Submission: 27-29 Tryon Road, Lindfield NSW 2070

State Significant Development

15/05/2025

Dear Sir/Madam

I am writing in relation to the proposed State Significant Development application SSD-78669234 – Residential flat building with in-fill affordable housing – 27-29 Tryon Road, Lindfield. This building falls within the LGA I reside in, and I request that the concerns in this submission alongside other similar submissions will be considered and addressed to ensure a more than optimal outcome for the local community and the environment.

Though I may be providing comments, I object to the project in its current form until the issues presented in this submission are resolved. If the issues presented are resolved, I will support the project accordingly.

Deep soil

The deep soil provided for this site is not sufficient and will result in negative impacts on the environment. Deep soil plays an extremely important role in minimising environmental impacts. Due to Ku-ring-gai's proximity to national parks and endangered forests, this is vital for the LGA as impervious surfaces negatively impact the surrounding environment.

Impervious surfaces, such as concrete, have been linked to the cause of the urban heat island effect. This phenomenon results in increased temperatures in developed areas, particularly where there is little tree canopy cover to provide shade and cool the surrounding area through transpiration. Recent studies have shown that despite the cooling effects of tree canopy cover, there is a close relationship with the surface shaded. Due to the high thermal mass of concrete, it absorbs and retains heat longer than bare soil or bark mulch. As a result, it reduces the effectiveness of tree canopy cover as the heat is retained even after sunset – leading to higher surface air temperatures during the night (Kaluarachichi, Tjoelker, & Pfautsch, 2020; Pfautsch, & Tjoelker, 2020). Additionally, impervious surfaces prevent rainfall from infiltrating into the ground, leading to excessive surface runoff. This runoff contributes to stormwater pollution, disrupting local ecosystems and affecting nearby national parks. Stormwater also accelerates soil erosion, which affects soil fertility, weakens plant growth, and alters the natural landscape. Over time, this degradation impacts biodiversity, reduces water quality, and increases the risk of flooding, further stressing both built and natural environments. Due to this, reducing the amount of impervious surfaces and increasing deep soil area is vital to maintain environmental health.

However, the current proposed deep soil that complies with the ADG is 8.5% – significantly lower than the Ku-ring-gai Development Control Plan (KDCP) minimum of 50%, and just 1.5% more than the ADG minimum of 7%. Moreover, the SEPP requires a minimum of 15% deep soil with a minimum dimension of 3m, and the proposed development does not appear to be compliant with this standard. Not only will this lead to adverse environmental effects stated above, but will impact the surrounding tree-lined character of Lindfield. The presence of vegetation has proven to produce psychological benefits – positively impacting residents and community.

Site Area	Minimum Deep Soil Landscaping
Less than 1800 m^2	40% of the site
1800 m^2 or more	50% of the site

The Ku-ring-gai DCP requires a minimum of 50% deep soil (the proposed site is over 1800m^2)

Area Schedule (ADG3E1-DEEP SOIL)		
TYPE	AREA	%
ADG COMPLIANT (>=6m deep)	256 m^2	8.5%
OTHER DEEPSOIL	123 m^2	4.1%
TOTAL	379 m^2	12.6%

18 Non-discretionary development standards—the Act, s 4.15

(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of in-fill affordable housing 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 carrying out of development to which this Division applies—

(a) a minimum site area of 450m^2,

(b) for a development application made by a social housing provider—at least 35m^2 of landscaped area per dwelling,

(c) if paragraph (b) does not apply—at least 30% of the site area is landscaped area,

(d) a deep soil zone on at least 15% of the site area, where—

(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,

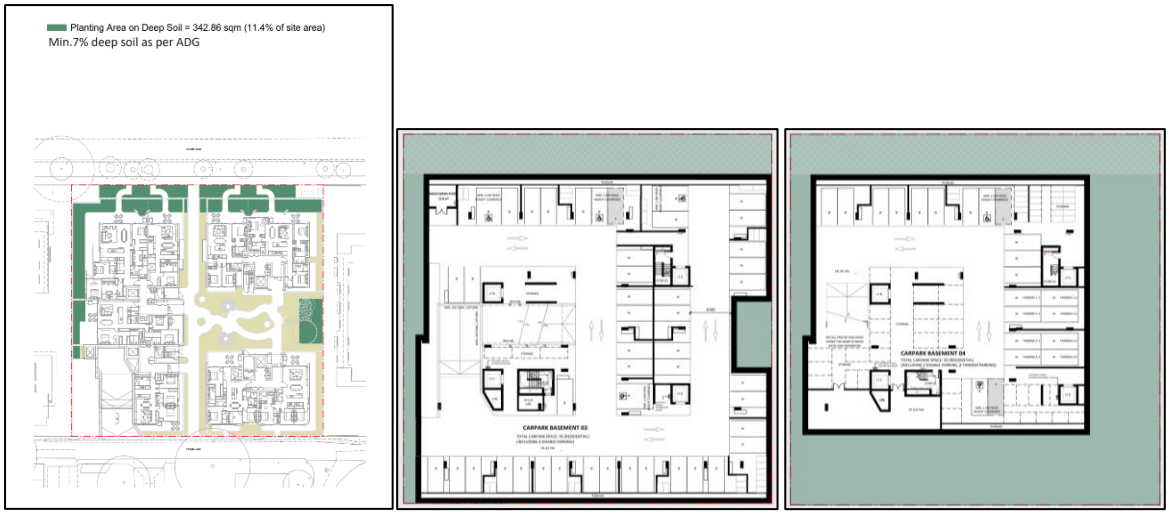
(e) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,

(f) for a development application made by a social housing provider for development on land in an accessible area—

The 12.6% deep soil provided is not entirely unobstructed – only 8.5% of ADG compliant deep soil is to be provided. The State Environmental Planning Policy (Housing) 2021 requires a minimum of 15% of the site area to be deep soil.

Despite having some advantages, not all standards required by the KDCP are environmentally oriented – it requires a higher minimum parking standard than what the SEPP typically allows or encourages. Cars have a higher environmental impact than alternative transport modes, and the proximity of this development to Lindfield railway station is planned to reduce car usage. However in this instance, the high number of parking spaces is adversely impacting the environment differently, as it has resulted in a large basement.

The most significant factors reducing the amount of deep soil proposed are the narrow setbacks due to the large footprint of the basement. For this site, the KDCP has been used to justify the high number of parking spaces – 123 spaces for 62 dwellings. On average, this is almost two spaces per dwelling, and has resulting in a inefficient four-level basement with two different footprints. Additionally, tandem parking is an inefficient layout that increases the number of parking spaces and the footprint of the basement, for minimal advantage. This provides limited deep soil opportunities throughout the site, negatively impacting the surrounding environment. In conjunction with potential risk for increase car usage and congestion, this plan must be revised to ensure that the development maintains a low ecological impact.



The inefficient and large basement with two different footprints results in limited space for deep soil. Additionally, tandem parking is an inefficient layout that increases the number of parking spaces and the footprint of the basement, for minimal advantage. It is unknown why the deep soil percentage stated on the image is not consistent with other figures.

PARKING SCHEDULE - OVERALL

TYPE	TARGET	PROVIDED	DCP RATE
VISITOR	11	13	1 PER 6 UNITS
RESIDENT	123	123	KRG DCP: 1 PER 1B,1.25 PER 2B, 2 PER 3B; Affordable housing: 0.4 PER 1B UNIT, 0.5 PER 2B UNIT, 1 PER 3+B UNIT; Non-affordable housing: 0.5 PER 1B UNIT, 1 PER 2B UNIT, 1.5 PER 3+B UNIT
MOTORCYCLE	10	10	1 PER 15 CAR SPACES FOR ALL TYPES OF DEVELOPMENT
CARWASH	2	2	
BICYCLE-VISI	7	7	1 RACK + 1 RACK PER 10 UNITS
BICYCLE-RESI	62	62	1PER 1 UNITS
TOTAL		217	

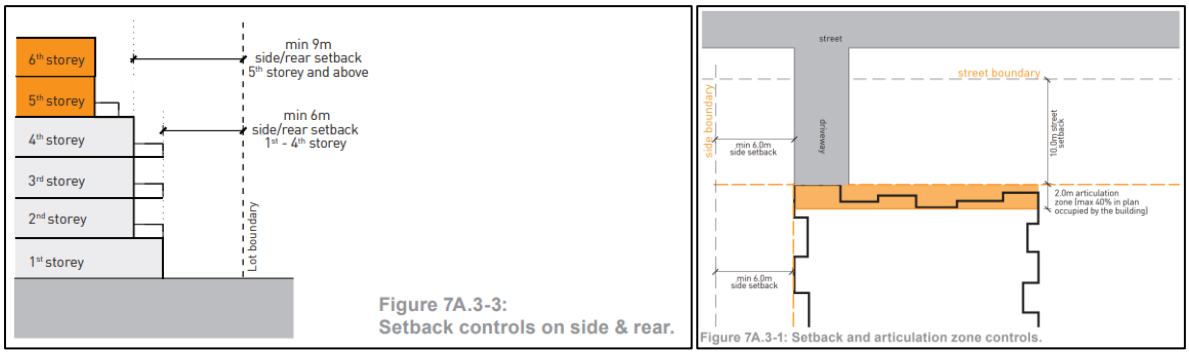
The excessive amount of parking reduces potential deep soil.

Requests:

- Rearrange the basement of the building to reduce its footprint. This may require reducing the number of parking spaces to achieve this or constructing an additional level below.
- Ensure than almost all the space within the building setback is utilised as deep soil. This is possible provided that the footprint of the basement is reduced.
- Ensure that the total amount of ADG compliant deep soil satisfies the minimum 15% required by the TOD SEPP and increase the amount of deep soil to the minimum 50% required by the KDCP, or at least as close to the minimum as possible. The adjacent 5 storey building has a similar site coverage but achieved the 50% deep soil area required by the DCP, so this should not be completely unfeasible.
- Increase the building height from 9 storeys to accommodate for the loss in floor area due to potential additional setbacks. This may result in a building height of 10-12 storeys.

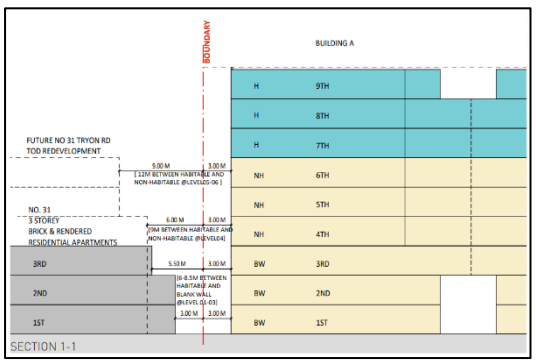
Setbacks

The 6m front setback and the 3m side setbacks are less than optimal for a building this size. In Ku-ring-gai Council, residential flat buildings constructed in the past have adhered to the minimum 10m front setback and 6-9m side setbacks stated on the KDCP. This practice allows increased deep soil, tree canopy cover, and vegetation to surround the building, encouraging the important environmental benefits stated in the above point, alongside providing residents with optimal views to nature and increased privacy. Additionally, the generous front setback allows the uniquely high-density building in the lower-density surrounding environment to share a similar character alongside older development or previous residential flat buildings regulated by the KDCP. This includes the tall, large trees and the open, blue sky associated with Ku-ring-gai.



The minimum setbacks stated on Part 14 of the Ku-ring-gai Development Control Plan.

However, the current proposed setbacks do not facilitate any of these benefits or qualities. The 6m setback may align similarly with adjacent developments, but at 9 storeys the proposed building is significantly taller than its 5 and 3 storey neighbours. Neither of these developments are likely to be upzoned, demolished, and rebuilt for many years due to financial viability and costs. The justification provided for the 3m side setbacks is that the responsibility of maintaining adequate building separation required by the NSW Apartment Design Guide should be passed to the future development, and that the future adjacent building must increase their setback to accommodate for this. This justification is questionable as it unfairly impacts adjacent sites.



EAST NEIGHBOUR - NO. 31 TRYON ROAD

'EXTRAORDINARY MEETING, KU-RING-GAI COUNCIL' Item GB.1
it is also assumed that buildings with strata schemes constructed in the last 15 years, even if <10 dwellings/owners, will not redevelop due to financial viability.

Above the 4th level, no buildings are planned or currently exist on the No. 31 site. In future TOD redevelopments, a 3m setback for our non-habitable room and a 9m setback on the neighbouring site will provide a total separation of 12m, ensuring compliance with the Apartment Design Guide (ADG) requirements for both habitable and non-habitable rooms between levels 5 and 8.

The minimum setbacks stated on by PTW SSD Design Report. The minimum building separation is based on the NSW Apartment Design Guide. The adjacent 3 storey building will not be redeveloped in the near future, but the responsibility of maintaining adequate building separation will be passed to the future developer.

Requests:

- Increase the front setback from 6 to 10m to allow for increased deep soil and to maintain the surrounding character for the reasons provided above. If the rare instance that 10m is deemed to be completely unfeasible, please increase the setback as much as possible to the target distance.
- Increase the side setback enough to ensure adjacent sites will not be required to increase the setback of future buildings more than the minimum requirements.
- Increase the building height from 9 storeys to accommodate for the loss in floor area due to the additional setbacks. This may result in a building height of 10-12 storeys.

References

Kaluarachichi, T. U. N., Tjoelker, M. G., & Pfautsch, S. (2020). Temperature reduction in urban surface materials through tree shading depends on surface type, not tree species. *Forests, 11*(11), 1141. https://doi.org/10.3390/f11111141

Pfautsch, S., & Tjoelker, A. (2020). The impact of surface cover and tree canopy on air temperature in Western Sydney. *Western Sydney University.* https://doi.org/10.26183/bk6d-1466