section 7.0** of this EIS, the proposal is justified in the context of biophysical, social, and economic environments, as well as the proposal's alignment with the objectives of the EP&A Act and other statutory instruments applicable to the site.

3.8 Alternatives Considered

Alternative options for the development have been considered by the Applicant over the course of planning.

3.8.1 'Do nothing' Alternative

Under the 'Do Nothing' option, the site would remain as five (5) single detached residential dwellings within walking distance of Lindfield station. This would be considered as a gross underutilisation of land within walking distance of the station, failing to realise the potential for redevelopment within the TOD catchment. The "do nothing approach" would therefore be inconsistent with the future uplift envisioned and planned for by State government and their position to prioritise providing increased supply of housing and affordable housing in proximity to public transport and well-serviced areas.

3.8.2 Residential Flat Building without In-fill Affordable Housing Provisions

An alternative option is to provide a residential flat building development without the Housing SEPP infill affordable housing provisions whereby the development would not allocate 15% of the total GFA to affordable housing (on top of the mandatory 2% TOD provisions) and would not apply the additional 30% height of building and FSR provisions. This outcome would not be fully realising the potential capacity of the site and its location close to public transport and services and would mean that 41 of the proposed 46 affordable dwellings would not be built. The provision of additional affordable housing in this proposal is a positive social outcome and ensures consistency with the state government's overarching objective to deliver more homes in accessible locations and is generally aligned with the objectives within the Council's Draft Affordable Housing Policy.

3.8.3 The Proposed Development – The Preferred Option

The proposed development is utilising both the TOD provisions and the in-fill affordable housing provisions under the Housing SEPP. This option facilitates state and local strategic planning priorities, particularly though the provision of more housing supply and affordable housing units. The proposal is a site-specific response to a complex amalgamation strategy and atypical site geometry which is a result of historical subdivision patterns for the area.

Additional considerations that have influenced the preferred options include:

- Interface sensitivity to locally listed heritage properties which were excluded from the TOD area – increased setbacks have been provided to mitigate impacts to residents.
- Significant tree retention – the form has been adjusted to retain existing significant trees where feasible and supplement trees removed with extensive deep soil planting around the perimeter of the site.
- South-facing slope of the site – the natural slope and orientation of the site has implications for solar performance. The communal open space has been located on the ground floor facing north to optimise solar access. The bulk of the form has also been relocated from the south-eastern portion to the north-western portion (contributing to the height exceedance) to minimise environmental and amenity impacts.
- Retention of existing easements – existing easements have been retained and incorporated into the proposed development.

Alternative options were considered but they could not achieve the level of site-specific responsiveness that has been achieved by the preferred option. The resulting built form has site-specific and strategic merit, has been verified through an SDRP process and has been subject to consultation with state government agencies and the community. Refer to **Section 8.0**, for the Justification of the proposal.

4.0 Project Description

4.1 Project Overview

Development consent is sought under Division 4.7 State Significant Development of the Environmental Planning & Assessment Act 1979 (EP&A Act) for a new 9-storey residential flat building development which includes the provision of in-fill affordable housing on the site at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield.

Specifically, this SSDA seeks approval for:

- Site preparation including demolition of all existing structures and site;
- Tree removal;
- Construction of a residential flat building with basement parking
- External landscaping works

An EDC Report has been prepared by Newton Pisher and is attached as **Appendix DD**. The Estimated Development Cost (EDC) of the proposed development is \$81,080,000 (excl. GST).

Table 9 provides an overview of key development details and metrics of the project.

The EIS generally describes the development as a single 9 x storey building. It is conceived as a series of three interconnected buildings, and we note that the Architectural Drawings and Design Report prepared by DKO identify the development as Building A, Building B and Building C. The development shares a combined primary entry lobby (and mail area) which interface with Trafalgar Avenue and subsequently breaks off into smaller cores once within the site, each which are serviced by separate lifts.

The proposed development is described in further detail in the following subsections and the Architectural Plans prepared by DKO (**Appendix B**) and the Landscape Plans prepared by Paul Scrivener Landscape Architects (**Appendix L**).

Photomontages in



*artistic impression only

Figure 23 and Figure 24.



**artistic impression only*

Figure 23: The proposed development, main façade viewed from Trafalgar Avenue (DKO)



**artistic impression only*

Figure 24: The proposed development view from internal courtyard to open sky (DKO)

Table 9: Key project metrics

Project Aspect	Project Specifications
Site Area	6,672sqm
Proposed Land Use	Residential
Gross Floor Area (GFA)	21,684 sqm

Maximum Building Height	33.07m	
Floor Space Ratio (FSR)	3.25:1	
Dwellings	Market Dwellings	174
	Affordable Dwellings	46
	Total	220
Dwelling Mix	1 Bedroom (Market)	26
	1 Bedroom (Affordable)	25
	2 Bedroom (Market)	90
	2 Bedroom (Affordable)	21
	3 Bedroom (Market)	51
	3 Bedroom (Affordable)	0
	Penthouse (Market)	7
Car Parking Spaces	Residential Car Spaces	367
	Motorcycle Spaces	15
	Bicycle Spaces	22
Communal Open Space	Ground Floor	708 sqm
	Level 7	315 sqm
	Level 8	664 sqm
	Total	1,687 sqm
Deep Soil Area	1,542 sqm (1,135 sqm > 6m min dimension)	
Estimate Development Cost (EDC)	\$81,080,000 (excl. GST)	

4.2 Gross Floor Area

A detailed breakdown of the GFA per Building and per level is provided in the Design Report prepared by DKO, attached at **Appendix D**.

The total GFA allocated to affordable housing equates to 3,687 sqm. Affordable housing GFA consists of 434 sqm in perpetuity and 3,253 sqm for a minimum of 15 years which equates to 17% of the total GFA.

4.3 Affordable Housing

The proposed development delivers 46 affordable housing dwellings consisting of 25x 1-bedroom, 21x 2-bedroom dwellings. Landmark Group Property Management Pty Ltd is the registered CHP who will manage the affordable housing dwellings, 5 in perpetuity (to fulfill the requirements of Section 156, Chapter 5 of the Housing SEPP and 41 for at least 15 years to fulfil the requirements of Section 21, Division1, Part 2, Chapter 2 of the Housing SEPP. Refer to **Appendix C** for the CHP Supporting Letter prepared by Landmark Group Property Management Pty Ltd.

The locations of affordable housing apartments are considerate of equitable provision of residential amenity outcomes. The affordable housing dwellings are provided on Ground Level to Level 5.

4.4 Lot Amalgamation

This SSDA seeks consent for the lot amalgamation of the existing 5 allotments on the site as listed in **Table 3**.

4.5 Site Preparation Works

Site preparation and enabling work proposed for the site prior to the construction of the proposed built form include the following:

- Site establishment.
- Demolition of all existing buildings at 59-63 Trafalgar Avenue and 1A & 1B Valley Road, Lindfield.

- Removal of existing vegetation including removal of 42 trees (as identified in **Section 4.9** and discussed in **Section 7.11** the AIA attached as **Appendix N**).
- Installation of Tree Protection Zones (for trees identified to be retained in **Appendix N**).
- Disconnect from existing services.
- Shoring and site excavation.

The proposed Demolition Plan is included in **Appendix B**, prepared by DKO.

Refer to the Preliminary Site Investigation, prepared by EIA and attached as **Appendix O** in relation to recommendations during the demolition and excavation stages. Note that all recommendations can be managed post demolition and through the development approval process, as conditions of consent.

4.6 Connecting with Country

The Applicant engaged JMP Aboriginal Consultancy to facilitate and coordinate meaningful engagement and learning opportunities for the project team with Traditional Owners and Aboriginal stakeholders and broader community. A Walk on Country and design input session was held, leading to a collaborative and integrated outcomes of modern design and Indigenous Traditional input. Refer to the First Nations Co-Design Values Report prepared by JMP Aboriginal Consulting, attached as **Appendix H**.

The Design with Country principles for the proposal are established in the Design Report attached as **Appendix D** illustrated in **Figure 25**, which underpin the design intentions.

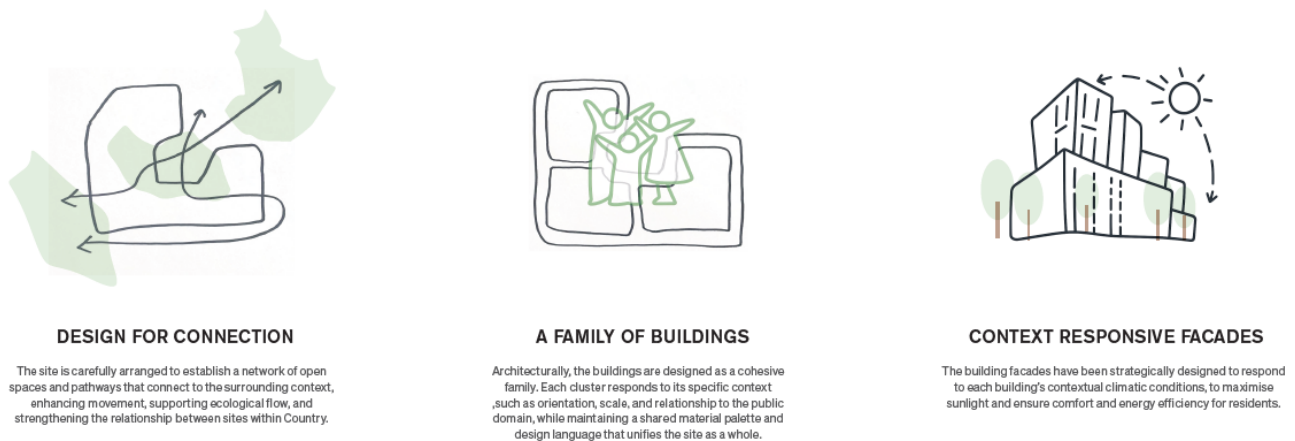


Figure 25: Design with Country Principles (DKO)

The landscape strategy for the project, as established in the Landscape Plan, attached as **Appendix L**, incorporates a connect with country design response for ground floor landscaping (**Figure 26**). First Nations design elements include entry statement, gathering area, shading area, sculptures, public art, and an immersion area.

The primary point of pedestrian access to the site is via Trafalgar Avenue into a combined residential lobby. The site then breaks up into 3x cores (called Building A, B and C), each accessible from the main entry lobby. Residents and visitors can access the lifts from the basement and their respective cores.



Figure 27: Street frontage and right of way (DKO)

4.9 Trees

The AIA prepared by Urban Arbor and is attached as **Appendix N** and identifies 42 trees to be removed, 18 trees requiring tree sensitive construction and/or root investigations, and 7 trees recommended to be retained. These recommendations have been incorporated into the landscaping masterplan for the proposal.

4.10 Landscaping

The proposed landscape strategy and plans respond to the site's natural topography. Key elements of the landscape strategy include:

- 3,124 sqm of landscaped area located on the ground floor and Level 7 and 8 communal open space (COS) terraces.
- 1,542 sqm of deep soil areas at the perimeter of the site.
- 1,687 sqm of COS located on Ground Floor, Level 7 and 8 terraces.

The proposed landscape masterplan for Ground Floor is as below. Refer to the Landscape Plans at **Appendix L** for further details.

development. The proposal has been designed to accommodate two (2) Medium Rigid Vehicles (MRV). The waste collection bay has direct access to the Waste Collection Room and the Bulky Waste Room for maximum operational efficiency.

4.15 Construction, Operation and Staging

The proposed development is currently intended to be delivered in a single stage.

4.16 Contributions and Public Benefit

This SSDA is not subject to any planning agreements.

This SSDA is subject to monetary contributions applicable under the local s7.11 Contribution Plan for Ku-ring-gai Council, *Ku-ring-gai Contributions Plan 2010*, and State Government's *Housing and Productivity Contribution*.

The proponent requests that the s7.11 contribution are staged, with payment requested at the following milestones and amounts proportionate to the cost of works:

- **Payment 1:** At Construction Certificate for Earthworks.
- **Payment 2:** At Construction Certificate for Basement Structure to Ground Floor.
- **Payment 3:** At Construction Certificate for Structure to Roof.

5.0 Statutory Context

Development consent is sought for this State Significant Development pursuant of Part 4 of the EP&A Act. This Section summarises relevant statutory requirements for the proposal in and following subsections.

Refer to the Statutory Compliance Table attached at **Appendix FF** which details all statutory requirements, as required by SEAR 1, and where they have been addressed in the EIS.

Table 10: Statutory Context Table

Category	Project Details
Power to grant approval	Declaration of State Significant Development Section 4.36(2) of the EP&A Act permits a State environmental planning policy to declare a development to be State significant development (SSD). The proposal is declared State Significant under Schedule 1, Section 26A In-fill affordable housing of the Planning Systems SEPP which states: 26A In-fill affordable housing (1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if— (a) the part of the development that is residential development has an estimated development cost of— (i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than \$75 million, or Note— The Act, Schedule 9 sets out the local government areas in each city in the Six Cities Region. (ii) for development on other land—more than \$30 million, and (b) the development does not involve development prohibited under an environmental planning instrument applying to the land. The proposal is a residential development with infill affordable housing on land in the Eastern Harbour City with an estimated development cost of more than \$75 million and does not involve development prohibited under an environmental planning instrument applying to the land. Therefore, the development is SSD pursuant to Clause 2.6(1) of the Planning Systems SEPP. Consent authority Section 4.5 of the EP&A Act and Section 2.7 of the State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) states that the consent authority is the Minister for Planning and Public Spaces (or delegated to DPHI) unless the development is subject to any matters identified under Section 2.7(1) of the Planning Systems SEPP whereby the Independent Planning Commission will be the consent authority.
Permissibility	The proposed land use for the site is residential flat building as defined in the Ku-ring-gai Local Environmental Plan 2015 (KLEP). The land is zoned R2 Low Density Residential in the KLEP (Figure 29), where residential flat buildings are prohibited. However, under Chapter 5 of the Housing SEPP, a residential flat building is permitted with consent on land in a TOD Area when the land is in a relevant residential zone. Relevant zones include land zoned R2 Low Density Residential. In accordance with the provisions of Chapter 2, Part 2, Division 1, section 16 of the Housing SEPP, the proposed development for in-fill affordable housing is permissible as the residential flat building is permissible with consent as noted above, at least 10% of the GFA will be used for the purposes of affordable housing, not including affordable housing required to be delivered under Chapter 5 of the Housing SEPP. The site is located within an accessible area as it is 400m walking distance of Lindfield rail station. Therefore, the proposed development is permissible with consent.

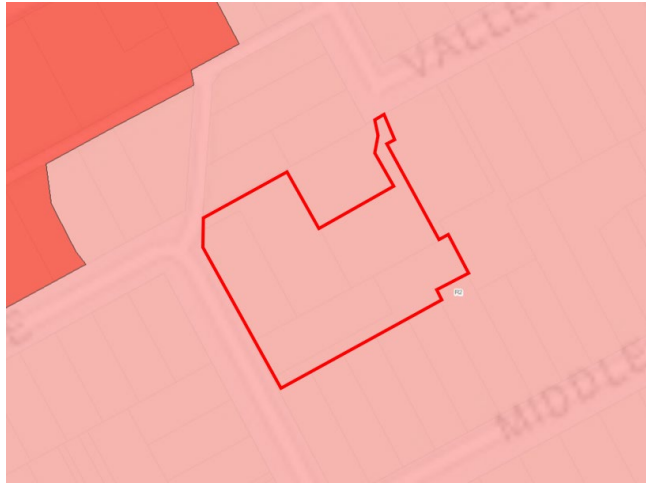


Figure 29: Land Use Zoning Map (KLEP edited by Planning & Co)

Other approvals

Approvals etc legislation that does not apply

Under Section 4.41 of the EP&A Act, the following authorisations are not required for an SSD that is authorised by a development consent granted after the commencement of the Division including the following legislative approvals:

- a permit under section 201, 205 or 219 of the [Fisheries Management Act 1994](#),
- an approval under Part 4, or an excavation permit under section 139, of the [Heritage Act 1977](#),
- an Aboriginal heritage impact permit under section 90 of the [National Parks and Wildlife Act 1974](#),
- a bush fire safety authority under section 100B of the [Rural Fires Act 1997](#),
- 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 of the [Water Management Act 2000](#).

Approvals etc legislation that must be applied consistently

Under section 4.42 of the EP&A Act, the following authorisation cannot be refused if it is necessary for carrying out an SSD that is authorised by a development consent under this Division and is to be substantially consistent with the consent:

- an aquaculture permit under section 144 of the [Fisheries Management Act 1994](#),
- an approval under the [Coal Mine Subsidence Compensation Act 2017](#), section 22,
- a mining lease under the [Mining Act 1992](#),
- a production lease under the [Petroleum \(Onshore\) Act 1991](#),
- an environment protection licence under Chapter 3 of the [Protection of the Environment Operations Act 1997](#) (for any of the purposes referred to in section 43 of that Act),
- a consent under section 138 of the [Roads Act 1993](#),
- a licence under the [Pipelines Act 1967](#).

This SSD requires consent under section 138 of the Roads Act 1993. Approval is required for vehicle connection and access to a Council owned road.

Pre-conditions to exercising the power to grant approval

Legislation	Matters
Biodiversity Conservation Act 2016	Section 7.9 of this Act requires a SSDA to be accompanied by a BDAR. The BDAR is attached as Appendix G .
State Environmental Planning Policy (Housing) 2021	Provisions under Chapter 2, 4 and 5 of the Housing SEPP apply to this proposal. An assessment against the relevant provisions is provided in Section 5.1 . Additionally, a Design Verification Statement prepared by DKO is provided at Appendix T which provides an assessment against the relevant provisions of the ADG. Any non-compliances are assessed and justified in Section 7.2 .
State Environmental Planning Policy (Resilience and Hazards) 2021	Clause 4.6 provides a State-wide approach to the remediation of contaminated land. It requires a consent authority to assess the

potential for land to be contaminated and the works required to remediate the land to ensure it is suitable for its intended use.

The PSI is attached as **Appendix O**.

Mandatory matters for consideration	Legislation	Matters
	<i>Environmental Planning & Assessment Act 1979 (EP&A Act)</i>	The proposal is consistent with the objects of the EP&A Act for the following reasons: • The proposal promotes the social and economic welfare of the community by delivering 220 new homes including 46 affordable dwellings within a short walk of Lindfield station; in a manner that mitigates any unreasonable impacts on the surrounding environment. The affordable housing includes 5 dwellings to remain as affordable housing in perpetuity and 41 dwellings that will remain as affordable housing for a minimum of 15 years. • Ecologically sustainable development initiatives (Appendix M) are incorporated into both the architectural and operational aspects of the development. • The proposal promotes the orderly and economical use of the land by providing an additional 220 dwellings within a built form that is generally consistent with the state government's planning policies. • The site does not provide habitat for any candidate threatened species. Therefore, no offset obligation is generated for species (refer to the BDAR at Appendix G). • The proposal has undergone a meaningful Connecting with Country co-design process with Traditional Owners (refer to the First Nations Co-Design Values Report at Appendix H). • The proposed development is sensitive to the heritage values of the Middle Harbour HCA, surrounding HCAs and individual heritage items near or adjoining the site (refer to the Statement of Heritage Impact at Appendix J). • The proposal promotes good design and amenity as outlined in Sections 7.1 to Section 7.2 below and demonstrated in the Design Report at Appendix D. • The construction and maintenance of the proposed development will be in accordance with the management plans that accompany this SSDA and otherwise in accordance with the relevant conditions of consent. • The proposal has undergone an engagement process with the community (refer to the Community Engagement report at Appendix E). • The proposed development is SSD permitted under Chapter 5 of the Housing SEPP. It has been assessed against the relevant matters for consideration under Section 4.15(1) of the EP&A Act 1979.
	<i>Environmental Planning & Assessment Regulations 2021</i>	The EIS contains all information required under Division 2 of the EP&A Regulations. The Project underwent the required process for SSDs by application to the Planning Secretary for the environmental assessment requirement for the EIS. SEARs were received on 15 November 2024. The EIS contains all the required information in accordance with Division 5 of the EP&A Regulations and the <i>State significant development guidelines – preparing an environmental impact statement</i>, dated July 2022. This EIS is supported by an ESD Report is attached as Appendix M, which has addressed the principles of environmentally sustainable development through the precautionary principle (and other considerations), which assesses the threats of any serious or irreversible environmental damage.
	<i>State Environmental Planning Policy</i>	This EIS is supported by an ESD Report and a BASIX Certificate both prepared by SLR and attached as Appendix M and Appendix U respectively.

*(Sustainable Buildings)
2022*

*State Environmental
Planning Policy
(Biodiversity and
Conservation) 2021*

Chapter 2 of the Biodiversity and Conservation SEPP regarding Vegetation in non-rural areas applies to the proposed development as it is zoned R2 Low Density Residential in Ku-ring-gai LGA. The AIA Report attached at **Appendix N** and the BDAR attached as **Appendix G** demonstrate that the proposal satisfies the requirements under this Chapter.

Chapter 6 of the Biodiversity and Conservation SEPP regarding Water Catchments applies to the site, located within the Sydney Harbour Catchment. The proposed development is compliant with the relevant controls under Division 2 as the development:

- Will not have any adverse impacts to the quality and quantity of ground water or the water table
- Will not have an adverse impact on terrestrial, aquatic or migratory animals or vegetation,
- Will not impact on periodic flood that benefits wetlands and other riverine ecosystems
- This EIS is supported by an Integrated Water Management Plan attached at **Appendix S**.

*State Environmental
Planning Policy (Housing)
2021*

A detailed assessment against the relevant provisions of the Housing SEPP is provided at **Section 5.1** below.

*Ku-ring-gai Local
Environmental Plan 2015*

A detailed assessment against the relevant provisions of the KLEP is provided in **Section 5.1** below.

5.1 State Environmental Planning Policy (Housing) 2021

The development is permissible and applies the provisions under Chapter 5 and also proposes in-fill affordable housing utilising the provisions under Chapter 2, Part 2, Division 1 of the Housing SEPP. A summary of compliance against the Housing SEPP provisions is in **Table 11** below.

Table 11: Assessment against Housing SEPP

Provision	Comment
Chapter 2, Part 2, Division 1 In-fill affordable housing	
Section 15C Development to which this division applies	
<i>(1) This division applies to development that includes residential development if—</i>	See below.
<i>(a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5 or another environmental planning instrument, and</i>	The development is permitted under Chapter 5 of the Housing SEPP.
<i>(b) the affordable housing component is at least 10%, and</i>	The affordable housing component for the proposal is 15%.
<i>(c) all or part of the development is carried out—</i> <i>(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or</i> <i>(ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</i>	The development is on land in an accessible area within the Six Cities Region.
<i>(2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.</i>	Sections 156 under Chapter 5 of the Housing SEPP requires 2% of proposed GFA as affordable housing. Therefore, including the 15% affordable housing delivered under the provisions of this chapter, the proposal delivers 17% affordable housing GFA to satisfy all relevant affordable housing requirements under the Housing SEPP.

Section 16 Affordable housing requirements for additional floor space ratio

(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).

(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—

$$\text{affordable housing component} = \frac{\text{additional floor space ratio}}{(\text{as a percentage})} \div 2$$

(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).

The proposal provides 15% affordable housing GFA for an additional 30% on the maximum FSR and maximum building height. Therefore, the resulting maximum permissible FSR for the site is 3.25:1 and the maximum permissible building height is 28.6m.

The proposed FSR is 3.23:1 which complies with the maximum FSR.

The proposed maximum building height is 33.07m which is a 4.4m (15.6%) exceedance to the maximum permissible building height. A Clause 4.6 Variation is provided as **Appendix P**.

Section 19 Non-discretionary development standards – the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.

Noted.

(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—

See below.

(a) a minimum site area of 450m²,

The site has an area of 6,672 sqm.

(b) a minimum landscaped area that is the lesser of—

(i) 35m² per dwelling, or

(ii) 30% of the site area,

The proposal has a landscaped area of 3,124 sqm which meets the non-discretionary standard of 30% of the site area (2,001.6 sqm).

(e) the following number of parking spaces for dwellings used for affordable housing—

The total parking provisions of the proposal comply with the rates under this section. Refer to the TIA (**Appendix Q**)

(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,

(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,

(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,

(f) the following number of parking spaces for dwellings not used for affordable housing—

The total parking provisions of the proposal comply with the rates under this section. Refer to the TIA (**Appendix Q**)

(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,

(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,

(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,

(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,

The proposal complies with minimum internal areas as specified in the ADG (Refer to **Appendix T**)

Section 20 Design requirements

(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with—

See below.

(a) the desirable elements of the character of the local area, or

(b) for precincts undergoing transition—the desired future character of the precinct.

The site is part of the Lindfield TOD precinct that has been identified by the State government for greater density and increased housing density due to its proximity to Lindfield Station and town centre. The design is consistent with the future character envisaged

by the relevant planning controls. The rationale for the proposed built form is outlined in the Design Report (**Appendix D**) and discussed in further detail under **Section 7.2**.

Section 21 Must be used for affordable housing for at least 15 years	
<i>(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—</i>	The 15% (3,253 sqm) of affordable housing under the provisions of section 16 under Chapter 2 of the Housing SEPP will be managed by Landmark Group Property Management Pty Ltd, the registered CHP for a period of at least 15 years.
<i>(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i>	
<i>(b) the affordable housing component will be managed by a registered community housing provider.</i>	
Chapter 4 Design for residential apartment development	
Section 147 Determination of development applications and modification applications for residential apartment development	
<i>(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</i> <i>(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</i> <i>(b) the Apartment Design Guide</i>	DKO has comprehensively addressed the design principles and the ADG. Refer to the Design Report at Appendix D and Design Verification Statement at Appendix T .
Section 148 Non-discretionary development standards for residential apartment development – the Act, s 4.15	
<i>(1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	
Noted.	
<i>(2) The following are non-discretionary development standards—</i>	See below.
<i>(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</i>	Parking is provided in accordance with the non-discretionary standards in Chapter 2 and 5 of the Housing SEPP. Part 3J of the ADG is addressed in Appendix T .
<i>(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,</i>	The internal areas for each apartment of the proposal are compliant with minimums specified in Part 4D of the ADG (refer to Appendix T).
<i>(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.</i>	The ceiling heights for the proposal are compliant with minimum ceiling heights specified in Part 4C of the ADG (refer to Appendix T).
Chapter 5 Transport oriented development	
Section 150 Aim of chapter	
<i>The aims of this chapter are as follows—</i>	See below
<i>(a) to increase housing density within 400m of existing and planned public transport,</i>	The proposal is consistent with the aims of this chapter in that:
<i>(b) to deliver mid-rise residential flat buildings, seniors housing in the form of independent living units and shop top housing around rail and metro stations that—</i> <i>(i) are well designed, and</i> <i>(ii) are of appropriate bulk and scale, and</i> <i>(iii) provide amenity and liveability,</i>	- It will deliver a residential flat building within 400m of Lindfield rail station. - Has undergone an SDRP process

(c) to encourage the development of affordable housing to meet the needs of essential workers and vulnerable members of the community.

- The proposed bulk and scale is an appropriate site-specific design response to the existing and future context.
- The proposal has been designed to achieve the ADG design criteria or otherwise, design guidance.
- It is delivering 46 affordable housing dwellings.

Section 154 Development permitted with development consent in Transport Oriented Development Areas

*(1) Development for the purposes of residential flat buildings is permitted with development consent on land in the following zones in a Transport Oriented Development Area—
(a) a relevant residential zone,*

The site is zoned R2 Low Density Residential in a TOD area, which is a 'relevant residential zone' under Section 151 Definitions for Chapter 5.

Section 155 Maximum building height and maximum floor space ratio

(2) The maximum building height for a residential flat building in a Transport Oriented Development Area is 22m.

The infill affordable housing provisions apply to the site including Section 16 of the Housing SEPP which allows for an addition of up to 30% on top of the maximum building height control. Through the provision of 15% of affordable housing GFA, additional height is permissible up to a 30% increase to the maximum building height resulting in a maximum building height control of 28.6m. The proposed maximum building height of the proposal is 33.07m which is a 4.4m (15.6%) exceedance to the development standard. The proposed variation is justified, and a Clause 4.6 Variation has been prepared attached at **Appendix P**.

*(4) The maximum floor space ratio for the following in a relevant residential zone or relevant employment zone in a Transport Oriented Development Area is 2.5:1—
(a) a residential flat building,*

The infill affordable housing provisions apply to the site including Section 16 of the Housing SEPP which allows for an addition of up to 30% to the maximum FSR control. Through the provision of 15% of affordable housing GFA, additional FSR is permissible up to a 30% increase to the maximum permissible FSR resulting in a maximum FSR control of 3.25:1. The proposed FSR of the proposal is 3.23:1 which complies with the maximum FSR control.

Section 156 Affordable housing

(1) This section applies to development for the purposes of residential flat buildings, independent living units or shop top housing in a Transport Oriented Development Area if the building has a gross floor area of at least 2000m².

The proposal has a proposed gross floor area (GFA) of 21,684 sqm.

(2) Development consent must not be granted unless the consent authority is satisfied that—

See below.

(a) at least 2% of the gross floor area of the building will be used for affordable housing, and

(b) the affordable housing will be managed by a registered community housing provider in perpetuity.

The proposal includes 3,687sqm for affordable housing which includes the required 2% (434 sqm) under this section. The 434sqm of affordable housing will be managed in perpetuity by Landmark Group Property Management Pty Ltd, the registered CHP for the proposal.

The provision of infill-affordable housing is addressed below.

(3) A requirement under a provision of another chapter of this policy, another environmental planning instrument or a planning agreement that requires the development to provide more affordable housing prevails over this section.

The proposal relies on Section 16 under Chapter 2 of the Housing SEPP for up to 30% infill affordable housing to permit additional height and FSR of up to 15%.

(4) Affordable housing provided as part of the development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing required under this section.

The proposal includes 15% of the total GFA as infill-affordable housing. Therefore, including the 2% affordable housing delivered under the provisions of this chapter, the proposal delivers on the provision of 17% affordable housing GFA to satisfy all relevant affordable housing requirements under the Housing SEPP.

Section 157 Affordable housing parking spaces

(1) This section identifies a development standard for development under this chapter that, if complied with, prevents the consent authority from requiring more onerous standards for the matters.

See below.

(2) Development to which section 156 applies must provide the following number of parking spaces for each affordable housing dwelling required under that section—

(a) for each dwelling containing 1 bedroom—0.4 parking space,

(b) for each dwelling containing 2 bedrooms—0.5 parking space,

(c) for each dwelling containing 3 or more bedrooms—1 parking space.

(3) This section prevails over a provision in another chapter of this policy or another environmental planning instrument to the extent that other provision permits a lower number of parking spaces for dwellings used for affordable housing on the land.

The total parking provisions of the proposal comply with the rates under this section. Refer to the TIA (**Appendix Q**)

Section 158 Exception to minimum lot size

(1) This section applies if another environmental planning instrument applying to the land specifies a minimum lot size for development for the purposes of residential flat buildings or shop top housing (a minimum lot size restriction).

(2) Development consent may be granted to development for the purposes of residential flat buildings or shop top housing on land in a Transport Oriented Development Area, despite a minimum lot size restriction.

Clause 4.1 of the KLEP imposes a 790 sqm minimum lot size control on the site. Site amalgamation will result in a lot size of approximately 6,672 sqm.

Section 159 Minimum lot width

Development consent must not be granted to development for the purposes of residential flat buildings, independent living units or shop top housing on a lot in a Transport Oriented Development Area, unless the lot is at least 21m wide at the front building line.

The site has a front building line of at least 21m wide.

Section 161 Consideration of Apartment Design Guide

Development consent must not be granted for development for the purposes of residential flat buildings, independent living units or shop top housing on land in a Transport Oriented Development Area unless the consent authority has considered the Apartment Design Guide.

The proposal has considered the Apartment Design Guide (ADG). Refer to the Design Verification Statement (**Appendix T**) for assessment of compliance of key ADG criteria. Any non-compliances are assessed and justified in **Section 7.2**.

5.2 Ku-ring-gai Local Environmental Plan 2015

An assessment of the proposed development against the relevant provisions of the KLEP is provided in **Table 12** below.

Table 12: Assessment against KLEP 2015

Provision	Comment
Clause 2.3 Zone objectives and Land Use Table Zone R2 Low Density Residential	The site is zoned R2 Low Density Residential Zone under the KLEP (Figure 29). Chapter 5 of the Housing SEPP permits residential flat buildings with consent on land zoned R2 Low Density Residential within a TOD area. The proposal is consistent with the aims of Chapter 5 of the Housing SEPP. Further discussion is provided at Section 5.1 below.
Clause 2.7 Demolition requires development consent The demolition of a building or work may be carried out only with development consent.	The proposal seeks consent for the demolition of all existing buildings on the site.
Clause 4.3 Height of buildings	- The maximum permissible building height under the KLEP is 9.5m. - Notwithstanding, the site is subject to a maximum height of building control of 22m under the provisions of Chapter 5 of the Housing SEPP.

- Under the provisions of section 16 under Chapter 2, Part 2, Division 1 of the Housing SEPP, the proposal is subject to an additional height of 30% which equates to a maximum permissible height limit of 28.6m.
- The maximum height of building proposed is 33.07m which exceeds the maximum permissible height by 4.4m (15.6%). A Clause 4.6 Variation Request for Building Height is attached at **Appendix P**.

<i>Clause 4.4 Floor space ratio</i>	• The maximum permissible FSR under the KLEP is 0.3:1. • Notwithstanding, the site is subject to a maximum FSR control of 2.5:1 under the provisions of Chapter 5 of the Housing SEPP. • Under the provisions of section 16 under Chapter 2, Part 2, Division 1 of the Housing SEPP, the proposal is subject to an additional of 30% which equates to a maximum permissible FSR of 3.25:1. • The proposed GFA is 21,684 sqm which equates to an FSR of 3.25:1, thus compliant with the maximum FSR control of the site.
<i>Clause 4.6 Exceptions to development standards</i>	• A Clause 4.6 Variation Request for Height of Building is attached at Appendix P.
<i>Clause 5.10 Heritage conservation</i>	The site is located in the Middle Harbour Heritage Conservation Area under Schedule 5 of the KLEP and does not contain any heritage items. We note the following heritage items are identified in adjoining the site: • Dwelling House, 34 Middle Harbour Road (Item I452) • Dwelling House, 32A Middle Harbour Road (Item I453) • Dwelling House, 1 Valley Road (Item I479) • Dwelling House, 3 Valley Road (Item I480) • The Statement of Heritage Impacts prepared by Urbis and attached as Appendix J addresses the impact and management of the proposal on heritage values.
<i>Clause 6.1 Acid sulfate soils</i>	The Preliminary Site Investigation attached at Appendix O concluded that the likelihood of encountering acid sulfate soils during development was low.
<i>Clause 6.2 Earthworks</i>	Excavation is proposed to facilitate basement car parking. The Geotechnical Report at Appendix V addresses the considerations under clause 6.2(3).
<i>Clause 6.3 Biodiversity protection</i>	The BDAR attached at Appendix G concludes that the proposal is supported subject to the implementation of the recommended mitigation measures.
<i>Clause 6.6 Requirements for multi dwelling housing and residential flat buildings</i>	The site has an area greater than 1,800 sqm and minimum dimensions of more than 30m (width and depth) as required under this clause.

6.0 Community Engagement

Community Engagement has been undertaken in accordance with SEARs Item 4 and DPHI's *Undertaking Engagement Guidelines for State Significant Projects*. A Consultation Outcomes (Engagement) Report has been prepared by Ethos Urban and is attached as **Appendix E** in support of the proposed development.

6.1 Stakeholders Identified

The following groups of stakeholders were engaged in the community engagement process:

- Community stakeholders, including:
 - Surrounding property owners
 - Local residents and businesses near the site
- Department of Planning, Housing and Infrastructure (DPHI)
- First Nations engagement

6.2 Engagement Process

The engagement process included a number of engagement activities outlined in the Engagement Report and **Table 13**. These activities included a letterbox drop, two community webinars and a public enquiry system (via email and phone).

Engagement with government agencies have also occurred through the Scoping and SDRP processes with DPHI and GANSW respectively.

Table 13: Community Engagement Activities (Ethos Urban)

Engagement activity	Targeted stakeholders	Reach
Letterbox drop of community notification flyer 	Immediate neighbours, broader community and local businesses within 100m buffer of the project site.	A community notification flyer was delivered to 94 letterboxes of surrounding residents and businesses on 12 March 2025. The flyer included information about the proposal and an invitation to attend a community information webinar. It also provided project team contact channels (hotline and email address) for community members to ask questions and provide feedback on the project. A copy of the flyer is included in Appendix A.1 of this report, and the flyer distribution map is included in Appendix A.2.
Community Webinar – Session 1 	Immediate neighbours, broader community and local businesses	A community webinar was held on 26 March 2025 from 1:00-2:30pm via Zoom. The webinar received 13 registered participants, with 13 attending the session. The webinar included an overview of the proposal and a Q&A in which attendees could submit questions and feedback via the chat function. Questions were answered 'live' by the project team during the session. A copy of the webinar presentation is available at Appendix A.5.
Community Webinar – Session 2 	Immediate neighbours, broader community and local businesses	A community webinar was held on 26 March 2025 from 6:00-7:30pm via Zoom. The webinar received 16 registered participants, with 13 attending the session. The webinar included an overview of the proposal and a Q&A in which attendees could submit questions and feedback via the chat function. Questions were answered 'live' by the project team during the session. A copy of the webinar presentation is available at Appendix A.1.
Enquiry management 	All	A public email address and phone number were promoted via all project communications, including the community notification flyer and two webinar sessions. To date, one (1) call, and three (3) emails have been received as of the date of this report by the project team and all have been responded to.

6.3 Community Views & Feedback

Key issues raised by the community over the course of engagement activities are outlined in **Table 14**. Responses to these items are provided in the Engagement Report, and where appropriate considered in the final design of the proposed development.

Table 14: Community views summarised (Ethos Urban)

Matter	
Height, bulk and scale, setbacks	• Questions and some concerns related to the proposed building height and number of stories above ground. • Requests for clarification around what the proposed southern setback is.
Traffic and Parking	• Questions relating to the number of car spaces provided in the development. • Concerns were expressed that the proposal would cause traffic congestion in the area.
Pedestrian and vehicular access	• Clarification requested regarding location of vehicle access/entry to the site. • Questioned why access to the site was not located on the corner of Russell Avenue and Trafalgar Avenue.
Stormwater	• Question related to how the proposal would manage stormwater impacts to neighbouring properties. • Trafalgar Avenue has a history of stormwater issues.
Heritage and local character	• Question posed regarding how the development was possible if the site is located in a Heritage Conservation Area (HCA). • Commentary expressing concern about the changing character of Lindfield
Tree Canopy	• Question regarding the percentage of existing tree cover is proposed to be removed? • Commentary about the Lindfield area having significant tree coverage.
Privacy and solar access	• Concern expressed relating to how the proposal will manage • privacy impacts and sun access to surrounding buildings. • Concern expressed regarding loss of privacy and solar access for existing residents located south of the site.
Construction	• Questions related to the length and timing of construction. • Questions relating to how the proposal would manage potential impacts to heritage buildings during any excavation and ground works. • Commentary expressing a need to be considerate of neighbours during the construction phase, with specific mention of residents on Middle Harbour Road.
Planning process and project timeline	• Request for confirmation if 50 unique objections of the proposal triggers involvement of the Independent Planning Commission. • Question relating to application lodgement timing and determination. • Questions relating to how this application sits within local Council's proposed alternative TOD scheme.
Consultation	• Request to provide a presentation overview pack to webinar attendees. • Questions relating to future consultation and where the SSDA would be displayed when on public exhibition. • Clarification sought if Ku-ring-gai Council provides feedback on the SSDA. • Commentary providing thanks for the pre-lodgement consultation opportunity

6.4 Engagement to be carried out

In accordance with the SEARs requirements for engagement, the Applicant has implemented a strategy to inform and seek feedback from local residents and businesses, Council, and key government agencies.

As the Proposal evolves, Castle Hill No.8 Pty Ltd will continue to engage local residents, landowners, businesses and key agencies, ensuring that community input remains an essential part of the development process. This includes during public exhibition, assessment, and following determination phases of the SSD.

The proponent will provide ongoing updates to key stakeholders and the community at key project milestones as the project progresses. The proposed development will also be publicly exhibited as part of the SSDA process and is an opportunity for stakeholders to provide formal feedback to DPHI.

7.0 Assessment of Impacts

This section assesses and provides responses to potential environmental impacts of the proposal. It addresses matters set out in the SEARs, dated 16 January 2025. Refer to the SEARs Compliance Table at **Appendix A** for details on the address of each SEARs requirement in this EIS and also supporting technical documentation.

7.1 Design Quality

An SDRP meeting was held on 5 February 2025. Initial designs, concepts and development metrics were presented and was overall, well received. SDRP feedback was received 14 February 2025 where the following elements of the proposal were supported:

- Intent for the design to respond to:
 - The local street and landscape character
 - The site hydrology in proximity to the riparian/ biodiversity zone
 - Minimal overshadowing to the Middle Harbour Road dwellings.
- The extent of communal open space and deep soil over 6m in width (25% coverage), enabling tree retention and new thriving mature trees.
- The Trafalgar Avenue right-of-way as vehicle and pedestrian access.
- The general approach to floor levels datums in response to site falls (subject to SDRP advice)
- A material palette informed by the Lindfield architectural character.
- Shared access for affordable and market residents to all common spaces and facilities.

The SDRP provided advice and recommendations to be considered in the design development of the project. These matters are addressed of SDRP comments, prepared by DKO and attached at **Appendix D**.

7.2 Built Form and Urban Design

7.2.1 Building Height

The Site is located within the Lindfield TOD area. Pursuant to s155 of Chapter 5 of the Housing SEPP, development for the purposes of a residential flat building with a height of up to 22m is permitted with consent.

The proposed development provides 15% of the total gross floor area as infill affordable rental housing pursuant to s16(1) & (2) of Part 2, Chapter 2 of the Housing SEPP, the proposed development can utilise 30% additional floor space ratio (FSR). Therefore, the maximum permitted building height for the proposed development is the height permitted under the Chapter 5 TOD provisions (22m) plus an additional height that is the same percentage as the additional FSR permitted under s16(1), being 30% in this case.

Therefore, the total maximum height of building at the site for the purposes of residential flat buildings is 28.60m.

The proposed development has a maximum height of 33.07m at its highest point, exceeding the maximum building height by 4.47m (15.6%). A written Clause 4.6 request to vary the height of building development control has been prepared by Planning & Co (**Appendix P**), which determines that strict compliance with the height of building control is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention. The proposed variation is justified for the following reasons:

- The site falls approximately 11.5 from the south-east down to the north-west. The built form is stepped to respond to the change in level, however, minor portions of the upper level vary the maximum building height in response to the site's natural topography. Importantly, the bulk of the proposed development, contributing to the height exceedance, has been transferred from the southeast corner to the roof of the western side to enable greater solar access to residents to the south.
- The parts of the proposed development exceeding the maximum height are limited to a portion of the uppermost levels of each building and are a result of the significant slope across the site.
- The proposed development has been carefully designed to reduce solar impacts and will cast less shadow on 21 June than a compliant TOD and Infill Affordable Housing envelope. In summary:

- Neighbouring dwellings to the west will receive at least 2 hours of solar access between 9am and 3pm on 21 June.
- Neighbouring dwellings to the south and east will receive at least 2 hours of solar access between 9am and 3pm on 21 June.
- The proposed building has increased setbacks to the heritage lots to the south to ensure solar access to these lots. As a result, the building form was massaged and bulk redistributed to the areas that do not impact any other lots in terms of solar or other amenity impacts.
- The site is in a dense urban centre undergoing renewal. The proposed development reflects the anticipated future character of the area, and the minor exceedance does not create any unreasonable additional impact in terms of overshadowing compared to a compliant TOD and Infill Affordable Housing envelope.
- A Visual Impact Assessment (VIA) prepared by Urbaine Design Group supports the proposed development and determines:

“This Visual Impact Assessment has undertaken a review of the proposal, within its future setting and concludes that, although there may be a small number of locations within neighbouring properties that are impacted by the new development, the relevant views, as selected within the report, are all observed from static and dynamic public viewing locations.

The assessment of view loss experienced by local pedestrians, or vehicle occupants varies between Nil and Moderate. This is as a result of the existing topography of the landform and the unavailability of distant views, combined with the dense, mature landscaping surrounding the site in all directions. In particular, the tall, mature trees along Gordon Creek screen many of the views from the south and east towards the subject site - entirely at the lower levels and significantly at the upper levels.”

Importantly, the proposed height exceedance does not cause any additional impact on public or private views compared to a compliant height.



Figure 30: Height Plane Diagram (DKO)



Figure 31: North Elevation – Valley Road (DKO)

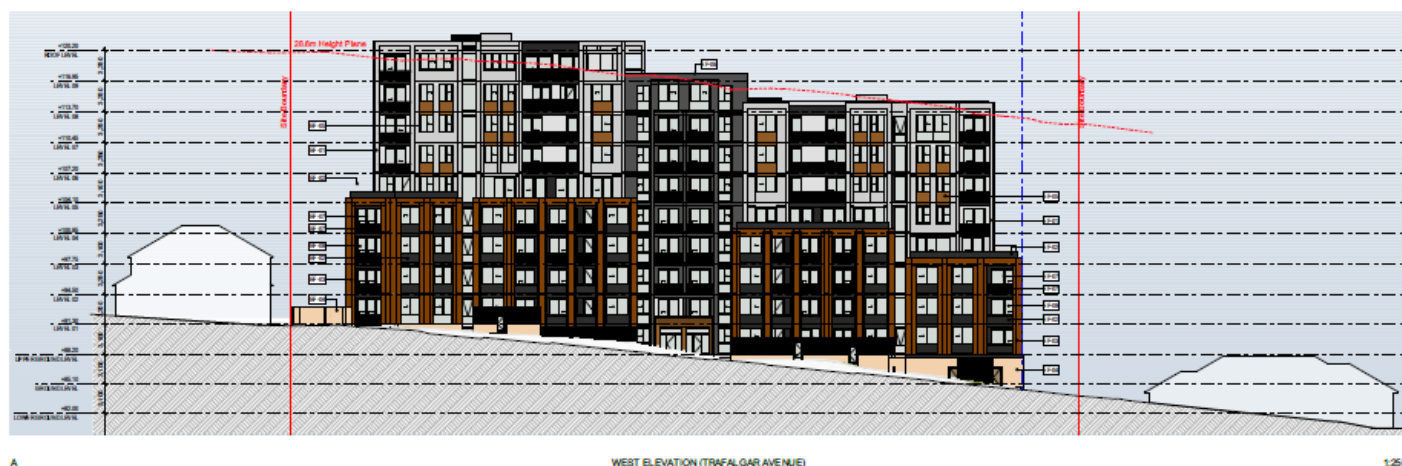


Figure 32: West Elevation - Trafalgar Avenue (DKO)

7.2.2 Bulk and Scale

The bulk and scale of the proposed development has been carefully developed over the course of the project, including through the SDRP, to minimise impacts on surrounding development and public space.

The TOD provisions in Chapter 5 of the Housing SEPP permit a maximum floor space ratio up to 2.5:1. As the proposed development provides 15% of the total gross floor area as infill affordable housing, the proposed development may utilise an additional 30% ‘bonus’ FSR pursuant to s16 of Chapter 2, Part 2 of the Housing SEPP.

Therefore, an FSR of 3.25:1 is sought, in line with the maximum permitted under Chapters 2 and 5 of the Housing SEPP.

The proposed density is entirely consistent with the density anticipated by the planning legislation and is also consistent with evolving built form character of Lindfield town centre. The building volume is broken up into three distinct interconnected elements – each sitting above a podium. The massing has been setback from the neighbouring properties to maintain solar access and to provide opportunities for deep soil and landscaped at the site’s edges. Vertical articulation is proposed to provide further relief which is increased by the upper-level setbacks above the four storey podium. The proposal has employed a number of design moves to ensure the bulk and scale is appropriate for the site and the surrounding context. This includes:

- Reducing the mass adjacent to the existing properties to the south.

- Providing generous setbacks to accommodate tree retention and deep soils zones to allow mature tree growth to soften the built form when viewed from the public domain and neighbouring properties.
- Setting back the upper levels to increase solar access to the surrounding properties and public domain and reduce the visual impact of the building mass. Further, DKO have introduced an additional setback to the podium along the street frontage to better respond and align with the existing street character. Above four storeys, the building is setback in accordance with boundary separation distances required by the Apartment Design Guide.
- Incorporating vertical articulation to break down the building mass and visual bulk, improving the overall streetscape presence and perceived scale.

7.2.3 Setbacks and Separation

Additional to the above, the building setbacks respond to the local context of the site and adhere to the requirements of the ADG.

A 4.5m setback is provided on the western boundary along the Trafalgar Avenue frontage which aligns with the established street setback and accommodates tree retention and designated deep soil zones. An additional 3m setback to the upper levels, from Level 5, along the Trafalgar Avenue frontage responding to the established street character and minimises the perception of bulk.

Increased setbacks are provided where the building interfaces with existing adjoining lower-density residential, which ensures a sensitive transition. In particular, 9m and 6m setbacks are provided to common boundaries adjoining the heritage lots to the north and south and an increased 10m setback is provided to 3A Valley Road, Lindfield, to the east. Increased setbacks have been introduced to the southern boundary to enhance solar access to properties to the south. These setbacks increase from Level 5 to 12m and 9m and 12m, respectively to the above, which meet and exceed the minimum ADG requirements for storeys 5-8 of a building. Building A, which reaches Level 9, maintains a 12m setback to that level, adhering to ADG requirements.



Figure 33 Excerpt of Level 1 Architecture Plans (DKO)

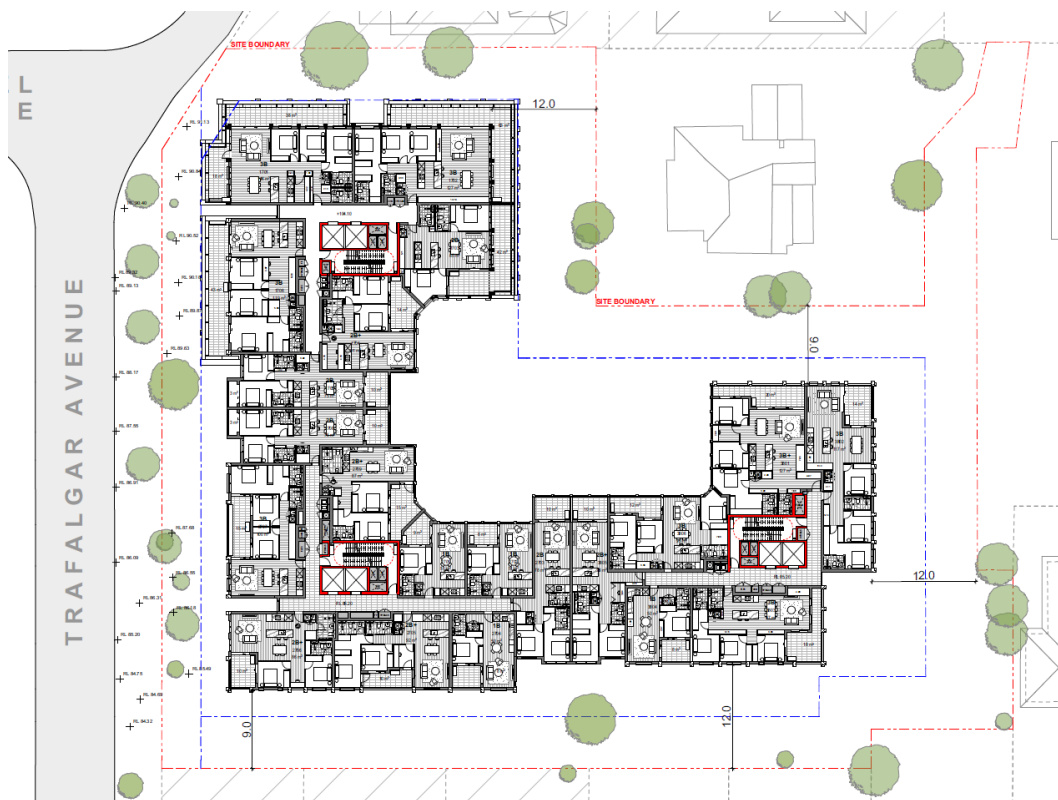


Figure 34 Excerpt of Level 5 Architecture Plans (DKO)

7.2.4 Future Character

Section 20 *design requirements* of Part 2, Division 1 In-fill Affordable Housing requires that the consent authority has considered whether the design of the development is compatible with either the desirable elements of the character of the local area, or, for precincts undergoing transition, the desired future character of the precinct.

The Lindfield TOD area is a precinct undergoing transition as a result of Chapter 5 (TOD) and Chapter 6 (LMR) of the Housing SEPP, aligned to State Government strategic objectives and the National Housing Accord. Relevantly, the aims of Chapter 5 are to increase housing density within 400m of existing public transport, to delivery mid-rise residential flat buildings and to encourage the development of affordable housing.

The design of the proposed development is compatible with the future desired character of Lindfield as established by the relevant parts of the Housing SEPP. In *Big Property Group Pty Ltd v Randwick City Council* [2021] NSWLEC 1161, Commission O'Neill established that desired future character is not determined only by the development standards that control building envelopes for an area, and "[cannot] account for provisions under other EPs that incentivise particular development with GFA bonuses or other mechanisms that intensify development."

The proposed design of the building including the proposed height is appropriate mindful of this context, and is compatible with the future desired character of the area. The proposed development has been designed with consideration of the existing and future streetscape in terms of building articulation, use of materials and landscaping in setbacks and on structure. Impacts on nearby items of heritage significance have also been managed and are acceptable, and the proposed design is compatible with the heritage conservation area.

7.2.5 Residential Amenity

As per Chapter 4 of the Housing SEPP, the design of the proposed development is accordance with the requirements of the ADG in order to achieve a high level of amenity for all residents.

The Design Verification Statement prepared by DKO and attached as **Appendix D** confirms that the proposed development generally complies with the design criteria in Part 3 and 4 of the ADG. Any inconsistencies with key ADG design criteria are assessed and discussed below.

Part 4A Solar and Daylight Access

Due to the south facing sloping site constraints and complex shape of the amalgamated site, 39 apartments receive no sunlight during mid-winter (17.7%). The proposed variation to the minimum 15% design criteria is minor. The apartments that do not receive direct solar access in mid-winter achieve the majority of the remaining ADG design criteria and will provide occupants with good residential amenity throughout the year.

Part 4F Common Circulation and Spaces

Building B accommodates 10 apartments from the circulation core and Building A accommodates nine (9). The total number of apartments per circulation core in both buildings compliant with design guidance which identifies a maximum of 12 apartments per core. The circulation cores receive daylight and natural ventilation and will achieve good amenity in accordance with Design Objective 4F-1.

7.3 Environmental Amenity

7.3.1 Overshadowing

Shadow diagrams and sun-eye diagrams have been prepared by DKO (**Appendix B**) and are provided within the Architectural Plans included in the EIS. In summary, the diagrams demonstrate that overshadowing caused by the proposed development is minor, notwithstanding the height exceedance, as:

- Neighbouring dwellings to the west will receive at least 2 hours of solar access between 9am and 3pm on 21 June. The impact of the additional proposed height compared to a compliant TOD and Infill Affordable height is negligible.
- Neighbouring dwellings to the south and east will receive at least 2 hours of solar access between 9am and 3pm on 21 June, and solar impacts on these developments is very minor. The impact of the additional proposed height over the maximum permitted height is minor and does not result in additional overshadowing of any properties.
- The proposed building has increased setbacks to the heritage lots to the south to ensure solar access to these lots. As a result, the building form was massaged and bulk redistributed to the areas that do not impact any other lots in terms of solar or other amenity impacts.
- The proposed development has been carefully designed to reduce solar impacts and will cast less shadow on 21 June than a compliant TOD and Infill Affordable Housing envelope.

The site is located in a dense urban centre undergoing renewal. The proposed development reflects the anticipated future character of the area and the minor exceedance does not create any unreasonable additional impact in terms of overshadowing compared to a compliant TOD and Infill Affordable Housing envelope.

7.4 CPTED

A Crime Prevention Through Environmental Design (CPTED) report has been prepared by Sarah George Consulting as **Appendix R**. The CPTED considers the proposed development against the CPTED Principles and provides recommendations to ensure the safety and mitigation of crime risk for residents, guests and the broader community.

The CPTED Report determines that the proposed development is unlikely to result in any significant risks in terms of crime generation or discernible impacts on crime rates in the area.

7.5 Visual Impact

A Visual Impact Analysis (VIA) has been prepared by Urbaine and attached as **Appendix W**. The VIA concludes that the proposed development has acceptable visual impacts and may be supported. The VIA assessed impacts on public views using the four-step test as established in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140.

The VIA considered view impacts from eight (8) public view points. View impacts from public locations ranged from nil to moderate impact, and most impacts on views from public places were considered negligible. All view impacts from public locations were found to be acceptable given the context of the area's future growth. Importantly, the VIA concludes that the visual impact is acceptable when assessed against a permissible building envelope for the site.



Figure 35: Viewpoint locations (Urbaine)

7.6 Traffic and Transport

A Traffic Impact Assessment (TIA) has been prepared by PDC attached as **Appendix Q**. The TIA and CTMP address the requirements of SEARs Item 9.

The TIA assessed the impact of the proposed development on traffic during operation and during construction. In summary:

Access

Basement access as well as loading dock access is proposed from Trafalgar Avenue. Swept path analysis has been undertaken to confirm compliance with relevant Australian Standards and ensure the proposed access arrangements can operate safely and efficiently.

Parking Provision

The proposed development provides 367 car parking spaces, 15 motorcycle parking spaces and 22 bicycle parking spaces.

Servicing and Loading Arrangements

The proposed development includes two dedicated loading bays to accommodate 8.8-metre medium rigid vehicles (MRV). These service bays are provided at-grade and therefore these trucks are not required to enter the basement parking areas.

Traffic Generation

The traffic generation assessment confirms that the development will generate a net increase of 39 vehicle trips / hour during the AM peak period and 29 vehicle trips / hour during the PM peak period once the generation of the existing development is considered. This is considered acceptable as it will have negligible impact on the nearby intersection.

The proposed internal parking arrangements generally comply with the relevant requirements of AS2890.1, AS2890.2, AS 2890.3 and AS 2890.6.

7.7 Noise and Vibration

A Noise and Vibration Impact Assessment has been prepared by Acoustic Dynamics and is attached as **Appendix Y** to assess the potential effects of external noise and vibration intrusion to the proposed development as well as the assessment of construction and operational noise and vibrations from the proposed development.

7.7.1 Mitigation Measures

The Noise and Vibration Impact Assessment provides recommendations to ensure the development is designed and constructed to achieve compliance with the relevant acoustic requirements. The glazing systems and architectural elements proposed to mitigate noise impacts are expected to achieve acceptable performance ratings. Building materials will be tested and certified with respect to their intended use.

Additionally, the assessment concludes that noise emission from the proposed development is predicted to comply with the relevant requirements of Ku-ring-gai Council and the NSW EPA, and the acoustic amenity of all nearby receivers will be adequately protected.

7.8 Water Management

An Integrated Water Management Plan (IWMP) has been prepared by SGC and is attached at **Appendix S**. This report describes the stormwater on site detention and quality measures adopted for the development to address Council requirements to meet stormwater quality targets.

Water conservation/ Rainwater tank

Based on the relevant requirements of the Ku-ring-gai DCP, a 20kL rainwater tank is proposed as part of the stormwater management for the proposed development to drain 838sqm of roof area. The rainwater tank is to be used for irrigation of minimum 923sqm of landscape/ planter area.

Stormwater management and treatment

It is proposed to collect and convey the roof and the surface water from the proposed development in a new stormwater system to cater for the 100-year ARI storm event. The runoff from the roof areas (838 sqm) will be directed towards the storm filter chamber consisting of 22 x 690 PSorb Stormfilter Cartridges.

Onsite detention

A126.03cbm belowground on-site detention tank has been provided to meet council's on-site detention requirements.

Stormwater disposal

Stormwater is to be discharge to a proposed kerb inlet pit located on Trafalgar Avenue which is to connect to a new pit downstream along 55 Trafalgar Avenue. Stormwater plans have been prepared by S&G Consultants.

7.9 Ground and Groundwater Conditions

The following reports have been prepared to assess ground and groundwater conditions:

- Geotechnical Investigation Report has been prepared by Morrow Geotechnics and is attached as **Appendix V**.
- Dewatering Management Plan has been prepared by Morrow Geotechnics and is attached as **Appendix X**.
- Hydrogeology Report has been prepared by Morrow Geotechnics and is attached as **Appendix Z**.

7.9.1 Current Conditions

Subsurface conditions

The stratigraphy at the site is characterised by fill/topsoil and residual soil overlying Sandstone bedrock. The observed stratigraphy has been divided into six geotechnical units. A summary of the subsurface conditions across the site, interpreted from the investigation results, is replicated below.

Table 15: Summary of inferred subsurface conditions (Morrow Geotechnics)

Unit	Material	Generalised Description
1	Fill/Topsoil	FILL: Silty to gravelly SAND, loose, fine, grained, fine to coarse sized gravel. Unit 1 is inferred to be uncontrolled and poorly compacted.
2	Residual Clay	Residual Silty to gravelly CLAY, firm to stiff, medium to high plasticity, fine to coarse sized gravel, subangular to subrounded ironstone gravel, less than or equal to plastic limit.
3	Class V Sandstone	Extremely to highly weathered Sandstone, extremely low to very low strength, fine grained, with extremely weathered seams and ironstone bands, 5° laminations.

4	<i>Class IV Sandstone</i>	Moderately to Slightly weathered Sandstone, very low to low strength, fine grained. Defects consist of Extremely weathered and crushed seams as well as partings between 1° and 5° and Joints between 20°-90°.
5	<i>Class III Sandstone</i>	Fresh Sandstone, medium strength, fine grained. Generally massive with some carbonaceous laminations.
6	<i>Class II Sandstone</i>	Fresh Sandstone, high strength, fine grained. Generally massive with some carbonaceous laminations. A medium strength shale band was encountered within Unit 6 in BH1 at between 34.65 and 35.43 mBGL.

AS1170 Earthquake site risk classification

Assessment of the material encountered during the investigation in accordance with the guidelines provided in AS1170.4-2007 indicates an earthquake subsoil class of Class B_e – Rock for the site.

Groundwater conditions

Groundwater observations were conducted within three piezometer wells between 28 February 2025 and 2 April 2025. The results of the water level monitoring show a stable hydraulic gradient across the site between RL 82.82 mAHD and RL 81.55 mAHD.

Water quality observations

Concentrations of copper, manganese, Nickel and Zinc are above the ANZG Freshwater guidelines for the water sample tested at the site.

7.9.2 Potential Impacts

- **Foundation design:**
 - Risk of adverse differential ground movements within the foundation footprint and between high levels and deeper footings.
 - Groundwater ingress may be encountered during pile excavation.
- **Excavation retention:** The shoring strategy shall be reviewed at each boundary interface taking into consideration the proposed depth of excavation and the geotechnical subgrade profile at the same location
- **Soil and rock excavatability:**
 - The presence of medium to high strength bands in lower strength rock and the discontinuity spacing may influence the excavatability of the rock mass.
 - The excavation methodology may also be affected by the following factors:
 - Scale and geometry of the excavation;
 - Availability of suitable construction equipment;
 - Potential reuse of material on site; and
 - Acceptable excavation methods, noise, ground vibration and other environmental criteria.
- **Construction seepage inflows:** The excavation program for the proposed basement is expected to take up to 6 months, therefore construction seepage inflows are expected this period.
- **Local groundwater regime:** On the basis of ongoing groundwater monitoring at the site, it is recommended that a design groundwater level for the water table is taken at RL 82.50 mAHD across the site.

7.9.3 Mitigation Measures

- **Foundation design:**
 - Unless an allowance for differential ground movement is included in the design of the proposed development, all new structures found on natural materials with comparable end bearing capacities and elastic moduli are recommended.
 - Where groundwater ingress is encountered during pile excavation, concrete is to be placed as soon as possible upon completion of pile excavation. Pile excavations should be pumped dry of water prior to pouring concrete, or alternatively a tremmie system could be used.
- **Excavation retention:**

- Where sufficient space for batters is not available a shoring system should be installed prior to excavation. Shoring systems in sandstone generally comprise anchored soldier pile walls with piles socketing below bulk excavation level (BEL). Unit 5 and Unit 6 Sandstone will be selfsupporting and may be cut vertically provided that allowance is made for geotechnical inspections and spot bolting/shotcreting where required. Piles can be terminated within Class III Sandstone or better material above BEL provided that toe anchors are installed for lateral pile restraint.
- For design of retaining walls: Appropriate surcharge loading from construction equipment, vehicular traffic and neighbouring structures at finished surface level.
- For design of retaining walls: Anchor design should ignore the contribution of any bonded length within a wedge which extends upwards at 45° from the top of Unit 6 to account for a failure wedge forming behind the shoring system.
- **Excavation vibration:**
 - Safe working distances for typical items of vibration intensive plant are listed in the report. The safe working distances should be complied with at all times. Monitoring of vibration levels may be required to ensure vibrations levels remain below threshold values during the construction period.
- **Additional geotechnical input advised:**
 - All excavated material transported off site should be classified in accordance with *NSW EPA 2014 - Waste Classification Guideline Part 1; Classifying Waste*.
 - A suitably qualified geotechnical engineer is to assess the condition of exposed material at foundation or subgrade level to assess the ability of the prepared surface to act as a foundation or as a subgrade.
 - Observation of the material within pile excavations should be undertaken at the start of piling works.
 - Regular inspections of battered and unsupported excavations, where proposed, to confirm geotechnical conditions and to assess the suitability of design assumptions and further advice.
- **Construction seepage inflows:** Temporary construction dewatering is expected to occur for construction seepage inflows during the excavation program period.
- **Proposed dewatering schedule:** Give the relatively low permeability of the sandstone profile encountered in the geotechnical investigation it is proposed to construct the basement as a drained soldier pile wall. Dewatering through spear points and pumping is not proposed for the construction period, rather any groundwater seepage will be allowed to drain through strip drainage installed behind shotcrete panels and collected by sump pits within the basement.

7.10 Contamination and Remediation

A PSI has been prepared by EIA, attached at **Appendix O** and appraises the potential for contamination on the site.

7.10.1 Current Conditions

The findings of the PSI concluded the following:

- The site was developed for residential purposes and has remained so since at least 1943.
- The site was free of statutory notices and licensing agreements issued under the *CLM Act 1997 and POEO Act 1997*. No record of significant contamination was held by the NSW EPA for the site, or for the land surrounding the immediate vicinity.
- There was no evidence that an underground petroleum storage system (UPSS) or above storage tank (AST) was present, or had been installed on the site, and no suspicious odour indicating contamination was detected during the site inspection.
- Construction of the basement will require the excavation and offsite disposal of soil as currently exposed at the surface thereby removing any potential contamination risk associated with these soils, for the end user of the site.
- The likelihood of encountering acid sulfate soils during development was low.
- As no intrusive investigations have occurred to date, soil sampling and laboratory analysis will be necessary to classify the excess soil for offsite disposal, as required under the NSW EPA (2014) Waste Classification Guidelines.

7.10.2 Potential Impacts

The PSI concludes that the land is considered to be suitable for the proposed development, in accordance with the Resilience and Hazards SEPP (SEPP R&H).

7.10.3 Mitigation Measures

The following recommendations from the PSI are summarised below. Refer to **Appendix O** for details.

- Before commencement of any demolition works, a hazardous materials survey should be completed by a suitably qualified consultant, to confirm the presence / location of any hazardous materials within the existing building fabrics.
- Following building demolition and removal of associated wastes (including vegetation), an inspection of the exposed surface across the site, for ACM, should be performed as part of any asbestos clearance reporting.
- All soils designated for off-site disposal, including any virgin excavated natural material (VENM), must be pre-classified in accordance with the EPA (2014) *Waste Classification Guidelines*.
- Design a Sampling, Analysis and Quality Plan in accordance with the NSW EPA (2022) *Sampling Design Part 1 – Application guidelines*.
- Once appropriately classified, all waste materials are to be transported to EPA-licensed waste facilities by the appointed waste contractors.
- Any materials being imported to the site should be validated as suitable for the intended land use, in accordance with EPA guidelines.

EI emphasises that these recommendations can be managed post demolition and through the development approval process, as conditions of consent, in accordance with the SEPP R&H.

7.11 Trees and Landscaping

An Arboricultural Impact Assessment Report (AIA Report) has been prepared by Urban Arbor and is attached as **Appendix N**. The AIA evaluates the potential impact on trees and makes recommendations on tree retention and replanting. The Landscape Plan have been prepared by Paul Scrivener Landscape Architects and is attached as **Appendix L** and sets out landscape design for the proposed development supporting the Architectural Plans (**Appendix B**).

7.11.1 Current Conditions

The AIA report assesses the impact of the proposed development to all significant trees located within 5-metres of the development works. 72 trees have been identified and assessed including trees on adjoining sites. In Appendix 1 of the AIA, two site plans have been prepared, where the tree information including canopy spread, TPZ and SRZ have been overlaid onto the existing and proposed site plans.

7.11.2 Potential Impacts

Impact on Trees

The proposal:

- Retains 26 trees.
- Will require 4 trees to be subject to tree sensitive construction and/or root investigations.
- Removed 42 trees.

The AIA assessed the impact of the proposal on trees considering their retention value, the encroachment into the Tree Protection Zones (TPZs) with consideration of TPZ radius, TPZ area and Structural Root Zone (SRZ) radius. The following table provides a summary of recommendations for the trees relevant to the site, replicated from the report. The AIA stipulates that the works specified, impacting trees, are necessary for reasonable management and should be acceptable to Council.

The AIA notes that there are multiple trees located within an adjoining site (1 Valley Road), adjacent to the boundary, that adjoins 1A Valley Road, that have not been individually identified on the detail survey. The two largest trees in the group have been identified in this report, with the location of the trees estimated in appendix 1 (Tree 67 and 68).

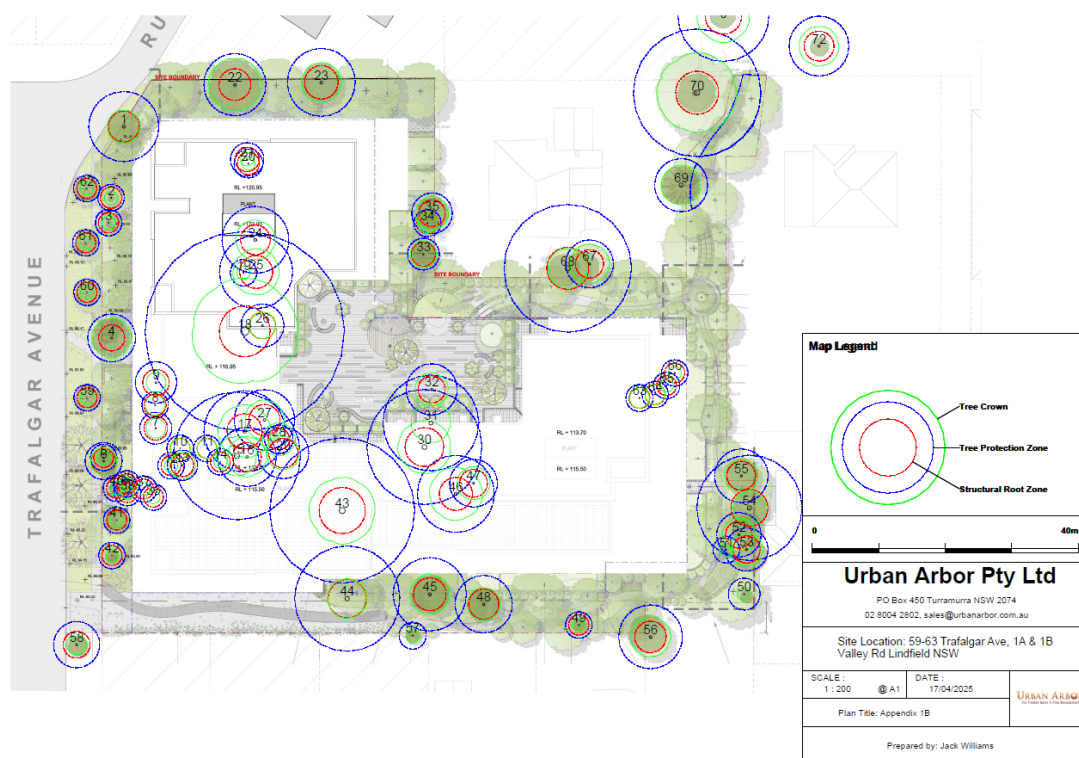


Figure 36: Existing trees overlaid onto proposed site plan (Urban Arbor)

Table 16: Summary of existing trees and trees that may be affected by development (Urban Arbor)

Impact	Reason	Category A A	Category Z Z	Total
Trees recommended to be removed	Building construction, new surfacing and/or proximity to structures, or trees in poor condition	4, 7, 8, 9, 13, 16, 17, 18, 19, 24, 27, 29, 30, 31, 43AA, 46, 47 (Seventeen trees)	2, 5, 6, 10, 11, 12, 14, 15, 20, 21, 25, 26, 28, 32, 36, 37, 38, 39, 40, 41, 42, 63, 64, 65, 66 (Twenty-five)	42 Trees
Trees requiring tree sensitive construction and/or root investigations	Removal of existing surfacing/structures and/or installation of new surfacing/structures may impact the viability of the trees	44, 45, 67, 68 (Four trees)	None	4 Trees
Trees recommended to be retained	Removal of existing surfacing/structures will not impact the viability of the trees	1, 22, 23, 33, 35, 48, 50, 52, 53, 54, 56, 57, 69, 70, 71, 72 (Sixteen trees)	3, 34, 49, 51, 55, 58, 59, 60, 61, 62 (Ten trees)	26 Trees

Note: AA = AA Retention value tree.

Landscape Plan

The Landscape Plan will create an overall positive environmental and amenity outcome which includes a meaningful celebration of Country. Further, the Landscape Plans have incorporated SDRP feedback where relevant to ensure the achievement of quality design and amenity outcomes for residents as well as create an appropriate interface between the proposed development and the public domain.

A significant amount of new planting is proposed including the following (refer to **Appendix L**). The existing street trees are to be supplemented with additional *lagerstroemia indica* (crepe Myrtle) street trees to reinforce the existing pedestrian level streetscape. The following listed STIF species assemblage is to be predominantly used and to be a minimum of 50% of species selection and coverage:

Trees:

- Sydney Golden (*Acacia longifolia*)
- Forest Oak (*Allocasuarina torulosa*)
- Sydney Red Gum (*Angophora costata*)
- Grey Iron Bark (*Eucalyptus paniculata*)
- Blueberry Ash (*Elaeocarpus reticulatus*)
- Turpentine (*Syncarpia glommulifera*)

Shrubs/Small feature trees:

- Coffee Bush (*Breynia oblongifolia*)
- Australian Indigo (*Indigofera australis*)
- Tick Bush (*Kunzea ambigua*)

Groundcovers/Climbers:

- Kidney Weed (*Dichondra repens*)
- Native sarsaparilla (*Hardenbergia violacea*)
- Creeping Boobiala (*Myoprum parvifolium*)

Ornamental grasses/Strappy leaved plants:

- Blue Flax Lily (*Dianella caerulea*)
- Spiny Mat Rush (*Lomandra longifolia*)

7.11.3 Mitigation Measures

Impact to Trees

Mitigation measures for impact to trees are summarised below and are further detailed in the AIA.

- All contractors must be made aware of the tree protection requirements prior to commencing works at the site. This report and a copy of the site plans in Appendix 1 of the AIA must also be made available to any contractor prior to works commencing and during any on-site operations.
- All tree protection to be in accordance with tree protection specifications under section 11.6 of the AIA.
- **Demolition:** The demolition of all existing structures inside or directly adjacent to the TPZ of trees to be retained must be undertaken in consultation with the Project Arborist.
- **Excavations:** The Project Arborist must supervise and certify that all excavations and root pruning are in accordance with AS4373-2007 and AS4970-2009.
- **Landscaping:** All landscaping works within the TPZ of trees to be retained are to be undertaken in consultation with a consulting Arborist to minimise the impact to trees.
- **Underground services:** Where possible underground services should be located outside the TPZ of trees to be retained. All underground services located inside the TPZ of any tree to be retained must be installed via tree sensitive techniques.
- **Sediment and Contamination:** All contamination run off from the development such as but not limited to concrete, sediment and toxic wastes must be prevented from entering the TPZ at all times.
- **Tree Wounding/Injury:** Any wounding or injury that occurs to a tree during the construction process will require the project Arborist to be contacted for an assessment of the injury and provide mitigation/remediation advice. It

is generally accepted that trees may take many years to decline and eventually die from root damage. All repair work is to be carried out by the project Arborist, at the contractor's expense.

- **Completion of Development works:** After all construction works are complete the project Arborist should assess that the subject trees have been retained in the same condition and vigour. If changes to conditions are identified the project Arborist should provide recommendations for remediation.

7.12 Ecologically Sustainable Development

The ESD Report has been prepared by SLR is attached as **Appendix M**. The report discusses the sustainability principles as they have been incorporated into the design and ongoing operation of the proposed development. It also outlines the energy efficiency measures that will be implemented to reduce greenhouse gas emissions and footprint of the project.

The BASIX Certificate prepared by SLR is attached as **Appendix U** and certifies that the development will meet the relevant industry recognised building sustainability and environmental performance standards.

7.12.1 Potential Impacts

An assessment of the proposal against the ESD principles are provided in **Section 8.3.1**.

The proposal minimises greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources by committing to the following ESD initiatives:

- Passive design features
- Landscaping
- Building construction
- Active energy efficiency
- Water
- Transport
- Indoor environmental quality
- Operational waste management
- Renewable energy options

7.13 Biodiversity

A BDAR Report has been prepared by Keystone Ecological and is attached as **Appendix G**. The report identifies and assesses any biodiversity impacts associated with the development in accordance with the *Biodiversity Conservation Act 2016* and the *Biodiversity Assessment Method 2020*.

7.13.1 Current Conditions

The following lists key facts of the site in relation to state-listed flora and fauna, and their habitats and context of the site's landscape features:

- The development site is located within the Cumberland subregion in the Sydney Basin IBRA bioregion and the site occurs within the Pennant Hills Ridges Mitchell Landscape.
- The extent of native vegetation within the assessment area is estimated to total 94.6 hectares, being that which has been classified and mapped as three Plant Community Types (PCTs): PCT 3262 Sydney Turpentine Ironbark Forest, and PCT 3136 Blue Gum High Forest. This represents 12.4% of the total assessment area of 760.21 hectares.
- The pattern of native vegetation within the assessment area is uneven, being comprised of a large area of intact riparian bushland and similar (but smaller) patches of riparian vegetation.
- There are no wetlands within the buffer area or otherwise nearby recognised under the *State Environmental Planning Policy Coastal Management 2018*.

- No karsts, caves, crevices, cliffs rocks or other forms of geological features occur on site. There are no areas of formally or informally recognised geological significance within the buffer area or on the subject lot.
- At the time of preparation of this BDAR, declared Areas of Outstanding Biodiversity Values (AOBVs) are confined to those already declared as Critical Habitat under the *Threatened Species Conservation Act 1995* (now repealed). No areas of AOBV declared under the *Biodiversity Conservation Act 2016* occur within or near the site.

7.13.2 Potential Impacts

Prescribed Impacts

Impacts for which there is not a formal offset procedure are “prescribed impacts” as per Part 6 Division 6.1 of the Biodiversity Conservation Regulation 2017. Prescribed impacts discussed in the BDAR include:

- Karst, caves, crevices, cliffs, rocks and other geological features of significance: Site does not support any features.
- **Human-made structures and non-native vegetation:** All of the existing improvements on the development site will be removed along with the formal gardens that includes some exotic vegetation. The exotic trees to be removed may provide shelter and foraging resources for some common urban fauna species (particularly birds), and the mature *Phoenix canariensis* Canary Island Date Palms may provide foraging resources used by *Pteropus poliocephalus* Grey-headed Flying-fox.
- **Habitat connectivity:** This is considered to be a minor consideration, as local connectivity is primarily provided by vegetation that occurs offsite.
- **Water bodies, water quality and hydrological processes:** The development area does not have recognised drainage lines or other features associated with water bodies.
- **Wind farm developments:** This is not a wind farm development, and so any such related indirect impacts are not relevant.
- **Vehicle strikes:** While the development may potentially increase the numbers of vehicle movements, there are no threatened species likely to use the site that would be adversely affected by traffic movements to and from the site.

Avoid and Minimise Impacts

The Biodiversity Conservation Act 2016 requires as a legislative imperative that impacts are to be avoided, if not avoided then minimised by implementation of ameliorative measures, with offsetting only of unavoidable impacts.

The site supports 0.04 hectares of PCT 3262, comprising scattered canopy trees and ground covers in formal gardens. The direct impact of the proposed development on this PCT is illustrated **Figure 37** including the extent of PCT 3262 (VZ1, red and purple polygons), and its relationship with the native trees on site (green = naturally occurring, yellow = planted). The impact of the footprint is demonstrated in the colour of the VZ1 polygons (red = direct loss, 7 trees, 0.04 hectares; purple = retained, 2 trees, 0.004 hectares). Table 5 of the BDAR lists all 72 trees on the site and notes species, provenance, fate, the Critically Endangered Sydney Turpentine Ironbark Forest (STIF) affinity, and habitat value.



Figure 37: The extent of PCT3262 and its relationship with the native trees on site (Keystone Ecological)

The most valuable areas of biodiversity are the two remnant STIF trees, T43 and T17. They occur more or less in the centre of the site, making their retention impractical. If retained, they would be surrounded by tall buildings and be within a shady well. These trees would not survive such severe changes in their environment and therefore their removal as part of a redevelopment proposal is considered unavoidable.

Four trees that are characteristic of STIF will be retained: 2x *Elaeocarpus reticulatus* Blueberry Ash, and 2x *Pittosporum undulatum* Sweet Pittosporum. The loss of 8 STIF trees across 0.04 hectares will be mitigated by the implementation of the Landscape Plan with replacement tree planting and enrichment of both floristics and vegetation structure.

These measures and outcomes are considered adequate in satisfying the “avoid and minimise” rule.

Assessment of Impacts

- **Vegetation:** Direct impacts comprise of the removal of 0.04 hectares of PCT 3262, which is associated with a TEC, Sydney Turpentine Ironbark Forest. This will result in the current VI score of 11.5 being reduced to zero. This score is too low to generate an offset obligation for ecosystem credits.
- **Threatened Species:** The site does not provide habitat for any candidate threatened species. Therefore, no offset obligation is generated for species.
- **Indirect Impacts:** The following indirect impacts have the potential to occur during or as a result of the proposed works:
 - Presence of companion animals
 - Potential establishment of nuisance plant species from landscape areas into VMP area or nearby PCT 3262 Sydney Turpentine Ironbark Forest.
 - Increased nutrients in runoff from development area into the retained on site PCT 3262 trees, potentially favouring weed species.
 - Intensification of stormwater runoff.
 - Erosion and mobilisation of soil with stormwater runoff during construction.
 - Spread of weeds during civil works.
 - Introduction of soil pathogens.

7.13.3 Mitigation Measures

The BDAR identifies mitigation measures to minimise impacts of the proposal, which are provided below. The BDAR further details a complete list of mitigation measures for specific impacts.

- **Retain and restore native vegetation:** The opportunities for retention of locally native trees are few, given their distribution across the development site. However, the opportunity for restoration and enrichment of native vegetation is afforded in the areas of deep soil to be the subject of the Landscape Plan. The planting palette will rely heavily on species characteristic of the CEEC STIF and PCT 3262. Importantly, a diverse understorey can be restored with all structural layers planted. This will deliver a significant qualitative improvement in the composition of PCT 3262 pre-development.
- **Retain, replace, and enhance fauna habitat:** The replacement plantings and enrichment plantings will provide long term habitat and the boundary plantings will connect with offsite vegetation, thus enhancing local connectivity.
- **Protect resident fauna:** The Project Ecologist will supervise the removal of all trees and potential fauna habitat. A thorough pre-clearing / pre-demolition inspection shall be undertaken prior to clearing. Fauna will be removed from harm's way, relocated into suitable on-site habitat, or placed into veterinarian care if injured.
- **Erosion/ sedimentation:** Standard sedimentation and erosion control measures will be installed and checked regularly.
- **Exotic weed species:** Due to its close horticultural management, few significant weeds occur on site. However, ongoing weed control must be implemented during all phases of development. Any weeds removed are not to be stockpiled but instead disposed of at a suitable green waste facility. All loads are to be covered during transportation to minimise the risk of spread.
- **Pathogens and disease:** Although no pathogens were in evidence, to avoid the introduction and/or spread of soil borne pathogens and disease, appropriate hygiene procedures as recommended will minimise the risk of any significant impacts as a result of the proposal.

7.14 Waste Management

Elephants Foot have prepared an Operation Waste Management Plan (OWMP) attached as **Appendix AA** respectively. These identify potential waste generation and the plan of management, procedures for disposal of waste.

Waste Generation

The Ku-ring-gai Development Control Plan 2024 has been referenced to calculate the total number of bins required for the residential units. Calculations are based on generic general waste, recycling and Food Organics and Garden Organics (FOGO) rates.

Based on the estimated volumes of general waste, recycling and FOGO generated by the residential component of this development, the recommended bin quantities and collection frequencies are as follows:

- **General waste:** 41 x 660L bins collected 1 x weekly
- **Comingled recycling:** 21 x 660L bins collected 1 x weekly
- **Paper / Cardboard recycling:** 21 x 660L bins collected 1 x weekly
- **FOGO:** 24 x 240L bins collected 1 x weekly

Waste Management

The OWMP details residential waste disposal procedures which include storage within residential units and at allocated disposal points on each residential level with access to a general waste chute and larger recycling compartments. Communal FOGO bin rooms will be provided for each building core.

Council will be engaged for residential bin collection in accordance with Council's collection schedule. The report assumes that each waste type (general waste, recycling, and FOGO) will be collected weekly.

Additional residential waste management procedures for residential common areas, landscaped areas and garden organics, and residential bulky waste procedures are outlined.

Primary roles and responsibilities for operational waste management are identified in the OWMP.

7.15 Social Impact

A Social Impact Assessment (SIA) has been prepared by Sarah George Consulting as **Appendix BB** to address SEARs Item 18. Social Impact. The SIA considers the existing social characteristics of the community, assesses potential

social impacts and benefits of the proposed development and recommends measures to enhance, mitigate and manage identified social impacts.

7.15.1 Potential Impacts

The SIA identifies that the proposed development will have a range of social impacts including positive impacts associated with way of life, wellbeing, accessibility, community, health and wellbeing in respect of the provision of a range of dwelling sizes, types and costs; employment generation during construction, ongoing employment for maintenance of the premises, and management of the affordable housing units; accessibility to public transport and services; opportunities for community participation and cohesion; health and wellbeing benefits to existing and future residents through the provision of open spaces and a gym for the use of residents.

The SIA notes social impacts that may be experienced by existing residents.

7.15.2 Mitigation Measures

Mitigation and enhancement measures proposed include:

- Inclusion of the recommendations noted in the technical reports accompanying the application and detailed in Section 8.0 of the SIA
- Application of CPTED principles at the detailed design stage to ensure the development reduces the potential for crime.

The SIA concludes that the proposed development will have a positive overall impact on the local community.

7.16 Flood Risk and Bushfire Risk

The site is not identified as flood prone land nor bushfire prone land on the Ku-ring-gai Council Online Map Viewer.

7.17 Aboriginal Cultural Heritage

Artefact have prepared an Aboriginal Heritage Impact Assessment (AHIA) as **Appendix I**. The AHIA findings state that the site is considered disturbed land, with no Aboriginal objects or areas where objects may occur beneath the ground surface. Therefore, as the proposed development on the site will have no impact, an Aboriginal Cultural Heritage Assessment report (**ACHAR**) is not required.

Section 4.6 identifies aspects of the proposed development that respond to Country and acknowledge Indigenous Traditional influence. To best represent the Darramuragal and Terramerragal People in the Connecting to Country and embedding their cultural views into this proposal, the project team participated in the appropriate engagement activities (**Section 1.5.3**). A First Nations Co-Design Values Report has been prepared by JMP Aboriginal Consultancy and is attached as **Appendix H**.

7.18 Environmental Heritage

7.18.1 Environmental Heritage

A Heritage Impact Statement has been prepared by Urbis and is attached as **Appendix J**. The report provides details on relevant heritage matters and provides an assessment of the impact and is also discussed in **Section 7.18** of this EIS. The HIS supports the proposed development including the following key aspects:

The development scheme proposed for the subject site will establish a needed source of high-density residential living opportunities within the vicinity of multiple public transport corridors as per the provisions of Chapter 5 of the TOD SEPP and Chapter 6 (LMR) of the Housing SEPP.

- It is noted that the proposed building would be of a different scale and typology than that which currently exists. However, the proposal exists in a legislative context which will facilitate significant uplift of the same type in particular areas. The development would be in line with the planned future character of this area, notably the newly introduced low-midrise housing SEPP update which allows for an increase in density within a greater radius from specified stations and town centres.

- The location of this development is appropriate given the intersection it would be in which includes a disparate combination of elements on the edge of a conservation area including vacant land and late 20th century and contemporary housing.
- The design of the proposed scheme is sensitive to the characteristics of the Middle Harbour Road, Lindfield Conservation Area (C42) and the extant structures located on the subject lot. The form, massing, materiality and façade articulation of the proposal is informed by the local visual context of the site's intersection location and its sloping topography, additionally the proposal respects the established setback pattern of the Trafalgar Avenue streetscape.
- A considered series of undulating setbacks within the vertical façade expression presents the proposal as a small village of individual buildings on the subject site rather than a monolithic structure.
- Measures to moderate the difference in scale and maintain some architectural dialogue with the adjacent heritage items to the north-east have been incorporated in the proposal as outlined in Section 6 to minimise heritage impacts.
- Substantial setbacks from the adjacent heritage items including a spacious separating courtyard and the use of a podium have been integrated into the scheme to give less prominence to the highest part of the development.
- A considered approach to vegetation will be included within the scheme to respect the character of the Heritage Conservation Area's streetscape. Large mature trees plantings along Trafalgar Avenue will be prioritised to create continuity with the character of surrounding streetscape.

7.18.2 Archaeology

A Preliminary Historical Archaeological Assessment (PHAA) has been prepared by Urbis and is attached as **Appendix K**.

Current Conditions

The abbreviated history for the subject area, for the purpose of identifying historical archaeological potential, is outlined below:

- Phase 1: Early European Settlement: The Clanville Estate (1770-1824)
- Phase 2: Early European Settlement: Archbold's Orchards (1824-1893)
- Phase 3: Subdivision and Residential Development (1893-present)

The preliminary archaeological assessment identified no potential archaeological resources within the subject area. As no potential archaeological resources have been identified, relics of either Local or State heritage significance are unlikely to occur within the subject area.

Potential Impacts

Despite no identified potential archaeological resources found, the PHAA notes that the subject area still makes up a small part of the Clanville Estate, and as such unexpected finds associated with periods of early settlement and development may occur, but it is considered unlikely that this area was used during the 19th century, so there is also a low chance for undocumented or unexpected finds.

Mitigation Measures

It is recommended that unexpected finds and human remains procedures be implemented as harm mitigation measures post SSDA approval and prior to construction. If any archaeological deposits or features are unexpectedly discovered during any site works, the following steps to be carried out are outlined in the PHAA.

7.19 Hazards and Risks

The PHAA, attached at **Appendix K** identifies the historical use of the site as residential dating back to European settlement and the through subdivision and residential development from (1893-present) (refer to **Section 7.18.2**). Additionally, the PSI attached at **Appendix O**, concluded that there was no evidence that an underground petroleum storage system (UPSS) or above storage tank (AST) was present, or had been installed on the site, and no suspicious odour indicating contamination was detected during the site inspection.

Therefore, there are no above ground dangerous goods storages from the surrounding developments and no underground high-pressure dangerous goods pipelines in the vicinity of the proposal. Therefore, a hazard analysis is not necessary for this site.

8.0 Justification

This section provides an overall justification of the project. It evaluates the potential benefits and impacts of the proposal considering the findings of the detailed assessment and the compliance of the proposal with relevant controls having regard to the economic, environmental and social impact of the project and the principles of ecologically sustainable development.

8.1 Design of the Proposed Development

The design of the proposed development has been carefully considered to ensure that potential impacts are suitably mitigated or minimised. The proposed development responds to its proximity to Lindfield Station within the TOD catchment, which allows greater height and density on the site. Importantly, the proposal allows for much needed supply of both market and affordable housing in New South Wales.

The additional 30% building height and FSR permissible under the Housing SEPP has been utilised to provide a thoughtful design which incorporates feedback from the SDRP. The proposed height variation is supported by a Clause 4.6 Variation Request (**Appendix P**). This additional height is a consequence of the significant slope across the site.

8.2 Consistency with the Strategic Context

The EIS has demonstrated that the proposal is consistent with the strategic policy framework and has been considered against the following key strategic documents:

- NSW Housing Strategy: Housing 2021
- Greater Sydney Region Plan: A Metropolis of Three Cities
- North District Plan 2018
- Ku-ring-gai Local Strategic Planning Statement
- Ku-ring-gai Housing Strategy
- Ku-ring-gai Draft Affordable Housing Policy
- NSW Future Transport Strategy
- Better Placed

The critical focus of strategic planning currently is the delivery of new homes in accessible locations close to existing public transport, retail and services. The proposal is entirely consistent with the fundamental State government policy objective for the following reasons:

- The proposal provides residential housing in the form of 174 market dwellings and 46 affordable housing dwellings within walking distance to Lindfield rail station and other public transport options which provide connections to key employment centres, health precincts and education precincts along the North Shore, Macquarie Park, North Sydney, and the Sydney CBD.
- It facilitates the movement towards planning for larger residential accommodation and actual delivery of housing in key strategic areas earmarked for greater housing density through the TOD program and the TOD and infill affordable housing provisions under the Housing SEPP.
- It incorporates affordable housing which provides opportunities for more people including key workers to live closer to where they work, which is a pressing issue for the Ku-ring-gai LGA.

This proposal supports the government's efforts and priorities to address the housing crisis.

8.3 Compliance with the Statutory Requirements

The relevant State and local environmental planning instruments are addressed in **Section 5.0** and further detailed in the Statutory Compliance Table in **Appendix CC**.

- The proposed development accords with the relevant objects under clause 1.3 of the EP&A Act as addressed in **Section 5.0**.
- This EIS has been prepared in accordance with the issued SEARs as required by Schedule 2 of the EP&A Regulations.
- The proposed development has addressed relevant matters for consideration under the Biodiversity Conservation Act, supported by the BDAR attached as **Appendix G**.
- The proposed development has been assessed and has addressed relevant clauses under the Resilience and Hazard SEPP.
- The proposed development will require an approval for vehicle connection and access to a Council owned road under the Roads Act 1993.
- This SSD is qualified and in accordance with the requirements of 26A In-fill Affordable Housing under Schedule 1 of the Planning SEPP.
- The proposed development is made permissible with consent under Chapter 5 of the Housing SEPP as a relevant residential zone, R2 under the KLEP.
- The proposed development is compliant with the relevant provisions under the KLEP and Chapters 5,2, and 4 of the Housing SEPP including consistency with the aims of Chapter 5 Transport Oriented Development. A Clause 4.6 request to vary the maximum building height has been submitted as **Appendix P**.

8.3.1 Principles of Ecologically Sustainable Development

Section 193 of the EP&A Regulation outlines four (4) principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle
- Intergenerational equity
- Conservation of biological diversity and ecological integrity
- Improved valuation, pricing and incentive mechanisms

These principles are addressed in the following sections.

Precautionary Principle

This EIS and its supporting reports and studies have not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the proposal.

Intergenerational Equity

The proposal has been designed to benefit both the existing and future generations by:

- The implementation of various ESD measures in the design and operation of the proposed development to reduce energy and water usage to ensure that the health, resilience and productivity of the environment is maintained for the benefit of future generations.
- The management of the construction phase to ensure that traffic impacts, waste impacts and noise impacts are appropriately mitigated against, therefore limiting the impacts of the proposed development on the wellbeing of nearby neighbours.
- Facilitating housing supply for a diversity of residents, renters and affordable housing tenants, thereby contributing and assisting current future generations to access high amenity and accessible housing.
- Facilitating homes in close proximity to jobs and public transport, allowing varied residents to access their places of work conveniently and with the potential to reduce car dependency. The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to

be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

Conservation of biological diversity and ecological integrity

The proposal would not have any significant effect on the biological diversity and ecological integrity of the study area.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance.

8.4 Engagement

A Consultation Outcomes (Engagement) Report has been prepared by Ethos Urban and is attached as **Appendix E** in support of the proposed development.

Relevant groups were consulted and engaged in the preparation of this SSDA including Surrounding property owners, local residents and businesses near the site, DPHI and First Nations engagement.

Engagement activities consisted of letterbox drop of community notification flyers, 2 online community webinars, and enquiry management. Key issues have been collated and responded to.

In accordance with the SEARs requirements for engagement, the Applicant has implemented a strategy to inform and seek feedback from local residents and businesses, Council, and key government agencies.

As the Proposal evolves, Castle Hill No.8 Pty Ltd will continue to engage local residents, landowners, businesses and key agencies, ensuring that community input remains an essential part of the development process. This includes during public exhibition, assessment, and following determination phases of the SSD.

8.5 Likely Impacts of Development

The proposed development has been assessed considering the potential environmental, economic and social impacts.

8.5.1 Natural Environment Impacts

The impacts to the natural environment are comprehensively addressed with **Section 7.0**. In summary:

- A BDAR supports this SSDA, confirming that the development will have insignificant impacts on the biodiversity values on the site.
- The ESD principles are addressed in the ESD Report attached at **Appendix M** in accordance with the requirements under Clause 191 of the Regulations.
- 42 trees are proposed to be removed within the site, 18 trees requiring tree sensitive construction and/or root investigations, and 7 trees recommended to be retained. An AIA Report prepared by Urban Arbor, attached as **Appendix N** supports the proposal.
- Additional landscaping has been proposed to support the built form as illustrated by the Landscape Plan prepared by Paul Scrivener Landscape Architects, attached as **Appendix L**.
- The site is not identified as flood prone or bushfire prone.
- Due to the long standing historical residential use of the site and the surrounding land, the site is not subject to any significant contamination or at risk from any dangerous goods storage or underground high-pressure pipelines.

8.5.2 Built Environment Impacts

The impacts to the built environment are comprehensively addressed in **Section 7.0**. In summary:

- **Built Form and Urban Design:**
 - The Proposal has gone through an SDRP meeting prior to the lodgement of the SSDA and DKO have addressed the SDRP's advice and recommendations in the Design Report prepared DKO, attached as **Appendix D**.
 - Alternatives for the built form were considered, and the proposal demonstrates the most suitable response to the planning controls, planning context, site context and environmental constraints.
 - Site specific design outcomes have incorporated outcomes influenced by a Walk on Country and Design Input Session with Traditional Owners.
 - The affordable dwellings have been designed equitably regarding amenity in relation to the proposed market dwellings. The affordable dwellings will meet the expected needs of tenants.
 - The proposed variation to the maximum building height is supported by a Clause 4.6 Variation Request (**Appendix P**) which demonstrates that compliance with the maximum building height is unreasonable in the circumstances and there a sufficient environmental planning grounds to justify the proposed variation.
- **Residential Amenity:** Woods Bagot have undertaken an assessment against the Apartment Design Guide (ADG) which confirms the Proposal achieves a high level of compliance with the ADG design criteria. Where variations to the numeric criteria are proposed, it has been demonstrated that the ADG design guidance have been incorporated and/or have been achieved.
- **Visual and View Impact:** The Visual and View Impact Assessment confirms that the Proposal is reasonable considering the objectives and intent of relevant State government strategic policy and provisions.
- **CPTED:** The CPTED assessment confirms that the Proposal incorporates design strategies to limit potential crime opportunities and increase safety and perceived safety and recommends design and management principles to increase actual and perceived safety within the proposed development and the surrounding areas.
- **Traffic and Transport:** The TIA assessed the impact of the proposed development on traffic during operation and during construction. In summary:
 - Basement access as well as loading dock access is proposed from Trafalgar Avenue. Swept path analysis has been undertaken to confirm compliance with relevant Australian Standards.
 - The proposed development provides 367 car parking spaces, 15 motorcycle parking spaces and 22 bicycle parking spaces.
 - The proposed development includes two dedicated loading bays. These service bays are provided at-grade and therefore these trucks are not required to enter the basement parking areas.
 - The traffic generation assessment confirms that the development will generate a net increase of 39 vehicle trips / hour during the AM peak period and 29 vehicle trips / hour during the PM peak period once the generation of the existing development is considered. This is considered acceptable as it will have negligible impact on the nearby intersection.
- **Noise and Vibration:** The Noise and Vibration Impact Assessment provides recommendations to ensure the development is designed and constructed to achieve compliance with the relevant acoustic requirements. The assessment concludes that noise emission from the proposed development is predicted to comply with the relevant requirements of Ku-ring-gai Council and the NSW EPA, and the acoustic amenity of all nearby receivers will be adequately protected.
- **Water Management:** Stormwater on site detention and quality measures adopted for the development to address Council requirements to meet stormwater quality targets include:
 - A 20kL rainwater tank;
 - A storm filter chamber consisting of 22 x 690 PSorb Stormfilter Cartridges;
 - A126.03cbm belowground on-site detention tank; and
 - A proposed kerb inlet pit located on Trafalgar Avenue for stormwater discharge.
- **Ground and Water Conditions:** Site conditions were analysed for subsurface, groundwater and water quality. Potential impacts and mitigations measures are outlined for foundation design, excavation retention, soil and rock excavatability, construction seepage inflows, local groundwater level and additional geotechnical input are outlined. A Dewatering Management Plan has been prepared by Morrow Geotechnics and supports the proposal.

- **Contamination and Remediation:** The PSI found that there was no evidence that an underground petroleum storage system (UPSS) or above storage tank (AST) was present, or had been installed on the site. Construction of the basement will require the excavation and offsite disposal of soil as currently exposed at the surface, thereby removing any potential contamination risk associated with these soils, for the end user of the site. The likelihood of encountering acid sulfate soils during development was low.

The PSI concludes that the land is considered to be suitable for the proposed development, in accordance with the Resilience and Hazards SEPP (SEPP R&H). EI Australia emphasises that recommendations can be managed post demolition and through the development approval process, as conditions of consent, in accordance with the Resilience and Hazards SEPP.

- **Waste Management:** The OWMP details residential waste disposal procedures which include storage within residential units and at allocated disposal points on each residential level with access to a general waste chute and larger recycling compartments. Communal FOGO bin rooms will be provided for each building core. Council will be engaged for residential bin collection in accordance with Council's collection schedule, assuming weekly collections for each waste type.
- **Heritage:**
 - **Aboriginal heritage:** The AHIA findings state that the site is considered disturbed land, with no Aboriginal objects or areas where objects may occur beneath the ground surface. Therefore, as the proposed development on the site will have no impact, an ACHAR is not required.
 - **Environmental:** The HIS concluded that the development scheme proposed for the subject site will establish a needed source of high-density residential living opportunities within the vicinity of multiple public transport corridors as per the provisions of Chapter 5 of the TOD SEPP and Chapter 6 (LMR) of the Housing SEPP.
 - **Archaeology:** The preliminary archaeological assessment identified no potential archaeological resources within the subject area. As no potential archaeological resources have been identified, relics of either Local or State heritage significance are unlikely to occur within the subject area.
- **Bushfire and Aviation:** The proposed development will not have any impacts nor will be impacted by any of the above matters.

8.5.3 Social Impacts

The proposal will deliver positive social outcomes for both the wider and local communities. Future residents of the development will benefit from the proximity to existing transport, services and shops and a well-designed built form that provides adequate residential amenity. The wider community will benefit from development that does not increase Sydney's sprawl. It is emphasised that the local area is one that had already commenced a changing character prior to the implementation of the TOD Program, following the underlying zoning established by Ku-ring-gai Council.

Social impact mitigations will be implemented, and ongoing community engagement will be addressed as part of the public exhibition process to continue addressing community concerns.

8.5.4 Economic Impacts

The proposal will have a positive economic impact through the delivery both 174 market dwellings and 46 affordable dwelling in close proximity to public transport and existing services and shops. This will allow for more efficient use of existing transport infrastructure for work and education travel. Further, the construction phase for this development will generate approximately 300 jobs in the near term.

8.6 Suitability of the Site

The site is considered highly suitable for the proposed development for reasons outlined below:

- The proposal is consistent with the aims of the chapter for Chapter 5 Transport Oriented Development and is permitted with consent under the Housing SEPP.
- A PSI (**Appendix O**) conducted for the site concluded that the proposed use of the site as residential is appropriate for the site.

- The site is currently underutilised in its existing condition and does not align to the density and height envisioned for the site by State government policy.
- The site is not affected by any natural hazard risks nor does it significantly impact biodiversity values.
- The proposal is largely compliant with statutory provisions including FSR (inclusive of additional 30% bonus under Housing SEPP). A variation is sought for the maximum building height development standard, through the Clause 4.6 Variation Request (**Appendix P**).
- The character and scale of the development is compatible with the existing and envisioned future surrounding context.
- The proposal will provide the maximum GFA over the site for increased housing supply in an accessible area as envisioned by State government.

8.7 Public Interest

The proposal is considered in the public interest for the following reasons:

- The proposal delivers 46 affordable housing dwellings in an accessible location which consists of the State government's mandated 2% of GFA for affordable housing in the TOD catchment, in perpetuity, as well as an additional 15% of GFA as affordable housing as part of in-fill affordable housing delivered under the provisions of the Housing SEPP.
- Considerable effort has been made to ensure equitable residential amenity outcomes for affordable housing dwellings in comparison to market dwellings.
- The proposal is consistent with the state and local strategic framework and largely complies with the relevant statutory controls. Importantly, the proposal provides an outcome that is consistent with the outcomes envisioned by recent State government's TOD program.
- Subject to the implementation of the mitigation measures identified for the proposed development, potential social and environmental impacts resulting from the proposal will be eliminated or at an appropriate extent.
- The proposal will allow key workers to be located closer to their place of work through affordable housing tenancy.
- The proposal will deliver approximately 300 jobs in the near term through construction works, providing benefits to the local economy.
- The site will facilitate the orderly and economic redevelopment of the site through the intensification of the existing residential use of the land.

9.0 Conclusion

This Environmental Impact Statement has been prepared to consider the natural environment, built environment and social and economic impacts of the proposed new residential flat building including in-fill affordable housing located at 59-63 Trafalgar Avenue, 1A & 1B Valley Road, Lindfield. The EIS has addressed the issues outlined in the SEARs Compliance Table (**Appendix A**) and accords with section 190 and 192 of the EP&A Regulation.

Having regard to environmental and economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the Housing SEPP and the Ku-ring-gai LEP.
- The proposed development is a direct response to the need for housing in NSW, delivering 46 affordable units and 174 market units, which will contribute to local, State and national housing targets.
- The proposed development will not result in adverse environmental impacts and appropriate mitigation measures have been recommended to ensure that the development will minimise any potential impact.
- The proposed development will provide a diverse supply of dwellings, ranging from one bedroom to four bedroom apartments to meet the housing and social needs of future residents.
- The proposed development provides a high-quality architectural and landscape design that offers a range of housing types, communal facilities, and gathering spaces that will contribute to a safe, secure and active environment.
- The proposed development provides a high standard of residential amenity for all residents within the site that is consistent with the objectives of the ADG, as well as protecting the visual privacy, overshadowing, and solar amenity of surrounding residential properties.
- The proposed development represents the efficient and economically reuse of residential land that has been identified for renewal by the State government. The proposed development aligns with the land use, scale and built form envisioned for the site by the Housing SEPP.
- The proposed development is suitable for the site and in the public interest. Given the merits described above, and the significant benefits associated with the proposed development, it is recommended that the application be approved.