

Appendix 28 – Statutory Compliance Table
SSD-98068713: 65 Muston Street, Mosman

Relevant Provision	Assessment	Where Addressed in EIS
Environmental Planning and Assessment Act 1979		
1.3 The objects of this Act are as follows—		This appendix.
(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,	The development is consistent with this objective in that it provides additional high quality housing on an existing residential site in an accessible location including 3 large 3 bedroom affordable housing units suitable for families.	
(b) to promote the supply, delivery and maintenance of housing, including affordable housing,	The development is consistent with this objective in that it provides additional high quality housing in an accessible location including 3 large 3 bedroom affordable housing units suitable for families.	
(c) to promote productivity through the development and management of the State and its resources,	The development is consistent with this objective in that it makes efficient use of an appropriately zoned and serviced site in an accessible location.	
(d) to protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,	The development is consistent with this objective in that it has no significant impact on threatened species of native animals and plants and ecological communities and their habitats.	
(e) to promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,	The development is consistent with this objective in that it incorporates energy efficiency through compliance with the requirements of BASIX.	
(f) to promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,	The development is consistent with this objective in that it has no significant impact on built and cultural heritage, including Aboriginal cultural heritage.	
(g) to promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,	The development is consistent with this objective in that it is a verified design and can comply with the relevant requirements of the NCC.	
(h) to provide opportunities for participation in environmental planning and assessment,	The development is consistent with this objective in that community and stakeholder engagement has occurred during the design development and impact assessment phases and will occur through notification and exhibition of the SSDA in accordance with the requirements of the EP&A Act and Regulation.	
(i) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The development is consistent with this objective in that this EIS considers relevant economic, environmental and social considerations.	
(j) to promote a proportionate and risk-based approach to environmental planning and assessment,	The development is consistent with this objective in that this EIS includes an assessment of environmental and regulatory matters appropriate for the scale, nature and likely environmental impacts of the development including addressing SEARs.	
(k) to promote the orderly and economic use and development of land	The development is consistent with this objective in that it meets the strong demand for additional homes in an accessible location and improves affordability. The development makes efficient use of accessible and serviced residential.	
4.15 (1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—	These matters are discussed throughout the EIS and the supporting appendices	Section 5 and Section 6 of the EIS..
(a) the provisions of any of the following that apply to the land to which the development application relates —		
(i) any environmental planning instrument, and	These relevant instruments are discussed in Chapter 5 and this appendix.	This appendix.
(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), and	The only relevant draft instrument is the draft Climate Change and Hazards SEPP discussed in this appendix.	
(iii) any development control plan, and	As stated in Section 2.10 of the Planning Systems SEPP, DCP's do not apply to state significant development.	This appendix.

Relevant Provision	Assessment	Where Addressed in EIS
(iiia) 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, and	No planning agreement applies to the site and the developer has not offered to enter into a planning agreement.	N/A
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	Section 61 of the EP&A Regulation sets out additional matters for consideration in the determination of a development application. The only relevant matter is that the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures. Demolition is proposed to take place in accordance with this Australian Standard and a condition of consent to this effect is invited.	N/A
(b) the significant 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 have been assessed in detail in the EIS.	This appendix.
(c) the suitability of the site for the development,	The site has been found to be suitable for the proposed development through detailed site analysis and assessment of impacts as detailed in the EIS and accompanying appendices.	Sections 3 and 6.21 of the EIS..
(d) any submissions made in accordance with this Act or the regulations,	Any submissions received during the exhibition process will be considered as required in the assessment and determination of this application.	N/A
(e) the public interest.	The proposed development is in the public interest as it will deliver new and additional housing including affordable housing in a manner that adequately responds to relevant environmental planning instruments and controls.	Section 6.21 of the EIS.
(1A) The regulations may, for the purpose of the consideration of a matter referred to in subsection (1)(b), (c) or (e), declare—		
(a) factors that are of relevance to development the subject of the development application, and		
(b) factors that are not of relevance to development the subject of the development application.	Section 65A of the EP&A Regulation deals with factors not of relevance to development application and states: <i>(1) For the purpose of the consideration of a matter referred to in section 4.15(1)(b), the significant likely impacts of other development for which consent is not sought in the development application are declared to be factors that are not of relevance to the development the subject of the development application.</i> <i>(2) In this section—</i> <i>other development means development that is likely to be, or will be, required to be carried out as a result of the development that is the subject of the development application.</i> This provision is noted.	Noted.
(1B) Despite subsection (1), a consent authority, in determining a development application, must not take into consideration a factor the subject of a declaration under subsection (1A)(b).	This provision is noted.	Noted.
Environmental Planning and Assessment Regulation 2021		
26 Information about affordable housing development		
(1) A development application for development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1, 2 or 5 applies must specify the name of the registered community housing provider who will manage— (a) for development to which Division 1 applies—the affordable housing component	Link Wentworth (ABN: 62 003 084 928) is a registered Tier 1 Community Housing Provider who will be responsible for managing the affordable housing component. The letter from Link Wentworth (Appendix 2) confirms the provider's agreement to this responsibility.	Section 3.3.5 of the EIS and Appendix 2.
61 Additional matters that consent authority must consider		
(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures.	Section 61 of the EP&A Regulation sets out additional matters for consideration in the determination of a development application. The only relevant matter is that the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures. Demolition is proposed to take place in accordance with this Australian Standard and a condition of consent to this effect is invited.	This appendix.
190 Form of environmental impact statement		

Relevant Provision	Assessment	Where Addressed in EIS
(1) An environmental impact statement must contain the following information—		
(a) the name, address and professional qualifications of the person who prepared the statement,		Declaration
(b) the name and address of the responsible person,		Section 1.1 of the EIS
(c) the address of the land—		
(i) to which the development application relates, or		Section 2.1 of the EIS
(ii) on which the activity or infrastructure to which the statement relates will be carried out,		
(d) a description of the development, activity or infrastructure,		Section 3 of the EIS
(e) an assessment by the person who prepared the statement of the environmental impact of the development, activity or infrastructure, dealing with the matters referred to in this Division.		Section 6 of the EIS and elsewhere in EIS
(2) The person preparing the statement must have regard to—		
(a) for State significant development—the State Significant Development Guidelines, or		Declaration
(b) for State significant infrastructure—the State Significant Infrastructure Guidelines.		N/A
(3) An environmental impact statement must also contain a declaration by a relevant person that—		Declaration
(a) the statement has been prepared in accordance with this Regulation, and		Declaration
(b) the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure, and		Declaration
(c) the information contained in the statement is not false or misleading, and		Declaration
(d) for State significant development or State significant infrastructure—the statement contains the information required under the Registered Environmental Assessment Practitioner Guidelines.		Declaration
191 Compliance with environmental assessment requirements The environmental impact statement must comply with the environmental assessment requirements notified under section 176 or the Act, section 5.16(4).		Part I of the EIS
192 Content of environmental impact statement		
(1) An environmental impact statement must contain the following—		
(a) a summary of the environmental impact statement,		Part II of the EIS
(b) a statement of the objectives of the development, activity or infrastructure,		Section 3.1 of the EIS
(c) an analysis of feasible alternatives to the carrying out of the development, activity or infrastructure, considering its objectives, including the consequences of not carrying out the development, activity or infrastructure,		Section 1.7 of the EIS
(d) an analysis of the development, activity or infrastructure, including—		
(i) a full description of the development, activity or infrastructure, and		Section 3 of the EIS
(ii) a general description of the environment likely to be affected by the development, activity or infrastructure and a detailed description of the aspects of the environment that are likely to be significantly affected, and		Section 2 of the EIS
(iii) the likely impact on the environment of the development, activity or infrastructure, and		Section 6 of the EIS
(iv) a full description of the measures to mitigate adverse effects of the development, activity or infrastructure on the environment, and		Section 6 of the EIS and summarised in Section 6.23 of the EIS.
(v) a list of the approvals that must be obtained under another Act or law before the development, activity or infrastructure may lawfully be carried out,		Section 5.3 of the EIS.

Relevant Provision	Assessment	Where Addressed in EIS
(e) a compilation, in a single section of the environmental impact statement, of the measures referred to in paragraph (d)(iv),		Section 6.20 of the EIS.
(f) the reasons justifying the carrying out of the development, activity or infrastructure, considering biophysical, economic and social factors, including the principles of ecologically sustainable development set out in section 193.		Section 6.21 of the EIS.
(2) This section is subject to the environmental assessment requirements that relate to the environmental impact statement.	Noted	
State Environmental Planning Policy (Housing) 2021		Section 5 of the EIS and this appendix.
Chapter 2 Affordable Housing		
Part 2 Development for affordable housing		
Division 1 In-fill affordable housing		
15A Objective of division		
The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.	The development includes an affordable housing component of 19%.	
15B Definitions	Noted	
(1) In this division—		
affordable housing component, of development, means the percentage of the gross floor area used for affordable housing.		
residential development means development for the following purposes—		
(a) attached dwellings,		
(b) dual occupancies,		
(c) dwelling houses,		
(d) manor houses,		
(e) multi dwelling housing,		
(f) multi dwelling housing (terraces),		
(g) residential flat buildings,		
(h) semi-detached dwellings,		
(i) shop top housing.		
(2) In this division, residential development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation is taken to be used for the purposes of affordable housing.		
15C Development to which division applies		
(1) This division applies to development that includes residential development if—		
(a) the development is permitted with consent under Chapter 3, Part 4, Chapter 5, Chapter 6 or another environmental planning instrument, and	Complies. The development is permitted with consent under the Mosman LEP 2012 and Chapter 6 of the housing SEPP.	
(b) the affordable housing component is at least 10%, and	Complies. The affordable housing component is 19%.	Section 3.2 of the EIS.

Relevant Provision	Assessment	Where Addressed in EIS
(c) all or part of the development is carried out—		
(i) for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or	Complies. The site is in an accessible area because it is land in the Six Cities Region within 400m walking distance of a bus stop used by a regular bus service, within the meaning of the Passenger Transport Act 1990, that has at least 1 bus per hour servicing the bus stop between— (i) 6am and 9pm each day from Monday to Friday, both days inclusive, and (ii) 8am and 6pm on each Saturday and Sunday. Bus stops are located on Military Road.	Appendix 6B of the EIS
(ii) for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.	N/A	
(2) Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.	There is no requirement under another chapter of the Housing SEPP, another environmental planning instrument or a planning agreement that requires the provision of affordable housing.	
(2A) This division does not apply to development—		N/A
(a) on land identified as an “Accelerated TOD Precinct” on the Accelerated Transport Oriented Development Precincts Rezoning Areas Map, or	The site is not identified as an Accelerated TOD Precinct.	
(b) on land identified as the “Warrawong Site” on the State Significant Development Sites Map, within the meaning of State Environmental Planning Policy (Planning Systems) 2021, Chapter 2, or	The site is not the Warrawong Site.	
(c) on land identified as the “Kanwal Site” on the State Significant Development Sites Map, within the meaning of State Environmental Planning Policy (Planning Systems) 2021, Chapter 2, or	The site is not the Kanwal Site.	
(d) carried out under the Codes SEPP, Parts 3B and 3BA, unless it is being carried out by or on behalf of the New South Wales Land and Housing Corporation constituted by the Housing Act 2001.	The development is not to be carried out as complying development.	
16 Affordable housing requirements for additional floor space ratio		
(1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the 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).	Complies. The development includes residential development to which this division applies. The maximum permissible floor space ratio is 2.2:1 as stated in Section 180(2)(a) of the Housing SEPP. The maximum FSR with the proposed affordable housing component is therefore up to 2.86:1. The proposed development has a FSR of 2.58:1	
(2) The minimum affordable housing component, which must be at least 10%, is calculated as follows— $\text{affordable housing component} = \frac{\text{additional floor space ratio}}{(\text{as a percentage})} \div 2$	Complies. The minimal affordable housing component required for an additional floor space ratio of up to 30% is therefore 15%. The development has an affordable housing component of 19%.	Section 3.2 of the EIS.
(3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).	Does not comply. The maximum permissible building height is 22 metres. The maximum building height given the maximum permissible building height plus 30% for the affordable housing component is 28.6 metres. The maximum building height of the development is 31.68 metres. A clause 4.6 variation request has been prepared in relation to this non-compliance.	Appendix 29A.
(4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.	The site is subject to a maximum permissible floor space ratio.	
19 Non-discretionary development standards—the Act, s 4.15		

Relevant Provision	Assessment	Where Addressed in EIS
(1) The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.		
(2) The following are non-discretionary development standards in relation to the residential development to which this division applies—		
(a) a minimum site area of 450m ² ,	Complies. Site has an area of 1,342m ² .	Section 3.2 of the EIS
(b) a minimum landscaped area that is the lesser of—		
(i) 35m ² per dwelling, or		
(ii) 30% of the site area,	Complies.	Appendix 5 and 15 of the EIS.
(c) a deep soil zone on at least 15% of the site area, where—	Not applicable because of S19(3) (see below)	
(i) each deep soil zone has minimum dimensions of 3m, and		
(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,		
(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,	Not applicable because of S19(3) (see below)	
(e) the following number of parking spaces for dwellings used for affordable housing—		Section 3.3.7 and Appendix 5 of the EIS.
(i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces,		
(ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,		
(iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space,	Complies. 2 spaces per 3 bedroom affordable dwelling provided.	
(f) the following number of parking spaces for dwellings not used for affordable housing—		Section 3.3.7 and Appendix 5 of the EIS.
(i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces,		
(ii) for each dwelling containing 2 bedrooms—at least 1 parking space,		
(iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,	Complies. 2 spaces per 3 bedroom dwelling provided.	
(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	Complies. The minimal internal area for a 3 bedroom dwelling in the ADG is 90m ² . The units in the development exceed this minimum.	
(h) for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide,	N/A	
(i) if paragraphs (g) and (h) do not apply, the following minimum floor areas—	N/A	
(i) for each dwelling containing 1 bedroom—65m ² ,		
(ii) for each dwelling containing 2 bedrooms—90m ² ,		
(iii) for each dwelling containing at least 3 bedrooms—115m ² plus 12m ² for each bedroom in addition to 3 bedrooms.		
(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	Chapter 4 applies to the development.	
21 Must be used for affordable housing for at least 15 years		

Relevant Provision	Assessment	Where Addressed in EIS
(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development—	Complies and is to be conditioned in accordance with the EP&A Regulation	Section 3 and Appendix 2.
(a) the development will include the affordable housing component required for the development under section 16, 17 or 18, and		Section 3 and Appendix 2.
(b) the affordable housing component will be managed by a registered community housing provider.		
22 Subdivision permitted with consent		
Land on which development has been carried out under this division may be subdivided with development consent.	Noted	
Chapter 6 Low and mid rise housing		
Part 1 Preliminary		
162 Aim of chapter		
The aim of this chapter is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport.	The development meets the aims of this chapter in that the site is well located in relation to goods services and public transport.	
163 Definitions		
In this chapter—		
low and mid rise housing area means—		
(a) land within 800m walking distance of—		
(i) land identified as “Town Centre” on the Town Centres Map, or	The site is within a low and mid rise housing area as it is within 800 metres walking distance of the Mosman Town Centre as shown on the Town Centres Map. Refer to the survey in Appendix 6B showing the distance to a town centre.	Appendix 6B.
(b) if a site area contains land identified in paragraph (a)—the site area.	Complies.	
Low and Mid Rise Housing Exclusion Map means the State Environmental Planning Policy (Housing) 2021 Low and Mid Rise Housing Exclusion Map.		
low and mid rise housing inner area means—		
(a) land within 400m walking distance of—		
(i) land identified as “Town Centre” on the Town Centres Map, or	The site is within a low and mid rise housing inner area as it is within 400 metres walking distance of the Mosman Town Centre as shown on the Town Centres Map as shown on the survey contained in Appendix 6B.	Appendix 6B.
(b) if a site area contains land identified in paragraph (a)—the site area.	Complies.	
Town Centres Map means the State Environmental Planning Policy (Housing) 2021 Town Centres Map.		
Part 4 Residential flat buildings and shop top housing		
Division 1 Preliminary		
174 Development permitted with development consent		
Development for the purposes of residential flat buildings is permitted with development consent on land to which this chapter applies in a low and mid rise housing area in Zone R2 Low Density Residential or R3 Medium Density Residential.	Complies. The site is within the R3 Medium Density Residential Zone and is in a low and mid rise housing area. The proposed residential flat building development is permissible.	See below in this tale.
175 Development standards—low and mid rise housing inner area	Complies.	See Appendix 6B.

Relevant Provision	Assessment	Where Addressed in EIS
	The site is within the R3 Medium Density Residential Zone and is in a low and mid rise housing area. The proposed residential flat building development is permissible.	
(1) This section applies to land in a low and mid rise housing inner area in Zone R3 Medium Density Residential or R4 High Density Residential.		
(2) Development consent must not be granted for development for the purposes of residential flat buildings with a building height of up to 22m unless the consent authority is satisfied the building will have 6 storeys or fewer.	This sub-section does not apply to the development because it has a building height of greater than 22m and provides in-fill affordable housing..	
(3) Development consent must not be granted for development for the purposes of a building containing shop top housing with a building height of up to 24m unless the consent authority is satisfied the building will have 6 storeys or fewer.	The development is not shop top housing.	
(4) In this section, a storey does not include a basement within the meaning of the standard instrument.	Noted	
177 Landscaping—residential flat buildings or shop top housing		
(1) This section applies to land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.	This section applies to the site.	
(2) Development consent must not be granted for development for the purposes of residential flat buildings or shop top housing unless the consent authority has considered the Tree Canopy Guide for Low and Mid Rise Housing, published by the Department in February 2025.	Complies. The Tree Canopy Guide for Low and Mid Rise Housing is discussed below in this table.	Addressed in this appendix.
178 Minimum lot size for residential flat buildings or shop top housing		
(1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.	Applies	
(2) A requirement specified in another environmental planning instrument or development control plan in relation to the following does not apply to development that meets the standards in section 180(2) or (3)—	Noted	See site survey in Appendix 6A.
(a) minimum lot size,		
(b) minimum lot width.		
Division 2 Non-discretionary development standards—the Act, s 4.15		
180 Non-discretionary development standards—residential flat buildings and shop top housing in Zone R3 or R4		
(1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.	This section applies.	
(2) The following non-discretionary development standards apply in relation to development on land in a low and mid rise housing inner area—		
(a) a maximum floor space ratio of 2.2:1,	This is the maximum permissible floor space ratio and maximum building height for the site and is subject to the provisions of Chapter 2 where an affordable housing component is to be provided.	
(b) for residential flat buildings—a maximum building height of 22m,		
Chapter 4 Design of residential apartment development		
143 Land to which chapter applies		
This chapter applies to the whole of the State, other than land to which State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 4 applies.	This chapter applies.	
144 Application of chapter		
(1) In this policy, development to which this chapter applies is referred to as residential apartment development.		

Relevant Provision	Assessment	Where Addressed in EIS
(2) This chapter applies to the following—		
(a) development for the purposes of residential flat buildings,	Applies as the development is for the purposes of a residential flat building.	
(3) This chapter applies to development only if—		
(a) the development consists of—		
(i) the erection of a new building, or	Applies as the development is for the purposes of a new building.	
(b) the building is at least 3 storeys, not including underground car parking storeys, and	Applies.	
(c) the building contains at least 4 dwellings.	Applies.	
(4) If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of the development for the purposes specified in subsection (2).	Noted.	
(6) To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 or Chapter 5 or Chapter 6 applies may also be residential apartment development under this chapter.	Noted.	
(7) In this section—	Noted.	
underground car parking storey means a storey used for car parking that is—		
(a) below ground level (existing), or		
(b) less than 1.2m above ground level (existing).		
147 Determination of development applications and modification applications for residential apartment development		
(1) Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—		
(a) the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,	These design principles are considered in the architect's design report prepared by Studio Johnston (Appendix 4)	Appendix 4.
(b) the Apartment Design Guide,	The ADG is considered in the architect's design report prepared by Studio Johnston (Appendix 4)	Appendix 4.
(c) any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.	There is no requirement to refer the proposal to a design review panel.	N/A
(3) To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.	Noted.	
(4) Subsection (1)(c) does not apply to State significant development.	Noted.	
148 Non-discretionary development standards for residential apartment development—the Act, s 4.15		
(1) The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.		
(2) The following are non-discretionary development standards—		
(a) the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,	Part 3J of the ADG does not specify a minimum number of car parking for this development.	
(b) the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,	Complies. Minimum apartment area is 216m ² .	Appendix 4 and 5.
(c) the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.	Complies.	Appendix 4 and 5.

Relevant Provision	Assessment	Where Addressed in EIS
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Sections 2.47, 2.48, 2.77, 2.97 to 2.100, 2.118 to 2.122, 2.120 and 2.143	These sections refer to development applications that potentially affect certain infrastructure and require referral to relevant agencies and identify matters for consideration in relation to certain development applications. None of these matters are relevant to the proposed development.	Not applicable
State Environmental Planning Policy (Planning Systems) 2021		
Part 2.2 State significant development		
Division 1 General		
2.6 Declaration of State significant development: section 4.36		
(1) Development is declared to be State significant development for the purposes of the Act if—		
(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and	The development is permissible with consent.	
(b) the development is specified in Schedule 1 or 2.	The development is specified in Schedule 1	Sections 1.6 and 5.1.
Schedule 1 State significant development—general		
26A In-fill affordable housing		
(1) Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if—		
(a) the part of the development that is residential development has an estimated development cost of—		
(i) for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region—more than \$75 million, or	The development has an estimated development cost of more than \$75 million.	Appendix 30.
(b) the development does not involve development prohibited under an environmental planning instrument applying to the land.	The development is not prohibited.	Section 5.
2.10 Application of development control plans to State significant development		
(1) Development control plans (whether made before or after the commencement of this Chapter) do not apply to—		
(a) State significant development, or	Noted.	
State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter 2 Vegetation in non-rural areas		
Part 2.1 Preliminary		
2.1 Aims of Chapter		
The aims of this Chapter are—		
(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and		
(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation		
Chapter 6 Water catchments		
6.1 Land to which Chapter applies		

Relevant Provision	Assessment	Where Addressed in EIS
This Chapter applies to land in the following catchments—		
(b) the Sydney Harbour Catchment,	The site is within a regulated catchment.	
Part 6.2 Development in regulated catchments		
6.6 Water quality and quantity		Appendix 23A and 23B.
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—		
(a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,	The water treatment system provided in the design will have a beneficial effect on water quality entering the waterway.	
(b) whether the development will have an adverse impact on water flow in a natural waterbody,	The tertiary water treatment system provided in the design will allow for a beneficial impact on water flow in a natural waterbody by removing solids and nutrients from the site runoff before it is discharged to the public system.	
(c) whether the development will increase the amount of stormwater run-off from a site,	The development does not increase the amount of stormwater run-off from a site.	
(d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,	The development has incorporated an on-site stormwater detention (OSD) system.	
(e) the impact of the development on the level and quality of the water table,	The development will impact on the water table because the groundwater will be intercepted by basement excavation. This has been addressed in the Groundwater Impact Assessment and Dewatering Management Plan (Appendix 13).	Appendix 13.
(f) the cumulative environmental impact of the development on the regulated catchment,	The development will have a positive cumulative environmental impact on the regulated catchment due to the design of the stormwater system provided.	
(g) whether the development makes adequate provision to protect the quality and quantity of ground water.	The development has no significant adverse impact on the quality and quantity of ground water, as groundwater will be collected and treated prior to discharge to the stormwater system.	
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—		
(a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and	In this case, the use of the erosion and sediment control measures that have been incorporated into the design will be of beneficial effect to the catchment during construction and during the use of the premises for its approved use. In addition, this will also minimise the impact on the water flow in a natural water body.	Appendix 23A and 23B.
(b) the impact on water flow in a natural waterbody will be minimised.		
(3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.	N/A	
6.7 Aquatic ecology		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—	The development will have no discernible negative impact on aquatic ecology.	
(a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation,		
(b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require—		
(i) a controlled activity approval under the Water Management Act 2000, or		
(ii) a permit under the Fisheries Management Act 1994,		
(c) whether the development will minimise or avoid—		
(i) the erosion of land abutting a natural waterbody, or		

Relevant Provision	Assessment	Where Addressed in EIS
(ii) the sedimentation of a natural waterbody,		
(d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,		
(e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology,		
(f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.		
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—		
(a) the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development,	The development will have no discernible adverse impact.	
(b) the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves,	The development will have no discernible adverse impact.	
(c) if a controlled activity approval under the Water Management Act 2000 or a permit under the Fisheries Management Act 1994 is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained,	N/A	
(d) the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody will be minimised,	The development will have no discernible adverse impact. Erosion and sedimentation measure will be implemented during construction.	
(e) the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.	The development will have no discernible adverse impact.	
(3) In this section—		
coastal wetlands and littoral rainforests area has the same meaning as in the Coastal Management Act 2016, section 6.		
6.8 Flooding		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.	The development will have no negative impact on flooding in any catchment.	
(2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not—	Land use is not changing and polluting activities not proposed.	
(a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or		
(b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.		
6.9 Recreation and public access		
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider—		
(a) the likely impact of the development on recreational land uses in the regulated catchment, and	The development will have no negative impact on recreational land uses in the regulated catchment.	
(b) whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	No impact.	
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—		

Relevant Provision	Assessment	Where Addressed in EIS
(a) the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation,	No impact.	
(b) new or existing points of public access between natural waterbodies and the site of the development will be stable and safe,	No impact.	
(c) if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.	No impact.	
(3) This section does not apply to development on land in a regulated catchment if the land is in a special area under the Water NSW Act 2014.		
6.10 Total catchment management		
In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.	No impact and no consultation required.	
State Environmental Planning Policy (Resilience and Hazards) 2021		
Chapter 4 Remediation of land		
4.6 Contamination and remediation to be considered in determining development application		
(1) A consent authority must not consent to the carrying out of any development on land unless—		
(a) it has considered whether the land is contaminated, and		
(b) 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	Complies. A preliminary site investigation has been undertaken and accompanies the EIS. This has considered whether the land is contaminated and found that the site is considered suitable for the proposed development subject to recommendations in the report.	Appendix 14.
(c) 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.	Note recommendations of the report contained in Appendix 14.	Appendix 14.
(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.	The development does not involve a change of use.	
(3) The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.	Detailed site investigation not required.	Appendix 14.
(4) The land concerned is—		
(a) land that is within an investigation area,		
(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,		
(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—		
(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and		

Relevant Provision	Assessment	Where Addressed in EIS
(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).		
State Environmental Planning Policy (Sustainable Buildings) 2022		
Chapter 2 Standards for residential development—BASIX		
2.1 Standards for BASIX development and BASIX optional development		
(1) A consent authority must not consent to the carrying out of any development on land unless—		
(5) Development consent must not be granted to development to which the standards specified in Schedule 1 apply unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified using an approved BASIX system.	Refer to ESD report and BASIX certificate.	Appendices 16A and 17.
Draft Climate Change and Natural Hazards State Environmental Planning Policy		
Climate change draft matters for consideration:		
consider climate risk and natural hazards, taking into account projected changes as a result of climate change	Site is not subject to bushfire or coastal hazards. Site is subject to some flooding in the PMF which has been considered by civil engineering consultants. Urban heat mitigation is supported through the retention and replacement of trees and the provision of additional canopy cover, which increases shading, reduces surface temperatures and improves pedestrian comfort. Building designed to a high standard of sustainability.	Appendices 4, 16A and 17.
minimise risk to development from climate risk and changing natural hazard exposure as a result of climate change.	As per above	Appendices 4, 16A and 17.
consider if the development is appropriately designed, constructed and operated to be resilient to the future impacts of climate change	The proposed building will be designed to current standards of sustainability and is in a well located and well services urban location allowing the efficient use of resources.	Appendices 4, 16A and 17.
use the appropriate prescribed climate scenarios for the relevant development assessment decision, as directed by the Climate Change Scenario Guidelines (draft exhibited with this EIE)	As this residential building is an SSD the SSP emissions scenario is SSP3-7 with a modelling timeframe of 50 to 100 years. However the development is considered to be in a lower risk scenario given the location and use. However, in this regard: - the flood study considers the PMF; - urban heat is addressed in the sustainable design of the building and its landscaping. - Social sustainability achieved through affordable housing commitments.	Appendices 4, 16A, 17 and 22.
Urban Heat policy objectives		
ensure new development considers urban heat and supports community resilience to increased temperatures using cooling planning and design measures	Urban heat has been addressed in the design of the development as reflected in the design report, the landscape scheme, the ESD report and the BASIX statement.	Appendices 4, 16A and 17.
ensure development impacting areas or communities with higher levels of vulnerability is planned and designed with greater consideration of urban heat impacts	The site is located in an area that does not have a high level of vulnerability based on the levels of socio-economic advantage. The development will provided affordable housing in the form of three 3 bedroom apartments suitable for families in a location close to goods and services.	Appendices 4, 16A and 17.
encourage the adaptation of existing development to improve heat resilience	Existing older style development is replaced with new residential accommodation that supports heat resilience through the retention and replacement of trees and the provision of additional canopy cover, which increases shading, reduces surface temperatures and improves pedestrian comfort. Building designed to a high standard of sustainability.	Appendices 4, 16A and 17.
contribute to the shaping of urban environments to support health and wellbeing during heatwaves and hot days	As per above	

Relevant Provision	Assessment	Where Addressed in EIS
build capacity in government, community and industry to better understand heat risks, implement cooling planning and design measures and drive innovative approaches in addressing urban heat	Noted	
Mosman Local Environmental Plan 2012		
Zone R3 Medium Density Residential		
1 Objectives of zone	Consistency with the above objectives needs to be considered in the light of the relevant provisions of the Housing SEPP. The Housing SEPP prevails over MLEP 2012 to the extent of any inconsistency.	
To provide for the housing needs of the community within a medium density residential environment.	The development provides for the housing needs of the community in a low to mid rise housing area.	
To provide a variety of housing types within a medium density residential environment.	The development broadens the range of housing types available in Mosman by providing additional three bedroom dwellings in a residential flat building.	
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Not applicable to this application.	
To provide for housing that is compatible with the desired future character of the area in terms of bulk, height and scale.	The development is compatible with the desired future character of the neighbourhood, as envisioned by Chapters 2 and 6 of the Housing SEPP.	
To encourage residential development that has regard to local amenity and, in particular, public and private views.	The development has regard to public and private views as analysed in the Visual Impact Assessment accompanying the EIS	Section 6 and Appendix 4.
2.3(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.	See above.	
2.7 Demolition requires development consent		
The demolition of a building or work may be carried out only with development consent.	Noted. Consent is sought for demolition.	
4.3 Height of buildings		
(1) The objectives of this clause are as follows—		
(a) for development on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone C4 Environmental Living—		
(i) to share public and private views, and		
(ii) to minimise the visual impact of buildings particularly when viewed from the harbour and surrounding foreshores, and		
(iii) to ensure that buildings are compatible with the desired future character of the area in terms of building height and roof form, and		
(iv) to minimise the adverse effects of bulk and scale of buildings,		
The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map which is 8.5m	The Chapter 6 (LMR) and infill affordable housing (Chapter 2 provisions of the Housing SEPP prevail over the 8.5m maximum building height control.	
4.3A Height of buildings (additional provisions)		
(1A) The objectives of this clause are as follows—		
(a) to provide for view sharing,		
(b) to minimise the adverse effects of the bulk and scale of buildings,		
(c) to encourage 2-storey buildings consistent with the desired future character of the area.	The Chapter 6 (LMR) and infill affordable housing (Chapter 2 provisions of the Housing SEPP prevail over this height control to the extent that they allow buildings greater than 2 storeys.	

Relevant Provision	Assessment	Where Addressed in EIS
(1) This clause applies to all land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone C4 Environmental Living to which a maximum building height of 8.5 metres applies as shown on the Height of Buildings Map.	A maximum building height of 8.5 metres does not apply to this development because of the provisions of Chapter 2 and Chapter 6 of the Housing SEPP.	
(2) The consent authority may refuse development consent for the erection of a building on land to which this clause applies if the building has more than two storeys above ground level (existing).		
(3) However, the consent authority may grant development consent for an additional storey in the foundation space of an existing building on land to which this clause applies if the consent authority is satisfied that the building height and bulk is of an appropriate form and scale.		
(4) A building on land to which this clause applies must not have a wall height, at any point of the building (other than at a chimney, gable end or dormer window), that exceeds 7.2 metres.	The development has a maximum wall height of 27m. A request to vary the wall height development standard has been prepared.	
4.6 Exceptions to development standards	Clause 4.6 variation request has been prepared for the maximum height of building in the Housing SEPP and maximum wall height development standards.	Appendix 29A and 29B.
(1) The objectives of this clause are as follows—		
(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,		
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.		
5.10 Heritage conservation		
(5) Heritage assessment The consent authority may, before granting consent to any development—	The site is in the vicinity of heritage items. The impacts of the development on heritage significance of these items is discuss in the Heritage Impact Assessment contained in Appendix 24.	Appendix 24 and Section 6.18.
(a) on land on which a heritage item is located, or		
(b) on land that is within a heritage conservation area, or		
(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),		
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.		
5.21 Flood planning		
(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—	A Flood Impact Report has been prepared to assess the impact of development on flood characteristics of the site.	Section 6.11 and Appendix 22.
(a) is compatible with the flood function and behaviour on the land, and		
(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and		
(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and		
(d) incorporates appropriate measures to manage risk to life in the event of a flood, and		
(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.		
(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—	A Flood Impact Report has been prepared to assess the impact of development on flood characteristics of the site.	Section 6.11 and Appendix 22.
(a) the impact of the development on projected changes to flood behaviour as a result of climate change,		
(b) the intended design and scale of buildings resulting from the development,		
(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,		

Relevant Provision	Assessment	Where Addressed in EIS						
(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.								
6.6 Landscaped areas								
(2) This clause applies to land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone C4 Environmental Living. (3) The consent authority may refuse to grant development consent to development involving the erection of a building unless at least the following minimum landscaped area of a site (as a percentage of the site area) is provided for the development— (b) for development resulting in more than one dwelling per lot— (i) 50%, for land identified on the Floor Space Ratio Map as having a maximum floor space ratio of 0.6:1 or less	The development does not comply with this development standard. In this regard, the Housing SEPP contains relevant landscaping standards for development to which Chapters 2, 4 and/or 6 of that SEPP relate.							
6.7 Earthworks								
(3) In deciding whether to grant development consent for earthworks, the consent authority must consider the following matters—	A geotechnical assessment has been submitted with the EIS (Appendix 12). It identifies how the proposed excavation will be managed. In relation to items (a) – (h) above the following observations can be made: - - in relation to (a), no existing drainage pattern will be disrupted and provided the excavation process is managed as per the submitted geotechnical report, soil stability and adjoining land will also not be disrupted; - in relation to (b), the proposed excavation is to facilitate the proposal and the redevelopment of the site for the purposes of a residential flat building with an affordable housing component; - in relation to (c), the quality of the excavated material will be as described in the geotechnical report; - in relation to (d), potential amenity impacts during construction will be minimised via preparation of a construction management plan as is typical for projects of this nature and scale; - in relation to (e), the only fill required is soil for the landscaped areas; the destination of excavated material has yet to be determined. - in relation to (f), the likelihood of disturbing relics on this site is very low. Required actions in the form of an 'unexpected finds protocol' can be implemented by way of a consent condition. - in relation to (g), there is no nearby watercourse. - in relation to (h), appropriate erosion and sedimentation control measures will be implemented during excavation and construction.	Appendix 12 and 13.						
(a) the likely disruption of, and detrimental effect, if any, on—								
(i) existing drainage patterns and soil stability in the locality, and								
(ii) the natural features of, and vegetation on, the land and adjoining land,								
(b) the effect of the development on the likely future use or redevelopment of the land,								
(c) the quality of the fill or the soil to be excavated, or both,								
(d) the effect of the development on the existing and likely amenity of adjoining properties,								
(e) the source of fill material and the destination of excavated material,								
(f) the likelihood of disturbing relics,								
(g) the proximity to, and potential for adverse impact on, a watercourse, drinking water catchment or environmentally sensitive area,								
(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.								
Tree Canopy Guide for Low and Mid Rise Housing								
Objectives: • Maintain and enhance canopy cover to mitigate urban heat, increase local amenity, reduce air pollution, support biodiversity and improve community health and wellbeing. • Provide sufficient deep soil to support healthy root system development and ensure canopy trees reach maturity.								
provide deep soil and tree canopy in line with Table 6: Table 6. Tree canopy and deep soil (residential flat buildings and shop-top housing) <table border="1"> <thead> <tr> <th>Site area</th><th>Tree canopy (min % site area)</th><th>Deep soil (min % site area)</th></tr> </thead> <tbody> <tr> <td>All lots</td><td>15%</td><td>7%</td></tr> </tbody> </table>	Site area	Tree canopy (min % site area)	Deep soil (min % site area)	All lots	15%	7%		Appendix 5 and 15.
Site area	Tree canopy (min % site area)	Deep soil (min % site area)						
All lots	15%	7%						

Relevant Provision	Assessment	Where Addressed in EIS																
seek to enhance tree canopy outcomes by providing deep soil and either the tree canopy percentage targets or the tree planting rates in Table 7: Table 7. Tree canopy and deep soil (residential flat buildings and shop-top housing – enhanced) <table><tr><th>Site area</th><th>Tree canopy (min % site area)</th><th>Deep soil (min % site area)</th><th>Tree planting rate</th></tr><tr><td><650 m²</td><td>15%</td><td>7%</td><td>For every 350 m² of site area or part thereof, plant at least one small tree in the deep soil area.</td></tr><tr><td>650-1,500 m²</td><td>15%</td><td>10%</td><td>For every 350 m² of site area or part thereof, plant at least one medium tree in the deep soil area.</td></tr><tr><td>>1,500 m²</td><td>20%</td><td>15%</td><td>For every 575 m² of site area, or part thereof, plant at least 2 medium trees or one large tree in the deep soil area.</td></tr></table>	Site area	Tree canopy (min % site area)	Deep soil (min % site area)	Tree planting rate	<650 m²	15%	7%	For every 350 m² of site area or part thereof, plant at least one small tree in the deep soil area.	650-1,500 m²	15%	10%	For every 350 m² of site area or part thereof, plant at least one medium tree in the deep soil area.	>1,500 m²	20%	15%	For every 575 m² of site area, or part thereof, plant at least 2 medium trees or one large tree in the deep soil area.	Deep soil = 10.1% Tree canopy = 15.7% Tree planting rate =1/335m²	
Site area	Tree canopy (min % site area)	Deep soil (min % site area)	Tree planting rate															
<650 m²	15%	7%	For every 350 m² of site area or part thereof, plant at least one small tree in the deep soil area.															
650-1,500 m²	15%	10%	For every 350 m² of site area or part thereof, plant at least one medium tree in the deep soil area.															
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