



# Environmental Impact Statement

State Significant Development Application  
SSD 83431958

Residential Flat Building


16 - 20 Middle Harbour Road, Lindfield

Prepared for Ming Yang and John Wu

Submitted to the Department of Planning, Housing and Infrastructure

August 2025

## Overview and declaration

Project details			
Project name	16 - 20 Middle Harbour Road, Lindfield		
SSD number	83431958		
Address	16 - 20 Middle Harbour Road, Lindfield		
Applicant details			
Applicant name	Mr Ming Yang and Mr John Wu		
Applicant address	16 - 20 Middle Harbour Road, Lindfield		
Author details – person who prepared this document			
Name	Tom Bibby	Sammy Hamilton	PJ Scollard
Professional qualifications	BPlan	BPlan	BA MURP MPIA
Address	43A The Corso, Manly NSW 2095 Suite 4, Level 4, 165-167 Philip Street, Sydney NSW 2000		
Declaration by Registered Planner			
I declare that this EIS:			
<ul style="list-style-type: none"> <li>• has been prepared in accordance with sections 190 and 192 of the Environmental Planning and Assessment Regulation 2021</li> <li>• contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates</li> <li>• does not contain information that is false or misleading</li> <li>• addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project</li> <li>• identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments</li> <li>• has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement</li> <li>• 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</li> <li>• contains a consolidated description of the project in a single chapter of the EIS</li> <li>• contains an accurate summary of the findings of any community engagement</li> <li>• contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.</li> </ul>			
Name	Jayne Klein <sup>BPlan MREP RPIA</sup>		
Registration	63780 - Planning Institute of Australia		
Signature			
Date	18/08/2025		

## Contact

keylan.com.au

## Disclaimer

All Rights Reserved. No material may be reproduced without prior permission of KEYLAN Consulting Pty Ltd. While KEYLAN Consulting Pty Ltd working on this project has tried to ensure the accuracy of the information in this publication, it accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in the information in this report. This report has relied on information provided by the client in good faith and accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in the information in this report.

# Contents

Summary .....	9
<b>1</b> Introduction .....	13
<b>1.1</b> Site description .....	14
<b>1.2</b> Background.....	15
<b>1.3</b> Related development.....	16
<b>1.4</b> Key Strategies .....	18
<b>2</b> Strategic context .....	20
<b>2.1</b> Strategic justification.....	20
<b>2.2</b> Key features of the site and surrounding that could affect or be affected .....	20
<b>2.3</b> Potential cumulative impacts .....	23
<b>2.4</b> Agreements with other parties.....	23
<b>2.5</b> Analysis of feasible alternatives .....	23
<b>3</b> Project description.....	25
<b>3.1</b> Project overview .....	25
<b>3.2</b> Detailed description .....	26
<b>4</b> Statutory context .....	33
<b>4.1</b> Pre-conditions.....	35
<b>4.2</b> Mandatory considerations .....	37
<b>4.3</b> Contributions.....	39
<b>5</b> Engagement.....	40
<b>5.1</b> Engagement carried out .....	40
<b>5.2</b> Engagement to be carried out .....	41
<b>6</b> Assessment and mitigation of impacts.....	42
<b>6.1</b> Built form.....	42
<b>6.2</b> Site Isolation .....	55
<b>6.3</b> Visual impacts.....	58
<b>6.4</b> Trees and Landscaping .....	64
<b>6.5</b> Soil and water .....	66
<b>6.6</b> Flooding .....	70
<b>6.7</b> Contamination and remediation.....	73
<b>6.8</b> Traffic and transport.....	74
<b>6.9</b> Noise and vibration .....	77
<b>6.10</b> Biodiversity .....	82
<b>6.11</b> Waste .....	83
<b>6.12</b> Sustainability.....	88
<b>6.13</b> Access .....	89
<b>6.14</b> Heritage .....	90
<b>6.15</b> Pedestrian Wind Environment.....	92
<b>6.16</b> Social Impact .....	93

<b>6.17</b>	Crime Prevention Through Environmental Design .....	94
<b>7</b>	Project justification .....	95
<b>7.1</b>	Design justification.....	95
<b>7.2</b>	Strategic justification.....	95
<b>7.3</b>	Statutory justification.....	96
<b>7.4</b>	Social, economic and environmental justification.....	96
<b>7.5</b>	Key uncertainties .....	98
	Appendix 1: Secretary's environmental assessment requirements table .....	99
	Appendix 2: Mitigation measures table .....	110
	Appendix 3: Strategic planning assessment .....	119
	Appendix 4: Statutory compliance tables .....	123
	Appendix 5: Architectural Plans .....	150
	Appendix 6: Biodiversity Development Assessment Report (BDAR).....	152
	Appendix 7: Estimated Development Cost Report.....	153
	Appendix 8: Landscape Plans.....	154
	Appendix 9: Access Report .....	155
	Appendix 10: Geotechnical Report.....	156
	Appendix 11: Wind Environment Statement .....	157
	Appendix 12: Engagement Report .....	158
	Appendix 13: Waste Management Plan .....	160
	Appendix 14: Noise and Vibration Assessment .....	161
	Appendix 15: Heritage Impact Assessment .....	162
	Appendix 16: Arborist Report .....	163
	Appendix 17: Flood Impact and Risk Assessment.....	164
	Appendix 18: Preliminary Site Investigation.....	165
	Appendix 19: Ecologically Sustainable Development Report .....	166
	Appendix 20: Aboriginal Heritage Impact Assessment .....	167
	Appendix 21: Traffic and Parking Assessment.....	168
	Appendix 22: Integrated Water Management Plan .....	169
	Appendix 23: Visual Impact Assessment .....	170
	Appendix 24: Survey .....	171
	Appendix 25: Design Report .....	172
	Appendix 26: BASIX Certificate.....	173
	Appendix 27: Stormwater Management.....	174
	Appendix 28: Driveway Civil Plans.....	175
	Appendix 29: Social Impact Assessment .....	176
	Appendix 30: Natural Ventilation Report .....	177
	Appendix 31: Owners Consent.....	178
	Appendix 32: Concept Plans - 22 Middle Harbour Road .....	179
	Appendix 33: Design Statement.....	180
	Appendix 34: BCA Report .....	181
	Appendix 35: Community Housing Letter of Support.....	182
	Appendix 36: Crime Prevention Report.....	183

## Figures

Figure 1 Site Context (Base source: Nearmap) .....	14
Figure 2 Site Context (Source: Nearmaps) .....	15
Figure 3 Related Development (Source: Nearmap).....	18
Figure 4 Biodiversity Values Map (Source: Espatial Viewer) .....	21
Figure 5 Heritage Map (Source: Espatial Viewer).....	22
Figure 6 Flood Map (Source: Ku-ring-gai Council).....	22
Figure 7: Site Analysis (Source: PTI Architecture).....	26
Figure 8 Southern elevation viewed from Middle Harbour Road (Source: PTI Architecture) .....	27
Figure 9 Lower ground floor plan (Source: PTI Architecture).....	28
Figure 10 Level 4 - general layout floor plan (Source: PTI Architecture) .....	28
Figure 11: Render showing the proposal as viewed from Middle Harbour Road (Source: PTI Architecture).....	29
Figure 12: Render viewing the proposal from the west showing centralised COS (Source: PTI Architecture).....	29
Figure 13 Proposed Massing under TOD Heights (Source: PTI Architecture).....	31
Figure 14 Site analysis & concept built form (Source PTI Architecture) .....	43
Figure 15 Proposed lower ground floor with access from Middle Harbour Rd (Source: PTI Architecture) .....	44
Figure 16 Proposed upper ground floor/level 1(Source: PTI Architecture).....	44
Figure 17 Site Context - Render as viewed from the south-east along Middle Harbour Road (Source: PTI Architecture).....	46
Figure 18 Proposed Height of Building (Source: PTI Architecture).....	46
Figure 19 Eastern/Western Setbacks for ADG Compliance (Source: PTI Architecture).....	48
Figure 20 Northern/Southern Setbacks for ADG Compliance (Source: PTI Architecture).....	48
Figure 21 Level 1 - 4 Cross Ventilation and Solar Access ADG Compliance (Source: PTI Architecture).....	49
Figure 22 Level 5 - 9 Cross Ventilation and Solar Access ADG Compliance (Source: PTI Architecture).....	49
Figure 23 Part breezway section (Source: Pti Architecture) .....	50
Figure 24 Overshadowing 9am-11am (Source: PTI Architecture) .....	52
Figure 25 Overshadowing 12pm - 2pm (Source: PTI Architecture).....	52
Figure 26 Overshadowing 3pm (Source: PTI Architecture) .....	53
Figure 27 Middle Harbour Road TOD 30% Height (Source: PTI Architecture).....	54
Figure 28 TOD Height 30% Affordable Housing Bonus (Source: PTI Architecture).....	54
Figure 29 22 Middle Harbour Road - Site Isolation (Source: Nearmap) .....	55
Figure 30 VIA Assessment Table (Source Urbaine).....	59
Figure 31 Selected viewpoints for assessment (Source: Urbaine Design Group).....	60
Figure 32 Viewpoint 1 - Existing and Proposed (Source: PTI Architecture).....	60
Figure 33 Visual Impact Assessment View 1 (Source: Urbaine Design Group) .....	60
Figure 34 Viewpoint 2 - Existing and Proposed (Source: PTI Architecture).....	61
Figure 35 Visual impact assessment Viewpoint 2 (Source: Urbaine) .....	61
Figure 36 Viewpoint 3 - Existing and Proposed (Source: PTI Architecture).....	61
Figure 37 Visual impact assessment Viewpoint 3 (Source: Urbaine) .....	62

Figure 38 Viewpoint 4 - Existing and Proposed (Source: PTI Architecture).....	62
Figure 39 Visual impact assessment Viewpoint 4 (Source: urbaine).....	62
Figure 40 Viewpoint 5 - Existing and Proposed (Source: PTI Architecture).....	63
Figure 41 Visual impact assessment Viewpoint 5 (Source: urbaine).....	63
Figure 42: Landscape Masterplan (Source: Site Image) .....	65
Figure 43: The Canopy (Source: Site Image) .....	66
Figure 44 Lower Ground Floor (Source: GEBA Consulting) .....	68
Figure 45 Basement 01 Stormwater Plan (Source: GEBA Consulting) .....	69
Figure 46 Basement 03 Stormwater Plan (Source: GEBA Consulting) .....	69
Figure 47 1% AEP Flood Level Contours (Source: Martens).....	71
Figure 48 Minimum Habitable Floor Level Contours (Source: Martens).....	71
Figure 49 1% AEP Provisional Flood Hazard Categories (Source: Martens).....	72
Figure 50 Surrounding road network (Source: Varga Traffic Planning) .....	75
Figure 51 Ambient Noise Levels (Source: PWNA).....	78
Figure 52 Sensitive Receivers Map (Source: PWNA).....	78
Figure 53 Measured Attended Noise Level Measurements (Source: PWNA) .....	78
Figure 54 Recommended indicative safe working distance (Source: PWNA) .....	80
Figure 55 Summary of Internal Noise Level Criteria (Source: PWNA) .....	81
Figure 56 Impacts that require an offset - ecosystem (Source: ESEA) .....	83
Figure 57 Impacts that require an offset - species credit (Source: ESEA).....	83
Figure 58 Wate Types and Handling (Source: AusWide).....	84
Figure 59 Waste Types During Construction (Source: AusWide) .....	85
Figure 60 Waste Generation Rates (Source: AusWide).....	86
Figure 61 Waste Chutes (Source: AusWide).....	87
Figure 62 Basement Waste Storage Areas (Source: AusWide).....	88

## Tables

Table 1: Project summary .....	10
Table 2: Applicant details .....	13
Table 3: DAs relating to the subject site .....	17
Table 4: Applicable state, district and local strategic plans and policies .....	20
Table 5 Feasible Alternatives.....	24
Table 6: Main elements of the project .....	26
Table 7: Statutory requirements relevant to the project .....	35
Table 8 Pre Conditions .....	36
Table 9: Mandatory considerations.....	39
Table 10: Consultation undertaken to date with relevant stakeholders.....	41
Table 11: Demonstration of ability to develop No. 22 as a standalone development.....	58
Table 12: Summary of surrounding road network .....	74
Table 13: Estimated traffic generation from proposed development.....	75
Table 14: Required car parking spaces under Housing SEPP .....	76
Table 15: Indicative Construction Program .....	77
Table 16: Assessment of objectives of Greater Sydney Region Plan .....	120
Table 17: Assessment of North District Plan .....	120
Table 18: Assessment of relevant planning priorities under LSPS.....	121

# Summary

This Environmental Impact Statement (EIS) has been prepared by Keylan Consulting Pty Ltd on behalf of Mr Ming Yang and Mr John Wu (the applicant) to support a State Significant Development (SSD) application for the development of a residential flat building on land at 16 - 20 Middle Harbour Road, Lindfield, in the Ku-ring-gai local government area.

The proposal is classified as SSD in accordance with Chapter 2 of the *State Environmental Planning Policy (Planning Systems) 2021*. Under Schedule 1, Section 26A of the Planning Systems SEPP, development for the purposes of in-fill affordable housing with a capital investment value more than \$75 million is considered to be SSD.

This EIS has been prepared in line with the Secretary's Environmental Assessment Requirements (SEARs), issued by the Department of Planning, Housing and Infrastructure on 5 May 2025 (updated on 5 June 2025) and in line with its '*State Significance Development Guidelines – Preparing an Environmental Impact Statement*' as required by Part 8 of the *Environmental Planning and Assessment Regulation 2021*.

## Site and context

The site is known as 16 to 20 Middle Harbour Road, Lindfield. It has a total site area of 3,811m<sup>2</sup> and is legally described as follows:

- Lot 1 DP 569232
- Lot 1 DP 983946
- Lot 10 DP 5374
- Lot 11 DP 5374

The site is currently occupied by two detached dwelling houses and ancillary structures. The site is zoned R2 Low Density Residential pursuant to the *Ku-Ring Gai Local Environmental Plan 2015* (KLEP 2015).

The subject site is located within the Lindfield Transport Oriented Development (TOD) area, pursuant to Chapter 5 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP). The proposed development is located within 500m and an 8-minute walk of Lindfield Train Station, making it a strategically located site in an accessible area, capable of providing a high-quality residential development.

Lindfield Tennis Club adjoins the site to the north. Approximately 225m north is Lindfield Railway Station and the Lindfield Local Centre. Adjoining the site to the east and west are existing low density dwelling houses. Approximately 250m to the west is Pacific Highway. To the immediate south is Middle Harbour Road.

The site itself is not identified as a heritage item or located within a Heritage Conservation Area (HCA); however, immediately north-east of the site is the Trafalgar Avenue Heritage Conservation Area.

High biodiversity value land is present in the north-eastern part of the site, pursuant to the *Biodiversity Conservation Act 2016*.

## Project description

The proposed development involves the construction of a \$112,469,434.00 residential flat building at 16 – 20 Middle Harbour Road, Lindfield comprising:

- demolition of existing structures onsite;
- construction of a 9-storey residential flat building (with affordable housing (AH) bonus) including:
  - 79 market residential units;
  - 19 affordable housing units;
- 3 levels of basement carparking;
- associated infrastructure and services; and
- landscaping and communal open spaces.

The project elements are summarised in the table below.

Project element	Summary of the project
Project site area	Application site area: 3,811 m <sup>2</sup> Extent of basement works: 3 levels
Site description	16 Middle Harbour Road <ul style="list-style-type: none"> <li>• Lot 1 DP 569232</li> </ul> 18 - 20 Middle Harbour Road <ul style="list-style-type: none"> <li>• Lot 1 DP 983946</li> <li>• Lot 10 DP 5374</li> <li>• Lot 11 DP 5374</li> </ul>
Gross floor area (GFA)	Total: 12,047 m <sup>2</sup>
Residential apartments	<ul style="list-style-type: none"> <li>• 98               <ul style="list-style-type: none"> <li>○ 79 market residential units</li> <li>○ 19 affordable housing units</li> </ul> </li> </ul>
Maximum height	<ul style="list-style-type: none"> <li>• 28.6m metres above existing ground level</li> <li>• 9 storeys (including AH bonus)</li> </ul>
Floor Space Ratio	<ul style="list-style-type: none"> <li>• 3.16:1</li> </ul>
Total parking spaces	<ul style="list-style-type: none"> <li>• 196 residential parking spaces, including 17 visitor spaces</li> </ul>
Cycle parking	<ul style="list-style-type: none"> <li>• 110 bicycle spaces</li> </ul>
Construction hours	<ul style="list-style-type: none"> <li>• Monday to Friday: 07:00 am to 5:00 pm</li> <li>• Saturday: 08:00am to 12:00pm</li> <li>• No building activities will be carried out at any time on Saturday, Sunday, or on a public holiday.</li> </ul>
Communal open space	<ul style="list-style-type: none"> <li>• 1,081 m<sup>2</sup></li> </ul>

Table 1: Project summary

## Assessment and mitigation of impacts

This EIS provides a comprehensive assessment of the potential impacts associated with the development and issues identified in the SEARs. The EIS is supported by several specialist consultant reports to consider the potential impacts of the proposal.

Impacts considered within the EIS include:

- Built form including height, scale, open space, future character and apartment design guide (ADG) compliance
- Solar Access
- Overshadowing
- Site Isolation
- Visual Impacts
- Landscaping
- Ground and water including earthworks, geotechnical and stormwater management
- Contamination and remediation
- Traffic and transport
- Noise and vibration
- Biodiversity
- Waste Management
- Sustainability
- Access
- Heritage
- Pedestrian Wind Environment
- Flood Risk
- Social Impact

This EIS demonstrates that the development complies with the majority of the relevant controls listed above. In instances where compliance has not yet been achieved, this can be appropriately achieved through further assessment, mitigation measures and detailed design.

Our assessment concludes that the potential for environmental impacts are minimum or within acceptable compliance measures and has been shown that through appropriate management can be mitigated through measures provided within the EIS.

## Project justification

The Commonwealth Government identifies housing affordability as a national crisis – committing \$10 billion to provide new homes across Australia. The NSW government has responded to this crisis by introducing new planning controls in accessible areas to promote new housing, including affordable housing. The delivery of higher density apartment living in of Ku-ring-gai for existing and future residents is paramount to delivering new affordable housing choice.

The EIS has assessed the proposal in line with the strategic planning framework and statutory planning framework and has also considered the likely environmental impacts and the required mitigation measures as a result. The EIS concludes that the proposal is justified and will result in significant public benefit as set out below:

- The proposal supports the development of a currently underutilised site within the Ku-ring-gai LGA and Lindfield TOD precinct.
- The proposal is consistent with the strategic planning context including the following strategies:
  - *Greater Sydney Region Plan - Eastern Harbour City*
  - *North District Plan*
  - *National Housing Accord, and*
  - *Future Transport Strategy 2056*
- The proposal will facilitate a \$112,469,434.00 investment into the construction of the site and will facilitate over 12,047sqm of gross floor area (GFA).
- The development will support an estimated 224 jobs over the construction period resulting in significant social benefits for the Ku-ring-gai LGA.
- The proposed development will provide uplift in line with the future character of Middle Harbour Road proposed under the TOD.
- The site is suitable for the development considering:
  - The proposed development includes 17% affordable housing and seeks to utilise the incentive controls to achieve 30% additional building height and floor space ratio under the Housing SEPP.
  - The site is within the TOD precinct for Lindfield and is located within 500m from the Lindfield Train Station and local bus services along the Pacific Highway. The proposed development supports a superior built form outcome within the existing area, whilst responding to the intensification that's proposed through the TOD controls and emerging character of the Lindfield area. Accordingly, the site is well-suited to accommodate higher-density housing in line with the strategic planning objectives listed above.

# 1 Introduction

This Environmental Impact Statement (EIS) supports a State Significant Development (SSD) application for a residential flat building (RFB) on land at 16 - 20 Middle Harbour Road, Lindfield, in the Ku-ring-gai Local Government Area (LGA).

The application is lodged under section 4.38 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The development comprises:

- Demolition of existing structures onsite
- Construction of a 9-storey residential flat building including:
  - Approximately 79 market residential units;
  - Approximately 19 affordable housing units;
- 3 levels of basement carparking;
- Associated infrastructure and services; and
- Landscaping and communal open spaces.

The proposal is classified as SSD under Chapter 2 of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP). Under Schedule 1, Section 26A of the Planning Systems SEPP, development for the purposes of in-fill affordable housing with a capital investment value more than \$75 million is considered to be SSD.

The Estimated Development Cost (EDC) for the project is estimated at approximately \$112,469,434.00. An EDC Report is at Appendix 7 which establishes the costs for associated development.

On May 5 2025, the Secretary's Environmental Assessment Requirements (SEARs) were issued, and the project was assigned the application number SSD 83431958.

Consideration of the SEARs is at Appendix 1.

The Applicant's details are provided in the table below.

Applicant	Details
Name	Mr Ming Hang Yang and Mr John Wu
Address	16 - 20 Middle Harbour Road, Lindfield

Table 2: Applicant details

## 1.1 Site description

The site is located at 16 - 20 Middle Harbour Road, Lindfield, in the Ku-ring-gai Local Government Area, and is legally described as Lot 1 DP 569232, Lots 10 and 11 DP 5374, and Lot 1 DP 983946.

The site is located approximately 14 kilometres north of the Sydney Central Business District and approximately 200 metres south of Lindfield Shopping Village. The site is also 300 metres south-east from the future Lindfield Village Hub (LVH).

The site has an area of approximately of 3,811sqm. It is generally rectangular in shape with the exception of the battle-axe handle at the north-eastern corner of the site, which connects through to Russell Avenue.

The site is currently occupied by two dwelling houses and ancillary structures. The topography of the site falls from west to the east by approximately 4 metres.

The subject site is located within the Lindfield Transport Oriented Development (TOD) area, pursuant to Chapter 5 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP), as shown in Figure 1. The site is located approximately 225m south-east of the Lindfield Train Station.

The site itself is not identified as a heritage item or located within a Heritage Conservation Area (HCA); however, it is located within proximity to two heritage items and a HCA, these are addressed within this EIS at Section 6.14.

The site and surroundings are shown in figures below:



Figure 1 Site Context (Base source: Nearmap)

### 1.1.1 Site Context

The site is surrounded by built and natural environment as follows:

- **North:** The site is bounded Lindfield Tennis Club to the north, further north the area transitions from low density residential dwellings to high density, to the Lindfield train station and village centre. To the north east is Cromehurst School.
- **East:** Includes lower density residential uses with Roseville Park located further east on Chelmsford Avenue.
- **South:** Middle Harbour Road forms the site's southern boundary with low density residential dwellings on the opposite side.
- **West:** The site is bounded by low-medium residential uses, with the railway line and Pacific Highway located further to the west of the site.



Figure 2 Site Context (Source: Nearmaps)

## 1.2 Background

### 1.2.1 Relevant history

#### Transport Oriented Development

On 13 May 2024, the State Government endorsed the TOD program which is a land use planning approach that encourages sustainable and mixed-use development around transport hubs and aims to create vibrant and walkable communities.

Lindfield station was identified as one of the transport hubs and TOD controls were implemented under the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), specifically in Chapter 5 *Transport Orientated Development*. The changes to the Housing SEPP enforced the following provisions:

- permit RFBs in all residential and local centre zones;
- implement a maximum height of building (HOB) control of 22m;
- implement a maximum floor space ratio (FSR) of 2.5:1; and
- minimum 2% provision of affordable housing.

## Council's Preferred Alternative Scheme

On 31 March 2025, Council endorsed an alternative scheme to change the applicable TOD controls that currently apply to all sites located within TOD areas in the Ku-ring-gai LGA. The alternative scheme was then placed on public exhibition from 31 March 2025 to 22 April 2025. Council has stated that the alternative scheme will:

- protect heritage conservation areas (HCA) near the stations affected;
- support taller mixed-use development in existing centres to revitalise the local centre;
- rezone residential areas within 800m of the stations for apartment construction;
- ensure visual privacy to minimise the impacts of new developments on existing properties by lowering the building heights;
- on developments of sites where major increases are being proposed, developers will be required to make increased affordable housing contributions, subject to mapping drafted by Council; and
- avoid any environmentally sensitive land.

We note that the alternative TOD controls are yet to be formally exhibited by DPHI. These draft local controls do not amend the SEPP and have no statutory weight in relation to this SSDA.

DPHI notified applicants on 13 June that those applications with issued SEARs would continue to have the TOD provisions apply, stating:

*Because you are an applicant with a State significant development application with valid SEARs or a local DA lodged but not yet determined (including any local DA subject of an appeal to the Land and Environment Court), your lot/s will continue to have the TOD SEPP apply to it, if the TOD SEPP applied before 13 June 2025.*

Accordingly, the proposal has been prepared in accordance with the provisions of the TOD.

### 1.3 Related development

The site is located within the Lindfield TOD, which has seen other sites within the area proposing redevelopment for uplift, to provide housing in an appropriate and accessible location as outlined in the Housing SEPP.

A summary of development applications that relate to the site are summarised below.

Subject site DA	DA summary	Decision
11-19 Middle Harbour Road	<ul style="list-style-type: none"><li>• Concept proposal to facilitate:<ul style="list-style-type: none"><li>○ 173 dwellings, including 28 affordable housing units</li><li>○ 9 storey built form (33.6m)</li><li>○ FSR of 3.25:1</li></ul></li></ul>	Under Assessment (Exhibition 18/07/2025 - 14/08/2025)

Subject site DA	DA summary	Decision
24-28 Middle Harbour Road	<ul style="list-style-type: none"> <li>94 dwellings, including 42 market, 20 affordable, and 32 build-to-rent</li> <li>9 storeys (33m)</li> <li>FSR of 3.2:1</li> </ul>	Under Assessment (Exhibition 03/06/2025 - 30/06/2025)
No. 59-63 Trafalgar Avenue	<ul style="list-style-type: none"> <li>220 dwellings, 45 affordable</li> <li>Maximum HOB 33.07m</li> <li>FSR of 3.25:1</li> </ul>	Under assessment (Exhibition 07/05/2025 - 03/06/2025)
No. 27 - 29 Tryon Road	<ul style="list-style-type: none"> <li>9 Storeys (28.6m)</li> <li>66 Apartments</li> <li>FSR 3.25:1</li> </ul>	Exhibition (25 March 2025)
No. 12-16 Bent Street	<ul style="list-style-type: none"> <li>10 Storeys (29.2m)</li> <li>115 dwellings, 28 affordable</li> </ul>	Exhibition (24/4-21/5/25)
1 Woodford Lane, 2-12 Bent Street, 1B Beaconsfield Parade, 19 Drovers Way, Drovers Way Road Reserve and Woodford Lane Lindfield. Lindfield Village Hub	<ul style="list-style-type: none"> <li>Lindfield Village hub (LVH), a new urban renewal project that will offer new community amenities within close proximity to the train station</li> </ul>	Approved (July 2020)
2-8 Highgate Road, Lindfield	<ul style="list-style-type: none"> <li>9 storey RFB (30.30m)</li> <li>84 dwellings, 24 affordable</li> <li>FSR of 3.25:1</li> <li>Setback from 6-9m from the street</li> </ul>	Exhibition (01/05/2025 - 28/05/2025)

Table 3: DAs relating to the subject site

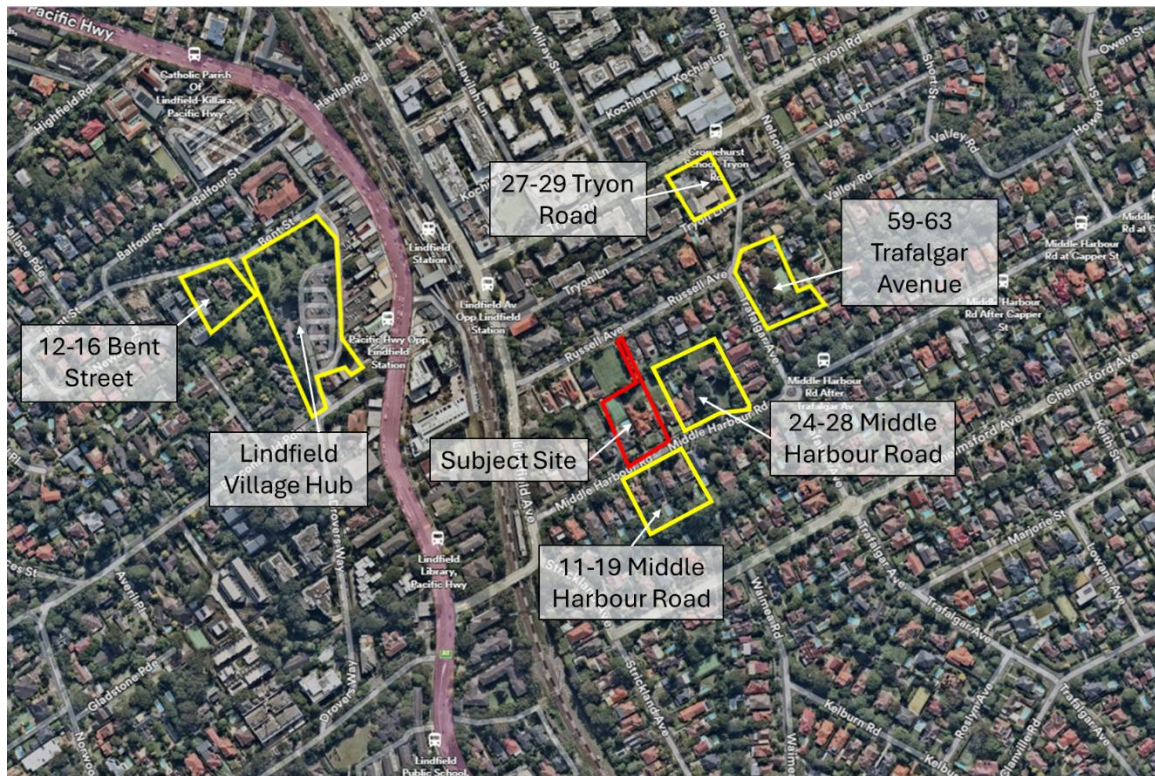


Figure 3 Related Development (Source: Nearmap)

## 1.4 Key Strategies

The overall vision for the proposed development is to deliver high-quality market residential and affordable housing in a well-located urban area. The proposed development achieves this state government housing objectives as follows:

- Providing a mix of 79 market residential units and 19 affordable housing units within a strategically located site, the project supports the goals outlined in the National Housing Accord by addressing the housing shortage and an aim of increasing the housing supply/mix, particularly in areas with established infrastructure and services.
- The National Housing Accord aims to construct one million well-located homes within five years, this began in mid-2024. These homes should be designed to be accessible, affordable, and offer a range of housing options to accommodate Australia's expanding population. As part of the Accord, every state and territory has agreed to deliver its share of 10,000 affordable homes. The proposed development at 16 - 20 Middle Harbour Road aligns with delivery of affordable and market housing.
- Given the current high demand for housing and diversity of housing types in greater Sydney and Lindfield, the proposed development is considered a highly desirable housing option to address the Accord's target.
- The proposed development seeks to maximise the most efficient use of land in a strategic urban location in Lindfield. The proposed development is located approximately 225 metres away from Lindfield Train Station and bus routes along Pacific Highway.

- High density residential close to public transport supports a more compact, efficient urban form for the locality consistent with the priorities of the Future Transport Strategy 2056 and TOD Objectives.

## 2 Strategic context

### 2.1 Strategic justification

This section of the EIS outlines key characteristics of the site and its relationship to the surrounding context. It also examines the project's alignment with relevant strategic planning policies and identifies other projects to be considered in assessing cumulative impacts.

#### 2.1.1 Alignment to state, district and local strategic plans and policies

In addition to the above, the proposed development is aligned with the applicable state, district and local strategic plans and policies as set out below. An in-depth assessment of the proposal against each is at Appendix 3.

Type of strategy	Relevant plan/policy
State plans and strategies	<ul style="list-style-type: none"> <li>Greater Sydney Region Plan</li> <li>Future Transport Strategy 2056</li> <li>North District Plan</li> </ul>
State Environmental planning policies	<ul style="list-style-type: none"> <li><i>(Biodiversity and Conservation) 2021</i></li> <li><i>(Housing) 2021</i></li> <li><i>(Planning Systems) 2021</i></li> <li><i>(Resilience and Hazards) 2021</i></li> <li><i>(Sustainable Buildings) 2022</i></li> <li><i>(Transport and Infrastructure) 2021</i></li> </ul>
Local plans and policies	<ul style="list-style-type: none"> <li><i>Ku-ring-gai Local Environmental Plan 2015</i></li> <li>Ku-ring-gai Local Strategic Planning Statement 2020.</li> <li>Ku-ring-gai Development Control Plan 2022.</li> <li>Ku-ring-gai Housing Strategy</li> </ul>

Table 4: Applicable state, district and local strategic plans and policies

### 2.2 Key features of the site and surrounding that could affect or be affected

The site is currently occupied by two detached dwellings and is zoned R2 low density residential. The site is immediately bound by R2 low density residential zoned land that primarily consists generally of single and double storey dwellings.

The immediate area is identified by the state government to provide housing in accessible locations. This site is part of the Lindfield TOD and undergoing transition in response to the Lindfield TOD controls to permit medium to high-density development within the locality.

In addition to the Lindfield TOD, Ku-ring-gai Council is developing the Lindfield Village Hub (LVH). This future development is anticipated to create a vibrant community-

focused area, that will feature a public park, cafes, and dining area to create a lively atmosphere. Along with these new facilities, a public library and community centre, a childcare facility, shops, housing, and underground plaza are also to be provided at the site.

The site is located within proximity to major transport networks including the Pacific Highway and North Shore Railway line. The future LVH is in close proximity to the site and will provide a significant number of services for future residents.

An overview of the site's constraints is detailed below:

- Topography: the site falls from west to east by approximately 4m
- Bushfire: the site is not bushfire prone land
- Biodiversity: a small portion of biodiversity value land is present at the rear of 18-20 Middle Harbour Road, pursuant to the *Biodiversity Conservation Act 2016*, shown in figure below:

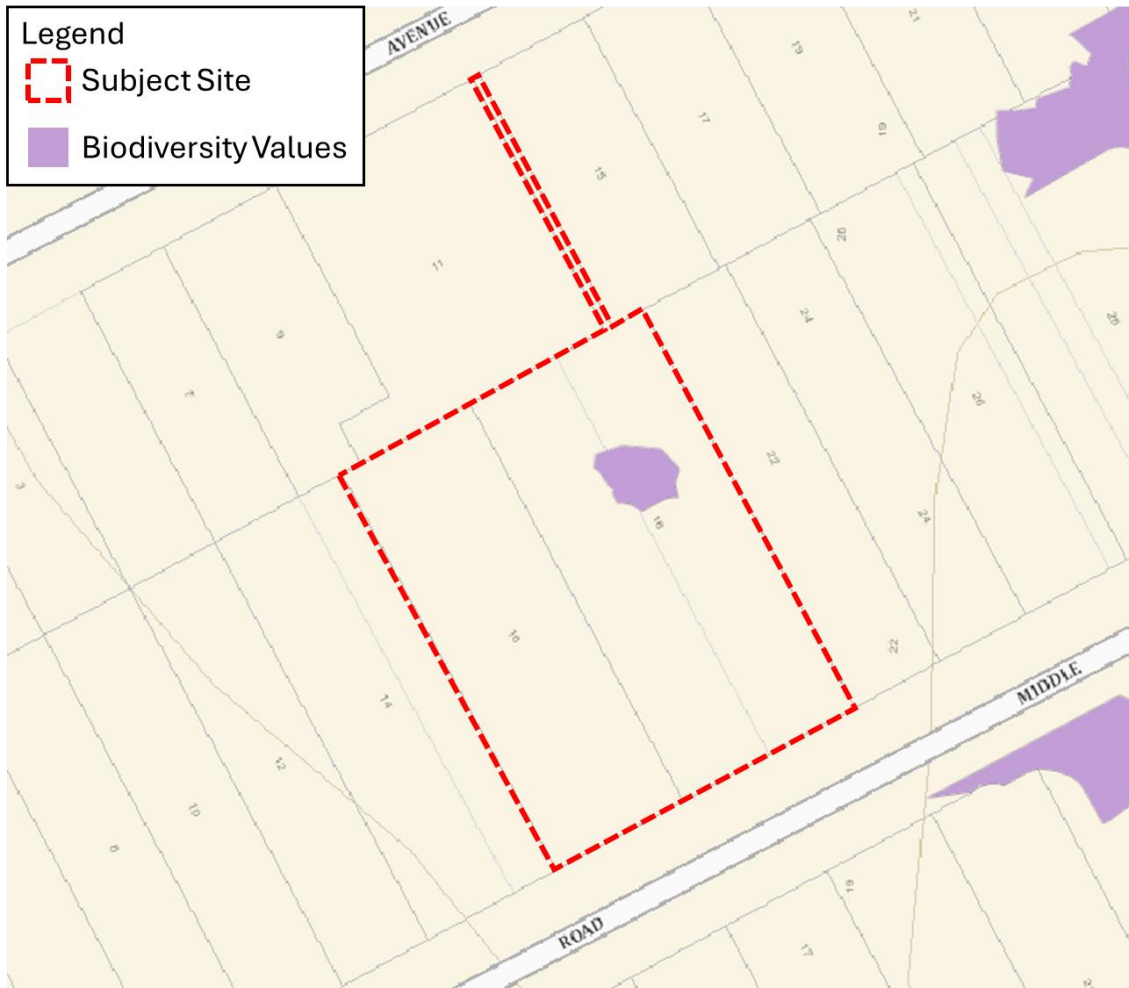


Figure 4 Biodiversity Values Map (Source: Espatial Viewer)

- Heritage: The site does not contain any heritage items nor is it located within a heritage conservation area. It is noted that there are two locally listed heritage items under the KLEP 2015 within the vicinity of the site and a heritage conservation area adjoins the site to the north-east, as detailed below.

- Item I42: 'Laurabada,' dwelling house, No. 9 Middle Harbour Road
- Item I49: Dwelling house, No. 19 Russell Avenue
- HCA C31: Trafalgar Avenue Conservation Area

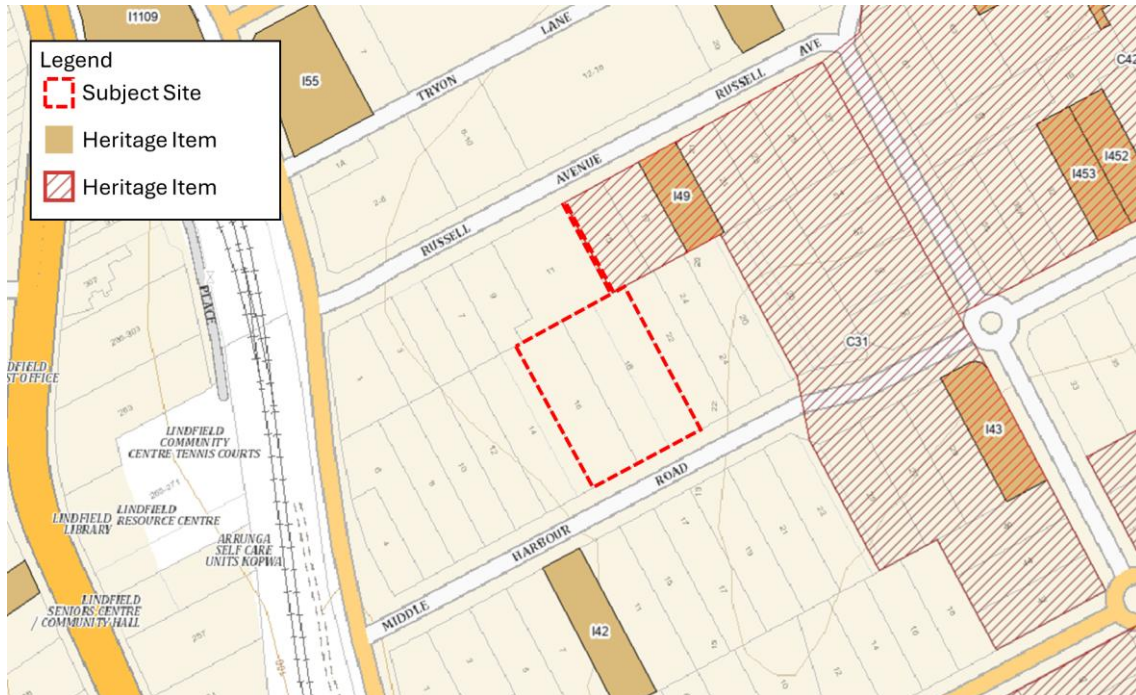


Figure 5 Heritage Map (Source: Espatial Viewer)

- Acid Sulphate Soils: the site is nominated as 'Class 5' acid sulfate soils under the KLEP 2015.
- Flood: A small portion of the site is identified as being flood affected on Council's flood mapping. This is limited to overland flow within the Middle Harbour South overland flood catchment.



Figure 6 Flood Map (Source: Ku-ring-gai Council)

## 2.3 Potential cumulative impacts

The site is located within the Lindfield TOD area, within 500m of the Lindfield local centre and positioned to support the growth of housing, including affordable housing, in a highly accessible area. There are numerous SSDA developments that have been lodged in proximity to the site, taking advantage of its strategic location within a TOD catchment and close to various services.

In accordance with DPHI's Cumulative Impact Assessment Guidelines for State Significant Projects, the cumulative impacts of the proposed development have been considered in Section 6 of this EIS and the accompanying reports.

The key potential cumulative impacts include:

- Traffic generation
- Construction noise and vibration
- Overshadowing
- Stormwater management

Mitigation measures are recommended to appropriately address these potential impacts.

## 2.4 Agreements with other parties

There are no known agreements between the proponent and other parties.

## 2.5 Analysis of feasible alternatives

Division 5 of Part 8, section 192 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) requires an analysis of any feasible alternatives to the carrying out of the development.

The alternatives to the proposal are set out below.

Option	Assessment
Do nothing	<p>Retaining the sites current built form, which contains two dwellings will continue to underutilise the land. The site is identified within the Lindfield TOD area and has capacity to support additional housing, including affordable housing near public transport.</p> <p>Maintaining the site as is will fail to utilise the site to its potential, along with this not addressing housing supply and affordability in the area, nor will it align with the Housing SEPP.</p>
Current TOD Controls	<p>The site can be developed under the current TOD controls (Chapter 5 of the Housing SEPP) which permits a maximum building height of 22m and an FSR of 2.5:1.</p>

Option	Assessment
	<p>This approach will provide medium density residential development consistent with the SEPP and allow the project to achieve bonuses set out in the Housing SEPP. However, it will fail to deliver additional affordable housing beyond the minimum requirements of the TOD.</p>
<p>Ku-ring-gai Council's alternative scenario</p>	<p>Preferred Scenario controls outlined by the Ku-ring-gai Extraordinary Meeting agenda and attachments for the site are outlined below:</p> <ul style="list-style-type: none"> <li>• Land zoning: R4 High density residential</li> <li>• HOB: 29m</li> <li>• FSR: 1:8.1</li> <li>• Deep soil zone: 50% of site area</li> </ul> <p>The sites' development under these controls achieve a higher building height, however, will reduce the FSR and relevant amount of floor area that could be achieved at the site given the proposed reduction.</p> <p>Additionally, the 50% deep soil requirement will significantly limit development on the site and is a larger requirement than the current controls outline.</p> <p>It is considered that the alternative controls will reduce the development potential at the site and hinder the provision of additional housing to meet the targets set by the National Housing Accord.</p>
<p>Alternative massing</p>	<p>Alternative built form and massing studies were undertaken by PTI Architecture. The massing study considered different built form options, which had varying scales, depth, landscaped areas and amenity impacts. These massing options were discounted largely due to the excessive bulk and scale or alternatively they under delivered on the site's development potential.</p>
<p>The proposal with available bonuses</p>	<p>The proposed scheme of 79 market residential and 19 affordable homes will maximise the site's strategic location in the Lindfield TOD precinct and contribute to reducing the housing shortage by delivering much needed market residential and affordable homes. The current proposal best aligns with the local and strategic context and promotes a sustainable well designed built form. In addition, a range of unit sizes are proposed which contributes towards the State government's housing diversity objectives.</p> <p>Significant analysis and careful design were undertaken for this proposal in order to minimise impacts on the neighbouring community, which is addressed in Section 6 of this report.</p>

Table 5 Feasible Alternatives

## 3 Project description

### 3.1 Project overview

The SSD application seeks consent for the construction of an RFB, comprising a portion of in-fill affordable housing.

Specifically, the proposal comprises:

- Demolition of existing structures onsite;
- construction of a 9-storey residential flat building, including:
  - approximately 79 market residential units;
  - approximately 19 affordable housing units;
- 3 levels of basement car parking;
- Associated infrastructure and services; and
- Landscaping and communal open spaces.

The proposal utilises the provisions of Chapter 5 of the Housing SEPP relating to Transport Orientated Development (TOD) which permits a maximum FSR of 2.5:1 and a maximum building height of 22m for the site.

The proposal also seeks to utilise the provisions of Chapter 2, Part 2, Division 1 of the Housing SEPP for in-fill affordable housing. The proposal comprises more than 15% affordable housing which enables a 30% FSR and height bonus.

Key element	Description
Project area	The site has a total area of 3,811m <sup>2</sup> . The site has a frontage of approximately 53 metres to Middle Harbour Road to the south, which is classified as a local road.
Legal Description	16 Middle Harbour Road (Lot 1 DP 569232) and, 18 - 20 Middle Harbour Road (Lots 10 and 11 DP5374 and Lot 1 DP 983946).
Physical layout and design	The proposed works, design and layout consist of: <ul style="list-style-type: none"> <li>• demolition of existing structures on-site</li> <li>• 12,047sqm sqm of total gross floor area (GFA) comprising approximately:               <ul style="list-style-type: none"> <li>○ 9,981 sqm of market housing GFA (79 apartments)</li> <li>○ 2,066 sqm of affordable housing GFA (19 apartments)</li> </ul> </li> <li>• maximum building height of 28.6 metres</li> <li>• apartment mix:               <ul style="list-style-type: none"> <li>○ 22 x 1 bedroom apartments</li> <li>○ 40 x 2 bedroom apartments</li> <li>○ 26 x 3 bedroom apartments</li> <li>○ 10 x 4 bedroom apartments</li> </ul> </li> <li>• Indoor lap pool and indoor communal rooms</li> </ul>

Key element	Description
	<ul style="list-style-type: none"> <li>196 car parking spaces</li> <li>110 bicycle parking spaces</li> <li>site landscaping and communal open space areas</li> </ul>
Phases	<p>The proposed development will be undertaken in the following phases:</p> <ol style="list-style-type: none"> <li>1. Demolition of existing structures</li> <li>2. Site preparation works, including vegetation removal, earthworks and footings</li> <li>3. Inground services</li> <li>4. Construction and fit out of the 9 storey residential flat building</li> <li>5. Landscaping and external works</li> </ol>

Table 6: Main elements of the project

## 3.2 Detailed description

### 3.2.1 Project area

The site is located at 16 – 20 Middle Harbour Road, Lindfield. The site has its primary frontage to Middle Harbour Road, and an access handle to Russell Avenue to the north. Vehicular access is not available from Russell Avenue and is provided from Middle Harbour Road.

The existing structures located at 16 - 20 Middle Harbour Road, Lindfield are currently two low density residential dwellings, ancillary structures and vegetation. Associated car parking for these properties is located to the front of the existing houses facing Middle Harbour Road.

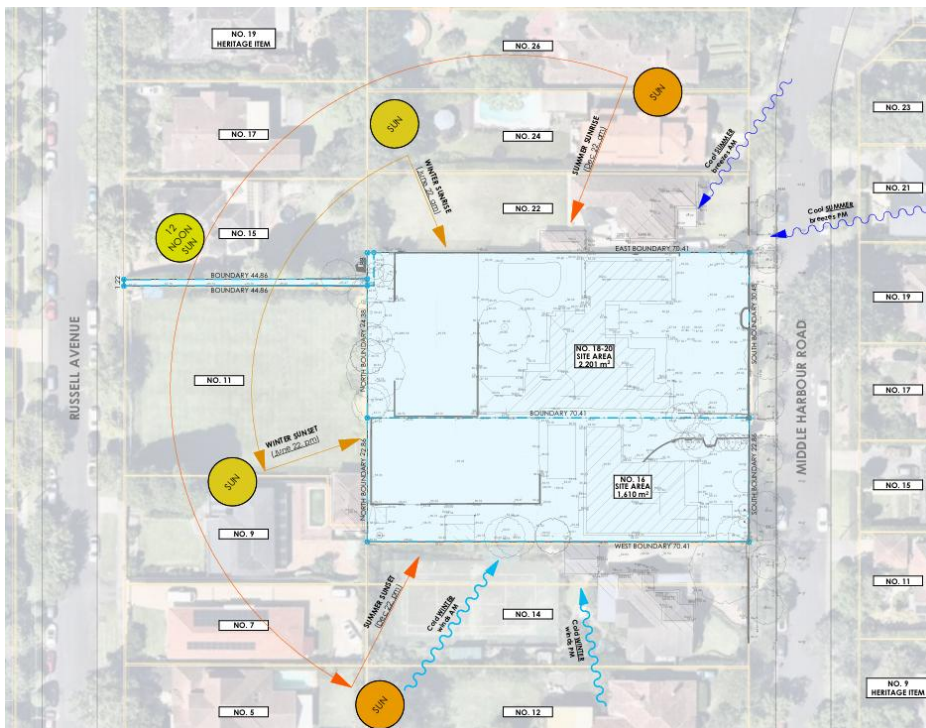


Figure 7: Site Analysis (Source: PTI Architecture)

### 3.2.2 Demolition and site preparation

It is proposed to demolish the two existing dwellings and all ancillary structures across the site. The site preparation works also seek to remove existing vegetation on site, including the removal of a centrally located tree on the site with a large root system. As a result, the proposed development will remove this tree to ensure an economical basement carpark layout and efficient apartment layout can be achieved. 28 trees will require removal to facilitate the proposal.

### 3.2.3 Excavation

Excavation is required to facilitate the construction of the proposed three-level basement. Excavation is proposed to a maximum depth of approximately 15m.

### 3.2.4 Physical layout and design

#### Built form

Architectural Plans and Architectural Design Report have been prepared by PTI Architecture and included at Appendix 5 and Appendix 25 respectively.

The proposed building is a 9-storey RFB, including 3 levels of basement car parking, ground floor common facilities and communal open space.

The proposed development adopts a U-shaped envelope and contains a single vertical circulation core, with lifts positioned toward the centre of the site to support efficient internal layouts and improved access to daylight and natural ventilation. Each level provides from 7 to 14 apartments. Affordable housing apartments are predominantly located at lower ground floor up to Level 3 to enable integration with market housing which is provided from upper ground floor to Level 8.

Vehicular access is provided from Middle Harbour Road. A single ramp will connect the street access to basement levels providing residential parking.



Figure 8 Southern elevation viewed from Middle Harbour Road (Source: PTI Architecture)

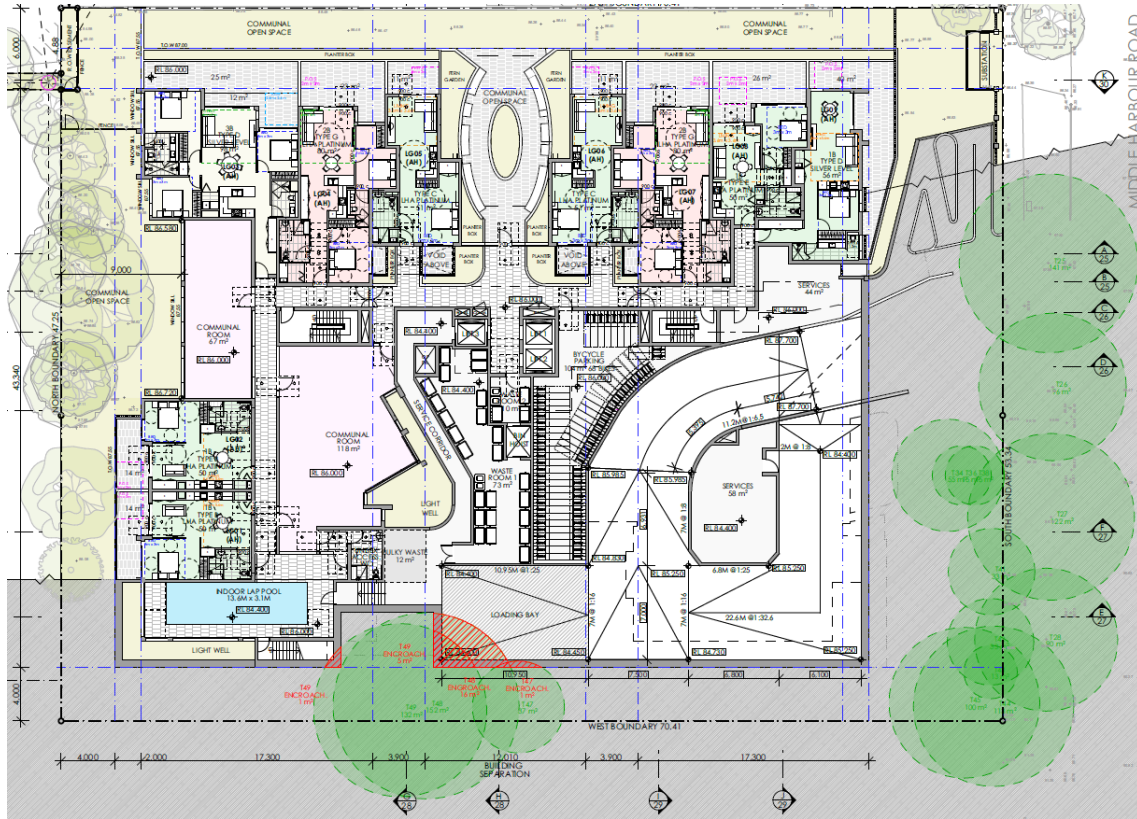


Figure 9 Lower ground floor plan (Source: PTI Architecture)

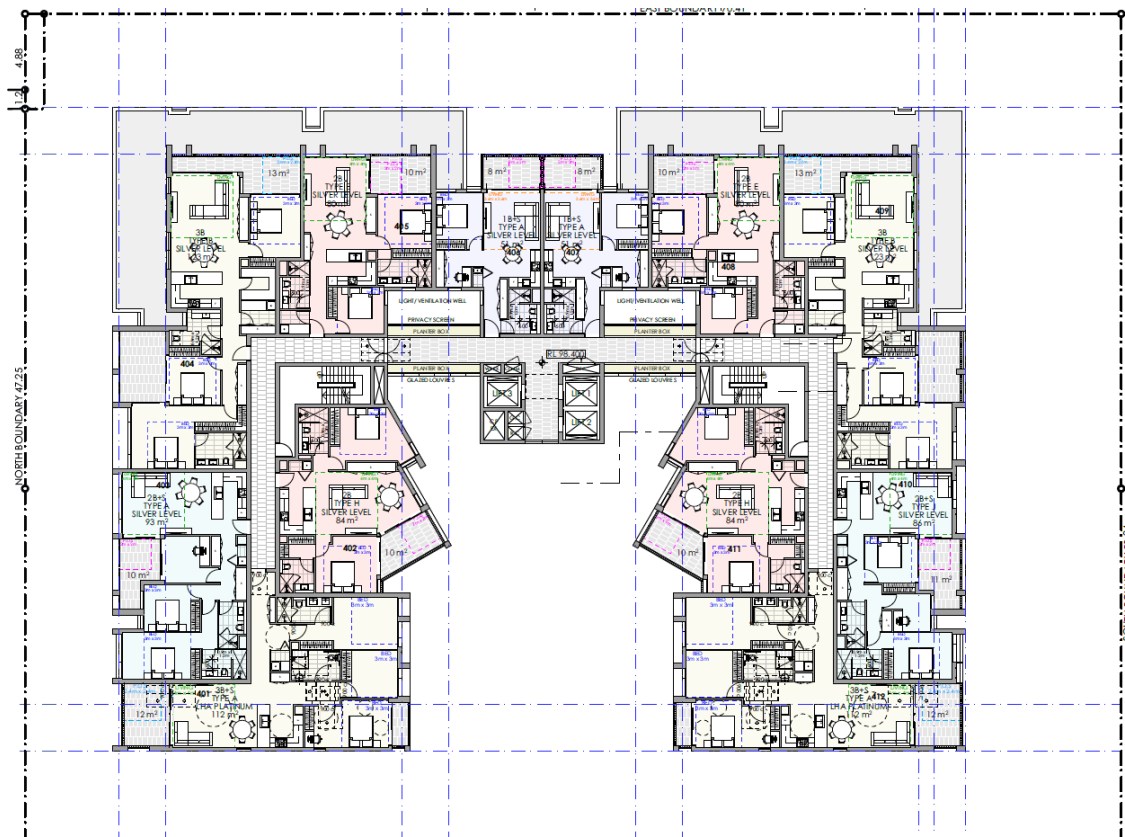


Figure 10 Level 4 - general layout floor plan (Source: PTI Architecture)

Communal open space (COS) is located centrally at ground level, whereby the building forms a U-shape around an outdoor communal space and adjacent communal room. Outdoor communal open space areas include areas of landscaping and hardstand for resident amenity. In addition, internal communal areas are provided including an indoor pool which contribute to the amenity of the development.



Figure 11: Render showing the proposal as viewed from Middle Harbour Road (Source: PTI Architecture)



Figure 12: Render viewing the proposal from the west showing centralised COS (Source: PTI Architecture)

The proposed development complies with the relevant ADG setbacks as discussed in 6.1.2. The setbacks facilitate deep soil zones and dense landscaping to provide visual relief, reinforce residential amenity and provide a transition to the surrounding development. The proposed landscaping and materiality assists in softening the

transition between the development and existing low density residential, noting the area is identified for uplift through the TOD controls.

A total of 19 affordable housing dwellings (17.1% of GFA) are integrated throughout the development. The provision of affordable housing dwellings includes a mix of one, two and three bedroom apartments. The dwellings are well-distributed, achieve a high level of internal amenity.

## Height and Gross Floor Area

As shown in figure above the proposed building height responds to the existing topography and gradient of the land.

The proposed development is compliant with the applicable building height and FSR controls, as detailed below.

The site is mapped within a *Transport Oriented Development Area* to which Chapter 5 of the Housing SEPP applies. These provisions permit *residential flat buildings* on the site, with controls designed to encourage uplift within the locality including a maximum HOB of 22m and a maximum FSR of 2.5:1.

The proposed development provides 'in-fill affordable housing' in accordance with Chapter 2, Part 2, Division 1 of the Housing SEPP. As per Section 16 of the Housing SEPP, these provisions allow up to 30% additional building height and FSR on top of the existing TOD controls, should a provision of 15% of the total GFA be provided as affordable housing. The 30% bonuses permitted result in the following maximum development standards applying to the site:

- Maximum HOB: 28.6m
- Maximum FSR: 3.25:1

The maximum height and massing enabled by the 30% bonuses is shown in the figure below. This figure shows the potential massing that the properties located on Middle Harbour Road and Russel Avenue could achieve under the TOD provision to provide more housing in the LGA.

It is important to note that this is a massing document only. That is, all sites are subject to future detailed planning applications by the consent authority.



Figure 13 Proposed Massing under TOD Heights (Source: PTI Architecture)

The proposed development is consistent with the applicable bonus building height controls. An FSR of 3.16:1 is proposed, which complies with the available 3.25:1 bonus FSR.

The proposed building envelope achieves an appropriate bulk and scale for the site, consistent with the future desired character of the area.

The proposed developments unit mix is included below and reflects the opportunity to provide high quality housing in an appropriate location:

	UNIT YIELD		TOTAL	UNIT MIX
	MARKET HOUSING	AFFORDABLE HOUSING		
1 BED	8	14	22	22.4%
2 BED	36	4	40	40.8%
3 BED	25	1	26	26.5%
4 BED	10	-	10	10.2%
<b>TOTAL</b>	<b>79</b>	<b>19</b>	<b>98</b>	<b>100.0%</b>

## Setbacks

The setbacks of the proposed buildings to the site's boundary line are described below:

- 10m DCP setback to the South (Middle Harbour Road)
- 6m setback to the North (ADG)
- 6m setback to the East (ADG)
- 6m setback to the West (ADG)

The proposed built form also includes further setbacks on upper levels:

- from level 5 onwards a compliant 9m setback from the boundary is included
- at level 9 a 12m setback is provided, noting there are minor protrusions into this setback for some roof terraces

### **Communal Space**

The proposed development allocates 28.4% of the site area (1,081sqm) for communal open space. This exceeds the 25% requirement of the ADG. This is largely provided in the form of two central communal courtyards at lower and upper ground level.

These areas of communal space include seating and activity areas and passive surveillance is provided from the surrounding apartments and central access area. This contributes to the safety for users of these spaces and enhances interaction between residents.

In addition, an indoor pool and two indoor communal areas are provided further enhancing the residential amenity for future residents.

### **Access and parking**

Vehicular access is to be provided off Middle Harbour Road via the primary entrance, connecting to the basement carparking containing resident/visitor parking, bicycle parking and storage. Pedestrian access is proposed via a lobby accessed from Middle Harbour Road.

#### **3.2.5 Uses and activities**

The proposed end use of the development will be a residential flat building, which will include a mix of market and affordable housing.

#### **Affordable housing**

A total of 19 apartments will be dedicated for affordable housing and managed by a Registered Community Housing Provider (RCHP). The affordable housing units are integrated throughout the development. The provision of affordable housing dwellings includes a mix of one, two and three-bedroom apartments. The dwellings are well distributed, achieve a high level of internal amenity, and benefit from equitable access to all of the proposed communal spaces.

A Community Housing Letter of Support prepared by EchoRealty is provided at Appendix 35. The letter demonstrates that a RCHP has been engaged and will readily manage the affordable housing component should the SSDA be approved.

## 4 Statutory context

This application has been prepared pursuant to Part 4 of the EP&A Act. Further, this application is an SSD application pursuant to section 4.12(8) of the EP&A Act and requires development consent under section 4.2 of the EP&A Act.

The following legislation and environmental planning instruments (EPIs) are relevant to the proposal:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Housing) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Ku-ring-gai Local Environmental Plan 2015*
- *Ku-ring-gai Development Control Plan 2024*

The legislation and EPIs above have been addressed in detail at Appendix 4 and specific key considerations are addressed within the sections below.

Category	Comment
Power to grant approval	<p>The residential component of the development has an EDC of more than \$75 million and is therefore SSD pursuant to Section 26A, Schedule 1 of the Planning Systems SEPP as follows:</p> <p>26A In-fill affordable housing</p> <p><i>(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if</i></p> <p><i>(a) the part of the development that is residential development has an estimated development cost of -</i></p> <ul style="list-style-type: none"> <li>○ <i>(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,</i></li> </ul> <p>The Minister for Planning and Public Spaces (or the Minister's delegate) is the consent authority pursuant to Section 4.5(a) of the EP&amp;A Act.</p>

Category	Comment
Permissibility	<p>The proposal is located on land which is subject to the KLEP 2015. As noted elsewhere in this report, the site is zoned R2 Low density residential whereby residential flat buildings are not permitted with consent. Notwithstanding, the site is located within a TOD precinct and therefore permissibility is made via Section 154 of the Housing SEPP which reads as follows:</p> <p><i>154 Development permitted with development consent in Transport Oriented Development Areas</i></p> <p><i>(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—</i></p> <p><i>(a) a relevant residential zone,</i></p> <p><i>(b) Zone E1 Local Centre or an equivalent land use zone,</i></p> <p><i>(c) for land in the Canterbury-Bankstown local government area— Zone B2 Local Centre.</i></p> <p>As defined under Section 151 of the Housing SEPP, the R2 Low density residential zone is a <i>relevant residential zone</i>.</p>
Other approvals	<ul style="list-style-type: none"> <li>• <i>Biodiversity Conservation Act 2016</i>: 0.010 ha of mapped Biodiversity Values land is contained in the north-eastern part of the site. A Biodiversity Development Assessment Report (BDAR) has been prepared and is provided at Appendix 6.</li> <li>• <i>Heritage Act 1977</i>: The site is not state heritage listed and therefore, approval under S68 or S139 will not be required.</li> <li>• <i>National Parks and Wildlife Act 1974</i>: Although an Aboriginal heritage impact permit under section 90 of the NPW Act is not required for SSD (per section 4.41(d) of the EP&amp;A Act), an Aboriginal Cultural Heritage Due Diligence Report has been prepared as part of the SSDA and is included at Appendix 20.</li> <li>• <i>Roads Act 1993</i>: The proposal will require consent under section 138 in relation to digging up or disturbing the surface of a public road.</li> <li>• <i>Water Management Act 2000</i>: Approval is not required under this Act, in accordance with section 4.41(e) of the EP&amp;A Act</li> </ul>
Pre-condition to exercising the power to gain approval	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Resilience and Hazards Systems) 2021</i></li> <li>• <i>State Environmental Planning Policy (Housing) 2021</i></li> <li>• <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></li> </ul> <p>Pre-conditions to exercising the power to gain approval are discussed at Section 4.1 and addressed in detail at Appendix 4.</p>
Mandatory matters for consideration	<ul style="list-style-type: none"> <li>• <i>Environmental Planning &amp; Assessment Act 1979</i></li> <li>• <i>Environmental Planning &amp; Assessment Regulation 2021</i></li> <li>• <i>State Environmental Planning Policy (Housing) 2021</i></li> </ul>

Category	Comment
	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i></li> <li>• <i>State Environmental Planning Policy (Planning Systems) 2021</i></li> <li>• <i>State Environmental Planning Policy (Biodiversity and Conservation) 2022</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></li> <li>• <i>Ku-ring-gai Local Environmental Plan (2015)</i></li> </ul> <p>Mandatory matters for consideration are discussed at Section 4.2 addressed in detail at Appendix 4.</p>

Table 7: Statutory requirements relevant to the project

## 4.1 Pre-conditions

The table below outlines the pre-conditions to exercising the power to grant approval that are applicable to the project and the relevant section where these matters are addressed within this EIS.

Pre-Condition	EIS ref
<b>State Environmental Planning Policy (Resilience and Hazards) 2021</b>	
<p>Section 4.6 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) requires that a consent authority must not grant consent to the development on any land unless:</p> <p><i>It has been considered whether the land is contaminated.</i></p> <p><i>If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which development is proposed to be carried out, and</i></p> <p><i>If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied the land will be remediated before the land is used for that purpose.</i></p> <p>A Preliminary Site Investigation (PSI) has been provided as part of the EIS at Appendix 18. The PSI identifies areas of environmental concern within the site as a result of potential importation of uncontrolled fill, pesticide use, vehicle parking, metal degradation, chemical storage, leaks from substation, current and former site activities, onsite migration, and current &amp; former asbestos-based building products. Any contaminants that may be present within the site were detailed to be low to moderate significance.</p>	<p>Section 6.7 Appendix 4 Appendix 18</p>

Pre-Condition	EIS ref
<p>The PSI concludes that the site can be made suitable for the proposed residential development subject to the implementation of recommendations, which include:</p> <ul style="list-style-type: none"> <li>• The preparation of a Detailed Site Investigation (DSI)</li> <li>• The preparation of a Hazardous Materials Survey</li> </ul>	
<b>State Environmental Planning Policy (Housing) 2021</b>	
<p>Section 20 requires the consent authority to consider whether the residential development is compatible with the desirable elements of the character of the local area, or for precincts undergoing transition, the desired future character of the precinct.</p> <p>An assessment of the development's consistency with both the existing and desired future character of the area is provided at Section 6 below.</p>	Section 6.1
<p>Section 21 requires the consent authority to be satisfied that the affordable housing component will be maintained for at least 15 years and that it will be managed by a registered CHP.</p> <p>It is suggested that a suitable condition of consent be imposed which satisfies this requirement.</p>	N/A
<p>Chapter 4 Development consent must not be granted unless the consent authority has considered the quality of the design evaluated in accordance with the design principles for set out in Schedule 9 of the Housing SEPP and the NSW Apartment Design Guide.</p> <p>PTI Architecture has prepared a compliance assessment against Schedule 9 of the Housing SEPP and the NSW Apartment Design Guide, as detailed in the Design Report. Refer to Appendix 25</p>	Appendix 25
<p>Section 156 Affordable housing requires the consent authority to be satisfied that at least 2% of the GFA of the building will be used for affordable housing and that this will be managed by a registered CHP in perpetuity.</p> <p>It is suggested that a suitable condition of consent be imposed which satisfies this requirement.</p>	N/A
<p>Section 159 Minimum lot width requires the consent authority to be satisfied that the lot has a frontage of at least 21m at the front building line</p> <p>The site has a frontage of approximately 53m.</p>	Appendix 5 Appendix 24
<b>State Environmental Planning Policy (Sustainable Buildings) 2022</b>	
<p>Chapter 2 Standards for residential development - BASIX, is applicable to the proposed development. A BASIX Certificate has been provided at Appendix 26.</p>	Appendix 4 Appendix 26

Table 8 Pre Conditions

## 4.2 Mandatory considerations

The table below outlines the relevant mandatory considerations to exercising the power to grant approval, that are applicable to the project and the relevant section where these matters are addressed within this EIS.

Mandatory consideration	Comment	EIS ref
Environmental Planning and Assessment Act 1979		
Relevant objects of the Act (Section 1.3)	<p>The proposed development is consistent with objects of the EP&amp;A Act for the following reasons:</p> <ul style="list-style-type: none"> <li>• It delivers a residential flat building, including in-fill affordable housing, on a strategically located site in a Transport Oriented Development (TOD) area near Lindfield Train Station, directly contributing to the North District Plan's objective of providing new housing supply and diversity in well-connected locations.</li> <li>• Provides employment opportunities throughout the construction phase, contributing to the local economy.</li> <li>• Aligns with strategic planning goals to encourage public transport use, reduce emissions, and foster accessible neighbourhoods, supporting sustainable development outcomes as promoted by regional and district plans.</li> <li>• Is consistent with strategic plans including the Greater Sydney Region Plan and North District Plan, and allows for the orderly development of the land in line with planning objectives for urban growth and housing supply.</li> <li>• It facilitates ecologically sustainable development as outlined in the accompanying ESD Report</li> <li>• Promotes the social and economic welfare of the community through the inclusion of diverse dwelling mix and affordable housing.</li> </ul>	Appendix 4
Relevant environmental planning instruments (Section 4.15)	The proposal seeks development consent under Part 4 of the Act. This EIS addresses all matters for consideration under Section 4.15 of the Act.	Appendix 4

Mandatory consideration	Comment	EIS ref
<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Planning Systems) 2021</li> </ul>	<p>The proposal is classified SSD under Schedule 1 Clause 26A of the Planning Systems SEPP, as Chapter 2, Part 2, Division 1 of the Housing SEPP applies and the development has an EDC over \$75 million.</p> <p>Pursuant to Section 4.5(a) under the EP&amp;A Act the consent authority is the Minister for Planning and Public Spaces (or the Minister's delegate)</p>	Appendix 4
<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Housing) 2021</li> </ul>	<p>The proposal provides in-fill affordable housing in accordance with Chapter 2, Part 2, Division 1 of the Housing SEPP. It therefore seeks to use the available height and FSR bonuses.</p> <p>The site is zoned R2 Low density residential under the KLEP 2015 and is located within the Lindfield TOD area, pursuant to Chapter 5 of the Housing SEPP.</p> <p>The proposed development is permissible in accordance with Clause 154 of Chapter 5, Housing SEPP.</p> <p>An assessment against the provisions of Chapter 2 and 5 is included in Appendix 4.</p>	Appendix 4
<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Sustainable Buildings) 2022</li> </ul>	<p>Chapter 2 standards for residential development - BASIX are applicable to the proposed development.</p> <p>A BASIX Report has been prepared and included at Appendix 26.</p>	Appendix 26
<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> </ul>	<p>The proposed development includes an area identified on the Biodiversity Values Map as an ecologically significant area.</p> <p>The proposal will require the removal of vegetation at the site identified within the biodiversity values area, however, the BDAR confirms this vegetation does not satisfy the criteria to be listed as a Threatened Ecological Community.</p> <p>The removal of the biodiversity values land at the site will require one offset credit as proposed. This is due to the vegetation proposed to be removed was found to exhibit potential habitat features for one fauna species in the locality - the Large-eared Pied Bat (<i>Chalinolobus dwyeri</i>).</p>	Appendix 6

Mandatory consideration	Comment	EIS ref
<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> </ul>	Section 2.48 of the Transport and Infrastructure SEPP requires the consent authority to give written notice to the relevant electricity supply authority and take into consideration any response to that notice before granting consent to a development likely to affect an electricity transmission or distribution network. It is noted that DPHI will refer the application to the relevant electricity supply authority for consideration.	Appendix 4
<ul style="list-style-type: none"> <li>Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015)</li> </ul>	A full assessment of the Ku-ring-gai Local Environmental Plan is provided in Appendix 4.	Appendix 4.
Relevant planning agreements or draft planning agreements (Section 4.15)	N/A	Section 2.4
Relevant Development control plans (Section 4.15)	While development control plans do not apply to SSD as detailed under Section 2.10 of the Planning Systems SEPP, the relevant controls have been considered.	Appendix 4
Likely impacts of the development, suitability of the site, the public interest (Section 4.15)	The likely impacts of the development, the suitability of the site and the public interest considerations have been addressed in this application.	Section 7

Table 9: Mandatory considerations

## 4.3 Contributions

### 4.3.1 Housing and Productivity Contribution

The Housing and Productivity Contribution (HPC) came into effect in October 2023 to apply a State-wide contribution for new developments. Under the HPC, a rate of \$10,000 per dwelling / lot for high-density residential development is required. Any consent issued will impose the required contributions under the HPC.

### 4.3.2 Ku-ring-gai Contributions Plan 2010

*Ku-ring-gai 7.11 Contributions Plan 2010* applies to the site. The payable contributions under the Ku-ring-gai contributions plan are to be imposed on any consent granted for the proposal. This plan requires contributions pursuant to Section 7.11 of the EP&A Act towards local infrastructure, including recreation, cultural, social facilities, parks, sporting facilities, road, and drainage works.

Affordable housing units may be eligible for partial or full exemptions from development contributions, depending on specific criteria such as ownership by a registered community housing provider and compliance with relevant planning instruments.

# 5 Engagement

## 5.1 Engagement carried out

Details of the key stakeholders identified, and a summary of the consultation undertaken and relevant issues raised to date are set out in the table below.

The engagement program has been conducted in line with the Department of Planning, Housing and Infrastructure’s *Undertaking Engagement Guide: Guidance for State Significant Projects* and complies with the community engagement requirements in the SEARs.

An Engagement Report has been prepared by ProComm and is included at Appendix 12. As is reinforced through the Engagement Report, significant consultation was undertaken as part of the exhibition of the TOD provisions and Council’s alternative TOD scheme which have informed the subsequent proposal.

Stakeholder	Type of engagement	Key matters of discussion
Department of Planning, Housing and Infrastructure	Email Informal discussions	<ul style="list-style-type: none"> <li>• Alignment with policies and priorities</li> <li>• Ku-ring-gai Council's alternative design scenario</li> <li>• Affordable housing</li> <li>• Biodiversity</li> <li>• Estimated development const</li> </ul>
Department of Climate Change, Energy, the Environment and Water	Consultation with DCCEEW will be undertaken post lodgement of this SSDA.	N/A
Transport for NSW	Consultation with TfNSW will be undertaken post lodgement of this SSDA.	N/A
Ku-ring-gai Council	Consultation with Ku-Ring-Gai Council will be undertaken post lodgement of this SSDA.	N/A
Utility Stakeholders <ul style="list-style-type: none"> <li>• NBN</li> <li>• Ausgrid</li> <li>• Jemena</li> <li>• Telstra</li> </ul>	Dial before you dig	N/A

Stakeholder	Type of engagement	Key matters of discussion
<ul style="list-style-type: none"> <li>• Sydney Water</li> <li>• Ku-ring-gai Council</li> </ul>		
Neighbouring landowners	Informal discussions as required	<ul style="list-style-type: none"> <li>• The proposed development</li> <li>• Site consolidation</li> <li>• Mitigation measures to address any impacts</li> <li>• Detailed design responses to neighbouring properties</li> </ul>

Table 10: Consultation undertaken to date with relevant stakeholders

## 5.2 Engagement to be carried out

Engagement will continue to be undertaken through all future stages of the project, as detailed within the Engagement Report. Additionally, DPHI will formally exhibit the application as part of their assessment. The Applicant will respond to all relevant issues and queries made during the assessment process as required.

During construction, consultation and engagement will be undertaken by the Applicant, including notification of the commencement of works or consultation where works have the potential to impact nearby receivers.

## 6 Assessment and mitigation of impacts

This section provides an assessment of the environmental impacts associated with the proposed residential flat building. The environmental assessment is based on a number of specialist studies undertaken for development. This section provides a summary of the results of the assessment undertaken for the key issues identified by the SEARs. Proposed mitigation measures are provided at Appendix 2.

### 6.1 Built form

The proposed Architectural Plans prepared by PTI Architecture are included at Appendix 5, supported by a Design Report provided at Appendix 25.

The key built form elements of the proposal comprise:

- Residential building envelopes providing a mix of 19 affordable homes and 79 market residential homes.
- Communal open spaces: the building will have an internal large courtyard for future residents designed for social interaction and resident engagement, in addition to an indoor pool and community rooms. The setbacks included at the ground floor of the building accommodate deep soil and landscaped zones.
- Basement facilities: Bicycle parking, car parking, visitor parking and building maintenance.

The design is the result of a detailed analysis of the site and surrounding properties, within the strategic planning framework of increasing housing density in the area. These investigations resulted in an initial concept for the built form which was guided by relationship with adjoining land and the use of the development by future residents of the apartments.

Key areas of investigation included massing, setbacks, solar access, ventilation and permeability through the site (figure below).

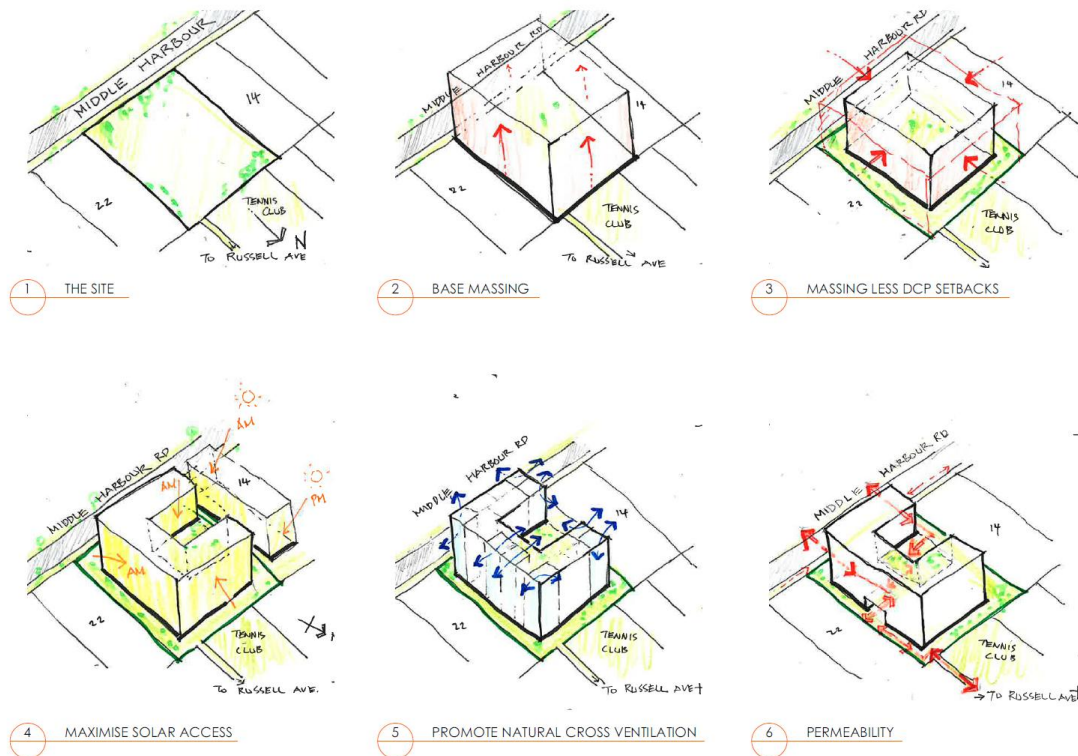


Figure 14 Site analysis & concept built form (Source PTI Architecture)

The massing study provided the foundation for the detailed design of the building and apartment design, complemented by suitable setbacks, communal area, landscaping and streetscape treatment. These design elements have been considered in the context of:

- existing development; and
- potential redevelopment for adjoining sites under the TOD planning controls for increased residential density in this location.

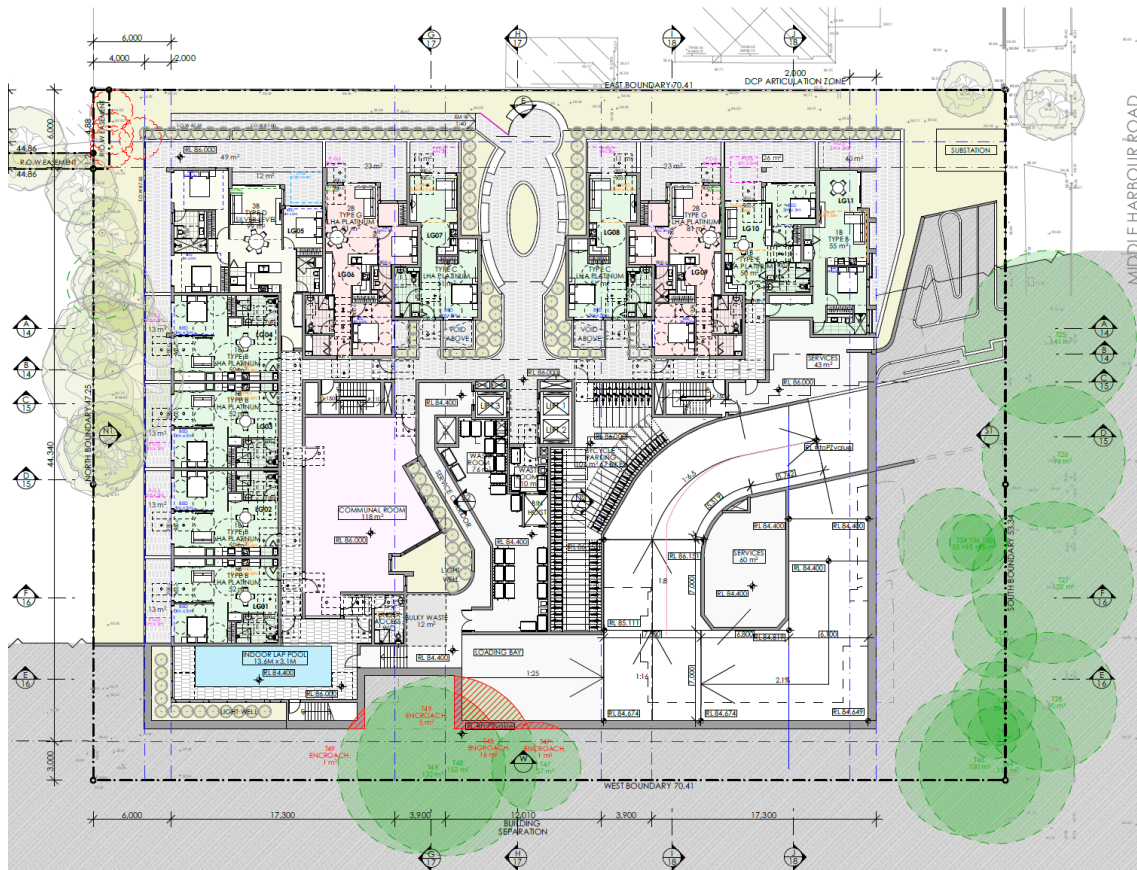


Figure 15 Proposed lower ground floor with access from Middle Harbour Rd (Source: PTI Architecture)

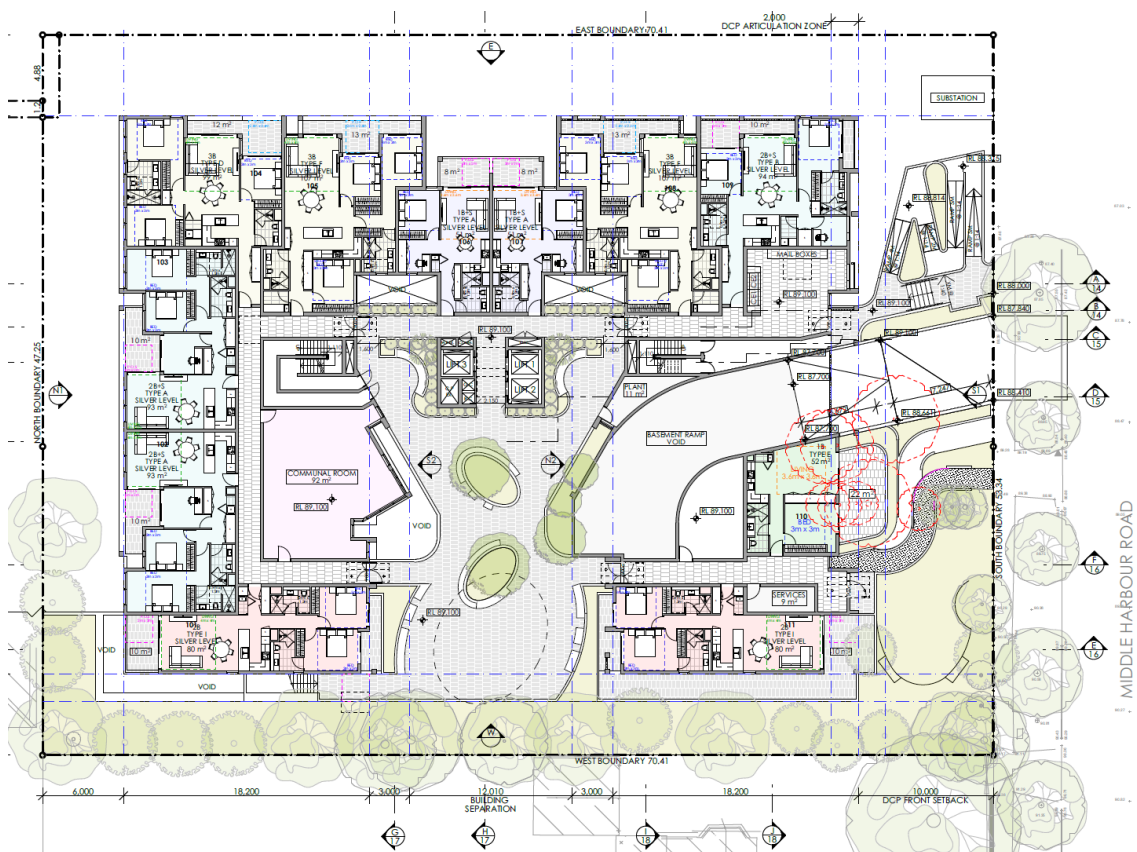


Figure 16 Proposed upper ground floor/level 1 (Source: PTI Architecture)

The key aspects to the built form elements are as follows and discussed in detail below:

- Bulk and scale
- Apartment Design Guide and Residential Amenity
  - Building setbacks
  - Cross ventilation and solar access
  - Overshadowing
  - Communal open space
- Potential Future Character
- Materials and finishes

### 6.1.1 Bulk and scale

The proposal is subject to the TOD controls under Chapter 5 of the Housing SEPP 2021. These controls provide the following

- HOB: 22m
- FSR: 2.5:1 (allows up to 6 storeys)

The proposed development also seeks to utilise the available infill affordable housing bonuses available under Part 2 of Chapter 2 of the Housing SEPP. As the proposal provides in excess of 15% of the total GFA as affordable housing, it is able to achieve an additional bonus of 30% of the height and FSR controls under the TOD, which equates to the following:

- HOB: 28.6m
- FSR: 3.25:1

The proposal is compliant with the bonuses afforded by the Housing SEPP. As detailed within the architectural plans, the proposal is compliant with the maximum building height of 28.6m, while an FSR of 3.16:1 is proposed.

It is noted the height provisions of the KLEP 2015 are superseded by the provisions of the Housing SEPP. Notwithstanding, the proposed building height aligns with the objectives of the KLEP 2015 under section 4.3 relating to Height of buildings below:

*(1) The objectives of this clause are as follows—*

*(a) to ensure that the height of buildings is appropriate for the scale of the different centres within the hierarchy of Ku-ring-gai centres,*

*(b) to establish a transition in scale between the centres and the adjoining lower density residential and open space zones to protect local amenity,*

*(c) to enable development with a built form that is compatible with the size of the land to be developed.*

The development aligns with the above objectives as:

- The development has ensured the height of buildings is appropriate given the surrounding context of development within the area, discussed previously at section 1.3. This development aligns with the vision outlined under the TOD SEPP.

- The site and broader locality is undergoing a phase of transition whereby the proposed development aligns with the future character and through architectural design will mitigate impacts on neighbouring properties and heritage items in the area.
- The site is appropriate and large enough to facilitate an RFB, in line with the Housing SEPP and guidelines of the ADG.

Given the careful design and building articulation, the bulk and scale of the development is considered to be appropriate for the site.



Figure 17 Site Context - Render as viewed from the south-east along Middle Harbour Road (Source: PTI Architecture)



Figure 18 Proposed Height of Building (Source: PTI Architecture)

## 6.1.2 Apartment Design Guide and Residential Amenity

### Building Setbacks

The evolving urban context of the Lindfield area has seen the project respond to the site and design in a manner that both aligns to the planning controls and responds to the existing and future character of the area, including heritage items in the proximity. The proposed setbacks are shown in the figures below. Details of the proposed setbacks is provided as follows:

- Setbacks and privacy: ADG compliant setbacks have been provided at all interface locations. As discussed below in relation to visual privacy, additional design measures have been adopted to address surrounding low density residential.
- Provision of setbacks that largely achieve compliance with the ADG and DCP controls including:
  - To the southern boundary (Middle Harbour Road) the proposal complies with a 10m DCP setback and provides setbacks at level 4 where the building steps back in to provide a setback of approximately 12m to Middle Harbour Road.
  - To the northern boundary a 6m setback is provided together with a setback of 6m-9m at level 4. From level 5 a minimum setback of 9m is provided.
  - To the western boundary a 6m setback is provided from ground to level 4 and a 9m setback as the building steps back in at level 5.
  - To the eastern boundary a 6m setback is provided from ground to level 4 and a 9m setback as the building steps back in at level 5 to provide a 9m setback and a 12m setback at level 9 for ADG compliance.
  - It is noted that the roof top terraces at level 9 minorly encroach into the required separation distance, however this is considered acceptable given their nominal nature and they do not result in any additional impacts when compared to a compliant setback.

Our assessment of the setbacks concludes that the siting of the building in respect to its boundaries and Middle Harbour Road is acceptable for the following reasons:

- The building is set back sufficiently from the boundaries, ensuring appropriate separation from neighbouring properties and minimising impacts on privacy, overshadowing, and amenity.
- The proposed setbacks are consistent with the character and pattern of development along Middle Harbour Road, contributing to a cohesive streetscape and ensuring the development integrates well with its surroundings.
- The setbacks are largely compliant with the applicable planning controls and guidelines, providing a safe and functional interface with Middle Harbour Road while accommodating landscaping, pedestrian access, and sight lines.

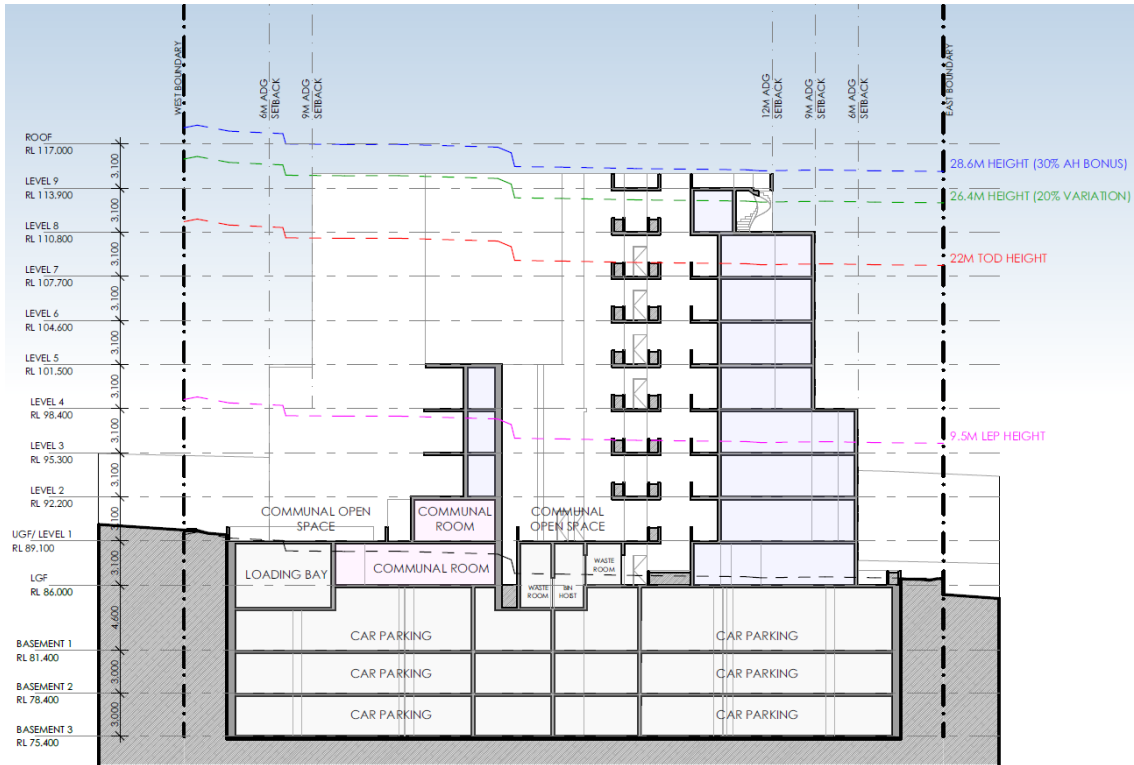


Figure 19 Eastern/Western Setbacks for ADG Compliance (Source: PTI Architecture)

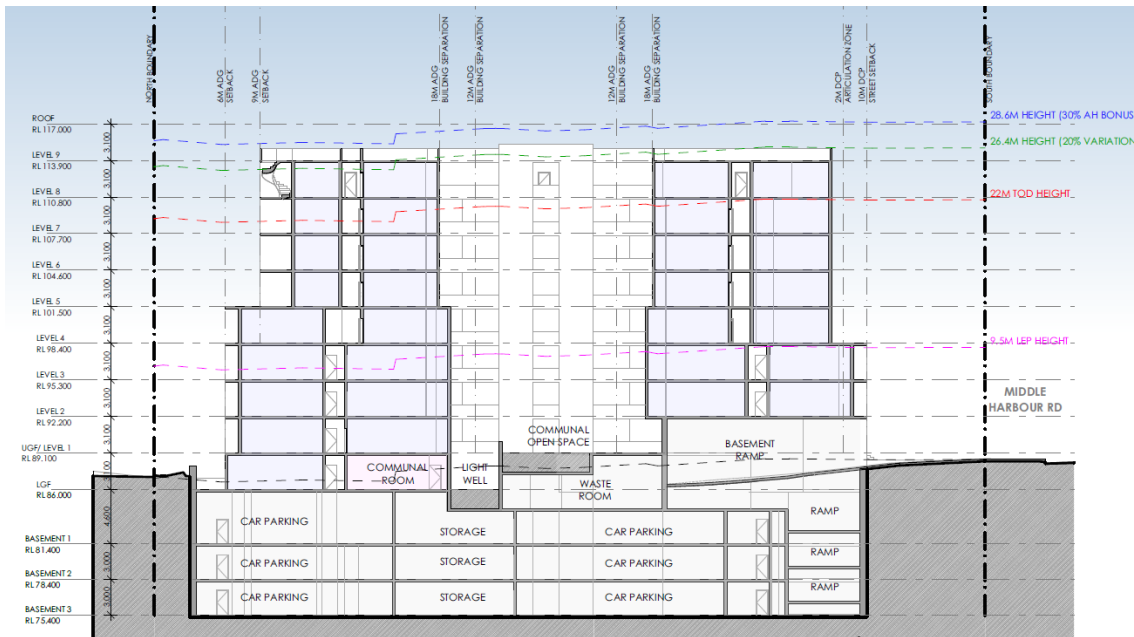


Figure 20 Northern/Southern Setbacks for ADG Compliance (Source: PTI Architecture)

## Cross Ventilation and Solar Access

The site planning provides a high level of amenity for future residents through:

- Apartment layouts that comply with ADG provisions for solar access and natural - cross ventilation as shown in figure below at a percentage of:

- Units receiving three hours solar access is 71% whilst 76% of units achieve two hours solar access (70% for 2 hours ADG requirement)
- Units that are naturally cross ventilated is 65% (60% ADG requirement)

It is noted that 16% of apartments receive no solar access, resulting in a minor variation of 1%. Given the nominal nature of this variation, noting that the number of apartments achieving the recommended two hours solar access easily surpasses the 70% requirement and the provision of large south facing windows to enable ambient lighting, it is considered acceptable.

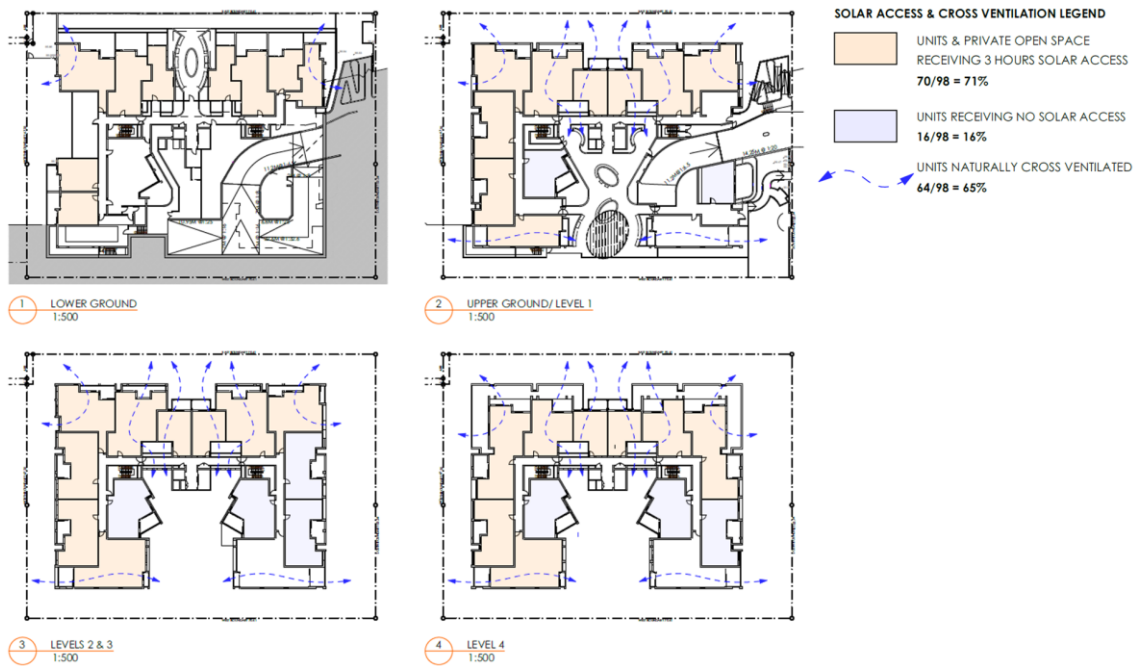


Figure 21 Level 1 - 4 Cross Ventilation and Solar Access ADG Compliance (Source: PTI Architecture)

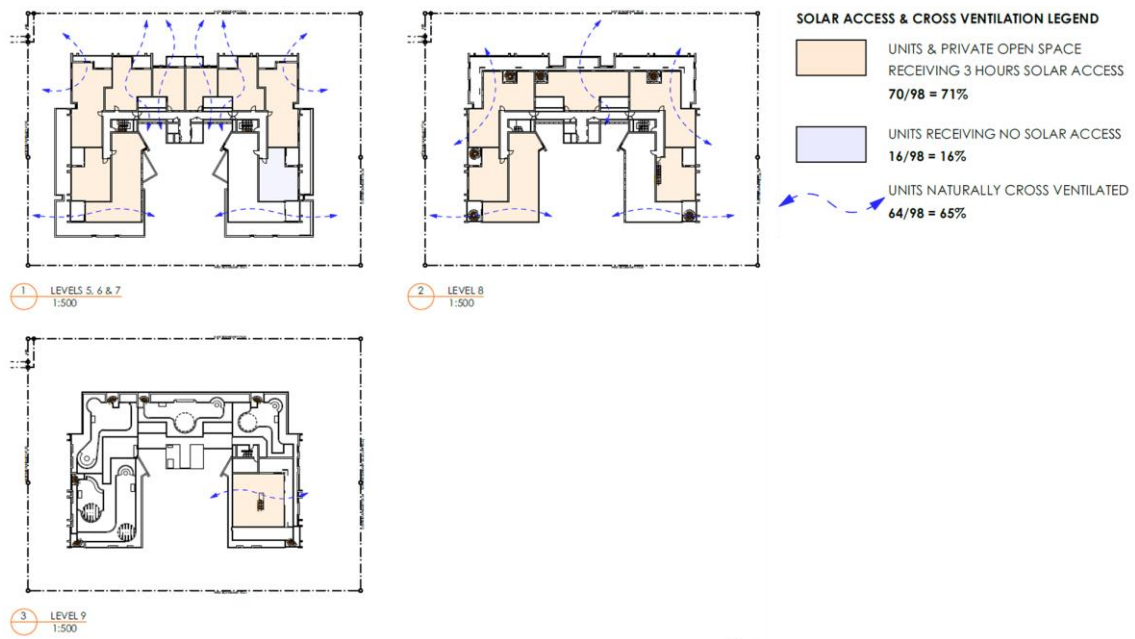


Figure 22 Level 5 - 9 Cross Ventilation and Solar Access ADG Compliance (Source: PTI Architecture)

A Natural Ventilation Statement (NVS) has been prepared by Windtech and is provided at Appendix 30. The NVS confirms that 64 of the 98 apartments will be naturally cross-ventilated, accounting for 65.3% of all apartments. This satisfies the minimum ADG requirement of 60% of apartment being naturally cross-ventilated.

Further, the proposal employs the following design elements to ensure units achieve the highest amount of natural ventilation as possible on the site:

- Maximising the number of dual-aspect and corner units to facilitate cross-ventilation, allowing fresh air to flow through the living spaces and improving indoor air quality.
- Incorporating generously sized operable windows and doors on multiple elevations, enabling residents to control airflow and adapt to varying weather conditions.
- Orienting buildings and designing floor layouts to take advantage of prevailing breezes, reducing reliance on mechanical ventilation and enhancing occupant comfort.
- Natural ventilation has been achieved through opening orthogonal aspects (corner apartments) with direct exposure to prevailing winds or windows located in different pressure regions as defined by Section 4B of the ADG.

In relation to the above natural ventilation is provisioned through:

- Fixed open glass louvres providing for natural light & ventilation
- Angled vertical screening battens providing privacy & natural ventilation
- Top hung window providing natural light & ventilation

These features are shown in the figure below.

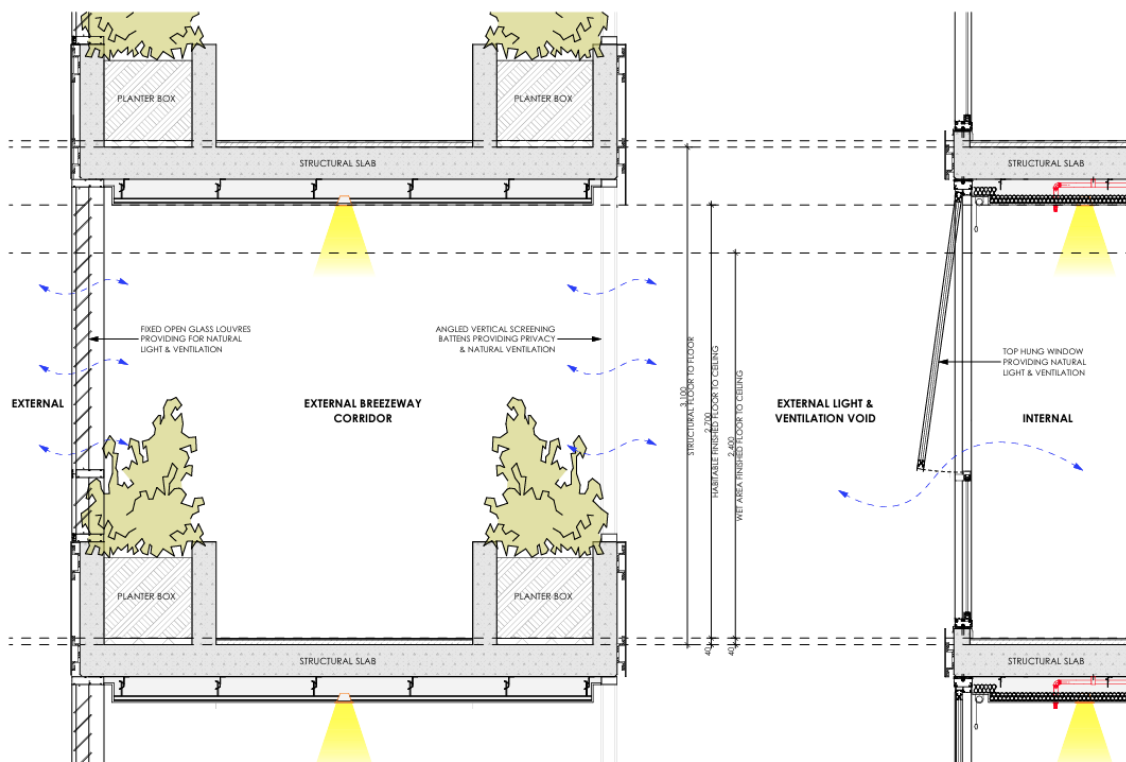


Figure 23 Methods of facilitating natural ventilation (Source: Pti Architecture)

Our assessment concludes that the proposal provides good solar access and cross flow ventilation as required by the SEPP and ADG.

## **Overshadowing**

The proposal has been designed to reduce unacceptable overshadowing of neighbouring properties as much as possible in this location. The design responds to the orientation of the site which limits excessive overshadowing to neighbouring properties to the east and west. Key design measures that reduce overshadowing are as follows:

- Careful siting and modulation of building forms to maintain adequate separation between the development and neighbouring properties, allowing sunlight access to adjacent private open spaces and habitable rooms.
- Use of stepped building heights and setbacks, especially on the eastern and western façades, to reduce the extent and duration of shadowing impacts during key times of the day (such as mid-winter mornings and afternoons).
- Incorporation of landscape buffers and lower-level treatments (such as terraces or podiums) that help to soften and break up potential overshadowing while enhancing the amenity of the site and its surrounds.

Neighbouring buildings will continue to receive sufficient solar access in mid-winter, specifically:

- Buildings to the north will not be overshadowed by the development
- Buildings to the west will receive at least 2 hours of sunlight from 1pm to 3pm in mid-winter.
- Buildings to the east will receive at least 2 hours of sunlight from 9am to 2pm in mid-winter.
- Meanwhile, buildings to the south along Middle Harbour Road Street are only affected by overshadowing to their front gardens from around 12pm.

The proposed development is not considered to give rise to unacceptable overshadowing, and the extent of additional overshadowing of the adjoining properties is considered reasonable given the locality of the site and the current planning controls, which permits an increase in density on the site.

Our assessment concludes, the proposed development achieves an appropriate balance between built form and solar amenity to satisfy solar access requirements.

Extracts of the proposed overshadowing analysis are included in figures below:

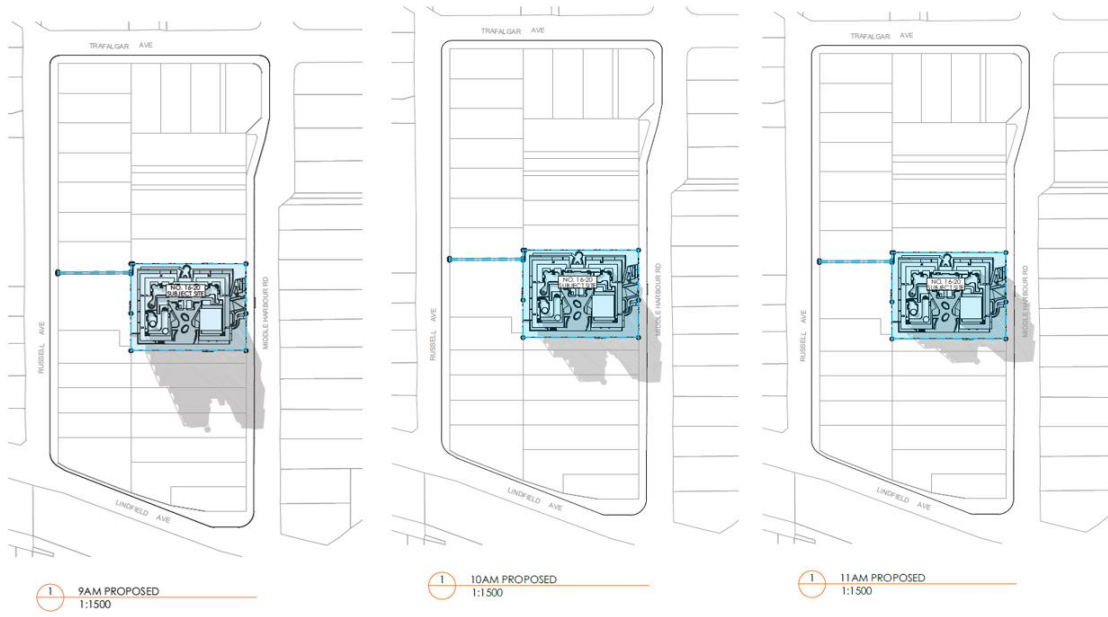


Figure 24 Overshadowing 9am-11am (Source: PTI Architecture)

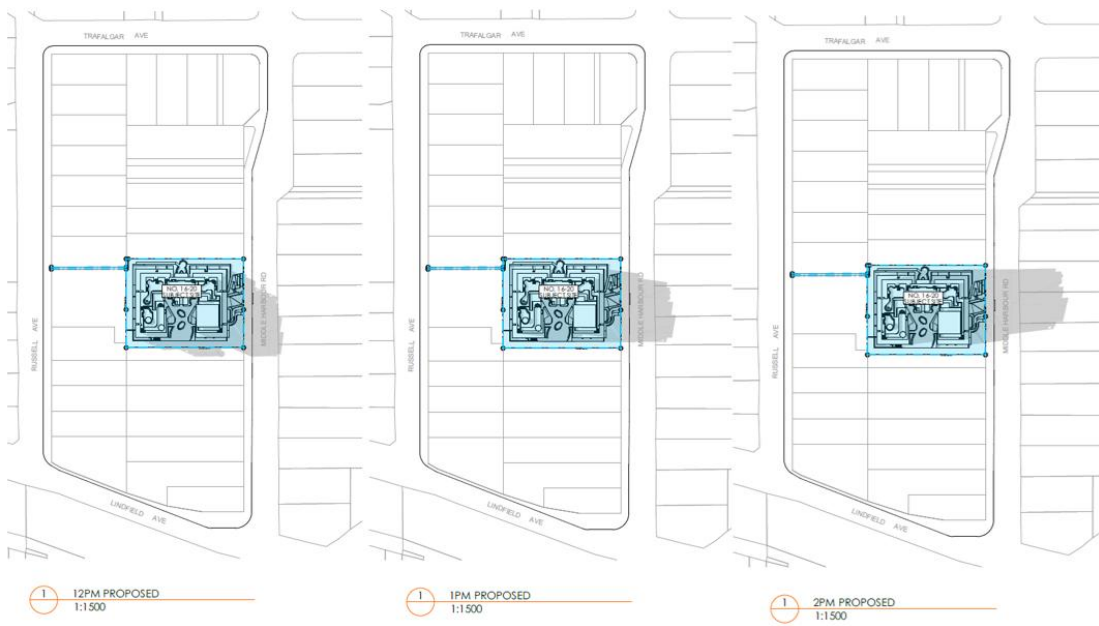


Figure 25 Overshadowing 12pm - 2pm (Source: PTI Architecture)



Figure 26 Overshadowing 3pm (Source: PTI Architecture)

## Communal Open Space

The proposed development allocates 28.4% of the site area (1,081sqm) for communal open space, exceeding the requirements of the ADG (25%). This is largely provided in the form of two central areas as follows:

- A communal courtyard and garden at the lower ground level on the western side of the building. This space has an area of 299sqm.
- A communal courtyard and garden at the upper ground level on the eastern side of the building. This space has an area of 668sqm.

These areas of communal space include seating and activity areas. Passive surveillance is provided from the surrounding apartments and the central access area. This contributes to the safety for users of these spaces and enhances interaction between residents.

As shown within the Architectural Plans, the principal area of communal open space achieves more than 50% solar access at 9am and between 1pm and 3pm, exceeding the ADG minimum requirement of 2 hours.

In addition, an indoor pool and two indoor communal rooms are provided as part of the proposal. These areas are not strictly counted in the communal open space calculation given they are internal spaces. Notwithstanding, they significantly enhance the residential amenity of the development for future residents

### 6.1.3 Potential Future Character

PTI Architecture has undertaken a high-level study to consider the likely future character of the immediate locality, assuming the surrounding sites are redeveloped in line with either the 'Transport-Oriented Development' (TOD) or 'Low and Mid-Rise Housing' (LMR) provisions of the Housing SEPP, depending on whether a development application has progressed for surrounding sites prior to Council submitting an alternative scheme to DPHI for consideration. The following analysis demonstrates the

relevant controls for uplift, and that although this site and building represent one of the first on Middle Harbour Road, that there is an expectation for a series of similar projects over time to become a part of the broader context to be defined by residential apartment buildings of a similar bulk and scale as envisioned by the TOD and LMR controls.

The proposed architectural plans show the proposed building envelope given the sites suitability to achieve the available 30% uplift in height and FSR through Chapter 2, Part 2, Division 1, Section 16 of the Housing SEPP.

The below figures illustrate the achievable bulk and scale of the site and adjoining properties on Middle Harbour utilising the TOD, LMR and affordable housing provisions.

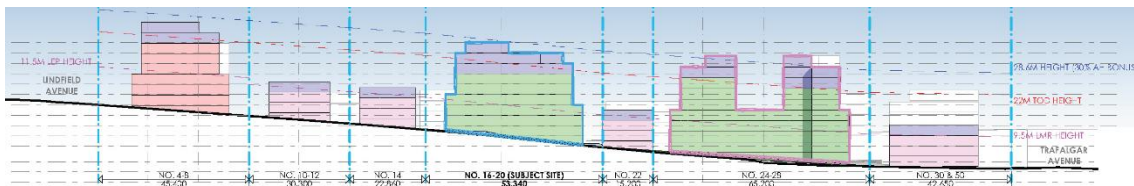


Figure 27 Middle Harbour Road TOD 30% Height (Source: PTI Architecture)



Figure 28 TOD Height 30% Affordable Housing Bonus (Source: PTI Architecture)

The proposal aligns with the objectives and vision of the applicable planning framework and the principles of the Housing SEPP. The proposed bulk and scale at the site will deliver an appropriate development that leverages the strategic merit of the site, enabling an in-fill affordable housing development at an appropriate site that maximises its potential to contribute to the delivery of Councils housing targets.

### 6.1.4 Material and finishes

A unified selection of materials, colours, and textures has been carefully chosen to enhance the building's visual appeal while remaining respectful of its surroundings. Neutral hues and natural finishes are paired with superior urban design detail, creating an enduring appearance and providing an exemplary design. The Design Report is provided at Appendix 25 and contains a comprehensive summary of the proposed materials and finishes. In summary, the chosen materials and finishes include:

- Brickwork - Darker red/brown brick proposed to be utilised on the lower levels of development to align with the existing character. The proposal also includes lighter brickwork on the upper levels to align with the existing character and future character of RFB's in the area.
- Sandstone - Proposed to be utilised in the communal open space areas and for the low planter box walls.
- Infill walls - proposed Cemintel Barestone for internal cladding uses, a lighter colour that provides for internal residential amenity. Along with an earth tone electro finish to be applied to the internal walls, balustrades, screens, window frames and trims.

## 6.2 Site Isolation

In response to the revised SEARs issued by DPHI on 6 June 2025, it is understood that an SSD application has been submitted for a site to the east at 24-28 Middle Harbour Road (SSD-82548708). Accordingly, this proposal is required to address the potential site isolation of No. 22 Middle Harbour Road including relevant site isolation principles as prescribed by NSW Caselaw.

The location of 22 Middle Harbour Road is outlined in blue in the figure below. This property currently has an area of 1,056m<sup>2</sup> and a frontage of 15m to Middle Harbour Road. The site is currently occupied by a single-storey dwelling.



Figure 29 22 Middle Harbour Road - Site Isolation (Source: Nearmap)

The NSW Land and Environment Court Planning Principles have been considered to assess any potential site isolation as a result of the proposal. Those principles prescribed in the case of **Karavellas v Sutherland Shire Council [2004] NSWLEC 251** are required to be addressed to demonstrate that the proposed development will not result in the negligible isolation of a site. These principles are addressed below:

*Firstly, is amalgamation of the sites feasible?*

*Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.*

*Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.*

*Thirdly, the level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiation, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.*

On 24 May 2024, the owners of the site were advised that an amalgamated development site had been formed by the owners of 22 to 28 Middle Harbour Road.

On this basis, the owners of the site (16-20 Middle Harbour Road) held discussions with the owners of 14 Middle Harbour Road to explore amalgamation opportunities. Despite several discussions with 14 Middle Harbour Road the owner of this property ultimately declined to proceed with site amalgamation for a joint SSDA.

Notwithstanding, the properties to the west of the site, including 14 Middle Harbour Road, can still be amalgamated in the future.

In good faith, the owners of the site commenced preparation of their SSDA documentation on the basis that:

- The adjoining property to the west 14 Middle Harbour Road did not want to consolidate and is able to amalgamate in the future with properties to the west
- 22 to 28 Middle Harbour Road was already an amalgamated development site

The owners of the site were only advised of the exclusion of 22 Middle Harbour Road from SSD-82548708 in April 2025. Since this time, the owners of the site were advised further discussions were held between the owners of 22 to 28 Middle Harbour Road to potentially re-include 22 Middle Harbour Road within their development block.

At this time, the proposed development for the site was significantly advanced with significant time and cost spent to produce the SSDA documentation. Requiring the proposed development to enter site amalgamation discussions at this stage will unfairly prejudice the development, noting the time constraints surrounding the lodgement of SSD applications subject to the TOD provisions with the Ku-ring-gai LGA.

Further, it is noted that the proposed development of the site and SSD-82548708 will not isolate 22 Middle Harbour Road as this property will be capable of being redeveloped for the purposes of a residential flat building in accordance with either the existing low and mid rise housing controls or Ku-ring-gai Councils exhibited preferred alternative scenario, which proposes the following controls for this site:

- R4 High Density Residential Zone
  - Residential flat buildings will be permitted with consent.
- 29m building height control
- 1.8:1 FSR control

As detailed below, PTI Architecture have developed an indicative scheme which demonstrates 22 Middle Harbour Road is capable of being redeveloped as a residential flat building which is provided at Appendix 32.

*Secondly, can orderly and economic use and development of the separate sites be achieved if amalgamation is not feasible?*

*The key principle is whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non compliance with a minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.*

*To assist in this assessment, an envelope for the isolated site may be prepared which indicates height, setbacks, resultant site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the developments will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.*

*The subject application may need to be amended, such as by a further setback than the minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.*

A summary of the relevant potential compliance with development controls have been shown below:

Control	Preliminary Concept Design	Compliance
<b>Ku-ring-gai Council Preferred Alternative Scenario Controls</b>		
HOB: 29m	27m	Yes
FSR: 1.8:1	1.9:1	Capable of compliance
Min width: 24m	~15	N/A - if LMR controls adopted in accordance with Section 178 of the Housing SEPP

Control	Preliminary Concept Design	Compliance
<b>Low and Mid Rise Housing Controls (subject to R4 zoning as per Council's Preferred Alternative Scenario Controls)</b>		
HOB: 17m (outer area) 22m (inner area)	27m	Capable of compliance
FSR: 1.5:1 (outer area) 2.2:1 (inner area)	1.9:1	Capable of compliance
Min width: N/A	~15	N/A - in accordance with Section 178 of the Housing SEPP

Table 11: Demonstration of ability to develop No. 22 as a standalone development

The site at 22 Middle Harbour Road is capable of compliance with the relevant controls that are afforded the site. Consequently, 22 Middle Harbour Road has the potential to be redeveloped for a RFB in a manner that will result in an appropriate built form outcome on the site.

On the basis of the above, the proposed development will not isolate 22 Middle Harbour Road and therefore satisfies the requirements of **Karavellas v Sutherland Shire Council [2004] NSWLEC 251**.

### 6.3 Visual impacts

A View Impact Assessment (VIA) has been undertaken by Urbaine Design Group at Appendix 23. This report addresses the potential visual impacts of the development from key viewpoints within the public domain. The VIA considered the likely future development and includes photomontages and perspectives showing the proposed development in its context.

The following viewpoints were analysed:

- Viewpoint 1: 3 Middle Harbour Road, Lindfield.
- Viewpoint 2: 31 Middle Harbour Road, Lindfield.
- Viewpoint 3: 2 - 6 Russell Avenue, Lindfield.
- Viewpoint 4: 26 Russell Avenue, Lindfield
- Viewpoint 5: 25 Waimea Road, Lindfield.

The VIA has aligned its methodology with the Land and Environment Court principles for view sharing, including evaluating the extent and reasonableness of view impacts.

The site is transitioning from low-density single dwellings to mid-rise apartments, consistent with TOD provisions, affordable housing bonuses and LMR housing controls. The VIA is assessed from multiple viewpoints, including public streetscapes. The photomontages demonstrate the proposed building's scale and massing relative to existing structures and vegetation. The VIA's methodology is shown below:

TENACITY / SCALE / VALUE		VISUAL IMPACT		VISUAL QUALITY	
NIL	0	<b>NEGLECTIBLE</b>	No negative impact on the pre-existing visual quality of the view	N/A	
	1				
NEGLECTIBLE	2	<b>LOW</b>	A minor negative impact on the pre-existing visual quality of the view  Examples: minor impact on natural landscapes no impact on iconic views impact on small number of receivers significant distance between the development and receiver	Predominant presence of low quality man made features  Minimal views of natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.)  Uniformity of land forms	
	3				
	4				
MINOR	5	<b>MEDIUM</b>	A medium negative impact on the pre-existing visual quality of the view  Examples: moderate impact on iconic views or natural landscapes impact on moderate number of receivers located nearby the receiver	Presence of some natural features mixed with manmade features  Some views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.)	
	6				
MODERATE	7	<b>HIGH</b>	A high negative impact on the pre-existing visual quality of a view  Examples: loss of iconic view impact on significant number of receivers overshadowing effect directly adjacent the receiver	Predominantly natural features Minimal manmade features, however if present of a high architectural standard Significant views of distinct natural formations (e.g. cliffs, mountains, coastlines, waterways, ridges etc.) Presence of iconic regional views of landmark features	
	8				
	9				
SEVERE	10	<b>DEVASTATING</b>			
	11				
DEVASTATING	12				
	13				
	14				
	15				

Figure 30 VIA Assessment Table (Source Urbaine)

The proposed development aligns with the strategic planning direction for the area and is consistent with anticipated urban form changes. The VIA concludes the impact on assessed views are acceptable given the context of the site and surrounding developments. Overall, the development contributes positively to the evolving urban environment while respecting visual amenity.

The chosen viewpoints to assess the project's potential visual impact are included in the figures below.



Figure 31 Selected viewpoints for assessment (Source: Urbaine Design Group)

View 1:



Figure 32 Viewpoint 1 - Existing and Proposed (Source: PTI Architecture)

The VIA assessed the following for Viewpoint 1:

Impact Assessment	Discussion
Visual Impact	Amount of new development visible in view 65%
Visual Impact ratio	View loss (including buildings): sky view loss 4%:96%
Existing visual assessment scale no: 7/15	Visual impact assessment scale no: 9/15

Figure 33 Visual Impact Assessment View 1 (Source: Urbaine Design Group)

The proposed development will result in lateral view loss across portions of the mid-ground, primarily due to the increase in the permissible building envelope. This change introduces and increases the vertical and horizontal massing on the site, reducing the extent of sky visibility to the north-east. The variation in scale, relative to the existing

surroundings is impactful, but will be less so, as other developments, of similar size are approved within the locality. Accordingly, the extent of impact from this location is assessed as **moderate**.

View 2:



Figure 34 Viewpoint 2 - Existing and Proposed (Source: PTI Architecture)

The VIA assessed the following for Viewpoint 2:

Impact Assessment	Discussion
Visual impact	Amount of new development visible in view - 13%
Visual impact ratio	View loss (including buildings): sky loss 7% : 93%
Existing visual assessment scale: No 7/15	Visual impact assessment scale no: 2/15

Figure 35 Visual impact assessment Viewpoint 2 (Source: Urbaine)

The visual impact of the proposal, at this location, can be assessed as negligible, largely as a result of the distance from the subject site and the height of existing and surrounding vegetation and street trees, which soften the screen the majority of observable components relating to the proposal. Accordingly, the extent of the impact from this location is assessed as **negligible**.

View 3:



Figure 36 Viewpoint 3 - Existing and Proposed (Source: PTI Architecture)

The VIA assessed the following for Viewpoint 3:

Impact Assessment	Discussion
Visual impact	Amount of new development visible in view - 37%
Visual impact ratio	View loss (including buildings): sky view loss 7%: 93%
Existing visual assessment scale no: 7/15	Visual impact assessment scale no: 9/15

Figure 37 Visual impact assessment Viewpoint 3 (Source: Urbaine)

The proposed development will result in visual impact across the mid-ground of the view, due to extensive structural expansion. This will introduce significant vertical massing, restricting sky visibility and reducing openness for immediately adjacent properties. The extent of visual impact is considered as **moderate**.

View 4:



Figure 38 Viewpoint 4 - Existing and Proposed (Source: PTI Architecture)

The VIA assessed the following for Viewpoint 4:

Impact Assessment	Discussion
Visual impact	Amount of new development visible in view - 22%
Visual impact ratio	View loss (including buildings): Sky view loss: 0% : 100%
Existing visual assessment scale no: 7/15	Visual impact assessment scale no: 7/15

Figure 39 Visual impact assessment Viewpoint 4 (Source: urbaine)

The proposed development will result in visual impact and view loss above the pitched roofs of the houses on the southern side of Russell Avenue. The new proposal will be visible at its upper levels and will impact upon sky view only to the southwest of the site. Accordingly, the extent of impact from this location is assessed as **minor to moderate**.

View 5:



Figure 40 Viewpoint 5 - Existing and Proposed (Source: PTI Architecture)

The VIA assessed the following for Viewpoint 5:

Impact Assessment	Discussion
Visual impact	Amount of new development visible in view - 6%
Visual impact ratio	View loss (including buildings): sky view loss 0%:100%
Existing visual assessment scale no: 18/15	Visual impact assessment scale no: 0/15

Figure 41 Visual impact assessment Viewpoint 5 (Source: urbaine)

The visual impact, from the proposal site, at this view location, can be assessed as **nil**. This is largely as a result of the distance from the subject site and the height of existing surrounding vegetation and street trees, which conceal the observable components of the proposal.

The VIA assessment prepared by Urbaine Design has provided a comprehensive review of the likely visual impact on the surrounding areas from the proposed development. The relevant views, as shown above, are all observed within a 1km radius of the subject site. The assessment has reviewed the proposal, in the context of its future setting and concludes that, although there are locations within the neighbouring area and properties that are impacted by the new development, the overall impact of the views to be experienced by residents is between **Nil and Negligible**, as a result of the dense, mature landscaping around the subject site and within the surrounding neighbourhood. Views from public recreation areas are also minimal, or nil for the same reason.

Based on the analysis provided from Urbaine Design Group, the proposal has demonstrated to not significantly impede on view sharing between neighbouring properties or views from public locations.

## 6.4 Trees and Landscaping

### 6.4.1 Trees

An Arboricultural Impact Assessment (AIA) has been prepared by Birds Tree Consultancy (Appendix 23). The AIA evaluates the potential impacts on trees and makes recommendations to reduce the impacts on the trees proposed for retention.

The AIA finds that one high category tree and 27 low or medium category trees will require removal to accommodate the proposal.

In order to compensate for loss of amenity, consideration should be given to replacement planting within the site. The AIA recommends the following mitigation measures to reduce impact:

- Excavation within the nominal root zone (NRZ) of retained trees must be undertaken using non-destructive techniques including Air Spade or Vacuum truck under 1000PSI and to all be done under supervision of a qualified project arborist
- Tree protection fencing is to be installed to the extent of the NRZ for each retained tree prior to commencement of any site works
- Signage, mulching and trunk protection are to be implemented in accordance with AS4970-2025.
- No structural roots greater than 25mm are to be cut or damaged
- Ongoing arborist oversight to be provided during works near retained trees.

The AIA also includes an Arboricultural Method Statement which implements measures to protect the retained trees and ensures compliance with AS4970-2025.

### 6.4.2 Landscaping

Landscape Plans have been prepared by Site Image and are included at Appendix 8. The objectives of the proposed landscaping scheme are to ensure the proposal contributes to the natural environment and relevant character of the surrounding area, providing functional and high quality open space areas, and providing planting and open space with an appropriate scale noting the anticipated uplift in the locality. Broadly, the landscape scheme incorporates sandstone walls, paving, turf, canopy trees and seating. An extract of the proposed landscaping site plan is provided in the figure below.



Figure 42: Landscape Masterplan (Source: Site Image)

The proposal provides for 1,150m<sup>2</sup> (30.2%) of the site area as landscaped area. This exceeds the non-discretionary standard prescribed for in-fill affordable housing under the Housing SEPP whereby 30% of the total site area is to be landscaped. The proposed landscaped areas intend to maximise future residential amenity and ensure the proposed development respects the existing nature of the surrounding area. This is further reinforced by the selection of plant species which reflect the landscaped character of Lindfield including environmentally and culturally important species that reflect the surrounding areas, including areas of Ku-ring-gai National Park. Examples of proposed buffer plantings are provided below.

- Weeping Lilly Pilly
- Smooth-Leaved Quandong
- Little Gem Magnolia
- Silver Sheen Pittosporum

Extensive landscaping is proposed to the centralised open space area labelled as 'The Canopy' Family BBQ Terrace. This will provide a central courtyard area which creates an inclusive space for socialisation that will also include BBQ facilities, shade canopies, integrated seating and curved edge plantings.

The function of 'The Canopy' is to act as a central meeting place which enables socialisation between residents to assist in developing a sense of community.

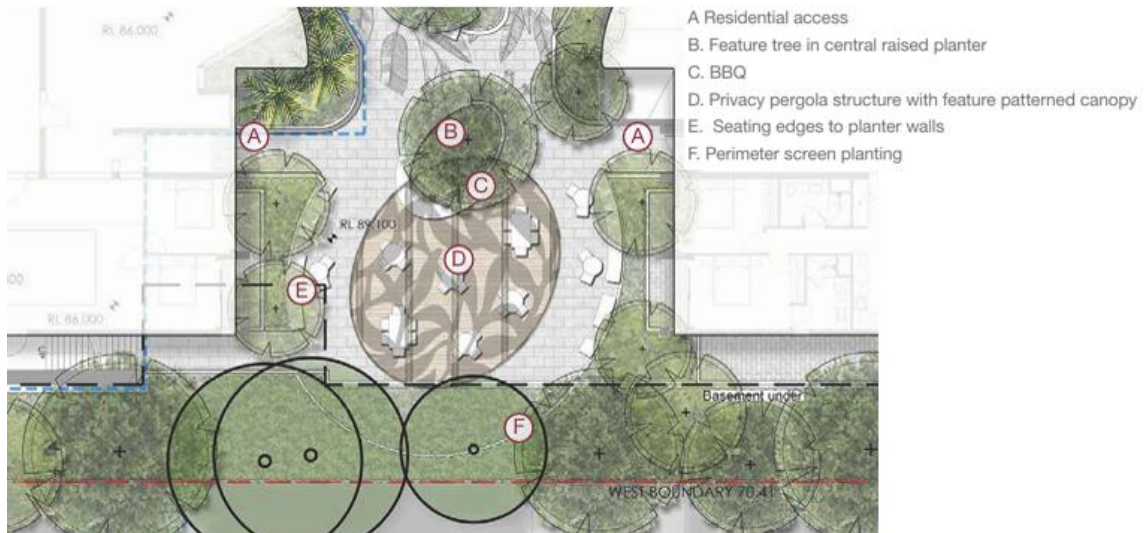


Figure 43: The Canopy (Source: Site Image)

Accordingly, the provision of landscaping along all boundaries and throughout all communal open space areas is adequate in integrating the natural environment into the development and assist in reducing urban heat.

## 6.5 Soil and water

To address the soil and water matters, this EIS is accompanied by the following technical reports:

- Geotechnical Investigation and Acid Sulfate Soils Assessment (Appendix 10)
- Concept Stormwater Design (Appendix 22)

### 6.5.1 Earthworks

The proposed development includes the provision of three levels of basement carparking to a depth of approximately 15m. The bulk excavation proposed for the basement floor slab is expected to be sandstone bedrock. Following the removal of loose materials, joints in the concrete floor slab should be designed to accommodate these forces.

The completed excavation should be inspected by the hydraulic engineer to confirm adequate drainage arrangements. Permission may be required from Council and Water NSW for any permanent discharge of seepage into the drainage system. Given the assessed conditions, seepage volumes should be low and within acceptable limits manageable by drainage systems.

### 6.5.2 Geotechnical and Acid Sulfate Soils

#### Geotechnical

A Geotechnical Investigation and Acid Sulfate Soils (ASS) Assessment was prepared by STS Geotechnics Pty Ltd consulting geotechnical engineers and provided at Appendix 10.

The assessment based its findings on fieldwork consisting of drilling six (6) boreholes.

This report makes a number of recommendations for the project moving forward. These are outlined below:

- *Additional Geotechnical investigation at least (3) additional cored boreholes at the centre and north portions of the site, once demolition of the existing structures has been completed and access becomes available for a drilling rig. This will allow for a larger spread of data to be gathered from the site for a more optimised shoring and foundation design.*
- *Aggressivity testing for buried concrete and steel structures.*
- *Long term groundwater monitoring and seepage modelling.*
- *Stability assessment of temporary batters using computer modelling, if required;*
- *Dilapidation surveys;*
- *Design of working platforms (if required) for construction plant by an experienced and qualified geotechnical engineer;*
- *Classification of all excavated material transported off site;*
- *Witnessing installation of support measures and proof-testing of anchors (if required).*
- *Numerical Analysis Impact Assessment for nearby Sydney Water/Council Assets.*
- *Inclinometers and instrumentation and monitoring plan (if required).*
- *Geotechnical inspections of rock faces during excavation by experience geotechnical professional at depth of no greater than 1.5m within medium to high strength bedrock, if vertical cut are adopted;*
- *Geotechnical inspections of all new footings/piles by an experienced geotechnical professional before concrete or steel are placed to verify their bearing capacity and the in-situ nature of the founding strata; and*
- *Ongoing monitoring of groundwater inflows into the bulk excavation;*

In addition, the report recommends that a meeting at the commencement of construction be arranged to discuss the potential geotechnical issues should the subsurface conditions vary from those inferred above and geotechnical inspection requirements during the construction phase for the proposed development.

## **Acid Sulfate Soils**

The Acid Sulfate Soils (ASS) Assessment provided within the Geotechnical Investigation (Appendix 10) identifies the existing ground surface has a minimum elevation of approximately RL 86.2 metres AHD.

Based on the investigation, the site is underlain by fill, residual silty clays and shale/sandstone bedrock. The observed site conditions are not consistent with the geomorphic criteria necessary for the presence of ASS. It is therefore unlikely that site development will result in the lowering of the groundwater where nearby ASS may be present and will therefore not expose ASS to oxidation.

Based on onsite observations, it is considered that the proposed construction will not intercept any ASS nor cause lowering of any groundwater where ASS is present. Therefore, land management activities are unlikely to be affected by ASS materials.

The assessment concludes the proposed construction will not require the preparation of an Acid Sulfate Soil Management Plan.

### 6.5.3 Stormwater management

The report is accompanied by an Integrated Water Management Plan (IWMP) prepared by GEBA Consulting at Appendix 22. The IWMP addresses the requirements of Ku-ring-gai Council DCP Part 24 and *Ku-ring-gai Local Environmental Plan 2015 Clause 5.21*. The report addresses the SEAR's requirements of 11. Water Management and 19. Flood Risk.

#### Water Management - On-site Detention Requirements

The proposed RFB requires the inclusion of an on-site stormwater detention system that has been designed with requirements of Ku-ring-gai Council's DCP Part 24A and technical Guideline for Water Management. The design principles and compliance with council requirements are shown below:

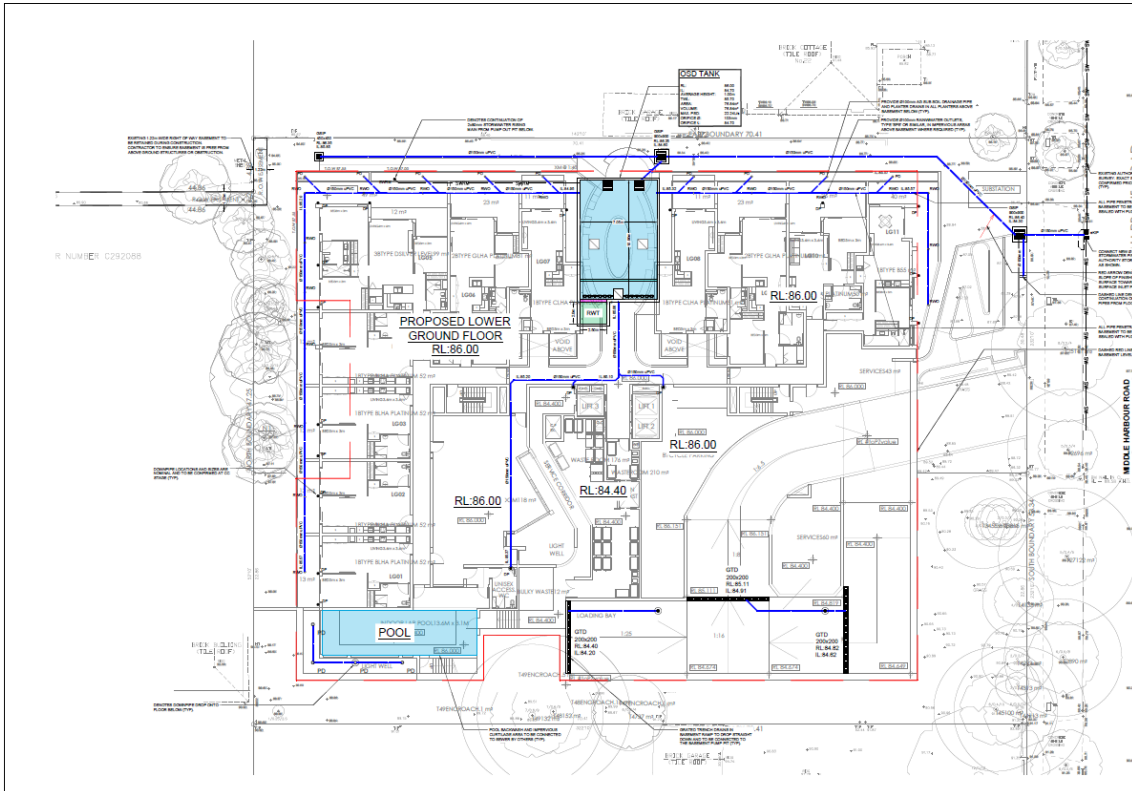


Figure 44 Lower Ground Floor (Source: GEBA Consulting)

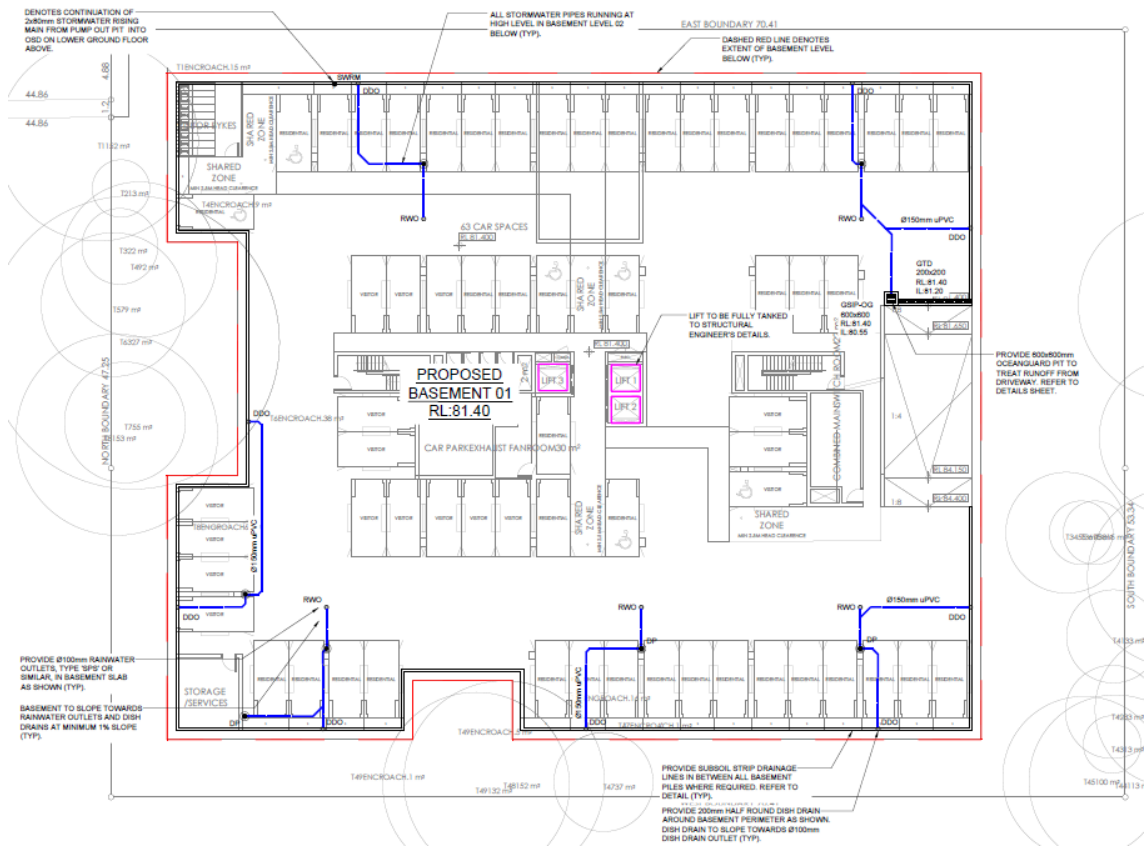


Figure 45 Basement 01 Stormwater Plan (Source: GEBA Consulting)

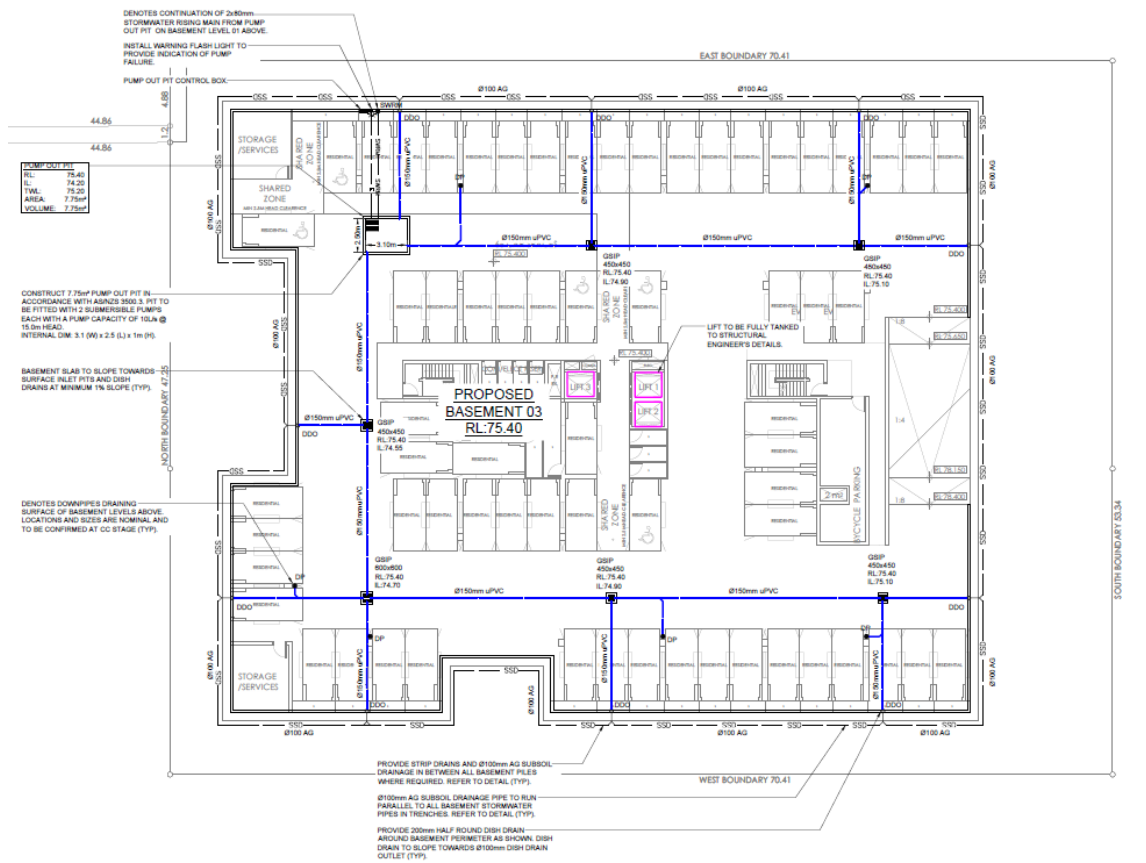


Figure 46 Basement 03 Stormwater Plan (Source: GEBA Consulting)

The proposed development has included a stormwater drainage system design in accordance with requirements outlined in AS3500.3 and KDCP Part 24. The lawful point of discharge has been designed as a connection into the existing drainage infrastructure in Middle Harbour Road, shown in Figure 44.

### **Erosion and Sediment Control**

The development erosion and sediment control measures are in line with 'Managing Urban Stormwater: Soils and Construction - Volume 1'. Erosion and Sediment control devices will be put in place during construction to ensure that stormwater runoff will be collected and diverted around the disturbed site with sediments removed prior to discharge to the existing stormwater system, this will include:

- Silt fences at the downstream boundary of the construction zone;
- Wash down and diversions at temporary vehicle entrances/exits to the construction zone;
- Sedimentation trap/basin with outlet control and overflow;
- Diversions to prevent upstream runoff entering the construction zone; and
- Sandbag sediment traps and geotextile filters to protect existing stormwater pits and inlets.

Although DCPs do not apply to SSD, the proposed development will satisfy the requirements of the Ku-ring-gai DCP Part 24.

## **6.6 Flooding**

A Flood Impact and Risk Assessment (FIRA) was prepared by Martens and is at Appendix 17. The FIRA has been prepared in accordance with the *Flood Risk Management Guide LU01 (FRM guide LU01)*.

The FIRA utilised hydraulic modelling using TUFLOW software with detailed terrain data. The scenarios that were modelled include:

- 1% annual exceedance probability (AEP) flood even (100-year flood)
- Probable maximum flood (PMF) event
- 0.2% AEP event (500-year flood)

Both the existing and proposed development conditions were assessed, utilising the below mapping.

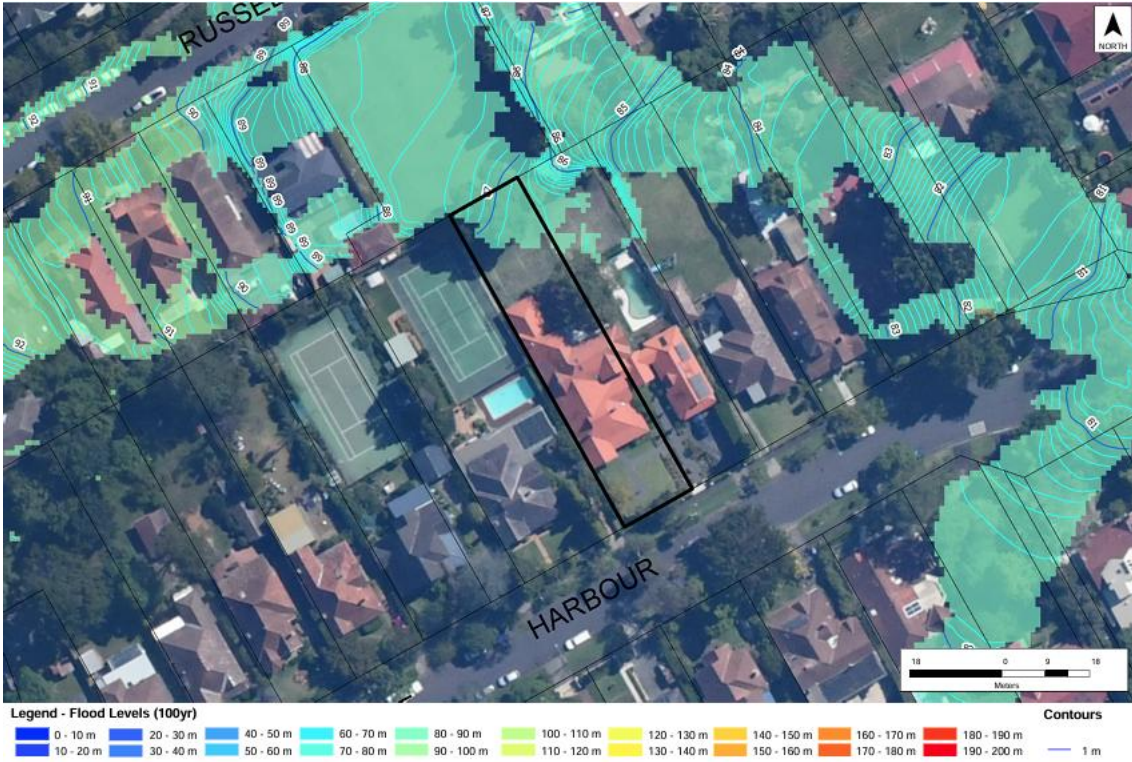


Figure 47 1% AEP Flood Level Contours (Source: Martens)

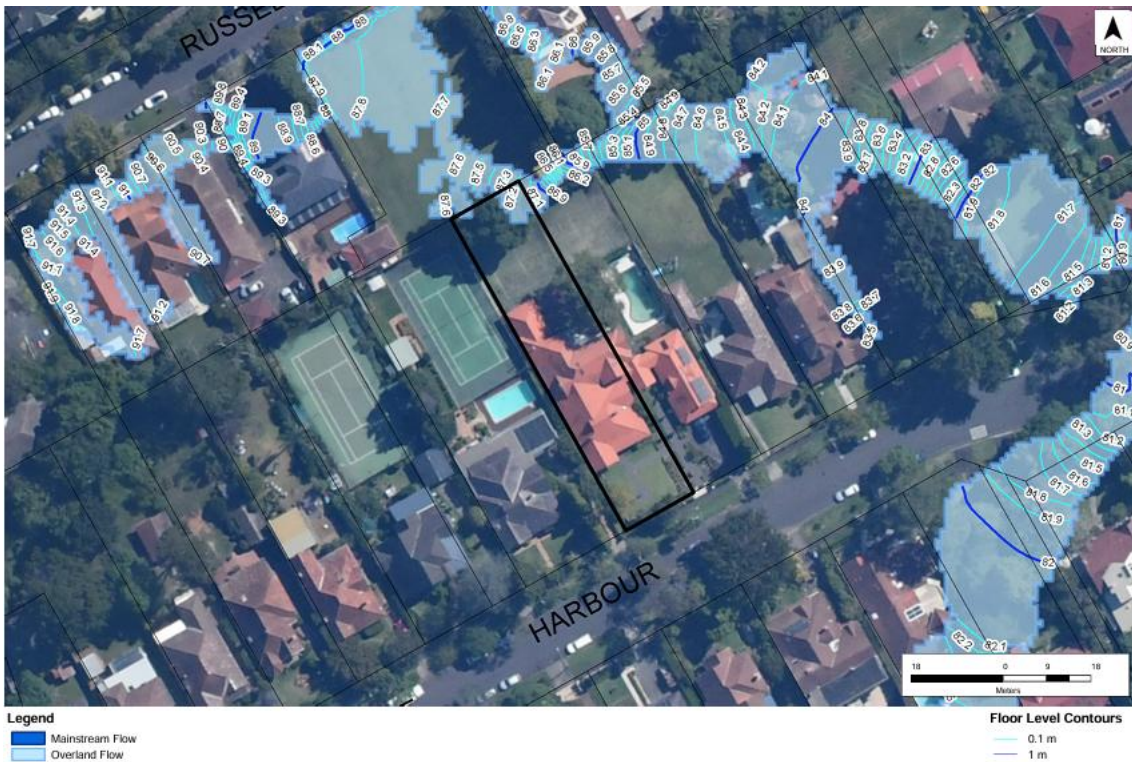


Figure 48 Minimum Habitable Floor Level Contours (Source: Martens)

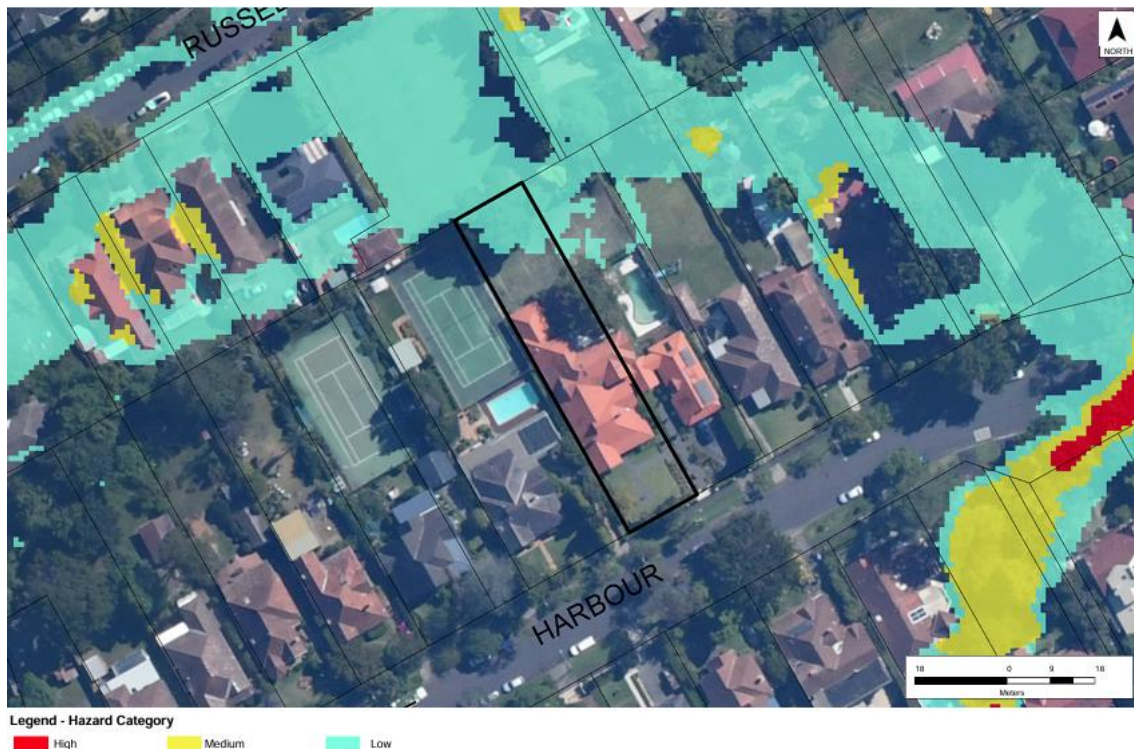


Figure 49 1% AEP Provisional Flood Hazard Categories (Source: Martens)

A summary of the key findings of the modelling is provided below.

### Existing conditions

The existing conditions at the site were found to show areas of high, medium, and low flood hazard on the site. The site experiences significant inundation during the 1% AEP and PMF events.

### Proposed development impact

The modelling results under the proposed conditions demonstrate floodwaters continue to enter the site along its northern boundary. The flows are primarily contained within the drainage depression retained by the proposed building setback and then continue in a north-easterly direction, ultimately discharging onto 22 Middle Harbour Road, consistent with the existing conditions.

Overall, the modelling indicates minimal increase in flood levels offsite as a result of the proposed development, with no significant adverse impact on neighbouring properties. The flood hazard categories remain largely unchanged, indicating compliance with flood risk management guidelines.

### Compliance

Despite DCPs not applying to SSD, the FIRA confirms that the development complies with Part 24 of Ku-ring-gai Council's Development Control Plan (DCP) in relation to flood provisions. The FIRA measures to minimise flood impact and risk have been incorporated into the design of the proposal as per the NSW flood risk management guidelines (LU01, 2023).

Specifically, the following mitigation measures are to be implemented to reduce any potential flood risk:

- in a flood emergency residents should move inside of their units to avoid potentially being exposed to hazardous floodwater.
- if required or advised by NSW SES residents can evacuate the site during flood events by travelling west via Middle Harbour Road to the Pacific Highway.
- site management and residents should be aware of weather forecasts and warning by subscribing to NSW SES, BoM, Early Warning Network and other relevant warning systems.
- warning signage shall be installed at the site, that state the flood affected areas (i.e landscape area along northern and western boundaries) are unsafe during a flood and should not be accessed during a rain event.
- any affected structures should be designed to withstand flood forces up to and including the PMF. This will ensure damage to the property is minimal and safety to residents is maintained.

With the implementation of the above mitigation measures, which are replicated as part of the Mitigation Measures at Appendix 2, the proposed development will be safeguarded in the circumstances of a flood.

## 6.7 Contamination and remediation

A Preliminary Site Investigation Report (PSI) report has been prepared by EIA Australia at Appendix 18 to assess the potential for contamination at the site and determine whether the site is suitable for the proposed development.

A preliminary Conceptual Site Model was developed including potential linkages between contamination sources, exposure pathways and human and environmental receptors. Based on this model, the overall potential for contamination to exist at the site is considered to be low to moderate.

Based on the information collected and available during this investigation, the PSI makes a number of recommendations, including:

- *Undertake a detailed site investigation (DSI) to characterise soil and groundwater on the site and assess the site's suitability for the proposed residential land use. This will also aid in future management and disposal of surplus soil that will require excavation for the proposed development.*
- *Before commencement of any demolition works, a hazardous materials survey (HMS) should be completed by a suitably qualified consultant to assess the presence and location of any hazardous materials within the existing structures. This will aid demolition management on site.*
- *All soil materials that are design for off-site disposal, including virgin excavated nature material (VENM), must be classified in accordance with the NSW EPA (2014).*
- *Any material being imported to the site should be validated as suitable for the intended (mixed) use, in accordance with the NSW EPA (2014)*
- *In situ waste classification is recommended for the soil volume to be removed during the construction of the basement. This would expedite the off site disposal works.*

The site can therefore be made suitable for the proposed development subject to the completion of a DSI. This can be imposed as a condition of consent and is included in the Mitigation Measures at Appendix 2.

## 6.8 Traffic and transport

A Traffic and Parking Assessment (TPA) has been prepared by Varga Traffic Planning to assess the traffic and parking implications for the proposed development (Appendix 21). The TPA has been prepared in accordance with Transport for NSW's *Guide to Transport Impact Assessment*.

In summary, the TPA concludes that the proposal is deemed supportable on traffic and transport planning grounds and will not result in any adverse impacts on the surrounding road network. A further assessment is provided in the subsections below.

### 6.8.1 Existing and future road network

The road network surrounding the site includes a mix of state, regional and local roads. The key road connections in proximity to the site are described within the table below and shown in Figure 50.

Road Name	TfNSW Classification	On-street parking opportunities	Traffic lanes (in vicinity of site)
Pacific Highway	State Road	Clearway restrictions apply	Typically three lanes in each direction
Stanhope Road	Regional Road	Kerbside parking generally permitted on either side of road	Typically one lane in each direction
Archbold Road	Regional Road	Clearway restrictions apply	Typically two lanes in each direction
Lindfield Avenue	Unclassified	Kerbside parking is generally not permitted	Typically one lane in each direction
Middle Harbour Road	Unclassified	Kerbside parking generally permitted on both sides of road	Typically one lane in each direction

Table 12: Summary of surrounding road network

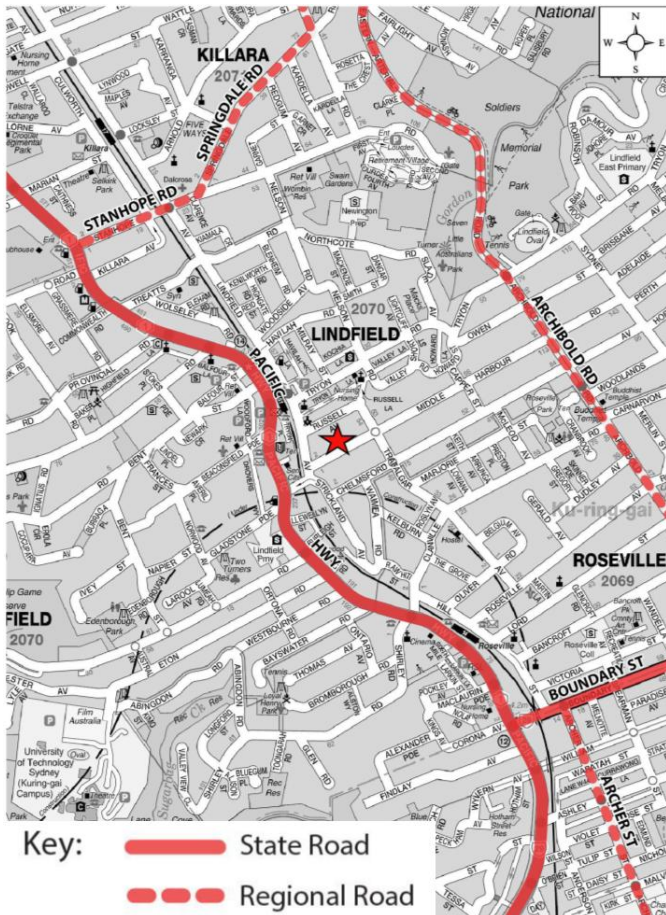


Figure 50 Surrounding road network (Source: Varga Traffic Planning)

### 6.8.2 Traffic generation

The anticipated traffic generation for the development has been calculated based on the existing traffic generation and TfNSW's Guide to Traffic Impact Assessment.

The estimated traffic generation, which has been calculated utilising the rates prescribed for high density residential development under the *Guide to Transport Impact Assessment, Chapter 5 – Land use Trip Generation (Version 1.1, 2024)*, is provided in the table below. It is noted that the Guide prescribes a rate of 0.19 vehicle trips per dwelling in the morning period and 0.15 vehicle trips per dwelling during the afternoon and evening periods.

Use and provision	Projected traffic generation	
	AM	PM
High Density Residential	18.6vph	14.7vph

Table 13: Estimated traffic generation from proposed development

The TPA states that projected traffic generation should be offset by the volume of traffic which could be expected to be generated by the existing development at the site.

Accordingly, the net traffic generation deducts the existing trips expected from the two low density dwellings at the site which has been calculated at 1.4 vehicles per hour during the morning period and 1.5 vehicles per hour during the evening period. This results in a net change in overall traffic generation of 17.2 vehicles per hour during the morning period and 13.2 vehicles per hour during the evening period.

The net change in the traffic generation at the site will not result in any unacceptable traffic implications in terms of road network capacity.

### 6.8.3 Parking

The applicable parking provisions for the proposed development are contained under Sections 19 and 157 of the Housing SEPP which provides non-discretionary standards for car parking for in-fill affordable housing and aspects of the development that are market housing.

A summary of the required car parking and that provided is included in the table below.

Unit size	Required parking spaces
Affordable housing	
1 bed (14 dwellings)	5.6
2 bed (4 dwellings)	2
3 bed (1 dwelling)	1
Market housing	
1 bed (8 dwellings)	4
2 bed (36 dwellings)	36
3 bed (25 dwellings)	37.5
4 bed (10 dwellings)	15
Visitor	14
<b>TOTAL</b>	<b>115.1</b>

Table 14: Required car parking spaces under Housing SEPP

The required car parking as presented in the table above is a minimum requirement under the SEPP. The proposal provides for 188 car parking spaces, complying with the minimum requirements of the SEPP and commensurate with demand for parking in the locality. The provided spaces are in surplus of the 115.1 spaces required, however, the Housing SEPP stipulates that car parking rates are a minimum requirement. Further, the Housing SEPP does not specify any maximum permissible parking rates and it is considered that the parking proposed is commensurate with demand in the area.

#### 6.8.4 Construction Traffic

A Construction Traffic Management Plan (CTMP) has been prepared by Varga Traffic Planning and is included within the TPA at Appendix 21.

The CTMP estimates that following approval of the SSD application, construction activities are expected to be undertaken over a duration of approximately 22 months as set out below:

Stage	Work	Duration
1	Demolition & Site Establishment	4 weeks
2	Excavation	3 months
3	Construction	18 months

Table 15: Indicative Construction Program

The protocol as outlined in the CTMP is to be adhered to at all stages of the development. The CTMP is to be included as a mitigation measure at Appendix 2.

### 6.9 Noise and vibration

A Noise and Vibration Assessment (NVA) has been undertaken by Pulse White Noise Acoustics Pty LTD (PWNA) and is included at Appendix 14. The assessment assesses the potential construction and operational noise, as well as vibration impacts, associated with the proposal.

#### 6.9.1 Existing Noise Environment

Unattended noise monitoring was undertaken on the site to survey the existing background noise levels as well as ambient LAeq noise levels.

The monitoring was used to determine the existing acoustic environment for receivers surrounding the project site. Onsite acoustic noise surveys were conducted from Thursday 18 April to Sunday 27 April 2025.

The figures below summarise the measured daily noise data, each representing a 24 hour period.

Measurement Location <sup>4</sup>	Daytime <sup>1</sup> 7:00 am to 6:00 pm		Evening <sup>1</sup> 6:00 pm to 10:00 pm		Night-time <sup>1</sup> 10:00 pm to 7:00 am	
	L <sub>A90</sub> <sup>2</sup> (dBA)	L <sub>Aeq</sub> <sup>3</sup> (dBA)	L <sub>A90</sub> <sup>2</sup> (dBA)	L <sub>Aeq</sub> <sup>3</sup> (dBA)	L <sub>A90</sub> <sup>2</sup> (dBA)	L <sub>Aeq</sub> <sup>3</sup> (dBA)
Location 1 – 16 Middle Harbour, Lindfield	41	59	36	48	30	43

*Note 1 For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 8:00 am.*

*Note 2 The LA90 noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.*

*Note 3 The LAeq is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.*

Figure 51 Ambient Noise Levels (Source: PWNA)

Along with the above, an Attended Noise Survey has been completed and conducted along all boundaries adjacent to existing and future residential receivers. The attended and unattended noise locations were selected to obtain suitable noise levels for assessment of background noise levels. The location of unattended noise loggers (A1 and A2) are shown in the figures below.

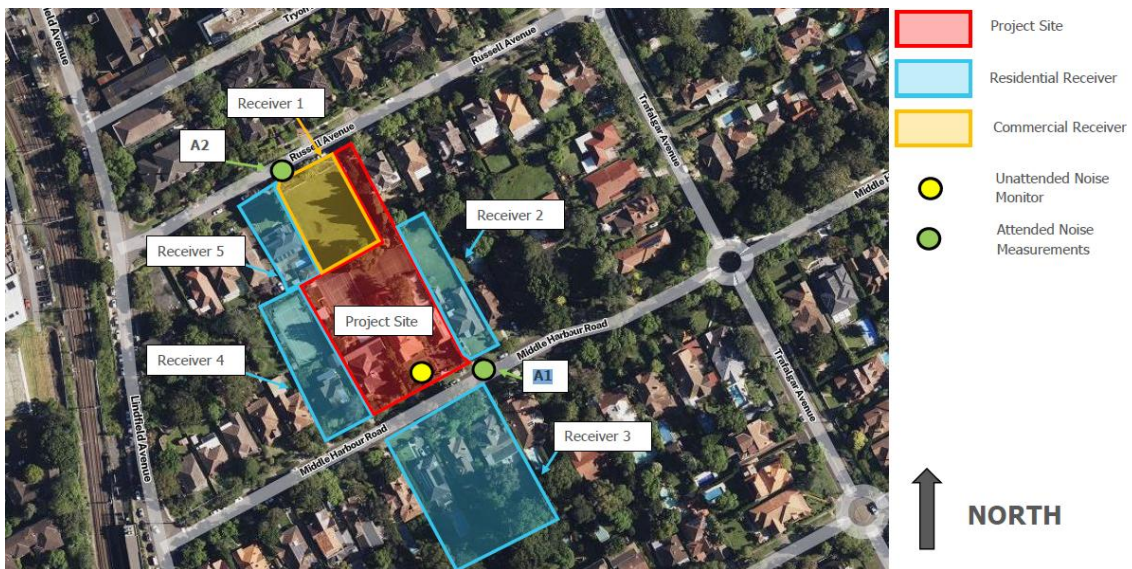


Figure 52 Sensitive Receivers Map (Source: PWNA)

Measurement Location	Measured Noise Level (dBA)	
	L <sub>A90</sub> (15-minutes) <sup>1</sup> (dBA)	L <sub>Aeq</sub> (15-minutes) <sup>2</sup> (dBA)
Location A1 – See Figure 1	47	53
Location A2 – See Figure 1	45	54

*Note 1 The LA90 noise level is representative of the "average minimum background sound level" (in the absence of the source under consideration), or simply the background level.*

*Note 2 The LAeq is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.*

Figure 53 Measured Attended Noise Level Measurements (Source: PWNA)

The attended noise surveys found measured noise levels as follows:

- Location A1: 47dBA LA90 (15-minutes) and 53dBA LAeq (15-minutes)
- Location A2: 45dBA LA90 (15-minutes) and 54dBA LAeq (15-minutes)

Measured noise levels are consistent with the existing suburban environment, noting the site's proximity to the rail corridor and Pacific Highway.

### **6.9.2 Construction Noise and Vibration**

The relevant construction noise criteria applicable to this project is the NSW EPA Interim Construction Noise Guideline (ICNG) 2009, noting the LEP and DCP do not have requirements listed.

The objectives of the ICNG are as follows:

- Promote a clear understanding of ways to identify and minimise noise from construction works.
- Focus on applying all “feasible” and “reasonable” work practices to minimise construction noise impacts.
- Encourage construction to be undertaken only during the recommended standard hours unless approval is given for works that cannot be undertaken during these hours.
- Streamline the assessment and approval stages and reduce time spent dealing with complaints at the project implementation stage.
- Provide flexibility in selecting site-specific feasible and reasonable work practices to minimise noise impacts.

Construction traffic is anticipated to increase by around 60% from the existing traffic flow, increasing 2dB in noise volume as a result. However, a 2dB increase in road traffic noise is not considered to be noticeable. Based on the number of vehicles projected over the construction phase, noise impacts from construction traffic is to be addressed through a Construction Traffic Management Plan (CTMP).

As outlined in the report prepared by PWNA, a site-specific Construction Noise & Vibration Sub Plan (CNVMSP) will be prepared for the site to manage construction related noise and vibration impacts. This is separate to the CTMP which will specifically address traffic related noise impacts amongst other construction traffic matters such as truck routes. In addition, the mitigation measures outlined in Appendix 2 of this report will assist in mitigating the expected noise level increases at neighbouring properties.

#### **Construction Vibration**

In order to maintain compliance with human comfort for vibration criteria, the NVA specifies that safe distances need to be validated prior to start of construction.

Recommended indicative safe working distances for vibration intensive plant is included in the figure below to ensure human comfort is maintained.

Plant	Rating / Description	Safe Working Distances (m)	
		Cosmetic Damage (BS 7385: Part 2 DIN 4150: Part 3)	Human Comfort (AVTG)
Vibratory roller	< 50 kN (Typically 1 – 2 tonnes)	5	15 – 20
	< 100 kN (Typically 2 – 4 tonnes)	6	20
	< 200 kN (Typically 4 – 6 tonnes)	12	40
	< 300 kN (Typically 7 – 13 tonnes)	15	100
	> 300 kN (Typically more than 13 tonnes)	20	100
Small hydraulic hammer	300 kg, typically 5 – 12 tonnes excavator	2	7
Medium hydraulic hammer	900 kg, typically 12 – 18 tonnes excavator	7	23
Large hydraulic hammer	1600 kg, typically 18 – 34 tonnes excavator	22	73
Vibratory pile driver	Sheet piles	2 – 20	20
Jackhammer	Hand held	1	Avoid contact with structure and steel reinforcements

Figure 54 Recommended indicative safe working distance (Source: PWNA)

The above distances will be adhered to and included as a mitigation measure at Appendix 2.

### 6.9.3 Operational Noise

The below extract from the NVA provides a summary of the Internal Noise Level requirements for the project:

Room Type	Project Internal Environmental Noise Level Requirements (Traffic and Train Noise)
Bedrooms	35 dBA $L_{Aeq, Fast}$ 9 hour (10pm - 7am)
Habitable Spaces	40 dBA $L_{Aeq, Fast}$ 9 hour (7am - 10pm)
Reception/Common Areas	45 dBA $L_{Aeq}$ 15 hours (7am - 10pm)
Corridors and Lobbies	
Fully enclosed corridors or lobbies (an internal area)	50 dBA $L_{Aeq}$ 15 hours (7am - 10pm)
Open corridors or lobbies (deemed an external area)	55 dBA $L_{Aeq}$ 15 hours (7am - 10pm)
Common Areas	50 $L_{Aeq}$ 15 hours (7am - 10pm)

Figure 55 Summary of Internal Noise Level Criteria (Source: PWNA)

The report provided by PWNA outlines mechanical systems that are possible noise polluters below:

- Kitchen Exhaust Fan (KEF) – 65dBA (Lw) per unit.
- Air Conditioning Condensers 70dBA (Lw) per unit.
- Toilet Exhaust Fans (TEF) – Bathrooms – 55dBA (Lw) per unit.
- Cooling Tower Openings – 90dBA (Lw) per unit.
- Heat Pumps – 85dBA (Lw) per unit.

The report at Appendix 14 shows the project is capable of complying with the noise criteria required to meet the relevant standards.

Mitigation Measures are included at Appendix 2 to address any noise and vibration concerns as discussed above. Below is a summary of applicable mitigation measures for noise and vibration associated with construction and operational noise for the development:

- Maximising the offset distance between plant items and nearby noise sensitive receivers.
- Preventing noisy plant working simultaneously and adjacent to sensitive receivers.
- Minimising consecutive works in the same site area.
- Orienting equipment away from noise sensitive areas.
- Carrying out loading and unloading away from noise sensitive areas.
- Any vibration generating plant and equipment is to be in areas within the site in order to lower the vibration impacts.
- Investigate the feasibility of scheduling the hours of operation of major vibration generating plant and equipment to daytime hours to lessen the impact on surrounding receivers.
- Use lower vibration generating items of construction plant and equipment; that is, smaller capacity plant.

- Minimise conducting vibration generating works consecutively in the same area (if applicable).
- Schedule a minimum respite period of at least 30 minutes before activities that will be undertaken for a continuous 4-hour period.
- Use only dampened rock breakers and/or “city” rock breakers to minimise the impacts associated with rock breaking works.

## 6.10 Biodiversity

In accordance with the *Biodiversity Conservation Act 2016*, a Biodiversity Development Assessment Report (BDAR) has been prepared by Environmental Services & Education Australia (ESEA) and is provided at Appendix 6.

As identified within the attached BDAR the subject site has a mapped Biodiversity Values area of 0.010 ha in the north-eastern portion of the proposed works area. The works associated with the mapped areas trigger the Biodiversity Offsets Scheme (BOS) under the *Biodiversity Conservation Act 2016*.

The area of native vegetation on site required for clearing is less than the maximum clearing limit of 1ha for a minimum lot sizes of  $\leq 1$  ha. As a result the proposed development qualifies for a streamlined assessment under the small area module of the Biodiversity Assessment Method 2020.

The included works area was identified as containing one distinct patch of native vegetation mapped as PCT 0 - Exotic and Planted Vegetation under the NSW State Vegetation Type Mapping. However, floristic surveys undertaken by ESEA determined this vegetation is most closely identified as PCT 3136 - Blue Gum High Forest. Notably the vegetation present is a highly degraded representation of this PCT.

The vegetation on site does not satisfy the criteria to be listed as any Threatened Ecological Community under the NSW *Biodiversity Conservation Act 2016* or Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

This vegetation was assessed as possessing a vegetation integrity score of 9.0. The total vegetation integrity onsite loss will be -9.0 over 0.045 ha as a result of the development. Therefore, the project will have zero ecosystem credits applied due to the highly degraded nature of vegetation within the property.

The vegetation to be removed was found however to exhibit potential habitat features for one fauna species in the locality, the large-eared Pied Bat (*Chalinolobus dwyeri*). Consequently, one species credit has been applied to the development to offset the impacts.

The figures below outline the impacts that require an offset:

Vegetation Zone	PCT name	TEC	Total area (ha)	Impact area (ha)	Current VI score	Future VI score	Change in VI score	Biodiversity risk weighting	Number of ecosystem credits required
Zone 1	PCT 3136 – Blue Gum High Forest	N/A	0.045	0.022	9.0	0	-9.0	2.5	0

Figure 56 Impacts that require an offset - ecosystem (Source: ESEA)

Common name	Scientific name	BC Act status	EPBC Act status	Loss of habitat (ha) or individuals	Biodiversity risk weighting	Number of species credits required
Large-eared Pied Bat	<i>Chalinolobus dwyeri</i>	Endangered	Endangered	0.022	3.00	1

Figure 57 Impacts that require an offset - species credit (Source: ESEA)

On the basis of the above, it is considered that the proposal will have an acceptable biodiversity outcome at the site.

## 6.11 Waste

A Waste Management Plan (WMP) has been prepared by AusWide Consulting and is provided at Appendix 13. The WMP addresses waste management at different stages of the development.

### 6.11.1 Demolition Works

The WMP report addresses the re-use of any of the existing materials to reduce waste production from the demolition and excavation of the existing site. The following measures are recommended for the demolition stage:

- Reuse brick, concrete on-site if appropriate, or recycle off-site;
- If suitable reuse sandstone blocks, or remove off-site to be repurposed;
- Reuse plasterboard in landscaping on-site or return to supplier for recycling;
- Recycle windows, doors, and joinery off-site;
- Recycle plumbing, fitting and metal elements off-site;
- Dispose of all asbestos, hazardous and/or intractable waste in accordance with Workcover Authority and EPA requirements;
- Identify locations of on-site storage facilities for material to be reused on-site or separated for recycling off-site;
- Identify destination and transportation routes of all materials to be either recycled or disposed of off-site.

WMP includes estimated volumes of waste produced by demolition and excavation below:

Materials on Site	Waste Estimate Volume	On-Site Reuse	Off-Site Recycling	Off-Site Disposal (Accordance with NSW EPA)
Bricks/Sandstone	35t	Clean and remove lime mortar from bricks/sandstone. Re-use in reconstruction of sandstone wall	70-80%	0%
Concrete	15t	The existing driveway and concrete pad in garage to be retained during construction. To be crushed and used as aggregate, drainage backfill. 20-30%	70-80%:	0%
Timber	12t	0%	70-80%	<10%
Roof & Ceramic Tiles	5m <sup>3</sup>	0%	70-80%	<10%
Metals	5t	0%	95%	5%
Plaster Board & Fibro	10t	0%	To be determined (dependent on asbestos content)	
Fixture & Fittings (Doors Other Fixtures, etc)	2t	0%	80-90%	<20%
Glass, Electrical & Light Fittings, PC Items, Ceramics, etc	2t	0%	TBA	
Residual Waste	10t	0%	50%	50%
Excavated material and overburden	8,210m <sup>3</sup>	Yes. Keep and reuse topsoil for landscaping. Store on site. Use some for support of retaining walls (Excavated Materials are only to be used if the material is not contaminated or must be remediated in accordance with any requirements specified by any Environmental Consultancy engaged to carry out any contamination assessment of excavated material).	To be determined	0%
Green Waste	10t	To be separated. Chipped and stored on site for re-use in landscaping 90%	10%	0%

Figure 58 Wate Types and Handling (Source: AusWide)

Demolition waste, apart from the excavated material, will be collected in demolition skip bins placed adjacent to works within the sedimentation and erosion controls at site. The demolition reuse/recycling/disposal information will be confirmed at CC stage.

### 6.11.2 Construction Works

The following measures are recommended for the construction stage in order to save resources and minimise waste produced from over purchasing:

- Purchasing Policy – i.e., ordering the right quantities of materials and prefabrication of materials where possible;
- Reusing formwork;
- Minimising site disturbance, limiting unnecessary excavation;
- Careful source separation of off-cuts to facilitate re-use, resale, or efficient recycling;
- Co-ordination/sequencing of various trades.

Waste volumes should be minimised with the majority of the waste being recyclable through relevant construction management practices. Greater detail will be provided at CC stage by contractor, however example of waste streams is provided below:

Materials on Site	Waste Estimate Volume	On-Site Reuse	Off-Site Recycling	Off-Site Disposal (Accordance with NSW EPA)
Bricks/Concrete Blocks	5t	Clean and remove lime mortar from bricks. Re-use in new footings. Broken bricks for internal walls. Crush and reuse as drainage backfill. Crushed and used as aggregate. 20-30%	70-80%	0%
Tiles & Pavers	2t	0%	70-80%	0%
Timber	5t	Re-use for formwork and studwork, landscaping, shoring 20-30%	70-80%	<10%
Concrete	14t	Broken up and used as fill, aggregate, driveways 20-30%	70-80%	<10%
Metals	4t	0%	95%	5%
Plaster Board	4t	0%	To be determined (dependent on asbestos content)	
Other	10t	0%	50%	50%

Figure 59 Waste Types During Construction (Source: AusWide)

### 6.11.3 Ongoing Waste Generation

The proposal is subject to *Ku-ring-gai DCP section 4C.9 Waste Management*.

The following table outlines these rates:

General Landfill Waste	Recycling Waste	Paper & Cardboard
120L/unit/week	240L/4 units/week	240L/4 units/week

Figure 60 Waste Generation Rates (Source: AusWide)

The garbage and recycling generation rates can then be calculated, for total waste generation below:

- General Waste = 11,760L per week (uncompacted);
- Recycling Waste = 5,880L per week (uncompacted);
- Paper & Cardboard Waste = 5,880L per week (uncompacted).

### Residential Waste Requirements

For residents' convenience a general and recycled waste chute has been provided on each of the upper levels adjacent to the lifts and these will deliver the waste directly into Mobile Garbage Bins (MGBs) in the basement level via chutes.

The units on floors 1 to 8 will have access to a general waste and recyclables chute, and will have to bring paper and cardboard and FOGO (food organics/garden organics) down to the waste room on the lower ground floor level. The general waste will be compacted to 2:1 to reduce volume, so chutes servicing these units will require the below:

- General Waste = 5,340L per week (uncompacted) = 9 x 660L bins;
- Recycling Waste = 5,340L per week (uncompacted) = 9 x 660L bins;

The units on the lower ground floor are too close to the waste room level to utilise the chutes, so the general and recyclables will need to be collected from bins in the waste room on this level. This will need:

- General Waste = 1,080L per week (uncompacted) = 2 x 660L bins;
- Recycling Waste = 1,080L per week (uncompacted) = 2 x 660L bins.

There is space for one general and one recycling 660L bin in the waste room, so these bins will need to be swapped between collection days.

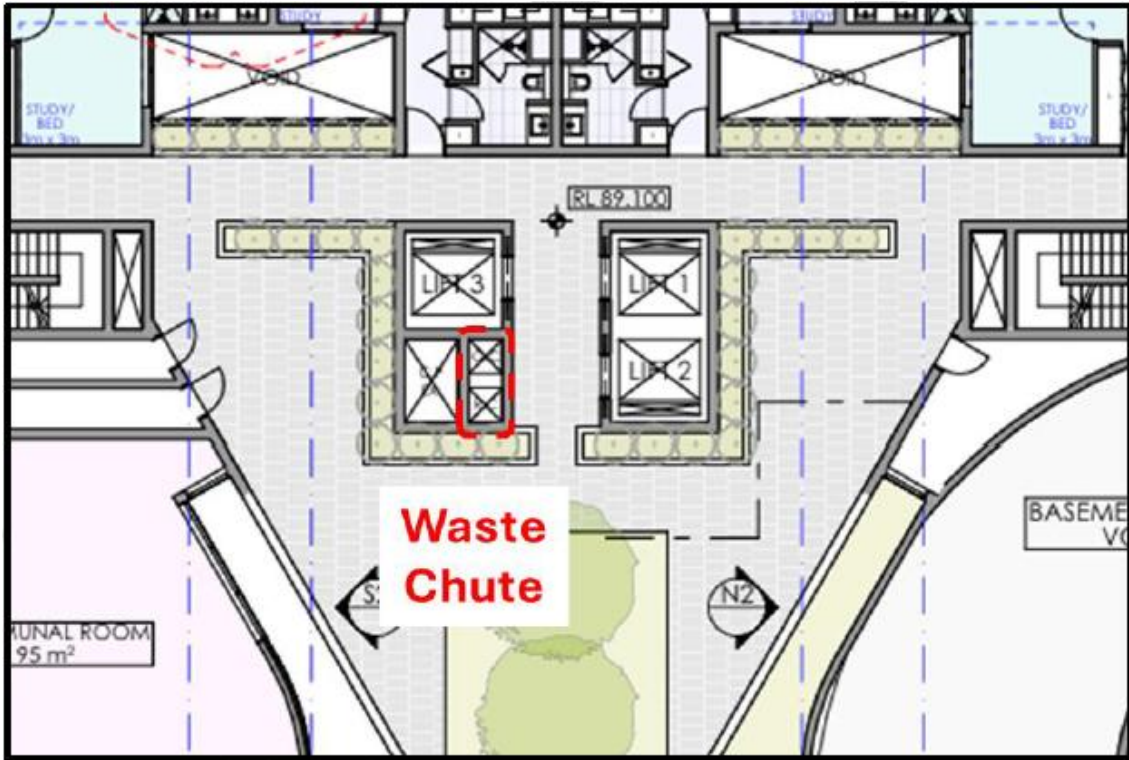


Figure 61 Waste Chutes (Source: AusWide)

#### 6.11.4 Waste Storage Areas

Council's DCP - 4C.9 Waste management details the minimum number of requirements for waste storage areas. These have been considered during the design phase and summarised in the WMP. The proposal is found to be compliant with the relevant requirements to ensure waste is acceptable for the development.

#### 6.11.5 Waste Collection

Waste collection is provided using Council's standard waste collection service, with collection proposed from the lower ground level.

Waste vehicle will enter lower ground level off Middle Harbour Road, via the access ramp and perform three-point turn, to access the waste storage area.

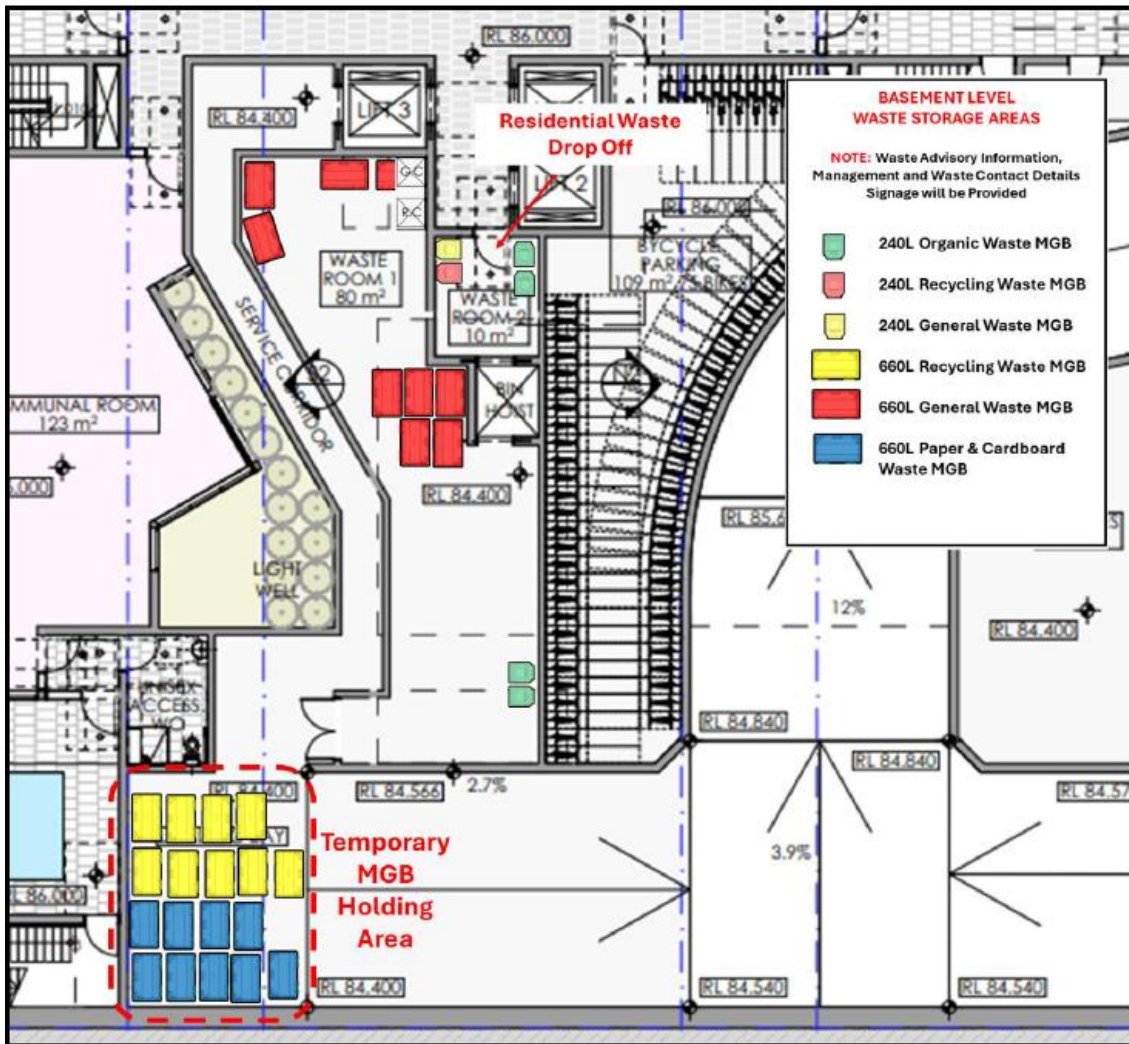


Figure 62 Basement Waste Storage Areas (Source: AusWide)

The overall waste management scheme is compliant with Council's DCP controls, with appropriate mitigation strategies outlined in Appendix 2.

## 6.12 Sustainability

An Ecologically Sustainable Development Report (ESD Report) has been prepared by Partners Energy and is provided at Appendix 19. The report outlines the key sustainability initiatives that have been implemented in the proposed design of the development to respond to ESD requirements. These initiatives include the following:

- building fabric and services have been designed to meet and exceed the BASIX energy efficiency requirements to ensure thermal comfort;
- natural ventilation is enhanced as spaces will adhere to minimum fresh air requirements, promoting a healthy indoor environment which exceeds ADG minimum requirements;
- windows have been strategically located to maximise daylight penetration where solar access is available, reducing dependence on artificial lighting and contributing to significant energy savings;

- building finishes incorporate low volatile organic compounds materials throughout the fit-out, ensuring superior indoor air quality and mitigating health risks;
- building fabric has been designed to address acoustic issues as identified within the NVA to ensure a quiet and comfortable environment for occupants and minimises impact on surrounding receivers;
- a central hot water system will be provided for the development to optimise energy usage and air-conditioning system will be provided as individual systems within each unit so as to only be used on an as-needed basis;
- lighting power will be within limits specified in BASIX, whereby motion sensors, daylight sensors and programable timers will be utilised in common areas to reduce energy from lighting;
- fixed shading devices will be utilised in communal outdoor spaces where appropriate to minimise glare and direct summer sun penetration;
- building fabric insulation will surpass minimum BASIX requirements, minimising heat transfer, improving thermal comfort and reducing energy demand;
- provision has been made for a solar photovoltaic energy system to reduce reliance on traditional energy sources;
- the proposed landscape design prioritises water efficient plantings whilst enhancing the aesthetic appeal and functionality of communal areas;
- provision has been made for a stormwater retention tank to capture and store rainwater runoff for reuse in irrigation;
- the proposed Waste Management Plan includes ample storage space for recycled waste materials, such as paper, plastics, glass, and metals, and accommodates for the reuse of materials during demolition and construction; and
- the proposal is located in a highly accessible location which encourages the use of public transport and provides for storage of bikes to encourage active transport.

These strategies ensure the proposed development aims to be a resilient, low-impact residential development contributing positively to the community and NSW's sustainability goals.

The initiatives identified in the ESD Report are addressed in the Mitigation Measures provided at Appendix 2.

## 6.13 Access

An Access Report has been prepared by Vista Access Architects and is provided at Appendix 9 to assess how the proposal addresses and meets all relevant access requirements. The assessment has been prepared with consideration to the following access policies:

- *Building Code of Australia (BCA) 2022, Volume 1 - Performance requirements of D1P1, D1P2, D1P8, D1P9, E3P4, F4P1 and Parts D4, E3 and F4 (where applicable)*
- *Disability (access to Premises - Buildings) Amendments Standards 2010*
- *AS1428.1-2021 Part 1: General requirements for access, including any amendments*

- AS1428.4.1-2009 Part 4.1: TGSIs (Tactile ground surface indicators), including any amendments
- AS2890.6-2009 Part 6: Off-street parking for people with disabilities
- AS4299-1995 Adaptable Housing
- AS1735.12-1999 - Lifts, escalators and moving walks, Part 12
- Livable Housing Australia's Livable Housing Design Guidelines - Fourth Edition

The assessment confirms that the proposed development is capable of complying with the NCC/BCA 2022, The Disability (Access to Premises - Buildings) Standards 2010, and relevant Australian Standards. It is noted that the proposal provides for a wholly livable apartment development, which includes 15 apartments that comply with Livable Housing Australia's Platinum Level whilst the remainder are Silver Level. This significantly exceeds the ADG recommendation that 20% of units should comply with Livable Housing Australia's Silver Level.

The proposal does not currently require any performance solutions or result in any departures to compliance with the provisions of the NCC/BCA. Where compliance has not been achieved at this stage, further detail at the post-approval phase will ensure compliance with relevant provisions.

## 6.14 Heritage

### 6.14.1 Aboriginal Heritage Impact Assessment

An Aboriginal Heritage Impact Assessment (AHIA) was prepared for the development by Artefact Heritage Consultant and is provided at Appendix 20. This report assesses the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects* in New South Wales (Department of Environment, Climate Change and Water [DECCW] 201a).

This report identifies the site as consisting of disturbed land including:

- Houses have been cut into the landform context
- Terracing is evident across the study area that's facilitated tennis courts, in ground pools, basements, built gardens and driveways
- Landscaping and associated infrastructure that has modified ground surface works including sub surface water systems.
- Observed vegetation consists of almost entirely garden plantings and non-remnant vegetation. Mature trees onsite have no signs of cultural modification
- Study area does not contain identified Aboriginal Objects
- Desktop research and the site inspection indicate that unidentified Aboriginal objects are unlikely to be present in the study area.

The AHIA concludes the area is considered to be disturbed land and that no Aboriginal objects or areas where objects may occur are likely to be present at the site.

The AHIA recommendations are summarised below and included in the Mitigation Measures at Appendix 2:

- Study area does not contain and is likely not to contain any Aboriginal objects, no further Aboriginal heritage assessment or investigations are recommended, proposed works can proceed with caution and subject to approved SSD conditions.
- AHIA advised proposed development does not constitute consent to harm Aboriginal objects, nor it is a 'site clearance' mechanism to allow activities to occur in an area where Aboriginal objects are likely or known to be present.
- If any Aboriginal objects are found/discovered during the proposed works, works will stop and an assessment will be required in accordance with Part 6 of the *National Parks and Wildlife Act 1974*. A qualified archaeologist should be engaged if this happens.

### 6.14.2 Statement of Heritage Impact

A Statement of Heritage Impact (SoHI) has been prepared by Weir Phillips heritage and is located at Appendix 15. This report has been prepared to respond to the SEARs item 19.1.

The report has specifically addressed the heritage impact the proposed RFB will have on the items below within the vicinity:

- Trafalgar Avenue Heritage Conservation Area to the north-east
- 9 Middle Harbour Road
- More Distant Items and Conservation Areas

A summary of the report's findings are below:

9 Middle Harbour Road:

- The proposed development preserves key view corridors to and from the heritage dwellings. The proposed development includes the relevant setback required of 10m from the street (Middle Harbour Road) and includes increased upper-level setbacks that retain visibility of the heritage item and maintains its significance in the area's context. The building has utilised design sensitive materials, colour schemes, and articulation techniques to reduce the perceived mass and scale, referencing key elements of the Federation-style dwelling without imitating its form or taking away from its significance.

Trafalgar Avenue Heritage Conservation Area (HCA):

- The existing HCA is located to the site's north-east and the proposed RFB will be visible from the southern portion of the HCA. The proposed development however does not intrude upon the fabric, view corridors, subdivision pattern or tree canopy of the Conservation Area. The development provides a 6-metre rear setback and further separation from adjacent lots that ensure visibility is minimal and impacts are moderated by the distance and existing built form character.

More distant heritage items and areas:

- Impacts on these elements are deemed to be acceptable, given no direct fabric or significant views affected. Along with this the visual impact is softened by

distance, existing and proposed development includes significant vegetation provided in the setbacks and modulated design is included for the development.

The SoHI concludes by noting the proposed building is introducing a different typology which is consistent with the evolving context that's been set out by the TOD in the Housing SEPP.

The proposal has been thoughtfully designed by PTI Architecture to manage the interface with adjacent heritage items. Through the adopted setbacks, articulation, landscaping and materials, the proposed development has responded to the surrounding heritage context.

## 6.15 Pedestrian Wind Environment

A Pedestrian Wind Environment Statement was prepared for the development by WindTech and provided at Appendix 11.

The report provides the likely impact of the 16-20 Middle Harbour Road development on the local wind environment at critical outdoor areas within and around the subject site. The report has been carried out in the context of:

- Local wind climate
- Building morphology and
- Land typography

The report outlines recommendations to mitigate the effects of wind conditions for various trafficable outdoor areas within and around the development. A full list of the mitigation measures are provided at Appendix 2. A summary is provided below:

### *Lower ground level (level 1)*

- Inclusion awnings
- Increasing height of impermeable intertenancy screen along northern perimeter of the south-eastern corner balcony to 2m above the FFL
- Inclusion of 2m high evergreen and densely foliating hedges/shrubs within the proposed planter boxes along the eastern perimeter of the site

### *Upper ground Level*

- Inclusion of full-height impermeable screens along shorter aspects of the northern and eastern corner balconies

### *Private balconies and vented corridor areas (Levels 2 to 8):*

- Levels 2 - 7 inclusion of impermeable screens
- Levels 2 to 8 increasing height of balustrades
- Level 8 retention of proposed slat screening.

### *Roof top terraces (level 9)*

- Increase height of proposed balustrades around edges of terraces.

With these mitigation strategies in place, the wind conditions will be suitable for the proposed intended uses, and the wind speeds will satisfy the applicable criteria for pedestrian comfort and safety.

## **6.16 Social Impact**

A Social Impact Assessment (SIA) has been prepared by Planning Ingenuity and is provided at Appendix 29. The SIA has been prepared in accordance with the DPHI's *Social Impact Assessment Guidelines for State Significant Projects* (February 2023).

The assessment considers potential impacts on people's way of life, community, accessibility, culture, health and wellbeing, surroundings, livelihoods, and the extent to which people have been engaged in the decision-making process for the project. The SIA identifies a number of key social impacts associated with the proposal, including:

- *Way of life - New Residential Accommodation*: the proposal will provide for 98 new apartment units, including 19 affordable housing units, which replaces two existing dwelling houses. This is considered to have a very high significance and result in a positive social impact through the provision of much needed housing.
- *Way of life - Construction and Operational Amenity Impacts*: Acoustic impacts, amenity impacts such as wind, vibration and waste removal, are likely to have a negative impact on existing neighbouring properties. Notwithstanding, this impact will be temporary during the construction of the building.
- *Accessibility - Improved Mobility and Accessibility and Social Inclusion and Accessibility*: the development provides for a variety of unit types to accommodate people who require increased accessibility.
- *Surroundings - Changes to Urban Landscape*: the proposal will contribute to the changing context of the locality as a result of the TOD provisions. This impact is expected to be negligible as more development begins to occur in the locality as a result of the uplift encouraged by the TOD.
- *Livelihoods - New Employment Opportunities*: the proposal will provide for employment opportunities during construction which includes 224 construction jobs.

The SIA concludes that the proposal is suitable and warrants approval subject to the implementation of the mitigation measures relating to construction including acoustics and vibration, waste management, impacts to traffic conditions, and impacts to the natural environment. All mitigation measures relative to these impacts have been included at Appendix 2.

Overall, the proposed development is expected to deliver a positive social outcome, supporting housing diversity, community renewal and the strategic planning objectives for the Lindfield locality.

## 6.17 Crime Prevention Through Environmental Design (CPTED)

A Crime Prevention Report has been prepared by Principle Planning + Urban Design (Appendix 36) to assess the proposed design and layout of the development against the requirements of Section 4.15 of the EP&A Act and the *Crime Prevention and the Assessment of Development Applications Guidelines*.

The report proposes a series of recommendations to appropriately mitigate and reduce any potential for crime. Subject to the implementation of these measures, the proposed development will meet the requirements of CPTED, will activate the site, and improve safety and security.

The report addresses the four principles of CPTED which are:

- Surveillance
- Access control
- Territorial reinforcement
- Space management

The report further confirms that the design of the proposal has regard for CPTED principles subject to the implementation of the recommendations summarised below. The recommendations are as follows:

- Access control measures to ensure only residents and heir visitors access residential areas
- Lighting on all entrances, exits, the pedestrian through link and in the car parking area
- Inclusion of security features such as CCTV coverage of external areas, entrances and communal areas
- Territorial reinforcement through clear signage
- Secure doors
- And regular maintenance and repairs on the buildings and ground with any damage or graffiti removed promptly.

Through the implementation of the above recommendations which have been included in the Mitigation Measures at Appendix 2, the development is unlikely to result in any unreasonable impacts in terms of crime rates in the area. The development inclusive of these recommendations will discourage crime on the site and locality.

## 7 Project justification

The section provides a justification for the proposed development with consideration of market demands and the economic benefits that may be gained if the proposal was to proceed. This section also provides an analysis of the proposal with regard to alignment with strategic planning frameworks.

### 7.1 Design justification

As detailed in Section 6.1, the proposal has undergone a detailed design process. In summary the key design principles include:

- The proposed building envelope is compliant with the applicable building height and FSR controls for the site under the Housing SEPP and is largely compliant with the ADG setbacks.
- The proposed U-shaped configuration enables the building to maximise residential amenity through solar access and natural cross ventilation.
- Extensive areas of communal open space (28.4% of the site area) are provided at ground level. In addition, an indoor pool and two communal rooms provide further residential amenity.
- The proposed apartments have been assessed as meeting the objectives of the Apartment Design Guidelines.
- Extensive landscape areas featuring new planting and landscaping are provided along the site's boundaries.
- The proposed development will maximise site accessibility and circulation through a central open courtyard for future residents, linking to the existing footpath on Middle Harbour Road for pedestrians. Site accessibility is maximised for vehicles and cyclists through a new vehicular access into the basement levels.
- The proposed development aligns with the State Government's strategic transport-oriented developments by placing a high-quality, high density residential use within close proximity to Lindfield Town Centre and Lindfield Train Station.

### 7.2 Strategic justification

As demonstrated in Appendix 3 and Section 2, the proposed development meets the objectives and directions outlined in the relevant strategic policies for the site, locality and broader region. In particular, the proposal meets the objectives of the:

- *Greater Sydney Region Plan* - the proposal satisfies the 4 key themes of the Region Plan, including Infrastructure and Collaboration, Liveability, Productivity and Sustainability.
- *North District Plan* - the proposal satisfies a number of planning priorities, particularly in relation to facilitating diverse housing and employment opportunities in the Eastern City.
- *Ku-ring-gai Local Strategic Planning Statement* - The proposal is consistent with the objectives of the LSPS, specifically by facilitating an inclusive, healthy, safe and

socially connected community and providing diverse and affordable housing in an accessible location.

- *Ku-ring-gai Affordable Housing Policy* - The proposal is consistent with the objectives of this policy which seek to provide for the supply of rental housing for key workers, ensure affordable rental housing mix, ensure planning controls facilitate the supply of new affordable housing that is accessible and enhance overall capacity of the community to drive effective affordable housing outcomes.

In summary, the proposal is consistent with the above listed strategic plans as:

- It is consistent with long-standing State level strategic planning objectives to facilitate the provision of in-fill affordable housing in suitable locations.
- It will increase housing supply and diversity and makes best use of the currently underutilised site, upzoned with the TOD provisions.
- Surrounding and future character of the locality reinforce that the land use and built form character of the locality is continuing to evolve in accordance with the designation of the land as within the TOD area for Lindfield.

As such, it is considered the proposal aligns with the relevant strategic planning for the Ku-ring-gai local government area.

### **7.3 Statutory justification**

As outlined in both Section 4 and at Appendix 4, the proposal aligns with all relevant statutory instruments which guide the development of the land. The proposal utilises the provisions of the Housing SEPP to appropriately locate in-fill affordable housing.

It is noted the Housing SEPP permits the residential flat building at the site despite its R2 Low density residential zoning under the KLEP 2015. The proposal utilises the TOD height and FSR provisions and the available in-fill affordable housing bonuses.

### **7.4 Social, economic and environmental justification**

#### **7.4.1 Social**

Based on the findings of the Social Impact Assessment prepared by Planning Ingenuity the proposed development is expected to have an overall positive impact on the local community.

The development will provide significant social benefits, including:

- The locality of the proposed development is located to see significant uplift and receive higher density developments as shown in Section 6.1.3. The proposed development aligns with the TOD objectives and provisions of the Housing SEPP.
- The proposed development will consist of high-quality apartments that enhance future residential amenity and the future character of the LGA.
- The proposed development includes 19 affordable units, targeting housing related benefits and provide housing mix.
- The proposed development adopts ecologically sustainable design elements.

### **7.4.2 Economic**

The proposed development involves a significant capital investment of \$112,469,343.00 in construction and associated costs.

The financial investment will facilitate the future development of a residential flat building, providing approximately 79 market and 19 affordable housing units.

The development of the building will also support up to 224 jobs during construction, supporting the local economy of Lindfield.

### **7.4.3 Environmental**

Under the National Strategy for Ecologically Sustainable Development (1992), ESD is defined as, 'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.'

The EP&A Act utilises the definition of ESD from Part 3, Clause 6(2) of the *Protection of the Environment Administration Act 1991*, wherein ESD can be achieved through the implementation of a set of principles and programs.

The proposal has been assessed under these principles in the below sections and additionally, under the accompanying Sustainability Management Plan at Appendix 20.

#### **The precautionary principle**

The precautionary principle states that if there are threats of serious or irreversible environmental damage, the lack of full scientific certainty should not be used as a reason for postponing measures to prevent said damage.

Detailed investigations relating to the geological and environmental aspects of the proposal have been undertaken with the aim to produce architectural excellence and layout. The development of the site as outlined in this EIS and supporting technical assessments, provides the current optimised proposal, which takes into consideration all physical, environmental, social, cultural heritage and economic aspects which are required to be addressed.

The information supporting this proposal demonstrates that there is sufficient certainty of the environmental impacts associated with the proposal and that these impacts are acceptable and can be mitigated.

#### **Inter-generational equity**

Inter-generational equity refers to the principle that the current generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

The proposed development has been assessed and mitigation measures are recommended at Appendix 2 of this report. It is considered the principle of inter-generational equity is achieved as potential environmental impacts of the development will be avoided, minimised or mitigated.

## **Conservation of biological diversity and maintenance of ecological values**

The third principle of ESD states that the conservation of biological diversity and ecological integrity should be a fundamental consideration in development applications.

The potential environmental impacts of the proposal have been detailed throughout this EIS, with mitigation measures and proposed offsets described.

The proposal has been the subject of a thorough ecological assessment as detailed in Section 6.10 and as informed by the Biodiversity Development Assessment Report contained at Appendix 6.

### **7.5 Key uncertainties**

Key uncertainties in relation to the proposed development include:

- Contamination that may be found on the site as a result of the DSI that will be prepared.
- Further issues that may be raised by the community or agencies consulted during the ongoing consultation process.

## Appendix 1: Secretary’s environmental assessment requirements table

This EIS has been prepared in line with the Secretary’s environmental assessment requirements (SEARs) issued by the Department of Planning, Housing and Infrastructure on 5 June 2025 and in line with Part 8, Division 2, Section 173 of the Environmental Planning and Assessment Regulation.

The SEARs and where they are addressed in this EIS are set out in the table below.

Environmental assessment requirement	EIS reference	Supporting documentation
<b>General requirements</b>		
The EIS must be prepared in line with and meet the minimum requirements of section 192 of the Environmental Planning and Assessment Regulation 2021.	All	<ul style="list-style-type: none"> <li>Environmental Impact Statement</li> </ul>
<b>Key issues</b>		
Statutory and strategic context, including: <ul style="list-style-type: none"> <li>Address all relevant legislation, environmental planning instruments (EPIs) (including drafts), plans, policies, and guidelines.</li> <li>Identify compliance with applicable development standards and provide detailed justification for any non-compliance.</li> <li>Provide an explanation of how the development as described in the EIS is consistent with the development as was described in the request for SEARs (Including any components that were not SSD) and provide a justification for any differences.</li> </ul>	Section 2 Section 4 Appendix 3 Appendix 4	<ul style="list-style-type: none"> <li>Strategic Planning Assessment</li> <li>Statutory Compliance Tables</li> </ul>
Estimated Development Cost and Employment <ul style="list-style-type: none"> <li>Provide the estimated development cost (EDC) of the development prepared in accordance with the relevant planning circular using the Standard Form of EDC Report.</li> <li>As applicable, the EDC Report must separately specify the EDC of: the residential component of the development.</li> <li>the tenant component of the built-to-rent development.</li> </ul>	Appendix 7	<ul style="list-style-type: none"> <li>Estimated Development Cost Report</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<ul style="list-style-type: none"> <li>the seniors housing component of the development.</li> </ul>		
<p>Contributions and Public Benefit</p> <ul style="list-style-type: none"> <li>Address the requirements any relevant contribution plan(s), planning agreement or EPI requiring a monetary contribution, dedication of land and/or works-in-kind agreement. and include details of any proposal for further material public benefit.</li> <li>Where a voluntary planning agreement is proposed, prepare a draft planning agreement in accordance with the Planning agreements – Practice note- February 2021.</li> </ul>	Section 4	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<p>Engagement</p> <ul style="list-style-type: none"> <li>Demonstrate that engagement and consultation activities have been undertaken in accordance with the Undertaking Engagement Guidelines for State Significant Projects and identify how issues raised, and feedback received have been considered in the design of the project.</li> <li>If the development would have required an approval or authorisation under another Act but for the application of s 4.41 of the EP&amp;A Act or requires an approval or authorisation under another Act to be applied consistently by s 4.42 of the EP&amp;A Act, the agency relevant to that approval or authorisation must be consulted.</li> </ul>	Section 5 Appendix 12	<ul style="list-style-type: none"> <li>Engagement Report</li> </ul>
<p>Design Quality</p> <ul style="list-style-type: none"> <li>Demonstrate how the development will achieve: <ul style="list-style-type: none"> <li>design excellence in accordance with any applicable EPI provisions.</li> <li>good design in accordance with the seven objectives for good design in Better Placed.</li> </ul> </li> <li>Demonstrate that the development:</li> </ul>	Section 6.1 Appendix 5 Appendix 8 Appendix 25	<ul style="list-style-type: none"> <li>Architectural Design Report</li> <li>Architectural Plans</li> <li>Landscape Plans</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<ul style="list-style-type: none"> <li>○ where required by an EPI or concept approval, or where proposed, has been subject to a competitive design process, carried out in accordance with an endorsed brief and Design Excellence Strategy; or</li> <li>○ in all other instances, has been reviewed by the State Design Review Panel (SDRP) where required under the NSW SDRP: Guidelines for Project Teams.</li> <li>● Recommendations of the jury and Design Integrity Panel (where a competitive design process has been held) or the SDRP are to be addressed prior to lodgment.</li> </ul>		
<p><b>Built Form and Urban Design</b></p> <ul style="list-style-type: none"> <li>● Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. Where relevant explain and illustrate the application of any bonuses under an EPI.</li> <li>● If relevant, provide an assessment of the development against: <ul style="list-style-type: none"> <li>○ the design principles for seniors housing set out in Schedule 8 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) and the Seniors Housing Design Guide.</li> <li>○ the design principles for residential apartment development set out in Schedule 9 of the Housing SEPP and the Apartment Design Guide (ADG). This should include a table which demonstrates how each dwelling (including affordable dwellings) performs against the ADG design criteria.</li> </ul> </li> <li>● If affordable housing is proposed, provide a floorplan outlining the gross floor area and dwellings that are provided as affordable housing.</li> </ul>	<p>Section 6.1 Appendix 5 Appendix 24 Appendix 25 Appendix 33</p>	<ul style="list-style-type: none"> <li>● Architectural Drawings</li> <li>● Design Report</li> <li>● Design Statement</li> <li>● Survey Plan</li> <li>● Schedule of Colours, Materials and Finishes</li> <li>● Design Verification Statement</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<p>Environmental Amenity</p> <ul style="list-style-type: none"> <li>Assess amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, as well as wind, lighting and reflectivity impacts. A high level of environmental amenity for any surrounding residential or other sensitive land uses must be demonstrated.</li> <li>Provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during winter solstice) at hourly intervals between 9am and 3pm, comparing the proposed development, existing situation and where applicable, a development with no bonuses applied.</li> </ul>	<p>Section 6.1 Appendix 5 Appendix 25 Appendix 33</p>	<ul style="list-style-type: none"> <li>Architectural plans</li> <li>Design Report</li> <li>Design Statement</li> </ul>
<p>Visual Impact</p> <ul style="list-style-type: none"> <li>Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development.</li> <li>If the proposal would result in significant visual impact not anticipated by the planning controls, provide a visual impact assessment that addresses the visual impacts of the development on the existing catchment.</li> </ul>	<p>Section 6.3 Appendix 23</p>	<ul style="list-style-type: none"> <li>View Impact Assessment</li> </ul>
<p>Transport</p> <ul style="list-style-type: none"> <li>Provide a Transport Impact Assessment (TIA) in accordance with the processes and methodology recommended in the Guide to Transport Impact Assessment (GITA) published by TfNSW.</li> </ul>	<p>Section 6.8 Appendix 21</p>	<ul style="list-style-type: none"> <li>Transport Impact Assessment</li> <li>Preliminary Construction Traffic Management Plan</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<ul style="list-style-type: none"> <li>If the construction of the development would cause interruptions to regular pedestrian and transport routes (including public transport, active transport or general traffic), a preliminary Construction Traffic (or Transport) Management Plan (CTMP) should be prepared as part of the TIA to mitigate any such impacts.</li> </ul>		
<p>Noise and Vibration</p> <ul style="list-style-type: none"> <li>Provide a noise and vibration impact assessment prepared in accordance with the relevant NSW Environment Protection Authority (EPA) guidelines. The assessment must detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.</li> </ul>	<p>Section 6.9 Appendix 14</p>	<ul style="list-style-type: none"> <li>Noise and Vibration Impact Assessment</li> </ul>
<p>Water Management</p> <ul style="list-style-type: none"> <li>Detail the proposed drainage design and servicing infrastructure to be incorporated as part of the development (stormwater and wastewater).</li> <li>Demonstrate how the development complies with council's drainage requirements and identify proposed stormwater treatment and water quality management measures to minimise adverse environmental impacts.</li> </ul>	<p>Section 6.5.3 Appendix 22</p>	<ul style="list-style-type: none"> <li>Integrated Water Management Plan</li> </ul>
<p>Ground and Groundwater Conditions</p> <ul style="list-style-type: none"> <li>Assess potential impacts on soil resources and related infrastructure and riparian lands on and near the site and including soil erosion.</li> </ul>	<p>Section 6.5.1 Section 6.5.2 Appendix 10</p>	<ul style="list-style-type: none"> <li>Geotechnical Report</li> <li>Acid Sulfate Soils Assessment</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<ul style="list-style-type: none"> <li>Where required provide a Groundwater Impact Assessment in accordance with relevant Groundwater Guidelines. If the proposed development is on land identified as having high salinity or acid sulfate soil potential in an EPI provide a Salinity Management Plan or Acid Sulfate Soil Management Plan that includes appropriate management measures and strategies.</li> </ul>		
<p>Contamination and Remediation</p> <ul style="list-style-type: none"> <li>In accordance with Chapter 4 of the State Environmental Planning Policy (Resilience and Hazards) 2021, assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development.</li> </ul>	<p>Section 6.7 Appendix 18</p>	<ul style="list-style-type: none"> <li>Preliminary Site Investigation</li> </ul>
<p>Trees and Landscaping</p> <ul style="list-style-type: none"> <li>Provide a landscape plan, that: <ul style="list-style-type: none"> <li>details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage (as a percentage of the site area).</li> <li>provides evidence that opportunities to retain significant trees have been explored and/or inform the plan.</li> </ul> </li> <li>If the proposal involves impacts to trees, provide an Arboricultural Impact assessment that assesses the number, location, condition and significance of trees to be removed and retained including: <ul style="list-style-type: none"> <li>any existing canopy coverage to be retained on-site.</li> <li>tree root mapping. if the proposal involves significant impacts to tree-protection zones of retained trees identified as being significant</li> </ul> </li> </ul>	<p>Section 6.4 Appendix 8 Appendix 16</p>	<ul style="list-style-type: none"> <li>Landscape Plan</li> <li>Arborist Report</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<p>Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> <li>Identify how ESD principles (as defined in section 193 of the EP&amp;A Regulation) are incorporated in the design and ongoing operation of the development.</li> <li>Where relevant, provide an assessment of the development against the standards for non-residential development set out in Chapter 3 of State Environmental Planning Policy (Sustainable Buildings) 2022.</li> </ul>	<p>Section 6.12 Appendix 19 Appendix 26</p>	<ul style="list-style-type: none"> <li>ESD Report</li> <li>BASIX Certificate</li> </ul>
<p>Biodiversity</p> <ul style="list-style-type: none"> <li>Unless a waiver has been granted, provide a Biodiversity Development Assessment Report (BDAR) that assesses any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020. OR</li> <li>If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification.</li> </ul>	<p>Section 6.10 Appendix 6</p>	<ul style="list-style-type: none"> <li>Biodiversity Development Assessment Report</li> </ul>
<p>Waste Management</p> <ul style="list-style-type: none"> <li>Provide the measures to be implemented to manage, reuse, recycle and safely dispose of waste, including in accordance with any council waste management requirements.</li> <li>Identify appropriately sited waste storage areas, collection access paths/roads, and appropriate servicing arrangements for the site.</li> </ul>	<p>Section 6.11 Appendix 13</p>	<ul style="list-style-type: none"> <li>Waste Management Plan</li> </ul>
<p>Social Impact</p>	<p>Section 6.16 Appendix 29</p>	<ul style="list-style-type: none"> <li>Social Impact Assessment in accordance with the guidelines</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<ul style="list-style-type: none"> <li>The EIS must consider social impacts and, should any significant social impacts be identified, a Social Impact Assessment must be prepared in accordance with the Social Impact Assessment Guideline for State Significant Projects.</li> </ul>		
<p>Flood Risk</p> <ul style="list-style-type: none"> <li>Identify the flood planning area and level as set out in the relevant EPI and other supporting documents to determine; <ul style="list-style-type: none"> <li>The flood extent and velocity up to the Probable Maximum Flood and risk on-site having regard to adopted flood studies and, floodplain risk management studies and plans</li> <li>The site access and egress routes</li> <li>the potential effects of climate change,</li> <li>any relevant provisions of the NSW Flood Risk Management Manual, and any other relevant guidelines</li> </ul> </li> <li>Where the development is occurring on flood prone land a flood impact and risk assessment (FIRA) must be prepared having regard to the Flood Impact and Risk Assessment – Flood Risk Management Guide LU01. When determining the scope and category of the FIRA the requirements outlined in the FIRA guide must be considered.</li> <li>Detail any flood risk management measures that are to be incorporated as part of the development having regard to relevant guidelines (including any design solutions, flood modification measures, property modification measures, operational procedures or Flood Emergency Response Plan).</li> </ul>	<p>Section 6.6 Appendix 17</p>	<ul style="list-style-type: none"> <li>Flood Impact and Risk Assessment</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<p>Bush Fire Risk</p> <ul style="list-style-type: none"> <li>If the development is on mapped bush fire prone land, or a bush/grass fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection.</li> </ul>	<p>N/A</p>	<ul style="list-style-type: none"> <li>Bush Fire Assessment</li> </ul>
<p>Aboriginal Cultural Heritage</p> <ul style="list-style-type: none"> <li>Where there is known, or reasonably likely, to be Aboriginal cultural heritage on or near the site demonstrate that impacts have been adequately investigated and assessed by: <ul style="list-style-type: none"> <li>Identifying that an appropriate prior planning process has already considered these impacts, e.g. a rezoning or development application, or</li> <li>Providing an initial assessment of the potential impacts.</li> </ul> </li> <li>If potential impacts are significant, provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) which: <ul style="list-style-type: none"> <li>Identifies, describes and assesses any impacts to Aboriginal cultural heritage sites or values associated with the site.</li> <li>Is prepared in accordance with relevant guidelines.</li> </ul> </li> </ul>	<p>Section 6.14.1 Appendix 20</p>	<ul style="list-style-type: none"> <li>Aboriginal Heritage Impact Assessment</li> </ul>
<p>Environmental Heritage</p> <ul style="list-style-type: none"> <li>Where there is potential for direct or indirect impacts on environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (where required), in accordance with the relevant guidelines.</li> </ul>	<p>Section 6.14.2 Appendix 15</p>	<ul style="list-style-type: none"> <li>Heritage Impact Assessment</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
<p>Public Space</p> <ul style="list-style-type: none"> <li>• If public space is proposed as part of the development, demonstrate how the development: <ul style="list-style-type: none"> <li>○ maximises the amount, access to and quality of public spaces (including open space, public facilities and streets/plazas within and surrounding the site), reflecting relevant design guidelines and advice from the local council and the Department.</li> <li>○ provides accessible public space.</li> <li>○ maximises permeability and connectivity.</li> <li>○ maximises the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection.</li> <li>○ maximises street activation.</li> <li>○ minimises potential vehicle, bicycle and pedestrian conflicts.</li> </ul> </li> </ul>	<p>N/A</p>	<ul style="list-style-type: none"> <li>• N/A - no public space proposed</li> </ul>
<p>Hazards and Risks</p> <ul style="list-style-type: none"> <li>• If the development is affected by above ground dangerous goods storages from the surrounding developments and/or underground high-pressure dangerous goods pipelines in the vicinity of proposal location: <ul style="list-style-type: none"> <li>○ Report on any consultation outcomes with operators.</li> <li>○ Consider whether the development would cause these storages non-compliance with Australian Standards.</li> </ul> </li> <li>• Where applicable, provide a Hazard Analysis in line with relevant guidelines and planning circular.</li> </ul>	<p>N/A</p>	<ul style="list-style-type: none"> <li>• N/A - no dangerous goods storage in proximity or underground pipelines.</li> </ul>

Environmental assessment requirement	EIS reference	Supporting documentation
Additional assessment requirements - per reissued SEARs cover letter dated 5 June 2025		
<p>1. Demonstrate that the proposal has considered the potential for site isolation impacts to the adjoining site at No. 22 Middle Harbour Road, Linfield, having regard to the Land and Environment Court's (LEC) planning principle for redevelopment, expressed in <i>Karavellas v Sutherland Shire Council</i> [2004] NSWLEC 251.</p>	<p>Section 6.2 Appendix 32</p>	<ul style="list-style-type: none"> <li>• Concept Plans - 22 Middle Harbour Road</li> </ul>
<p>2. Demonstrate that the affordable housing component of the proposal complies with Section 16(2) of the State Environmental Planning Policy (Housing) 2021.</p>	<p>Appendix 4 Appendix 5</p>	<ul style="list-style-type: none"> <li>• Architectural Plans</li> </ul>

## Appendix 2: Mitigation measures table

Potential Impact	Mitigation Measure	EIS ref
Noise and vibration	<p><b>Noise</b></p> <ul style="list-style-type: none"> <li>Based on the number of vehicles projected over each construction phase, a Construction Traffic Management Plan should be prepared.</li> <li>Mitigation procedures include: <ul style="list-style-type: none"> <li>General Management Measures,</li> <li>Project Notification,</li> <li>Verification Monitoring,</li> <li>Complaints Management System,</li> <li>Specific Notification,</li> <li>Respite offer,</li> <li>Alternative construction methodology.</li> </ul> </li> </ul> <p><b>Vibration</b></p> <ul style="list-style-type: none"> <li>In order to maintain compliance with the human comfort vibration criteria, it is recommended that the indicative safe distances should be validated prior to start of construction works by undertaking measurements of vibration levels generated by construction and demolition equipment to be used on site.</li> <li>A Construction Noise Vibration Management Sub Plan (CNVMSP) is to be prepared.</li> <li>Vibration monitoring to be undertaken and record the peak vibration levels and trigger an audible and visual alarm when predetermined thresholds are exceeded.</li> <li>Maximise the offset distance between plant items and nearby noise sensitive receivers.</li> <li>Prevent noisy plant working simultaneously and adjacent to sensitive receivers.</li> <li>Minimise consecutive works in the same site area.</li> <li>Orienting equipment away from noise sensitive areas.</li> <li>Carrying out loading and unloading away from noise sensitive areas.</li> <li>Any vibration generating plant and equipment is to be in areas within the site in order to lower the vibration impacts.</li> <li>Investigate the feasibility of rescheduling the hours of operation of major vibration generating plant and equipment.</li> </ul>	Section 6.9 Appendix 14

Potential Impact	Mitigation Measure	EIS ref
	<ul style="list-style-type: none"> <li>• Use lower vibration generating items of construction plant and equipment; that is, smaller capacity plant.</li> <li>• Minimise conducting vibration generating works consecutively in the same area (if applicable).</li> <li>• Schedule a minimum respite period of at least 30 minutes before activities commence which are to be undertaken for a continuous 4-hour period.</li> </ul>	
Wind	<p><b>Lower Ground Level (Level 1)</b></p> <ul style="list-style-type: none"> <li>• Inclusion of impermeable awnings to the south and north, abutting the eastern aspect of the building envelope.</li> <li>• Increasing the height of the proposed impermeable intertenancy screen along the northern perimeter of the south-eastern corner private balcony to 2m above the FFL.</li> <li>• Retention of the proposed full-height impermeable intertenancy screen along the southern aspect, adjacent to the car park entrance.</li> <li>• Converting the proposed inter-tenancy screen to the north (between the two east most apartments on the northern aspect) to a full-height impermeable screen.</li> <li>• Inclusion of 2m high evergreen and densely foliating hedges/shrubs within the proposed planter boxes along the eastern perimeter of the site.</li> </ul> <p><b>Upper Ground Level</b></p> <ul style="list-style-type: none"> <li>• Inclusion of 2m high evergreen and densely foliating hedges/shrubs within the proposed planter boxes through the building separation zone (communal open space).</li> <li>• Inclusion 3-5m high and 3-5m wide (i.e. 3-5m wide canopies) evergreen and densely foliating trees along the central strip within the building separation zone (communal open space).</li> <li>• Inclusion of full-height impermeable screens along the shorter aspects of the northern and eastern corner balconies.</li> </ul> <p><b>Private Balconies and Vented Corridor Areas (Level 2 to 8)</b></p> <ul style="list-style-type: none"> <li>• Levels 2 to 7L inclusion of full-height impermeable screens along the shorter aspects of the northern and eastern corner balconies.</li> <li>• Levels 2 to 8: increasing the height of the proposed balustrades around the southern and western corner balconies to 1.2m</li> </ul>	Section 6.15 Appendix 11

Potential Impact	Mitigation Measure	EIS ref
	<ul style="list-style-type: none"> <li>Levels 2 to 8: retention of the proposed full-height vertical blades along the western aspect of the vented corridors.</li> <li>Level 8: retention of the proposed slat screening around the southern and western corner spiral staircases.</li> </ul> <p><b>Roof-top Terraces (Level 9)</b></p> <ul style="list-style-type: none"> <li>Increasing the height of the proposed balustrades around the edges of the various terraces to 1.5m.</li> </ul>	
Biodiversity	<ul style="list-style-type: none"> <li>As outlined in the BDAR provided at Appendix 6, the project is to provide one species offset credit for the removal of identified plant community types at the subject site</li> </ul>	Section 6.10 Appendix 6
Waste Management	<ul style="list-style-type: none"> <li>Implementation of the Waste Management Plan as prepared by AusWide Consulting.</li> <li>If any hazardous asbestos materials are identified during demolition, these materials are to be removed from the site appropriately and in compliance with relevant regulations</li> </ul>	Section 6.11 Appendix 13
Traffic	<ul style="list-style-type: none"> <li>Implementation of the Construction Traffic Management Plan (CTMP) as prepared by Varga Traffic Planning.</li> </ul>	Section 6.8.4 Appendix 21
Contamination	<ul style="list-style-type: none"> <li>Preparation of a Detailed Site Investigation to be imposed as a condition of consent.</li> </ul>	Section 6.7 Appendix 18
Access	<ul style="list-style-type: none"> <li>Further assessment to be undertaken at the post-approval phase to ensure compliance with relevant provisions of the National Construction Code, including acceptable Deemed-to Satisfy arrangements where necessary.</li> </ul>	Section 6.13 Appendix 9
ESD	<ul style="list-style-type: none"> <li>Building fabric and services have been designed to meet and exceed the BASIX energy efficiency requirements to ensure thermal comfort.</li> <li>Natural ventilation is enhanced as spaces will adhere to minimum fresh air requirements, promoting a healthy indoor environment which exceeds ADG minimum requirements.</li> <li>Windows have been strategically located to maximise daylight penetration where solar access is available, reducing dependence on artificial lighting and contributing to significant energy savings.</li> <li>Building finishes incorporate low volatile organic compounds materials throughout the fit-out, ensuring superior indoor air quality and mitigating health risks.</li> </ul>	Section 6.12 Appendix 19

Potential Impact	Mitigation Measure	EIS ref
	<ul style="list-style-type: none"> <li>• Building fabric has been designed to address acoustic issues as identified within the NVA to ensure a quiet and comfortable environment for occupants and minimises impact on surrounding receivers.</li> <li>• A central hot water system will be provided for the development to optimise energy usage and air-conditioning system will be provided as individual systems within each unit so as to only be use on an as-needed basis.</li> <li>• Lighting power will be within limits specified in BASIX, whereby motion sensors, daylight sensors and programable timers will be utilised in common areas to reduce energy from lighting.</li> <li>• Fixed shading devices will be utilised in communal outdoor spaces where appropriate to minimise glare and direct summer sun penetration</li> <li>• Building fabric insulation will surpass minimum BASIX requirements, minimising heat transfer, improving thermal comfort and reducing energy demand;</li> <li>• Provision has been made for a solar photovoltaic energy system to reduce reliance on traditional energy sources.</li> <li>• Proposed landscape design prioritises water efficient plantings whilst enhancing the aesthetic appeal and functionality of communal areas;</li> <li>• Provision has been made for a stormwater retention tank to capture and store rainwater runoff for reuse in irrigation.</li> <li>• Proposed Waste Management Plan includes ample storage space for recycled waste materials, such as paper, plastics, glass, and metals, and accommodates for the reuse of materials during demolition and construction.</li> <li>• Proposal is located in a highly accessible location which encourages the use of public transport and provides for storage of bikes to encourage active transport.</li> </ul>	
Flooding	<ul style="list-style-type: none"> <li>• in a flood emergency residents should move inside of their units to avoid potentially being exposed to hazardous floodwater.</li> <li>• if required or advised by NSW SES residents can evacuate the site during flood events by travelling west via Middle Harbour Road to the Pacific Highway.</li> </ul>	Section 6.6 Appendix 17

Potential Impact	Mitigation Measure	EIS ref
	<ul style="list-style-type: none"> <li>• site management and residents should be aware of weather forecasts and warning by subscribing to NSW SES, BoM, Early Warning Network and other relevant warning systems.</li> <li>• warning signage shall be installed at the site, that state the flood affected areas (i.e landscape area along northern and western boundaries) are unsafe during a flood and should not be accessed during a rain event.</li> <li>• any affected structures should be designed to withstand flood forces up to and including the PMF. This will ensure damage to the property is minimal and safety to residents is maintained.</li> </ul>	
Social impact	<p><b>Construction</b></p> <ul style="list-style-type: none"> <li>• Regular reinforcement (such as at toolbox talks) of the need to minimise noise and vibration.</li> <li>• Regular identification of noisy activities and adoption of improvement techniques.</li> <li>• Avoiding the use of portable radios, public address systems or other methods of site communication that may unnecessarily impact upon nearby sensitive receivers.</li> <li>• Where possible, avoiding the use of equipment that generates impulsive noise.</li> <li>• Minimising the need for vehicle reversing for example (particularly at night), by arranging for one-way site traffic routes.</li> <li>• Use of broadband audible alarms on vehicles and elevated work platforms used on site.</li> <li>• Minimising the movement of materials and plant and unnecessary metal-on-metal contact.</li> <li>• Minimising truck movements.</li> <li>• Choosing quieter plant and equipment based on the optimal power and size to most efficiently perform the required tasks.</li> <li>• Selecting plant and equipment with low vibration generation characteristics.</li> <li>• Operating plant and equipment in the quietest and most efficient manner.</li> <li>• Maximising the distance between noise activities and noise sensitive land uses.</li> <li>• Installing purpose-built noise barriers, acoustic sheds and enclosures.</li> <li>• Providing respite periods which could include restricting very noisy activities to time periods that least affect the nearby noise sensitive locations,</li> </ul>	Section 6.16 Appendix 29

Potential Impact	Mitigation Measure	EIS ref
	<p>restricting the number of nights that after-hours work is conducted near residences or by determining any specific requirements.</p> <ul style="list-style-type: none"> <li>• Scheduling work to coincide with non-sensitive periods.</li> <li>• Planning deliveries and access to the site to occur quietly and efficiently and organising parking only within designated areas located away from the sensitive receivers.</li> <li>• Optimising the number of deliveries to the site by amalgamating loads where possible and scheduling arrivals within designated hours.</li> <li>• Including contract conditions that include penalties for non-compliance with reasonable instructions by the principal to minimise noise or arrange suitable scheduling.</li> <li>• Some ways of controlling noise at the source are:</li> <li>• Were reasonably practical, noisy plant or processes should be replaced by less noisy alternatives.</li> <li>• Modify existing equipment: Engines and exhausts are typically the dominant noise sources on mobile plant such as cranes, graders, excavators, trucks, etc. In order to minimise noise emissions, residential grade mufflers should be fitted on all mobile plant utilised on site.</li> <li>• Siting of equipment: locating noisy equipment behind structures that act as barriers, or at the greatest distance from the noise-sensitive area; or orienting the equipment so that noise emissions are directed away from any sensitive areas, to achieve the maximum attenuation of noise.</li> <li>• Regular and effective maintenance.</li> <li>• The only noise generated from the waste management at the property will be that of the MGBs being wheeled to/from the storage area and the waste collection vehicle. Any other noise related to the waste management will be kept to a minimum.</li> <li>• All MGBs will be secured within the waste storage area located in the basement of the proposed development.</li> <li>• The waste storage area will be appropriately ventilated.</li> <li>• Building management will be responsible for keeping the MGBs clean.</li> </ul>	

Potential Impact	Mitigation Measure	EIS ref
	<ul style="list-style-type: none"> <li>• It is recommended that the waste room should consist of: (1) Impervious coated/treated walls and ground surface, ensuring the ground is graded to the sewer (100 mm diameter) floor drain outlet within the enclosure. (2) Tap and hose (3) Self closing lockable doors allowing easy removal of the bulky waste and MGBs.</li> <li>• Building management will ensure MGBs are not overfilled so that the lids are closed at all times.</li> <li>• Sufficient space be provided in each apartment for the interim storage of at least two days' worth of garbage and recyclables.</li> <li>• Green garden waste from the grounds will be managed by a private contractor who will be responsible for green waste disposal.</li> <li>• Recyclable electronic goods include batteries, equipment containing printed circuit boards, computers, televisions, fluorescent tubes, and smoke detectors. E-Waste will be placed in impermeable surface containers and collected by a registered E-Waste Re-Processor as required.</li> <li>• Implementation of the wind mitigation measures as listed above.</li> </ul> <p><b>Traffic</b></p> <ul style="list-style-type: none"> <li>• Construction Traffic Management Plans, as outlined within the Transport and Parking Assessment Report prepared by Varga Traffic Planning are to be implemented during the construction phase as to appropriately manage construction traffic.</li> <li>• The proposed development is to be provided with 196 car parking spaces in order to limit impacts to on-street parking.</li> <li>• Access and internal design arrangements are to comply with the relevant requirements specified in the Standards Australia AS2890 series.</li> </ul> <p><b>Local Services and Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Conditions of consent are anticipated to require written agreement from all utility and service providers regarding the design and capacity of service and utility connections (water, sewer, electricity and telecommunications) prior to the release of a Construction Certificate</li> <li>• Conditions of consent are anticipated for the levying of Housing and Productivity Contributions and Section 7.12 Contributions which will provide funding for public infrastructure.</li> </ul>	

Potential Impact	Mitigation Measure	EIS ref
	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>• Any native vegetation proposed to be removed from the subject site, must be removed in accordance with Arboricultural Impact Assessment by Birds Tree Consultancy and Biodiversity Development Assessment Report by Environmental Services and Education Australia.</li> <li>• New plantings on the subject site are to prioritise plantings of Native Vegetation and seek to increase the total quantum of native vegetation on site. Additionally, landscaping is to be taken in accordance with the Landscape Plans as prepared by Site Image Landscape Architects.</li> <li>• Additional Geotechnical investigation is to be prepared with at least (3) additional cored boreholes at the centre and north portions of the site, once demolition of the existing structures has been completed and access becomes available for a drilling rig. This will allow for a larger spread of data to be gathered from the site for a more optimised shoring and foundation design.</li> <li>• Aggressivity testing for buried concrete and steel structures.</li> <li>• Long term groundwater monitoring and seepage modelling.</li> <li>• Stability assessment of temporary batters using computer modelling, if required.</li> <li>• Dilapidation surveys.</li> <li>• Design of working platforms (if required) for construction plant by an experienced and qualified geotechnical engineer.</li> <li>• Classification of all excavated material transported off site.</li> <li>• Witnessing installation of support measures and proof-testing of anchors (if required).</li> <li>• Numerical Analysis Impact Assessment for nearby Sydney Water/Council Assets.</li> <li>• Inclometers and instrumentation and monitoring plan (if required).</li> <li>• Geotechnical inspections of rock faces during excavation by experience geotechnical professional at depth of no greater than 1.5m within medium to high strength bedrock, if vertical cut are adopted.</li> <li>• Geotechnical inspections of all new footings/piles by an experienced geotechnical professional before concrete or steel are placed to verify their bearing</li> </ul>	

Potential Impact	Mitigation Measure	EIS ref
	<p>capacity and the in-situ nature of the founding strata; and</p> <ul style="list-style-type: none"> <li>• Ongoing monitoring of groundwater inflows into the bulk excavation.</li> <li>• Undertake a detailed site investigation (DSI) to characterise soil and groundwater on the site and assess the site's suitability for the proposed residential land use.</li> <li>• Before commencement of any demolition works, a hazardous materials survey (HMS) should be completed by a suitably qualified consultant, to assess for the presence and location of any hazardous materials within the existing building structures. This will aid demolition management of on-site structures.</li> <li>• All soil materials that are designed for off-site disposal, including any virgin excavated natural materials (VENM), must be classified in accordance with NSW EPA (2014).</li> <li>• Any materials being imported to the site should be validated as suitable for the intended (mixed) use, in accordance with NSW EPA (2014).</li> <li>• In situ waste classification is recommended for the soil volume to be removed during the construction of the basement. This would expedite the offsite disposal works</li> </ul>	
Crime prevention	<ul style="list-style-type: none"> <li>• Access control measures to ensure only residents and heir visitors access residential areas</li> <li>• Lighting on all entrances, exits, the pedestrian through link and in the car parking area</li> <li>• Inclusion of security features such as CCTV coverage of external areas, entrances and communal areas</li> <li>• Territorial reinforcement through clear signage</li> <li>• Secure doors</li> <li>• And regular maintenance and repairs on the buildings and ground with any damage or graffiti removed promptly.</li> </ul>	Section 6.17 Appendix 36

## Appendix 3: Strategic planning assessment

### Greater Sydney Region Plan

The Greater Sydney Region Plan (Region Plan) outlines how Greater Sydney will manage growth and change in the context of social, economic and environmental matters. It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans.

The overriding vision for Greater Sydney in the Region Plan is to rebalance Sydney into a metropolis of 3 unique but connected cities:

- the established Eastern Harbour City
- the developing Central River City
- the emerging Western Parkland City

Historically, Greater Sydney's jobs and transport have been focused to the east, requiring many people to make long journeys to and from work and other services. The 3 cities vision allows opportunities and resources to be shared more equitably while enhancing the local character we value in our communities. By integrating land use, transport links and infrastructure across the three cities, more people will have access within 30 minutes to jobs, schools, hospitals and services.

The Region Plan provides broad priorities and actions, which focus on the following 4 key themes:

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

There are a number of directions and objectives that are of particular relevance to the Proposal which are addressed below:

Directions	Objectives
Objective 4 Infrastructure use is optimised	<ul style="list-style-type: none"><li>• Development is located in close proximity to the local centre of Lindfield (less than 500m)</li><li>• Locates in-fill affordable housing within 500m of an existing railway station to maximise public transport utilisation.</li></ul>
Objective 10 Greater Housing Supply	<ul style="list-style-type: none"><li>• The plan has identified a need for 157,500 new homes to be delivered to Eastern Harbour City between 2016-2036.</li><li>• The proposal aims to provide 98 apartments on site with 19 apartments for affordable housing.</li></ul>
Objective 11: Housing is more diverse and affordable	<ul style="list-style-type: none"><li>• Sets out the importance of new homes being diverse and affordable</li></ul>

Directions	Objectives
	<ul style="list-style-type: none"> <li>The proposal positively responds to this objective by providing a 1, 2, 3 and 4 bedroom mix for market and affordable apartments.</li> </ul>

Table 16: Assessment of objectives of Greater Sydney Region Plan

## North District Plan

The North District Plan (District Plan) was prepared by the former Greater Sydney Commission in March 2018. It seeks to manage growth in the context of economic, social and environmental matters in the Ku-ring-gai LGA. It provides the district level framework to implement the goals and directions outlined in the Region Plan.

In particular, the proposed development will address the following planning priorities:

Planning priority	Explanation
Infrastructure and Collaboration (N1)	<ul style="list-style-type: none"> <li>The proximity to the existing train and bus services and commercial centre of Lindfield can support the increased density on the site</li> </ul>
Liveability (N5 and N6)	<ul style="list-style-type: none"> <li>The location of the RFB is positioned within 500m of the train services and bus routes available north, west and south to the CBD. This will enable access to jobs and commercial activity within 30 minutes of travel. The proposed unit mix and affordable housing will ensure diversity and affordability for future residents within Lindfield with excellent access to nearby jobs and services</li> <li>The site is suitable for high density infill residential development given the proximity to existing services.</li> </ul>
Productivity (N12)	<ul style="list-style-type: none"> <li>The proposal seeks to provide housing within 500m of Lindfield station which provides services that connect to key centres across Sydney including, North Sydney, Hornsby, Sydney CBD, Strathfield and Chatswood.</li> <li>The proposal will support the 30-minute city strategic direction</li> </ul>
Sustainability (N16, N17 and N19)	<ul style="list-style-type: none"> <li>The proposed landscape plans will ensure that biodiversity is provided at the site and maintain the character of the Lindfield area</li> </ul>

Table 17: Assessment of North District Plan

## Ku-ring-gai Local Strategic Planning Statement

The Ku-ring-gai Local Strategic Planning Statement was finalised and published on the NSW Planning Portal in March 2020. It sets out a 20-year plan for the Council's land use vision and planning priorities for the local government area.

The proposal is consistent with the following planning priorities of the Local Strategic Planning Statement:

Planning Priority	Comment
Planning Priority K3	<ul style="list-style-type: none"> <li>Proposal provides housing close to transport and services to meet the needs of future residents at the site</li> </ul>
Planning Priority K4	<ul style="list-style-type: none"> <li>Provides diverse housing mix to accommodate changing community</li> </ul>
Planning Priority K5	<ul style="list-style-type: none"> <li>Proposal provides affordable housing to help meet housing targets and assist the local residential requirements</li> </ul>
Planning Priority K11	<ul style="list-style-type: none"> <li>Promotes Lindfield Centre.</li> </ul>
Planning Priority K21	<ul style="list-style-type: none"> <li>Prioritising development and housing in a location that enables access to 30-minute travel to strategic centres across Sydney</li> </ul>

Table 18: Assessment of relevant planning priorities under LSPS

The proposed development provides much-needed affordable housing options located close to public transport services, contributing to the LSPS goal of providing affordable housing that strengthens the local residential community and will provide housing close to transport facilities (Lindfield Station) to meet the needs of residents in the changing community.

The development will complement the existing character and maintain the existing heritage items in the surrounding area to manage growth that aligns with the objectives of Council's LSPS to preserve the existing character.

### **Ku-ring-gai Community Strategic Plan 2032**

The Community Strategic Plan has a broader focus than the Local Strategic Planning Statement as it addresses long term social, environmental and economic goals for the community.

The Ku-ring-gai community strategic plan reflects long term objectives to address the environment, social, economic and civic leadership.

- The proposal is consistent with many of the plans key themes including:
  - Community, people and culture - Proposal will provide housing choice in line with focus area (C2) housing choice. The proposed development will provide housing mix through market and affordable housing at the site, containing 1, 2, 3 and 4 bedroom apartments.
  - Access, traffic and transport - Aligns with the focus area of (T1) integrated and accessible transport, as the proposal delivers homes within 500m of the Lindfield train station and is subject to the TOD controls through the Housing SEPP.

## **Ku-ring-gai Housing Strategy**

The Ku-ring-gai Housing Strategy sets out the long-term plan for meeting housing demand in the Ku-ring-gai LGA to 2041. It responds to housing targets set by the NSW Government and supports the delivery of well-located, diverse, and sustainable housing options in alignment with broader metropolitan strategies, including the Greater Sydney Region Plan and the North District Plan.

The Strategy recognises that Ku-ring-gai will continue to experience population growth and demographic change, requiring a planned approach to increasing housing supply, particularly in areas with strong access to public transport, services, and infrastructure. It places an emphasis on accommodating this growth while preserving the unique environmental and heritage qualities of the area.

The proposed development supports the housing strategy by providing a total of 98 new homes that contributes to the housing diversity in the area and addresses the current housing shortfall.

## Appendix 4: Statutory compliance tables

### Environmental Planning and Assessment Act

Development under the Act must have regard to its objects as set out under Section 1.3. The proposed development is considered consistent with the objects of the Act, as outlined in the table below.

Consideration	Relevance	EIS ref
Section 1.3: Objects of the Act		
a. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	<ul style="list-style-type: none"> <li>The proposed development is appropriately located in an existing area of strategic importance.</li> <li>The proposed development will see the site utilised to its full potential and provide social and economic benefits for the area</li> </ul>	Section 7
b. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	<ul style="list-style-type: none"> <li>This EIS provides information on the relevant economic, environmental and social impacts of the proposed development to enable the consent authority to undertake a thorough environmental assessment and assist in its decision-making on the application.</li> </ul>	Section 7
c. to promote the orderly and economic use and development of land	<p>The development promotes the orderly and economic use of the land by:</p> <ul style="list-style-type: none"> <li>Delivering residential accommodation in an area already identified by State and Local policies for residential uses through an RFB.</li> <li>It provides superior built form outcomes in housing construction</li> <li>It provides for the development of existing underutilized residential zoned land.</li> <li>As detailed in the EIS, attempts were made to consolidate the site with adjoining properties to the east and west. These were unsuccessful. Notwithstanding, both adjoining properties can develop independently of the proposal.</li> </ul>	Section 7
d. to promote the delivery and maintenance of affordable housing	The proposed development will provide 1,838sqm of affordable housing.	Section 3

Consideration	Relevance	EIS ref
e. to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The EIS is accompanied by a BDAR report and has addressed impacts on the ecological communities and habitats	Section 6.10 and Appendix 6
f. to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The proposed development is accompanied by a Heritage Impact Assessment and Aboriginal Heritage Impact Assessment. Both reports conclude the proposal is suitable from a heritage and cultural perspective.	Section 6.17, Appendix 15 and Appendix 20
g. to promote good design and amenity of the built environment	The proposed development has been designed to promote design excellence and a high standard of amenity in the built environment	Section 6.1
h. to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	The development will be constructed in line with any conditions of approval issued by the consent authority and the relevant requirements that relate to health and safety, construction and maintenance.	N/A
i. to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	This EIS is submitted to the Department of Planning, Housing and Infrastructure to enable an environmental assessment of the application.  It is expected that this document will be referred by the Department to other NSW Government agencies for further assessment and comment.	N/A
j. to provide increased opportunity for community participation in environmental planning and assessment.	As part of Department of Planning, Housing and Infrastructure's assessment of the application, this EIS will be made publicly available to the community, Council and any NSW Government agencies invited to provide a submission on the proposal. Any submissions received will be addressed as part of a 'Response to submissions report'.	Section 5

Consideration	Relevance	EIS ref
Section 4.12(8)		
A development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations.	This EIS has been prepared to accompany an SSD application and is in the form prescribed by the regulations.	N/A
Section 4.15		
a) the provisions of:		
i) any environmental planning instrument	The environmental planning instruments relevant to the site are addressed at Section 4	Section 4
ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)	There are no draft EPIs relevant to the site. However, Ku-ring-gai Council is proposing its TOD alternative. Given this project has already been given SEARs under the existing controls this report has not addressed the proposed alternative.	Section 4
iii) any development control plan	The Ku-ring-gai 2024 DCP is addressed at Appendix 4 of this report.	Appendix 4
a. any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	There is no planning agreement relevant to this proposal	N/A
iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The Environmental Planning and Assessment Regulation is addressed at Section 4	Section 4
v) Repealed	n/a	

Consideration	Relevance	EIS ref
b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The likely impacts of the development, including environmental impacts on the natural and built environments, social and economic impacts are addressed at Section 6.	Section 6
c) the suitability of the site for the development	The site has been demonstrated to be suitable for the development as demonstrated by the environmental assessment at Section 6.	Section 6
d) any submissions made in accordance with this Act or the regulations	Any submissions received on the application will be considered and addressed as part of a 'Response to submissions report'.	N/A
e) the public interest.	The development is in the public interest with respect to the social, economic and environmental justification as detailed in Section 7.	Section 7

## Environmental Planning and Assessment Regulation 2021

This EIS has been prepared in line with form and content requirements of Section 192 of the Environmental Planning and Assessment Regulation. An overview of how the requirements of the Regulation have been satisfied is included in the table below.

Consideration	Relevance	EIS ref
Section 190		
Form of environmental impact statement	The EIS has been prepared in accordance with this section including consideration of the <i>State Significant Development Guidelines</i> .	All
Section 192		
Content of an environmental impact statement	The EIS includes all content required under this section.	All

## Biodiversity Conservation Act 2016

Consideration	Relevance	EIS ref
Section 7.9		
<p>1. This section applies to—</p> <p>(a) an application for development consent under Part 4 of the Environmental Planning and Assessment Act 1979 for State significant development, and</p> <p>(b) an application for approval under Division 5.2 of the Environmental Planning and Assessment Act 1979 to carry out State significant infrastructure.</p> <p>2. Any such application is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.</p> <p>3. The environmental impact statement that accompanies any such application is to include the biodiversity assessment required by the environmental assessment requirements of the Planning Agency Head under the <i>Environmental Planning and Assessment Act 1979</i>.</p>	<p>A Biodiversity Development Assessment Report (BDAR) has been prepared and included as part of this EIS. The BDAR has been prepared with respect to the biodiversity values land at the site and confirms the site does not contain any threatened ecological communities (TECs) it also confirms that an offset for one species credit to facilitate the removal of PCT on site.</p>	<p>Section 6.9 and Appendix 6</p>

## Contaminated Land Management Act 1997

Consideration	Relevance	EIS ref
<p>This Act establishes a process for investigating and (where appropriate) remediating land where contamination poses a significant risk of harm to human health or the environment.</p>	<p>A Preliminary Site Investigation (PSI) has been provided as part of this EIS. The PSI recommends that a Detailed Site Investigation be prepared which can be imposed as a condition of consent.</p>	<p>Section 6.5</p>

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

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 seeks to value, protect, conserve and manage the innate value and external benefits of NSW's natural environment and heritage.

Chapter/ Section	Consideration	Discussion	EIS ref
2. Vegetation in non-rural areas			
Section 2	Chapter 2 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity SEPP) states that a person must not clear vegetation in a non-rural area of the State to which Part 2.3 applies without the authority conferred by a permit granted by the council under that Part.	Information on existing trees to be removed is included in the Arboricultural Impact Assessment, which is submitted with this EIS.  A site plan prepared by Birds Tree Consultancy depicts the proposed TPZs for trees on the site and viable trees to be retained and those not viable to be retained.	Appendix 23 and Section 6.4

## State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Housing) 2021* seeks to guide the delivery of the right number of homes in the right place and of the right type, to suit the changing needs of people living in NSW now and into the future.

The proposal will contribute to housing diversity and affordability within the Ku-ring-gai LGA through the provision of additional dwelling types including in-fill affordable housing. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref
2. Affordable housing			
Chapter 2	Development for affordable housing.	Part 2 of the Housing SEPP applies to in-fill affordable housing. A full assessment of this part is provided in the table below.	Appendix 4

Chapter/ Section	Consideration	Discussion	EIS ref
<b>4. Design of Residential Apartment Development</b>			
Chapter 4	Design of residential apartment development	A comprehensive assessment of the proposed development against nine design quality principles under Schedule 9 of the Housing SEPP and consideration of the Apartment Design Guide is provided in the Design Report prepared by PTI Architecture.	Appendix 25
<b>5 Transport oriented development</b>			
<b>152 Land to which chapter applies</b>			
Chapter 5 Clause 152 (i)	<i>This chapter applies to land in the Ku-ring-gai local government areas that is in a Transport Oriented Development Area precinct.</i>	The provisions in this chapter are relevant to the proposed development.	Appendix 4
Chapter 5 Clause 153	<i>If there is an inconsistency between this chapter and another provision of this or another environmental planning instrument, whether made before or after the commencement of this chapter, this chapter prevails to the extent of the inconsistency.</i>	The provisions in this chapter of the Housing SEPP prevail over the provisions in the KLEP 2015.  Accordingly, the proposed development has been assessed under the provisions of this chapter where inconsistencies occur.	Section 4
<b>154 Development permitted with development consent in Transport Oriented Development Areas</b>			
(1)	<i>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,</i>	The proposed development is permitted in accordance with Clause 154 of Chapter 5, Housing SEPP.	

Chapter/ Section	Consideration	Discussion	EIS ref
155 Maximum building height and maximum floor space ratio			
Chapter 5	<i>(2) The maximum building height for a residential flat building in a Transport Oriented Development Area is 22m.</i>	Chapter 2, Part 2, Division 1, Section 16(3) of the Housing SEPP allows for an additional 30% building height for residential flat buildings that include affordable housing, allowing for a total building height of 28.6m for the proposal. Proposal is consistent with the 28.6m height plane.	Section 6.1 and Appendix 5
	<i>(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,</i>	The proposed development provides affordable housing in accordance with Section 16(3) of the Housing SEPP and seeks to provide an additional 30% GFA. As such, 2.5:1 is the base FSR and an FSR of 3.16:1 is proposed which is compliant with the available bonus FSR..	Section 3
156 Affordable housing			
Chapter 5 (1)	<i>(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 2000m<sup>2</sup>.</i>	This section applies as the proposed gross floor area is 12,047m <sup>2</sup> .	Appendix 5
(2)	<i>Development consent must not be granted unless the consent authority is satisfied that— (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.</i>	19 affordable housing units are provided. This includes 2% of the gross floor area of the building.	Appendix 5

Chapter/ Section	Consideration	Discussion	EIS ref
(3)	<i>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.</i>	Noted.	N/A
(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.	19 affordable housing units are provided.  This includes 2% of the gross floor area of the building. This is in addition to the in-fill affordable housing requirements (pursuant to Section 16 of the Housing SEPP).	N/A
157 Affordable housing parking spaces			
	<p><i>(2) Development to which section 156 applies must provide the following number of parking spaces for each affordable housing dwelling required under that section—</i></p> <p><i>(a) for each dwelling containing 1 bedroom—0.4 parking space,</i></p> <p><i>(b) for each dwelling containing 2 bedrooms—0.5 parking space,</i></p> <p><i>(c) for each dwelling containing 3 or more bedrooms—1 parking space.</i></p>	Complies. The proposal provides 196 spaces, inclusive of 1 loading bay, 17 visitor spaces and 1 car share space.	Appendix 5

Chapter/ Section	Consideration	Discussion	EIS ref
158 Exception to minimum lot size			
	<p><i>(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).</i></p> <p><i>(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.</i></p>	Noted. Proposal complies with the minimum lot size.	Appendix 5
159 Minimum lot width			
	<i>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.</i>	Complies. The front building line will be approximately 53m.	Appendix 5
161 Consideration of Apartment Design Guide			
	<i>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.</i>	The Design Report prepared by PTI Architecture demonstrates compliance with the ADG.	Appendix 25

Section   Division 1 Infill affordable housing	Comment
15C Development to which Division applies	
<ul style="list-style-type: none"> <li><i>This division applies to development that includes residential development if</i></li> </ul>	<p>The proposed development (residential flat building) is permitted with consent pursuant to Section 154, Chapter 5 of the Housing SEPP.</p>
<ul style="list-style-type: none"> <li><i>the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and</i></li> </ul>	
<ul style="list-style-type: none"> <li><i>the affordable housing component is at least 10%, and</i></li> </ul>	<p>The proposal comprises 17.1% affordable housing.</p>
<ul style="list-style-type: none"> <li><i>all or part of the development is carried out— 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 for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</i></li> </ul>	<p>The site is within an accessible area in the Six Cities Region noting its proximity to Lindfield Train Station (500m walk).</p>
<ul style="list-style-type: none"> <li><i>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></li> </ul>	<p>Noted.</p>
16 Affordable housing requirements for additional floor space ratio	
<ul style="list-style-type: none"> <li><i>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 development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</i></li> </ul>	<p>This section requires the AH contribution to be 15% of the maximum permissible FSR + 30%.</p> <p>Based on the site area, the maximum FSR +30% results in a GFA of 12,385.75m<sup>2</sup>.</p>
<ul style="list-style-type: none"> <li><i>The minimum affordable housing component, which must be at least 10%, is calculated as follows—</i></li> </ul> <div data-bbox="336 1592 906 1653" style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <math display="block">\text{affordable housing component} = \frac{\text{additional floor space ratio}}{\text{(as a percentage)}} + 2</math> </div>	<p>Accordingly, the proposed floor area for affordable housing must be 1,857.86m<sup>2</sup> to comply with this section.</p> <p>Further, the TOD provisions require 2% of the GFA of the building to be provided as affordable housing. This requires an additional 205.64m<sup>2</sup> be provided as affordable housing.</p>

Section   Division 1 Infill affordable housing	Comment
	In total, the proposal must provide a minimum 2,063.5m <sup>2</sup> to utilise the bonuses under Section 16 of the Housing SEPP. Accordingly, the proposal provides for 2,066m <sup>2</sup> of the GFA as affordable housing.
<ul style="list-style-type: none"> <li>• <i>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 development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</i></li> </ul>	<p>The proposed development seeks to utilise the 30% bonus height and FSR incentives.</p> <p>A maximum building height of 28.6m is applied to the site.</p> <p>Proposed development complies.</p>
<ul style="list-style-type: none"> <li>• <i>This section does not apply to development on land for which there is no maximum permissible floor space ratio.</i></li> </ul>	N/A
<b>19 Non-discretionary development standards</b>	
<ul style="list-style-type: none"> <li>• <i>The following are non-discretionary development standards in relation to the residential development to which this division applies—</i></li> <li>• <i>(a) site area if the site area is at least 450 m<sup>2</sup></i></li> </ul>	Complies. Site area is 3,811m <sup>2</sup> .
<ul style="list-style-type: none"> <li>• <i>(b) a minimum landscaped area that is the lesser of—</i></li> <li><i>(i) 35m<sup>2</sup> per dwelling, or</i></li> <li><i>(ii) 30% of the site area,</i></li> </ul>	Complies. 30.2% of the site area (1,150 sqm) is proposed to be landscaped.
<ul style="list-style-type: none"> <li>• <i>(c) a deep soil zone on at least 15% of the site area, where—</i></li> <li><i>(i) each deep soil zone has minimum dimensions of 3m, and</i></li> <li><i>(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i></li> </ul>	<p>N/A as Chapter 4 applies pursuant to Subclause 3.</p> <p>Notwithstanding, 23.2% of the site is provided as deep soil.</p>
<ul style="list-style-type: none"> <li>• <i>(d) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,</i></li> </ul>	<p>N/A as Chapter 4 applies, pursuant to Subclause 3.</p> <p>Notwithstanding, 71% of units achieve 3 hours of solar access between 9am and 3pm in mid winter.</p>
<ul style="list-style-type: none"> <li>• <i>(e) the following number of parking spaces for dwellings used for affordable housing—</i></li> <li>○ <i>(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,</i></li> </ul>	Complies.

Section   Division 1 Infill affordable housing	Comment
<ul style="list-style-type: none"> <li>○ (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,</li> <li>○ (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,</li> </ul>	
<ul style="list-style-type: none"> <li>• (f) the following number of parking spaces for dwellings not used for affordable housing— <ul style="list-style-type: none"> <li>○ (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,</li> <li>○ (ii) for each dwelling containing 2 bedrooms—at least 1 parking space,</li> <li>○ (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,</li> </ul> </li> </ul>	<p>Complies.</p> <p>Total 196 spaces.</p>
<ul style="list-style-type: none"> <li>• (g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,</li> </ul>	<p>Complies</p> <p>The proposed apartment sizes significantly exceed the minimum internal area requirements outlined in the NSW Apartment Design Guide (ADG), offering enhanced residential amenity. See Architectural plans at Appendix 5</p>
19(3) Design requirements	
<p>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—</p> <p>(a) the desirable elements of the character of the local area, or</p> <p>(b) for precincts undergoing transition—the desired future character of the precinct.</p>	<p>The Architectural Design report at Appendix 25 demonstrates how the materials, finishes and colours chosen in the design are sympathetic to the surrounding area. These finishes will minimise the impact on the local character and integrate, as best as possible, with the existing architectural style of the locality.</p> <p>The statement also demonstrates how the proposed development will set a precedent for the gradual intensification of the area in Lindfield in response to the TOD objectives.</p> <p>Accordingly, the proposed development is compatible with the desired future character of the area.</p>

Section   Division 1 Infill affordable housing	Comment
21 Must be used for affordable housing for at least 15 years	
6. 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	Complies. A condition of consent can be imposed to ensure the affordable housing is used for a minimum period of 15 years.
7. <i>the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i>	
8. <i>the affordable housing component will be managed by a registered community housing provider.</i>	

### State Environmental Planning Policy (Planning Systems) 2021

The *State Environmental Planning Policy (Planning) 2021* seeks to identify development which is State Significant and Regionally Significant.

An assessment of the relevant provisions is detailed below.

Chapter/Section	Consideration	Discussion	EIS ref
Schedule 1, Clause 26A			
Section 2.6	Declaration of State Significant Development (Section 1 of this EIS)	The proposal is declared SSD under the Schedule 1 (26A) of the Planning System SEPP as the development has an EDC of more than \$75 million, noting it is wholly residential, and provides more than 10% of the GFA for the purposes of affordable housing in the Eastern Harbour City	Section 4.1 Appendix 4

### State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* seeks to reduce risk and build resilience in the face of natural hazards as well as development-related hazards. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref
Clause 4.6 - contamination and remediation to be considered in determining development application			
Section 4.6	(1) A consent authority must not consent to the carrying out of any development on land unless— (f) it has considered whether the land is contaminated, and (g) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and (h) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	A Preliminary Site Investigation is provided at Appendix 18 which demonstrates that the subject site may be made readily suitable for the proposed development having regard to contamination. Notwithstanding, it is recommended that a Detailed Site Investigation be prepared prior to construction works which can be imposed as a condition of consent.	Section 6.7 Appendix 18

## State Environmental Planning Policy (Sustainable Building) 2022

The State Environmental Planning Policy (Sustainable Building) 2022 (Sustainable Buildings SEPP) encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials.

Sustainability commitments and objectives have been incorporated into the design of the proposed development to achieve a high level of energy efficiency and sustainability.

Specific design elements have been integrated in the development to ensure the building embodies best practice sustainable design.

Chapter/ Section	Consideration	Discussion	EIS ref
Section 2.1	Standards for BASIX development and BASIX optional development	An Ecologically Sustainable Development Report (ESD Report) is provided which demonstrates how the development will minimise waste, reduce demand for electricity and water, and utilise renewable energy. The Architectural Plans are also supported by a BASIX Certificate.	Section 6.12 Appendix 19

### State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* seeks to guide the provision of well-designed and located infrastructure including transport. An assessment of the relevant provisions is detailed below.

Chapter/ Section	Consideration	Discussion	EIS ref
2. Infrastructure			
Section 2.48	Section 2.48 provides that any development carried out within 5m of an exposed overhead electricity powerline is to be notified to the electricity supply authority and consideration given to any response received.	The site adjoins an overhead power line at the street frontage. The application will therefore require referral to the relevant electricity supply authority for comment.	Section 4

### Ku-ring-gai Local Environmental Plan 2015

*Ku-ring-gai Local Environmental Plan 2015* (KLEP 2015) regulates development throughout the Lindfield area. As the *State Environmental Planning Policy (Housing) 2021* applies to the site, the LEP does not apply.

Notwithstanding, for consistency, an assessment against the provisions of the KLEP 2015 has been provided below.

Clause	Consideration	Discussion	Complies
2.2 Zoning	R2 Low Density Residential	The site is located within a TOD precinct and therefore permissibility of a residential flat building is made via Section 154 of the Housing SEPP which reads as follows:	Subject to provisions of the Housing SEPP

Clause	Consideration	Discussion	Complies
		<p>154 Development permitted with development consent in Transport Oriented Development Areas</p> <p>(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—</p> <ul style="list-style-type: none"> <li>(a) a relevant residential zone,</li> <li>(b) Zone E1 Local Centre or an equivalent land use zone,</li> <li>(c) for land in the Canterbury-Bankstown local government area— Zone B2 Local Centre.</li> </ul>	
4.3 Height of buildings	9.5m	N/A. Refer to Clause 155 of Chapter 5, Housing SEPP.	N/A
4.4 Floor space ratio	0.3:1	N/A. Refer to Clause 155 of Chapter 5, Housing SEPP.	N/A
5.10 Heritage conservation	N/A	<p>There are no heritage items on the site. The access handle to Russell Avenue from 18 Middle Harbour Road adjoins an HCA.</p> <p>A Heritage Impact Assessment is provided at Appendix 15 which demonstrates the proposal has no material impact to surrounding items or HCAs.</p>	N/A
5.21 Flood planning	<p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li>(a) to minimise the flood risk to life and property associated with the use of land,</li> <li>(b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,</li> </ul>	<p>The site is identified as being affected by an overland flow path in the north-eastern corner of No. 18-20 Middle Harbour Road.</p> <p>The Flood Impact and Risk Assessment at Appendix 17 confirms that the proposal does not have any significant impacts on flood behaviour and can mitigate potential flood impacts.</p>	Yes

Clause	Consideration	Discussion	Complies
	<p>(c) to avoid adverse or cumulative impacts on flood behaviour and the environment,</p> <p>(d) to enable the safe occupation and efficient evacuation of people in the event of a flood.</p>		
6.1 Acid Sulfate Soils	(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	<p>The site is mapped as Class 5 on the Acid Sulfate Soils map.</p> <p>This has been addressed within the Geotechnical Report which confirms that the site is unlikely to host any acid sulfate soils.</p>	Yes
6.2 Earthworks	(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	A Geotechnical Assessment is provided at Appendix 10 and provides detail on the existing geotechnical conditions at the site, demonstrating the site is suitable for redevelopment	Yes
6.3 Biodiversity Protection	<p>(1) The objective of this clause is to protect, maintain and improve the diversity and condition of native vegetation and habitat, including—</p> <p>(a) protecting biological diversity of native fauna and flora, and</p> <p>(b) protecting the ecological processes necessary for their continued existence, and</p>	<p>A BDAR Assessment is provided at Appendix 6 and provides details on the existing biodiversity mapped onsite and the proposed mitigation measures.</p> <p>The BDAR confirms that the site is appropriate for the proposed redevelopment subject to one species offset credit to mitigate the impact of identified PCT removal.</p>	Yes

Clause	Consideration	Discussion	Complies
	<p>(c) encouraging the recovery of threatened species, communities, populations and their habitats, and</p> <p>(d) protecting, restoring and enhancing biodiversity corridors.</p>		
<p>6.6 Requirements for multi dwelling housing and residential flat buildings</p>	<p>(2) Despite any other provision of this Plan, development consent must not be granted for the erection of multi dwelling housing or a residential flat building on a lot in a residential zone unless the lot has an area of at least 1,200 square metres and minimum dimensions (width and depth) of at least—</p> <p>(a) if the area of the land is less than 1,800 square metres—24 metres, or</p> <p>(b) if the area of the land is 1,800 square metres or more—30 metres.</p>	<p>The proposed development is compliant with Clause 6.6 for the development of a residential flat building noting the site area is 3,811m<sup>2</sup>.</p>	<p>Yes</p>

## Ku-ring-gai Development Control Plan 2024

Control	Consideration	Discussion	EIS ref
<i>Chapter 3 - Land Consolidation and subdivision</i>			
<b>3B LAND CONSOLIDATION</b>			
1	<i>Land consolidation is to increase the width of the street frontage and avoid irregular lot configuration.</i>	The site satisfies the minimum lot size and frontage requirements	Section 6.1
2	<i>Where development is proposed to cross lot boundaries, consolidation of the subject lots will be required.</i>	The site will be consolidated.	
4	<i>Lot consolidation is to avoid creating: (i) a primary street frontage less than that required by KLEP; (ii) a lot size less than that required by KLEP; and/or (iii) a highly constrained site.</i>	The existing street frontage will not be less than the minimum requirements in the KLEP 2015. Notwithstanding, subdivision and subsequent lot consolidation is not proposed under this application.	
<i>Chapter 7 Residential Flat Buildings</i>			
1	<i>All Residential Flat Buildings are to be designed by an architect registered with the NSW Architects Registration Board.</i>	The proposed residential flat building is designed by PTI Architects who are registered architects under the NSW Architects Registration Board.	N/A
<b>7A.3 BUILDING SETBACKS</b>			
1	<i>Street Setbacks  10.0m from the street boundary</i>	A 10m front setback is provided.	Section 6.1
5	<i>Side and Rear setbacks  Residential flat buildings are to meet the following side and rear setback requirements to ensure deep soil, landscaping and tall trees are accommodated to all sides of the building:</i>	As demonstrated in the Architectural Plans the setbacks are largely compliant.	Section 6.1.2

Control	Consideration	Discussion	EIS ref
	<p><i>i) a minimum of 6m from the side boundary for all levels up to the fourth storey</i></p> <p><i>ii) a minimum of 9m to the fifth storey and above</i></p>		
7	Side setback areas behind the building line are not to be used for driveways or for vehicular access into the building	Access is provided from Middle Harbour Road and does not encroach into side setbacks.	
8	<i>Driveways are to be set back a minimum of 6m from the side boundary within the street setback to allow for deep soil planting a minimum of 8.0m from the street boundary to the fourth storey and above;</i>	The driveway is setback over 6m from the side boundaries.	
11	<p><i>Encroachments</i></p> <p><i>Basements are not to encroach into the street, side and rear setbacks. Side setback areas behind the building line are not to be used for driveways or for vehicular access into the building</i></p>	The basement is setback 4m from the side and rear boundaries. Notwithstanding, compliant deep soil and landscaping areas are achieved.	
7B.1 Car Parking Provision			Section 6.8
4	<p><i>The basement car park is not to project more than 1.0m above existing ground level.</i></p> <p><i>Note: Basements greater than 1m above the natural existing ground level are counted as a storey for the purposes of this DCP and will be included in the floor space ratio calculation as well as any control based on the number of storeys.</i></p>	The proposed development responds to the site's topography and has no portion of the basement outside of the footprint of the ground level.	Appendix 5
57B.1 CAR PARKING PROVISION	<i>Single lane aisles, straight ramps and tunnels are to be a maximum of 12.0m in length.</i>	Demonstrated in the Architectural Plans.	

Control	Consideration	Discussion	EIS ref
7 Car parking design	<i>Car park entry is to be integrated within the building and located behind the building line.</i>	The car park entry point is located behind the building line, as demonstrated in the Architectural Plans.	
9 2	<i>The following parking ranges apply; to residential flat developments on sites within 800m walking distance of a railway station entry:</i>	Noted.	
10 3	<i>For all other locations, car parking is to be provided in accordance with the parking rates in Section C Part 22R.1.</i>	Please refer to the Architectural Plans demonstrating the proposed car parking layout and associated provisions of spaces.	
11 4	<i>At least one visitor car space is to be accessible and be provided within the site for every 6 units. Apartments or part thereof, and is to comply with the dimensional and locational requirements of AS2890.6. The basement car park is not to project more than 1.0m above existing ground level.</i>  <i>Note: Basements greater than 1m above the natural existing ground level are counted as a storey for the purposes of this DCP and will be included in the floor space ratio calculation as well as any control based on the number of storeys.</i>	17 visitor spaces have been provided to comply with this provision.	
12 5	<i>One visitor parking bay is to be provided with a tap, to make provision for on-site car washing. Single lane aisles, straight ramps and tunnels are to be a maximum of 12.0m in length.</i>	As shown in the Architectural Plans, the proposed development contains a single car wash bay space.	
13 7	<i>A clearly signposted parking bay for temporary parking of service and removalist vehicles is to be provided. The space is to have the following standards:</i>  <i>i) a minimum dimension of 3.5m x 6m;</i>	As shown in the Architectural Plans, a dedicated loading bay has been provided at Lower Ground Level.	

Control	Consideration	Discussion	EIS ref
	<p><i>ii) a minimum manoeuvring area 7m wide.</i></p> <p><i>Note: Where a separate space can not be provided, one of the visitor spaces may be used as the service/removalist parking spaces provided it meets the dimensions stated in 13(i) and 13(ii) above. Car park entry is to be integrated within the building and located behind the building line.</i></p>		
148	<p><i>At least one car share space is to be provided in the basement per 90 dwellings, or part thereof.</i></p> <p><i>Note: any proposed reduction in car parking on the basis of providing car share space/s is to be justified by the proponent through supporting studies. Every Platinum Level unit requires an accessible car space designed to Australian Standard 2890.6.</i></p> <p><i>Note: All common areas and paths of travel are to be accessible in line with the requirements of the National Construction Code.</i></p>	<p>A shown in the Architectural Plans, the proposed development contains a single car share space.</p>	
7B.2 BICYCLE PARKING PROVISION	<p><i>For all other locations, car parking is to be provided in accordance with the parking rates in Section C Part 22R.1.</i></p> <p><i>Note: A Traffic Impact Assessment is to accompany Development Applications that seek to vary the parking rates. This includes commercial or strata funded car share schemes in lieu of parking spaces.</i></p>	<p>Car parking has been provided in accordance with the parking rates in Section C Part 22R.1, as described in the TPA.</p>	

Control	Consideration	Discussion	EIS ref
1 11	<p><i>Onsite secure bicycle parking spaces and storage within basements is to be provided at the following rates:</i></p> <ul style="list-style-type: none"> <li>• <i>For Residents</i> <ul style="list-style-type: none"> <li>○ <i>1 bicycle parking space per dwelling within the residential car park area - in the form of an individual locker or secure room as per AS2890.3.</i></li> </ul> </li> <li>• <i>Visitors</i></li> </ul> <p><i>Visitors 1 bicycle parking space per 10 units or part thereof within the visitor car park area - in the form of a bicycle parking device or rack as per AS2890.3. At least one visitor car space is to be accessible and be provided within the site for every 6 units apartments or part thereof, and is to comply with the dimensional and locational requirements of AS2890.6.</i></p>	<p>The proposed development includes 110 bicycling parking spaces as shown on the Architectural Plans which demonstrates compliance with this control (i.e. 100 spaces for residents and 10 visitors).</p>	
12	<p><i>One visitor parking bay is to be provided with a tap, to make provision for on-site car washing.</i></p>	<p>The proposed development includes 1 car wash bay as shown in the TIA and on the architectural plans.</p>	
2 7B.2 BICYCLE PARKING PROVISION			
114	<p><i>At least one visitor car space is to be accessible and be provided within the site for every 6 units, apartments or part thereof, and is to comply with the dimensional and locational requirements of AS2890.6. The basement car park is not to project more than 1.0m above existing ground level.</i></p> <p><i>Note: Basements greater than 1m above the natural existing ground level are counted as a storey for the purposes of this DCP and will be included in the floor space ratio calculation as well as any control based on the number of storeys.</i></p>	<p>The proposal provides for adequate accessible car parking spaces in accordance with the relevant Australian Standards.</p>	<p>Section 6.8 Appendix 5</p>

Control	Consideration	Discussion	EIS ref
12 5	<p><i>One visitor parking bay is to be provided with a tap, to make provision for on-site car washing. Single lane aisles, straight ramps and tunnels are to be a maximum of 12.0m in length.</i></p>	<p>The proposed development includes a single car wash bay as shown on the plans and in the TPA.</p>	
13 7	<p><i>A clearly signposted parking bay for temporary parking of service and removalist vehicles is to be provided. The space is to have the following standards:</i></p> <p><i>i) a minimum dimension of 3.5m x 6m;</i></p> <p><i>ii) a minimum manoeuvring area 7m wide.</i></p> <p><i>Note: Where a separate space can not be provided, one of the visitor spaces may be used as the service/removalist parking spaces provided it meets the dimensions stated in 13(i) and 13(ii) above. Car park entry is to be integrated within the building and located behind the building line.</i></p>	<p>The proposed parking bay will be provided and signposted as shown on the plans and as per BCA requirements.</p>	
148	<p><i>At least one car share space is to be provided in the basement per 90 dwellings, or part thereof.</i></p> <p><i>Note: any proposed reduction in car parking on the basis of providing car share space/s is to be justified by the proponent through supporting studies. Every Platinum Level unit requires an accessible car space designed to Australian Standard 2890.6.</i></p> <p><i>Note: All common areas and paths of travel are to be accessible in line with the requirements of the National Construction Code.</i></p>	<p>The proposed development incorporates 196 residential car parking spaces for the proposed 98 apartments demonstrating compliance with this control.</p>	

Control	Consideration	Discussion	EIS ref
7B.2 BICYCLE PARKING PROVISION10	<p><i>For all other locations, car parking is to be provided in accordance with the parking rates in Section C Part 22R.1.</i></p> <p><i>Note: A Traffic Impact Assessment is to accompany Development Applications that seek to vary the parking rates. This includes commercial or strata funded car share schemes in lieu of parking spaces.</i></p>	A Traffic and Parking Assessment is included with this EIS and attached in Appendix 21.	
1	<p><i>Onsite secure bicycle parking spaces and storage within basements is to be provided at the following rates:</i></p> <ul style="list-style-type: none"> <li>• <i>For Residents</i> <ul style="list-style-type: none"> <li>○ <i>1 bicycle parking space per dwelling within the residential car park area - in the form of an individual locker or secure room as per AS2890.3.</i></li> </ul> </li> <li>• <i>Visitors</i></li> </ul> <p><i>Visitors 1 bicycle parking space per 10 units or part thereof within the visitor car park area - in the form of a bicycle parking device or rack as per AS2890.3. At least one visitor car space is to be accessible and be provided within the site for every 6 units apartments or part thereof, and is to comply with the dimensional and locational requirements of AS2890.6.</i></p>	The proposed development includes 100 resident bicycle parking spaces and 10 visitor bicycle spaces demonstrating compliance with bicycle parking requirements.	
Chapter 13 - TREE AND VEGETATION PRESERVATION			
1	<p><i>The prescribed tree and vegetation that are protected by Part 3 of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 2, Vegetation in Non-Rural Areas, Part 2.3 and this section of the DCP include</i></p> <ul style="list-style-type: none"> <li>- <i>tree</i></li> <li>- <i>other vegetation</i></li> <li>- <i>native vegetation:</i></li> </ul>	Refer to the accompanying Arborist Report, BDAR and Landscape plans included with this EIS.	<p>Section 6.4</p> <p>Section 6.10</p> <p>Appendix 6</p> <p>Appendix 8</p> <p>Appendix 16</p>

Control	Consideration	Discussion	EIS ref
	<i>Note: Refer to Part 1B Dictionary for definitions of “tree”, “other vegetation”, “native vegetation”, “clearing”.</i>		
ix) iii)	<i>Selecting plant species that enhance local fauna habitat.</i>	Refer to the accompanying, BDAR and Landscape Plans included with this EIS.	Section 6.4 Section 6.10 Appendix 6 Appendix 8
3 iv)	<i>Trees adjacent to threatened ecological communities are to be retained as a buffer. This does not apply to trees listed in Council’s Weed Management Policy. Locating built structures to reduce fragmentation of open space areas and vegetation (including canopy);</i>	Refer to the accompanying BDAR and Landscape Plans included with this EIS.	Section 6.4 Section 6.10 Appendix 6 Appendix 8 Appendix 16
4 v)	<i>The development must retain existing site drainage patterns and minimise excavation and fill within 3m of Green web lands. locating buildings to take advantage of environmental features;</i>	Refer to the Stormwater Management Plans accompanying this EIS.	Appendix 22
5 vi)	<i>Where the slope over the building footprint area is greater than 12.5%, site responsive methods such as stepping the building down the site, split level construction or pier and beam construction must be used. Implementing a soil and water management plan to limit impact;</i>	Refer to the Architectural Plans accompanying this EIS.	Appendix 5

## Appendix 5: Architectural Plans



## Appendix 6: Biodiversity Development Assessment Report (BDAR)

## Appendix 7: Estimated Development Cost Report

## Appendix 8: Landscape Plans

## Appendix 9: Access Report

## Appendix 10: Geotechnical Report

## Appendix 11: Wind Environment Statement

## Appendix 12: Engagement Report



## Appendix 13: Waste Management Plan

## Appendix 14: Noise and Vibration Assessment

## Appendix 15: Heritage Impact Assessment

## Appendix 16: Arborist Report

## Appendix 17: Flood Impact and Risk Assessment

## Appendix 18: Preliminary Site Investigation

## Appendix 19: Ecologically Sustainable Development Report

## Appendix 20: Aboriginal Heritage Impact Assessment

## Appendix 21: Traffic and Parking Assessment

## Appendix 22: Integrated Water Management Plan

## Appendix 23: Visual Impact Assessment

## Appendix 24: Survey

## Appendix 25: Design Report

## Appendix 26: BASIX Certificate

## Appendix 27: Stormwater Management

## Appendix 28: Driveway Civil Plans

## Appendix 29: Social Impact Assessment

## Appendix 30: Natural Ventilation Report

## Appendix 31: Owners Consent

## Appendix 32: Concept Plans - 22 Middle Harbour Road

## Appendix 33: Design Statement

## Appendix 34: BCA Report

## Appendix 35: Community Housing Letter of Support

## Appendix 36: Crime Prevention Report