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Contact: Belinda Newell

Ref:
SSD-78996460

28 May 2025

Department of Planning Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Via: NSW Major Projects portal

Attention: Jasmine Tranquille

Dear Madam,

RE: SUBMISSION TO SSD-48028209, Residential development with infill affordable housing
Address: 16-24 Lord Street & 21-27 Roseville Avenue, Roseville

Thank you for the opportunity to comment on the State Significant Development (SSD) application (SSD-78996460) for the proposed Residential development with infill affordable housing at 16-24 Lord Street & 21-27 Roseville Avenue, Roseville.

This submission should be considered as an **objection** to the proposal. The submission (**Attachment 1**) gives a detailed explanation of the reasons for Council's objection.

It is noted that Council's key concerns with the application were identified and discussed with the applicant at a high-level briefing on the 27 February 2025 and remain unresolved.

The key issues with the proposal include: lack of compatibility with desired future character, bulk and scale impacts, ecological impacts, inadequate setbacks, exceedance of FSR and building height, overshadowing, inadequate solar access to apartments within the development, inadequate privacy within the development and privacy impacts upon adjoining properties, inadequate landscaped area and deep soil zones, inadequate response to the zone interface condition, tree removal and tree impacts, water management, vehicle access and parking, waste management and inappropriate setting and impacts to the heritage conservation area and heritage items adjoining and in the vicinity.

It is requested that the Applicant's Response to Submissions (RtS) is forwarded to Council for review prior to a determination being made. Council will be able to provide recommended conditions of consent following review of the RtS, unless there are substantial unresolved issues.

Should you have any further enquiries, please contact Belinda Newell, Executive Assessment Officer on 02 9424 0783.

Yours sincerely,

Shaun Garland
Manager Development Assessment Services

ATTACHMENT 1

Ku-ring-gai Council's objection to SSD- 78996460, 16-24 Lord Street & 21-27 Roseville Avenue, Roseville

URBAN DESIGN / PLANNING

1. Inconsistent with Aims

The aims of State Environmental Planning Policy (Housing) 2021 (SEPPH) Chapter 5 include to 'deliver mid-rise residential flat buildings...around rail... stations that — are well-designed, and are of appropriate bulk and scale, and provide amenity and liveability' (SEPPH 150(b)(i-iii)). These objectives are not considered to be met with significant heritage impacts, biodiversity impacts, non compliances with gross floor area and building height, solar access, natural cross ventilation, internalised living rooms, 'snorkel' bedrooms, and units for core per floor, inadequate deep soil landscaping and tree canopy as discussed in further detail below.

2. Failure to meet Design Principles in Schedule 9 of the SEPP

Pursuant to Section 147 of the SEPPH, the consent authority must be satisfied that the design of Residential Flat Buildings (RFBs) adequately addresses the design principles outlined in Schedule 9 of the SEPP. The proposal fails to meet the following design principles as detailed in the concerns raised below:

- Design Principle 1: Context and neighbourhood character
- Design Principle 2: Built form and scale
- Design Principle 5: Landscape
- Design Principle 6: Amenity
- Design Principle 9: Aesthetics

3. Desired future character

SEPPH 20(3) states that '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... for precincts undergoing transition, the desired future character of the area' (emphasis added).

Whilst SEPP Planning Systems 2.10(1) states that 'Development control plans... do not apply to State significant development,' it is considered that development control plans are the primary documents that describe the desired future character of the area. This is because a development control plan has shaped previous and future developments which do not trigger State Significant Development status, both within and outside the mapped Transport Oriented Development area.

This also seems to be implicitly acknowledged by SEARs 1(dp1) which requires that, 'all relevant legislation, environmental planning instruments..., plans, policies, guidelines and planning circulars' be addressed (emphasis added), and SEARs 6(dp1) which requires demonstration of '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' (emphasis added).

The future character for the site and surrounding properties as envisaged under the exhibited TOD alternative scenario has a height of buildings development standard of 9.5m and a floor space ratio development standard of 0.3:1. The TOD alternative scenario is directly relevant to the likely future character of the area given that the NSW Government has publicly supported the development of the TOD alternative and that public exhibition has occurred.

Compatibility is usefully defined in the Land and Environment Court of NSW Planning Principle in *Project Venture Developments Pty Ltd v Pittwater Council* [2005] NSWLEC 191 22-31. Project Venture states:

- i. *'the most apposite meaning (of "compatibility") in an urban design context is "capable of existing together in harmony."... It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as difference in these attributes increases, harmony is harder to achieve' (emphasis added).*
- ii. *'In order to test whether a proposal is compatible with its context, two questions should be asked — Are the proposal's physical impacts on surrounding development acceptable? (and)... Is the proposal's appearance in harmony with the buildings around it and the character of the street?'*
- iii. *'The physical impacts, such as... overlooking, overshadowing and constraining development potential, can be assessed with relative objectivity' (see Apartment Design Guide below with regard to overshadowing and building separation).*
- iv. *'for a new development to be visually compatible with its context, it should contain or least respond to, the essential elements that make up the character of the surrounding urban environment... The most important contributor to urban character is the relationship of built form to surrounding space, a relationship created by building height, setbacks and landscaping' (emphasis added).*
- v. *'Landscaping is also an important contributor to urban character. In some areas landscape dominates buildings, in others buildings dominate the landscape. Where canopy trees define the character, new developments must provide opportunities for planting canopy trees.' (see Apartment Design Guide below with regard to deep soil zones).*

The proposal fails to achieve consistency with the desired future character because:

- The Proposal is inconsistent with the planning principle established in *Seaside Properties v Wyong Council* (2004) 136 LGERA 111 at [25] (**Seaside Planning Principle**).
 - i) The Seaside Planning Principle provides (emphasis added):

*"[A]t a zone interface... any development proposal in one zone needs to recognise and take into account the form of existing development and/or development likely to occur in an adjoining different zone... [R]esidents living in [a smaller density zone]... must accept that a higher density and larger scale residential development can happen in the adjoining... [higher density] zones and whilst impacts must be within reason they can nevertheless occur... Conversely any development... must take into account its relationship to the [adjoining] zoned lands... and the likely future character of those lands must be taken into account. **Also in considering the likely future character of development on the other side of the interface it may be that the development of sites such as this may not be able to achieve the full potential otherwise indicated by applicable development standards and the like.**"*
 - ii) The site and its surrounds are currently zoned R2 low density and are within and surrounded by a heritage conservation area. Under the proposed TOD Alternative Scheme (refer to **Figure 5**) the Site and the adjoining sites are zoned R2 and will retain its low density scale which is primarily single and two storey dwellings. As such, the site is at a zone interface on all sides.
 - iii) The Clanville HCA includes dwellings which were built in the Federation (1890-1915) and Inter-war (1915-1945) years. These buildings make an important contribution to the character and significance of the HCA as they have a key historical layer, most are true to an architectural type, style or period and some are substantially intact including their garden setting.
 - iv) While a higher-density and larger-scale development is permitted on the Site via the TOD, due to its interface with the adjoining HCA zoned R2 Low Density Residential and the alternate TOD scheme, the maximum potential indicated by the applicable development standards may not be able to be achieved.
 - v) The proposed 9 storey residential flat building, which has insufficient landscaping and setbacks and non compliant building height and floor space ratio would be juxtaposed with

the existing low density residential character and the future desired character as espoused by the TOD Alternative Scheme. The scale of the building is further exacerbated by the light coloured brick work.

- vi) The massing of the built form is exacerbated by the lack of transition between the low density residential dwelling character (single and two storey heritage buildings) and the proposed high density residential flat building (9 storeys).
- vii) The proposal has not adequately considered the Site's relationship with the adjoining HCA, heritage item and R2-zoned lands, and results in an abrupt and unsympathetic transition.
- Deep soil landscaping is significantly less than the character of existing and future development in the locality with limited landscaping and insufficient space for canopy tree planting in scale with the development. The extent of private open space encroachment within the street frontages significantly limits the ability of the proposal to provide viable tree planting within the common and public domain. The proposed setback of 6m to Lord Street and Roseville Avenue do not comply with the minimum street setbacks of 10m, although a greater setback of 12-14m is desirable having regard to the drastic difference in scale between the proposed 9 storey RFB and the existing and desired future character of 1 to 2 storey dwellings houses within a heritage conservation area.
- The street setback is irregular and is typically between 6.5m and 15m along Roseville Avenue and 7m – 17m along Lord Street. The proposed development does not respond to the street setback of neighbouring buildings noting the difference in scale and is inconsistent with the pattern of development which exacerbates the prominence of the built form.

4. Floor space ratio

- Allowable FSR

A survey has not been provided which identifies the total 'Site Area'. The statutory compliance table prepared by Urbis specifies an approximate site area as 9,370.9sqm. An accurate assessment of the allowable GFA/FSR cannot be determined.

- Proposed GFA

The stated gross floor area is 30391.5sqm. This is equivalent to a floor space ratio of 3.243:1 which would comply with the maximum floor space ratio of 3.25:1, however compliance with the definition of 'gross floor area' (GFA) is not clearly demonstrated by the plans.

Areas to check include: the thickness of walls to common vertical circulation such as lifts and stairs (where not external walls), the thickness of walls to risers, and circulation areas within lower ground floor communal facilities, services in common hallways and garbage rooms. In addition, the lower ground floor gross floor area plans do not include contour levels with RLs to confirm that the floor level immediately above the basement does not project more than 1m above existing ground level.

The cumulative gross floor area of these features is likely to be significant. Independent calculation of the gross floor area suggests that the proposal appears to be in excess of the maximum floor space ratio by approximately 500m². If the maximum floor space ratio is exceeded, this will require a well-founded request to vary the development standard pursuant to Clause 4.6 of the LEP. As a Clause 4.6 request has not been provided and the proposal does not comply with the development standard consent cannot be granted.

Affordable housing calculations should be adjusted to reflect the revised GFA calculations.

5. Building height

The height of the proposed building is difficult to verify based on the documentation provided. The submitted sections do not show existing ground levels nor does the submitted roof plan. It is also noted that the Clause 4.6 includes varying maximum building height figures of 31.2m (pg 5) and 31.1m (pg 8).

Maximum building heights have been identified in the clause 4.6 variation with Building A having a maximum height of 30.6m, building B 30.2m, building C 30.9m and building D 31.1m or 31.2m.

Clarification should be sought from the applicant. Additional information including a plan overlaying roof levels with existing ground levels and/or a revised “building height blanket” diagram that includes both reduced level (RLs) and measurements in height (metres) must be provided to enable an accurate assessment.

The sections in the Clause 4.6 report also do not appear to be included in the architectural package.

The Clause 4.6 variation request is not considered to be well founded for the following reasons:

There are no specific objectives associated with building height in Division 1 of SEPP (Housing) 2021. The applicant has addressed the consistency of the development against the Aims of Chapter 5 Transport Oriented Development and the objectives of Chapter 2 Affordable Housing Part 2, division 1 infill affordable housing. These provisions are not the objectives of the development standard they are the aims of the policy at large. The proposed building height breach should be considered against the design principles of SEPP Housing and clause 4.3 ‘Height of buildings’ of KLEP.

The variation request argues that compliance with the development standard is unreasonable and unnecessary for the following reasons:

- *The proposal dedicates 17% of the total GFA as affordable housing which equates to 48 affordable housing dwellings (5,192sqm of GFA). This is a substantial uplift from the 9 market dwellings currently existing on the site. Whilst the proposed development will result in a marginal height exceedance, the environmental impacts as a result of this exceedance are minimal as discussed in Section 11 below.*
- *The proposed development represents a high quality design outcome for the site and the locality, having considered a range of existing site conditions to propose a well considered design response. The proposed development will provide amenity and liveability through complying with all the relevant design objectives in the Apartment Design Guide (ADG).*
- *The affordable housing component has been carefully designed to ensure high levels of amenity, and a variety of housing typologies and tenures are provided to meet the expected needs and profile of the local community. The proposal will provide high quality affordable housing that has been seamlessly integrated into an architecturally designed development.*
- *The development provides affordable housing for those on very low, low, and moderate incomes in a close location to services, retail and public transport responding to an identified need for affordable housing. There is a critical shortage of affordable housing in the local area and the proposal will deliver new housing to meet this need in the short-term.*

It is further stated:

- *Key to the objectives and aims of these chapters is the delivery of market and affordable housing that meets the needs of residents whilst ensuring high-quality built form is delivered. The proposed development will deliver 259 dwellings, of which 48 dwellings will be for the purposes of affordable housing. The site is in a highly accessible location being approximately 200m from Roseville and will deliver a mid-rise residential flat building. The proposed variation to the height control allows for family sized 4-bedroom units to be delivered, as well as high amenity and liveability. In the case that strict compliance with the height control was required, this would reduce the amount of affordable housing GFA proposed, relative to the total housing yield. Further, the provision of family sized apartments is critical to meeting the existing and ongoing housing need in the local area.*
- *The need to increase the height of the buildings above the height plane has arisen because of the incorporation of generous landscaped spaces which provide visual relief to the building form and improve amenity for future residents. A compliant scheme that achieves the same quantum of floorspace (which is compliant with the applicable controls for the site) would necessarily result in the erosion of these spaces. Ultimately, if strict compliance with the height control was required, the quality and quantum of both market housing and affordable housing would be adversely affected, thus defeating the objectives and aims of the relevant sections of the Housing SEPP.*

The applicant has not sufficiently demonstrated that compliance with the standard is unreasonable and

unnecessary for the following reasons:

- The merits of the height breach should be considered against the design principles of SEPP Housing and clause 4.3 'Height of buildings' of KLEP.
- The bulk and scale of the development is not appropriate as demonstrated by the insufficient building setbacks to the street frontages in particular the Lord Street frontage where there is no central break and insufficient setback to the low density interface zones.
- Inadequate deep soil and tree canopy planting.
- The podium height is incompatible with the one and two storey scale of the immediate HCA and adjoining heritage item. The site is within the Proposed Alternate TOD Boundary, whereby the subject Site would have a maximum height limit of 9.5m which is in keeping with the character of the area, with greater densities along the Pacific Highway.

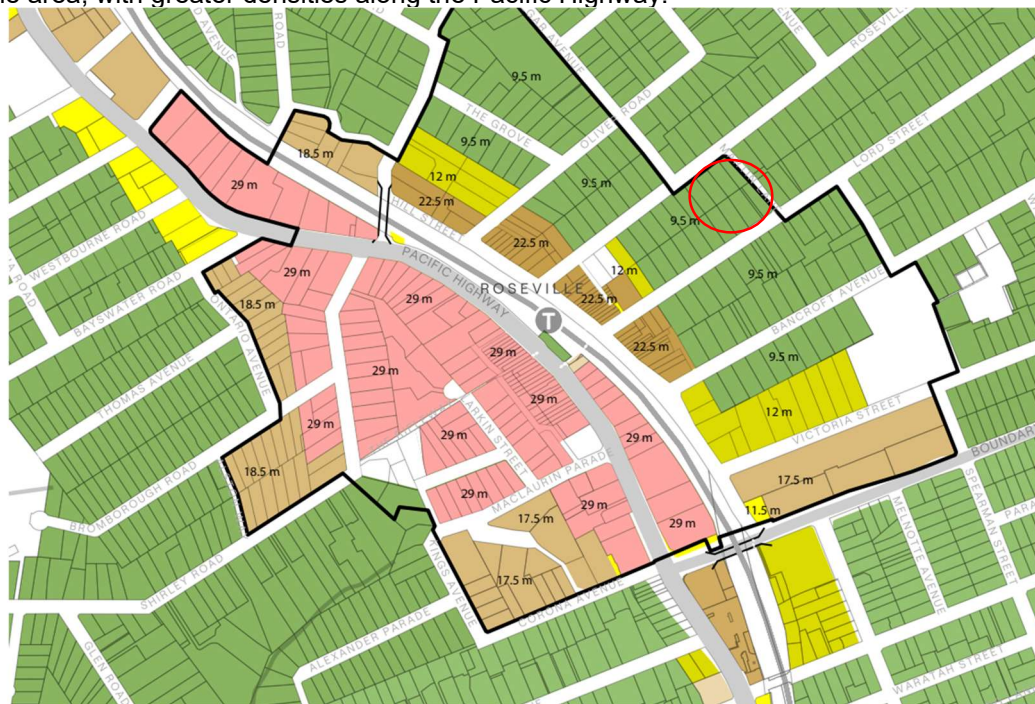


Figure 1: Extract Proposed Alternate TOD Boundary Building Heights (Source [tod_sepp_exhibition_document_roseville_v2-4-april.pdf](#))

- The areas that breach the height plane, in particular the uppermost western edge and the uppermost southeastern and southwestern corners, appear that they will have some overshadowing impact on properties to the immediate west and to the south across Lord Street.
- The proposal is inconsistent with SEPPH Aim 150(b)(ii) and (iii) to 'deliver mid-rise residential flat buildings... that are of appropriate bulk and scale and provide amenity and liveability.

The environmental planning grounds advanced by the applicant are as follows:

- *The proposed exceedance to the height control is minimal in nature and relates only to minor areas of the roof level. A small number of discrete roof elements protrude the height limit to allow for a high level of amenity to be provided for the proposed residential dwellings. The large change in levels across the existing site also results in a sloping height control. The proposed building has been designed to respond to this existing condition, however, as a result there are elements on the roof form that make minor protrusions through the height plane in some areas of the site. All roof elements that exceed the height control are setback and have been designed to be recessive in nature.*
- *There is an absence of environmental harm arising from the contravention of the height of building development standard and sufficient positive environmental planning grounds to justify contravening the development standard for the following reasons:*
 - **Overshadowing:** *The mid-winter overshadowing diagrams (replicated at **Figure 5**) demonstrate that the extent of overshadowing cast as a consequence of the proposed*

development protruding beyond the 28.6 metre height plane is minor compared by the overshadowing cast by a compliant building height.

The greatest additional shadow cast by the proposed exceedance to the height control occurs at 10am on 21 June. The proposed height control exceedance will result in an additional 12m² of shadow being cast on the rear garden at 17 Roseville Avenue at 10am on 21 June. The proposed height control exceedance will result in an additional 27.5m² of shadow being cast on the front garden and an additional 12.5m² of shadow being cast on the rear garden of the property at 12 Lord Street at 10am on 21 June. These increases in shadow to these two properties as a result of the proposed building height exceedance is 3% and 7% respectively. At this time, the existing gardens of these properties are already largely in shadow, however, continue to receive 4 hours of full solar access between 11am and 3pm in mid-winter. It is noted that the overshadowing assessment undertaken on 21 June represents the worst case, and on all other days within the year, the properties will receive greater solar access.

- **Disruption of views:** The proposed exceedances are located along the edges of the rooftops and are unlikely to result in the disruption of views from the surrounding area towards locations of objects that contain visual importance, such as surrounding locally listed buildings. The elements of the proposed development protruding beyond the 28.6 metre height plane is elevated at roof level and will not have a material impact on views of visual importance.
- **Improved amenity:** The proposed extrusions allow access to the rooftop landscape areas, which will provide high levels of outdoor amenity and liveability to future residents of the penthouse apartments, including for the 4-bedroom family sized apartments located at that level.
- **Architectural integration:** The areas which protrude above the height limit sensitively blend into the built form and aesthetic of the design and contribute to the high quality architectural language and resolution of the building.
- **Heritage impacts:** The proposed exceedance has negligible impact on the overall impact of the development on surrounding heritage items. As described in the Heritage Impact Statement (**Appendix GG**), the design of the proposal has been carefully developed to respond to and complement the surrounding Clanville Heritage Conservation Area (**HCA**) and locally listed scout hall. The proposed exceedances of the height control are minimally visible from street level and have been designed to integrate holistically into the overall composition of the building, and as such, will have negligible impact on the significance of the HCA and heritage items.
- **Intensity of uses:** The proposed height variation does not increase the intensity of the uses on the site with a compliant FSR being maintained. The height exceedance as a result of the proposed variation is minimal in the context of the development as a whole and will not materially intensify the residential redevelopment of the site. The proposal also complies with the applicable FSR development standard.
- **Orderly and economic use of the site:** The proposed minor height exceedance will efficiently utilise land and its associated infrastructure to promote the orderly and economic use of the site in a manner that also presents a suitable design and built form response having regard to the site's heritage context. The provision of mid-rise residential flat buildings in accessible locations is an aim of the Housing SEPP which the development as proposed will deliver.
- **Visual impact:** The Visual Impact Assessment includes an assessment of the visual impacts of the elements of the proposed development that exceed the height control. The elements of the built form that are in exceedance of the height control are largely setback from the building edge and located centrally to the roof areas. As can be seen from the below Figure, in the views where the proposed height exceedance is perceptible, it does not make a significant contribution to the overall visual impact of the proposed development. In addition, as can be seen in the views, the design of the building, in the areas that exceed the height control that are visible, includes design features that help to minimise the appearance of the built form, including recessed balconies, landscape planting and light-coloured materials. The visual impacts of the exceedance to the height control are minimal.
- **Sloping site:** The site slopes 7.5 metres from west to east and as such, results in a height control plane that is inconsistent across the site area. In response to this, the design of the

built form has been stepped at roof level. On the eastern edge of the building there is only a marginal height exceedance which progressively increases as the building continues westward due to the sloping nature of the site. Strict compliance with the height control would unduly limit the composition of the built form that could be achieved on the site, and the result provision of market and affordable dwellings in a highly accessible location to meet housing need.

The environmental planning grounds are not sufficient for the following reasons:

- For the environmental planning grounds to be sufficient they must focus on the aspect of the development causing the breach, the breach must be informed by these grounds and the grounds must be 'sufficient' to support the breach.
- It is noted that the GFA exceeds the maximum FSR permitted and therefore the additional height is not required to meet the maximum GFA.
- They do not demonstrate adequate consideration to the unique circumstances of the site.
- They do not sufficiently demonstrate that adverse overshadowing impacts will not be caused by the non-compliant building height.
- The non-compliant elements are not suitably set back from the boundaries of the site and result in a breach to the building setback controls under the ADG and the Ku-ring-gai Development Control Plan (KDCP).
- The stated lack of amenity impacts to adjoining properties by the applicant is not a sufficient environmental planning ground to justify a significant breach to the building height development standard. The built form is excessive which will have visual and amenity impacts to adjoining properties and the streetscape refer to 'residential amenity' below.
- The justification states that the additional building height is set back from the building edges of the building and is generally centrally located. It further specifies that the architectural design features such as recessing, landscape setting assist with the scale of the built form. **From figures 2-4** below it is evident that the proposed building height breaches are not centrally located and exist along the edges of the building. The building height breaches occur within the street frontages, adjoining lower density transition areas including the Heritage Item. It is also noted that the proposal does not comply with deep soil and does not provide sufficient space for canopy tree planting. The proposed building height along with the deficient landscaping exacerbates the massing of the built form and highlights the built forms incompatibility with the HCA, landscape setting and low density character of the area.
- It is agreed that the site has a sloping topography of approximately 6.5m across the Lord Street frontage, 2.6m fall across the Roseville Avenue frontage and up to 2.45m from NW-SE. In the absence of plans and diagrams which include sufficient level details it is difficult to fully understand the site topography and the relationship with building height. Whilst site constraints are environmental planning grounds, it has not been demonstrated that this constraint causes the breach of the building height development standard. It has not been demonstrated through analysis that a scheme compliant with the building height development standard is incapable of being achieved on the site. The proposal fails to adequately consider the interface with adjoining low density development in which a heightened degree of sensitivity is required. The proposed bulk and scale of the built form when viewed from all boundaries of the site is excessive and a more sensitive design could be adopted.

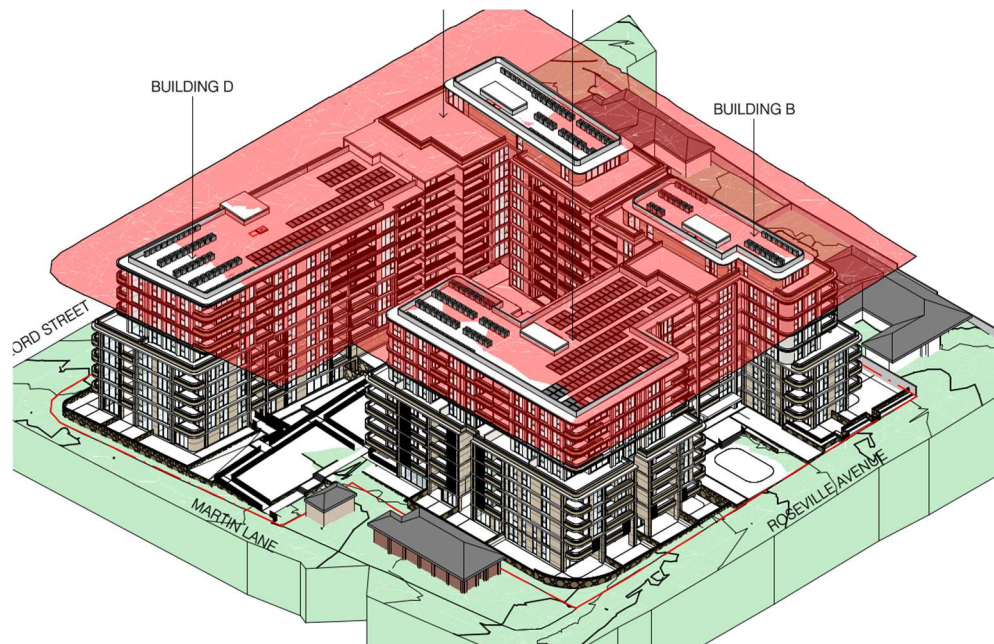


Figure 2: extract SSDA-402 3D Massing (areas shown red are at or below the maximum building height)



Figure 3: Extract from the Visual Impact Assessment - photomontage looking across the Heritage Item to the proposed development.

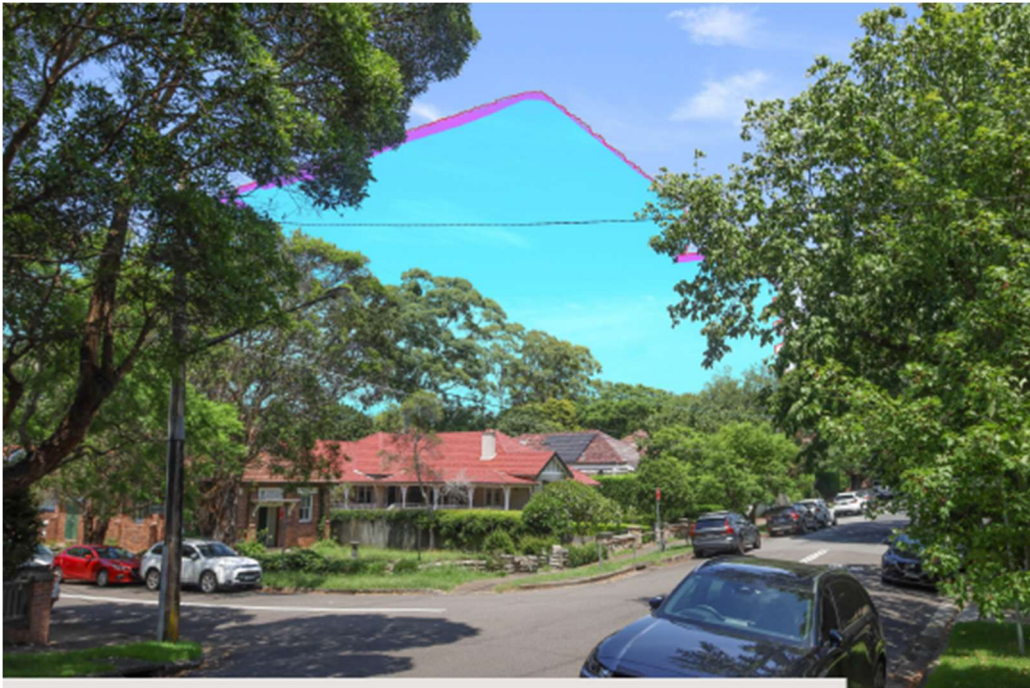


Figure 4: Extract from the Visual Impact Assessment - visual Impact in cyan with red outline - including proposed non-compliance with the height control in magenta.

Sufficient environmental planning grounds must be advanced by the applicant to justify the proposed contravention. Greater consideration of the unique circumstances of the site is needed.

The consent authority must satisfy itself that the Clause 4.6 variation is well founded before the granting of any development consent. As detailed above, Council is of the opinion that that the variation request has not demonstrated that –

- (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

6. Building setbacks

Front setback

Part 7 of the KDCP requires a minimum setback of 10m from the street frontage for residential flat buildings. Part 2G of the ADG specifies that street setbacks should be consistent with existing setback patterns in the street or setbacks that achieve the desired future character of the area.

The proposed setback of 6m to Lord Street and Roseville Avenue will not create a cohesive streetscape and is objected to by Council. Minimum street setbacks of 10m should be achieved, although a greater setback of 12-14m is desirable having regard to the drastic difference in scale between the proposed 9 storey RFB and the existing and desired future character of 1 to 2 storey dwelling houses within a heritage consideration area.

The non-compliant setback to Lord Street and Roseville Avenue, lack of deep soil landscape areas within street frontages for the viable planting of tall trees, and privatisation of the landscape setback do not contribute to the streetscape and amenity.

To ensure the integrity of the proposed landscape design is maintained, the frontages to the public domain/street are to be maintained as communal landscape area and are not to be privatised. Privatisation of boundary setbacks leads to personalisation of those areas by residents and the breakdown of the overall landscape integrity resulting in design uncertainty.

Side setbacks (zone interface)

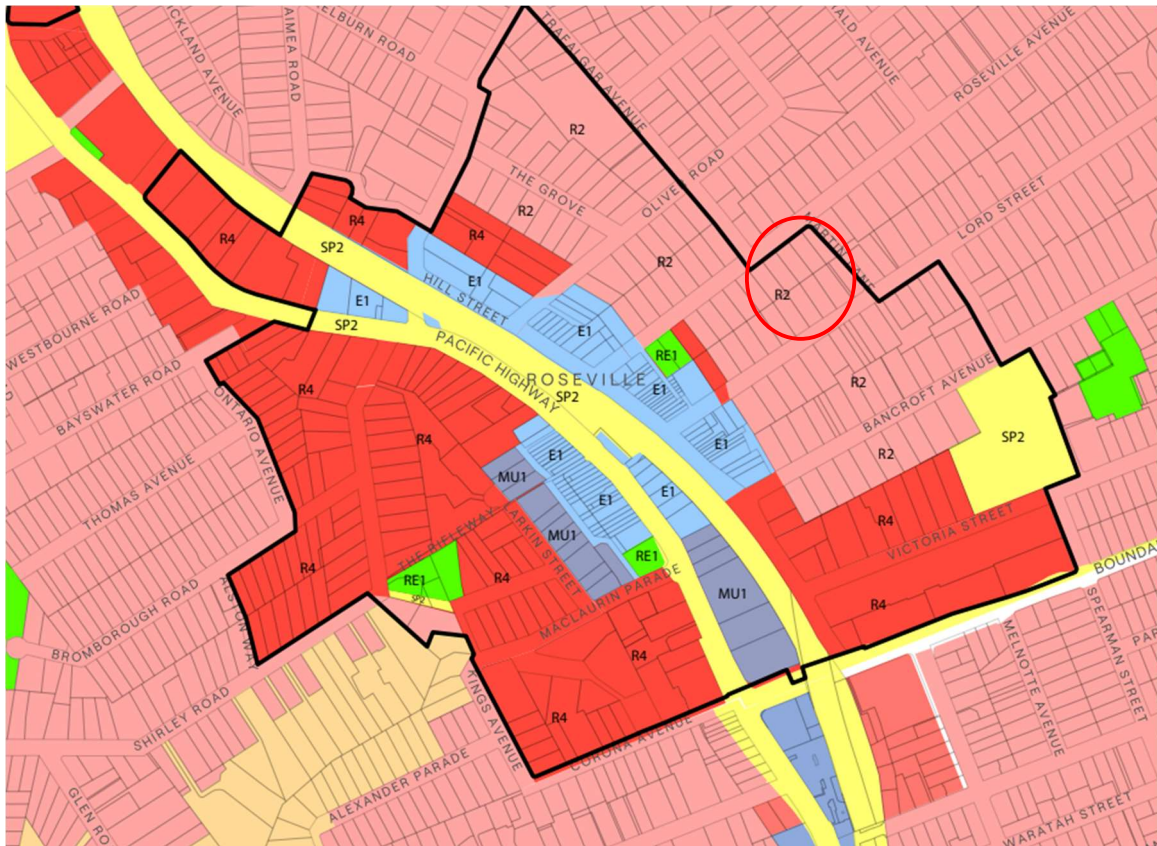


Figure 5 Proposed Alternate TOD Boundary Zoning (Source [tod_sepp_exhibition_document_roseville_v2-4-april.pdf](#))

The design report submitted with the application specifies the proposal is compliant with the ADG requirements.

The site and its surrounds are currently zoned R2 Low Density Residential. Under the proposed TOD Alternative Scheme the Site and the adjoining sites are zoned R2. As such, the proposal is considered to be an interface zone given the proposed residential flat building will adjoin low density development on R2 zoned land.

In this regard, the proposed south western and a portion of the north eastern setbacks are non-compliant with the minimum 9m (to level 4) and 12m (level 5 and above) setbacks specified in control 10 in Part 7A.3 of KDCP and Objective 3F-1 of the ADG requiring that habitable windows and balconies be set back a total of 9 metres from the side and rear boundary (up to 4 storeys), 12 metres from the side and rear boundary at the 5th – 8th storey and 15 metres from the side and rear boundaries at 9+ storeys where it is located adjoining an interface..

The non-compliant setbacks do not ensure that an appropriate scale transition is provided between the low density adjoining structures.

Consequently, compliance with the ADG and Council's zone interface requirements should be achieved.

Basement encroachments

The basement is consolidated under the building and encroaches setback areas which is non-compliant with control 11 in Part 7A.3 of KDCP.

The setback encroachment compromises deep soil plantings and the growth of tall trees and is not acceptable (refer to Deep Soil Zones below).

7. Residential Amenity

Privacy

Every internal corner of the proposal has windows to habitable rooms and balconies with direct lines of sight across between neighbouring units which will significantly impact visual privacy between dwellings. This does not meet the requirements of ADG 3F-1 1 and ADG 3F-1 6.

Overshadowing

The 'Sun-eye Views' provided show that the proposal will overshadow properties to the immediate west and to the south across Lord Street which are similarly mapped as Transport Oriented Development Sites (with the exception of 19 Lord Street which is not mapped as it is listed as a heritage item). No analysis appears to have been provided about the potential overshadowing impact of the proposal to future development of these sites.

Planning for solar access should not be on a 'first-in best-dressed' basis. Consideration should be given to ensuring that adequate solar access is available to future developments and that their development potential is not constrained. This aspect may not meet ADG 3B-2 1, ADG 3B-2 2, ADG 3B-2 4 and ADG 3B-2 5. SEARs 7(dp1) requires that solar access impacts to the surrounding locality be assessed and that 'a high level of environmental amenity for any surrounding residential... land uses must be demonstrated.'

To assist with this assessment, 'Sun-eye Views' should be produced with envelopes shown on neighbouring sites to demonstrate the potential overshadowing impact of the proposal on surrounding properties. These 'Sun-eye Views' should also compare the proposed development with a development with no bonuses applied (SEARs 7(dp2)). It is noted that the In-fill Affordable Housing Practice Note (p12-13) states 'The full extent of the in-fill affordable housing bonuses many not be achieved on all sites, due to site constraints and local impacts. The in-fill affordable housing bonuses should not be treated as an entitlement... The application of bonuses does not affect the consent authority's responsibility to consider the requirements of relevant EPIs (and) a development's likely impacts... in the case of solar access controls [including SEPP Housing itself as an EPI and its requirement to consider the ADG]... for preserving solar access to dwellings... the height and FSR bonus may not be achieved in full where development would cause unreasonable overshadowing or would result in substantial reduction to the mid-winter solar access available to existing dwellings'. Due consideration should be given to this practice note advice in assessment.

Sunlight to apartments

181 of 259 (70%) units are stated as receiving a minimum of 2 hours direct sunlight between 9am and 3pm at mid winter [SSDA-420A]. This meets the requirements of ADG 4A-1 1 for a minimum of 70%, however the solar access does not appear to be calculated correctly. It is noted that ADG 4A-1 1 requires that both 'living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight'. Areas to check include: several units counted on lower floors in Buildings C and D that are blocked by the projection of the upper floors of Building A and do not receive 2 hours sunlight to their living room window; and several units counted on the southern corner of Building A do not receive 2 hours sunlight to the balcony [SSDA-401A]. Independent calculation suggests that the proposal appears to have approximately 171 of 259 (66%) units receiving 2 hours sunlight, 10 units less than the minimum. This aspect should be addressed.

Further, the 'Sun-eye Views' provided do not anticipate that the properties to the immediate west and to the north across Roseville Avenue, which are similarly mapped as Transport Oriented Development Sites, may redevelop to a similar scale. No analysis appears to have been provided about the potential overshadowing impact of a future development of these neighbouring sites on the proposal. The ADG defines solar access as 'the ability of a building to continue to receive direct sunlight without obstruction from other buildings...' (emphasis added)(ADG Glossary p181). Consideration should be given to ensuring that adequate solar access can be maintained with future developments and that their development potential is not constrained. This aspect should be verified.

37 of 259 (14%) units are stated as receiving no direct sunlight between 9am and 3pm at mid winter [SSDA-420A]. This meets the requirements of ADG 4A-1 3 for a maximum of 15%, however the solar access does not appear to be calculated correctly. It is noted that both living rooms and private open spaces must receive at least 15 minutes sun to not be counted as no sun apartments (ADG 4A-1 8 and Solar Access Requirements in SEPP 65 Technical Note p2). Areas to check include: several units not counted on the southern corner of Building A which have south facing balconies; several units not counted on the southern corner of Building C which have south facing living rooms; and several units on the western face of the building which have recessed living rooms [SSDA-401A]. Independent calculation suggests that the proposal appears to have approximately 57 of 259 (22%) units with no direct sunlight, 18 units more than the maximum. This aspect should be addressed. Further, several of the upper level apartments in Building B and Building C appear to rely on skylights which are located in the private open space of units above which is unacceptable.

Clothes drying facilities

The location of the external clothes drying areas for the apartments must be detailed on the plans. If these areas are located on the balconies, they are to be appropriately screened and excluded from private open space calculations.

Cross ventilation

156 of 259 (60%) units are stated as being naturally cross ventilated [SSDA-421A]. This meets the requirements of ADG 4B-3 1 for a minimum of 60%, however the natural cross ventilation does not appear to be calculated correctly. Areas to check include: many single aspect units counted on the eastern face of Building C; many single aspect units counted on the southern face of Building D; and many units relying on skylights which are not shown in the drawings or are located in the private open space of units above. Independent calculation suggests that the proposal appears to have approximately 136 of 259 (53%) units with natural cross ventilation, 20 units less than the minimum. This aspect should be addressed. It is suggested that any openable skylight intended to be used for natural cross ventilation be replaced by a clerestory window so that it is protected from rain, be oriented at least 90 degrees to the windows in the single aspect unit it serves, and be of adequate effective openable area for natural ventilation.

Internalised living rooms

Several proposed apartments have internalised living rooms. This does not meet the requirements of ADG 4D-1 2 for every habitable room to have a window in an external wall and to not borrow daylight and air from other rooms. Areas to check include: upper floor of 2-storey units in Building A; and western cross through apartments in Building B.

Snorkel bedroom windows

Several proposed apartments have 'snorkel' bedroom windows. This does not meet the requirements of ADG 4D-1 4 for a window to be visible from every point of a habitable room. Areas to check include central east-facing bedrooms in Building A; and central north-facing bedrooms in building A.

Circulation core

Building A has 11 units off a circulation core at lower levels. Building C has nine units off a circulation core at lower levels. Building D has 10 units off a circulation core at lower levels. This does not meet the requirements of ADG 4F-1 1 for a maximum of 8 units off a circulation core on a single level. It is noted that ADG 4F-1 8 states that 'where a development is unable to achieve the design criteria, a high level of amenity for... apartments should be demonstrated.' The proposal is not considered to have a high level of amenity for apartments due to inadequate sunlight and inadequate natural cross ventilation (see above). It is suggested that at least one additional core is required.

Inequitable natural cross ventilation to affordable housing

48 of 259 units are nominated as being affordable [AH-412A to AH-413A]. The natural cross ventilation of the nominated units is 18 of 48 (38%)[SSDA-421A](independent calculation). The amenity of the dwellings

nominated as being affordable is significantly less than the building overall, would not meet the requirements of ADG 4B-3 1 in their own right, and is considered to be inequitable. This aspect should be addressed. SEARs 6(dp2) requires that 'a table which demonstrates how each dwelling (including affordable dwellings) performs against the ADG Design Criteria' be provided. It is noted that the In-fill Affordable Housing Practice Note (p15) states 'Residential amenity is one of the design quality principles under Chapter 4 of the Housing SEPP that must be considered in the assessment of residential apartment development... Good residential amenity (includes)... natural ventilation... It is important that amenity is maximised across a development, and that affordable dwellings are not subject to a lower standard.' Due consideration should be given to this practice note advice in assessment.

8. Site coverage

Site coverage plans have not been provided. The proposed site coverage appears to be approximately 46% and exceeds the maximum 30% specified in control 1 in Part 7A.5 of KDCP. The SSD application must demonstrate that viable deep soil landscaping, including tree canopy is provided across the site to maintain the landscape character of the locality (refer to Deep Soil Zones below).

9. Affordable housing

Provision of affordable housing units, operated by a Community Housing Provider, should be provided in perpetuity (beyond the 15-year minimum requirements), otherwise the population will once again be displaced in 15 years and lose established networks and area connections leading to social issues.

10. Insufficient information to undertake an assessment

- a) A full survey has not been provided demonstrating the Site area and spot levels and contour levels across the Site.
- b) The elevations and sections do not sufficiently identify existing ground RL's.
- c) The roof plan should include the survey spot height and contours to demonstrate maximum building height.
- d) The use of all areas should be labelled.

LANDSCAPE COMMENTS

11. SEARS (Secretary's Environmental Assessment Requirements)

A full Planting Plan and Plant Schedule indicating location, quantity and pot size of proposed planting has not been provided which is contrary to the SEAR's, ADG and KDCP requirements. Refer to comments below under '**LANDSCAPE DESIGN and CHARACTER**'. A Planting Plan and full plant schedule is required.

Root mapping as required by the arborist and SEARS has not been undertaken and submitted for trees: 5, 20, 49, 52, 67, 74, 85, 86 & 102. Refer comments below under '**TREE REMOVAL and IMPACTS**'. Root mapping results and supporting documentation with recommended outcomes and photographs is required to enable assessment of tree impact.

12. BASIX Commitments

The area of proposed indigenous planting of 1430.4m² is not indicated on the plans in accordance with the BASIX certificate requirements. To enable assessment a BASIX compliance plan is required to ensure consistency with BASIX commitments. Refer to comments below under '**LANDSCAPE DESIGN and CHARACTER**' regarding planting palette and context.

13. State Environmental Planning Policy (Housing) 2021

Chapter 4 of SEPPH states that Deep soil zone means: a landscaped area with no buildings or structures above or below the ground.

The application fails to provide deep soil zone calculations or compliance plan. The applicants submitted

deep soil calculations (Plan SSDA-050 Rev 4 and LD-DA003 Rev 1) is based on landscape area which has a differing definition and requirement.

To enable assessment of the requirements of the SEPP and ADG a deep soil zone compliance plan and calculations is required.

The sites' location within a heritage conservation area with a single residential context with large garden areas of deep soil, a minimum 15% / 1405.6sqm of the site area to be deep soil should apply.

14. Apartment Design Guide

a) Part 3E Deep soil

The application fails to provide deep soil zone calculations or a compliance plan, these are required to enable assessment of consistency with the SEPP and ADG.

The 'Deep Soil Zones' diagram provided states that the deep soil zone provided is 34% of the site area. This meets the requirements of ADG 3E-1 1 for a minimum of 7%, and the Design Guidance of ADG 3E-1 2 for a minimum of 15% on sites greater than 1,500m², however the deep soil zone does not appear to be calculated correctly. It is noted that 'deep soil zone' is defined as 'areas of soil within a development that are unimpeded by... structures above and below ground and have a minimum dimension of 6m' (emphasis added). Areas to check include: extensive decking in central communal open space; extensive decking in private open space areas; and various areas less than 6m wide. Independent calculation suggests that the proposal appears to have approximately 14.5% deep soil. The deep soil proposed is considered to be inadequate.

KDCP 7A.6 1 would normally require 50% deep soil for residential flat building development. It is noted that deep soil is not a SEPPH 149(1) Apartment Design Guide requirement that prevails over a development control plan requirement. As another guide, Greener Neighbourhoods (p37) recommends a minimum of 25% deep soil for apartment on sites greater than 3,000m². Deep soil zones and canopy tree planting are considered fundamental to the desired future character of residential apartment development in Ku-ring-gai as is clearly expressed at length throughout KDCP Part 7 (in particular, but not limited to, the following objectives: KDCP 7 Introduction (i - iii); KDCP 7A.1 O2 and O3; KDCP 7A.3 O1, O2, O3, O7, O11, O12 and O14; KDCP 7A.4 O1; KDCP 7A.5 O1, O2, O3, O4, O5; 7A.6 O1, O2, O3, O5, O6, O7, O8; and their associated controls).

This is reinforced in the Local Strategic Planning Statement section on Local Character (LSPS) which describes that 'the established tree canopy in Ku-ring-gai is a defining characteristic and essential to the "look and feel" of Ku-ring-gai' and that 'Council has put in place a comprehensive suite of planning controls, guidelines and initiatives to ensure new development does not detrimentally impact on Ku-ring-gai's unique landscape... character'. It is noted that LSPS Local Planning Priority K12 has the desired outcome of 'managing change and growth in a way that conserves and enhances Ku-ring-gai's unique visual and landscape character.'

The 50% deep soil requirement of the KDCP is not achieved. As the site is considerably larger than 1500m² at 9370m² with several significant trees, a larger area of deep soil of minimum 15% (1405.6sqm) should be provided to retain trees and provide for adequate landscaping including tall trees to boundaries and street frontages.

Insufficient deep soil results in impacts to landscape character and amenity, and the inability of a proposal to provide replenishment tree plantings. Viable deep soil landscape areas should be provided to the street frontages to ensure the proposed landscape outcomes includes viable retention of existing street trees (trees 5, 20 and 49) and deep soil for the planting of tall tree plantings in context with the established landscape character.

It is suggested that the deep soil landscape area is reconsidered to significantly reduce the areas of decking used and to consolidate deep soil zones into areas with a minimum 6m in width to support canopy tree planting. It is also suggested that this deep soil zone be provided solely within common areas (rather than private open spaces) so that the maintenance of larger canopy trees is not the responsibility of

individual owners but of the overall development.

b) Part 4O-1 Landscape Design

For a site area of 9370.9m² with a minimum 15% deep soil (1405m²) a minimum 18 large trees (12-18m high) or 36 medium trees (8-12m high) are required in accordance with Part 4O, table 4 of the ADG. In accordance with Part 7A.6 of the KDCP a minimum of 31 large trees capable of reaching 18m in height are required.

Tree/plant quantities have not been depicted within the plant schedule. It is requested the plant schedule be updated to include plant quantities.

Proposed tree plantings particularly within the site frontages are limited to small and medium sized trees, which fails to reflect the established and desired landscape context where tall trees contribute to the streetscape.

Proposed planting of *Corymbia ficifolia* 'Summer Beauty' does not reflect the locally occurring plant community. *Corymbia ficifolia* is an endemic species to the southwest of Western Australia and a dry mediterranean climate, whereas the site has a warm temperate climate with high humidity. Refer to comments below under '**LANDSCAPE DESIGN and CHARACTER**'.

c) Objective 4O-2 Landscape design contributes to the streetscape and amenity

The lack of tall trees to the site frontages does not adequately contribute to the streetscape and amenity, particularly with the proposed scale of the proposal.

The extent of private open space encroachment within the street frontages significantly limits the ability of the proposal to provide viable tree planting within the common and public domain. Tree planting proposed is primarily located within areas of private open space where future owners can personalise the area to their taste and remove plantings, including trees, that may impact the amenity of other residents and undermine the integrity of the landscape design outcome.

It is recommended areas of POS be limited to the building line.

The extent of proposed hard surface treatment within the Lord St site frontage is uncharacteristic of the existing and desired streetscape context and character and results in tree impact beyond acceptable and viable thresholds (trees 5, 20 and 49). It is recommended the extent of hard surface area be significantly reduced and areas of deep soil zone be increased to accommodate the planting of tall trees and the viable retention of existing significant street tree plantings.

Planting on structures soil depths and soil volumes.

Landscape Plans are insufficient to fully assess if adequate soil depths are provided in planters for the proposed planting and in accordance with ADG and KDCP as no detailed planter heights are depicted. Refer to comments under **LANDSCAPE DESIGN and CHARACTER**

15. Tree removal and impacts

The consulting arborist has stated:

*Extensive paved surfaces and retaining walls are to be located within the TPZ of **Trees 5, 20, 49, 74, 85, 86 & 102** in addition to a proposed driveway within the TPZ of **Trees 20 & 49**. In addition, stormwater infrastructure is proposed within the TPZ of **Trees 52 & 67**. Root Mapping Investigations must be undertaken to identify the location and presence of roots that have the potential to be impacted from the proposed works and determine if any design alterations or root sensitive construction methodology will be required to ensure these trees retention and protection.*

*Detailed root investigations and mapping using minimally destructive techniques (hand digging or Air Spade) must be carried out along the exact alignment of the proposed paved surfaces, retaining walls and driveway or stormwater infrastructure within the TPZ of **Trees 5, 20, 49, 52, 67, 74, 85, 86 & 102**. If root mapping identifies any significant roots, the design may have to be adjusted, or root sensitive construction*

methodology employed to prevent any potential damage.

*Suitable evidence must be provided demonstrating the proposal will not impact the long-term health and viability of **Trees 5, 20, 49, 52, 67, 74, 85, 86 & 102**.*

*Should it be determined by the Project Arborist that the extent of impact is likely to be unsustainable or will result in the decline of **Trees 5, 20, 49, 52, 67, 74, 85, 86 & 102**, design modifications and relevant approvals must be sought which ensure impacts are reduced to a sustainable level.*

The root mapping required by the consulting arborist has not been provided, this is contrary to the SEAR's, ADG and KDCP. Without the results of root mapping being undertaken being assessed, tree impact to publicly owned assets cannot be determined. As further investigations are required which are likely to influence design outcomes, these investigations need to be undertaken and submitted for assessment of publicly owned assets. The failure to do so is inconsistent with the SEARS (Item 14 – root mapping), SEPP, ADG, LEP and DCP outcomes to protect and maintain the tree canopy that strongly defines Ku ring gai.

Deep soil zones and landscape design with extensive decking does not viably retain significant trees and provide adequate clearance around trees in accordance with ADG and KDCP objectives to protect and enhance the value of trees. The following trees are likely to be adversely impacted with design amendments required to enable their viable retention:

- i. **Trees 5, 20 and 49: Lophostemon confertus (Brush Box)** located within the Lord St nature strip. The trees form part of a historic avenue street tree planting dating from the early 20th century and have high landscape significance. TPZ development encroachment up to 37% will result in adverse impact beyond sustainable levels. As per the applicants arborist recommendations further investigations (root mapping) is required to determine the extent of impact.
- ii. **Tree 88 Ulmus parvifolia (Chinese Elm)** located adjacent to the Roseville Ave site frontage. A mature specimen approximately 13m high x 19m wide in good health and condition, contributing positively to the established streetscape character. The tree is proposed to be transplanted. A transplanting methodology is provided which includes that the tree is not to be pruned. The mature dimensions of the tree and the methodology provided does not provide any certainty that the tree will survive. The tree's location and the design of the building/basement footprint around the tree is conducive to the tree's viable retention without transplanting. The proposed landscape design can be amended to ensure its viable retention in situ, without the risk and cost of transplanting.
- iii. **Tree 93** a mature Eucalyptus saligna (Sydney Blue Gum) centrally located on site. The species is consistent with the critically endangered Sydney Blue Gum High Forest (BGHF) plant community. The tree at 1m diameter is a remnant specimen/canopy remnant and of high significance and value. The applicant's arborist fails to identify the extent of SRZ (structural root zone) and TPZ (tree protection zone) coverage of the proposed decking (over 90%) and the significant changes to the trees growing environment as a result. It is recommended the extent of decking and development encroachment be reduced to no more than 15% and the remaining TPZ area maintained as soft landscape with no construction works. This will also facilitate the increase in deep soil landscape area on site, without inhibiting recreational use of the area.

16. Landscape design and character

- a) A full Planting Plan and Plant Schedule indicating location, quantity and pot size of proposed planting has not been provided which is contrary to the SEAR's, ADG and KDCP requirements. Without a full planting plan and complete plant schedule, assessment of the proposal is unable to be fully assessed.
- b) The landscape plans fail to provide sufficient detail as to the proposed wall heights and soil depths provided in planters in accordance with the ADG.
- c) The proposed predominantly native plant palette fails to recognise, maintain and enhance the established landscape character and context within the heritage conservation area as required by

the ADG. Of the 112 species proposed only seven are non-native / exotic species equating to 6%. The existing landscape character and context is that of an exotic landscape palette beneath a tall tree canopy of endemic tree species. The planting palette shall be revised to reflect the established landscape character of the HCA with a minimum 60% to be exotic species.

- d) The planting of many trees less than 3.0m from the wall of the dwellings results in an exemption under Part 13 of the KDCP. To ensure their ongoing protection under council's DCP it is recommended all tree plantings be suitably setback from the building to ensure their protection, future growth and ongoing viability.
- e) The extent of decking proposed over the SRZ and TPZ of tree 93 will significantly alter its growing conditions with an adverse impact to loss of nutrient availability and replenishment, and solar warming of the soil. It is recommended the extent of decking and development encroachment within the TPZ be limited to no more than 15% and the remainder of the TPZ maintained as soft landscape area to maintain the trees growing environment at sustainable levels.
- f) The proposed transplanting of tree 88 due to extensive hard landscape works does not provide certainty that the tree, which contributes positively to the streetscape, can be viably retained. To retain the tree in-situ, there is further design opportunity to reduce the extent of ground level hard surface areas and maintain existing ground levels.
- g) The extent of hard surface treatments within the Lord St site frontage is uncharacteristic of the established landscape context and results in unnecessary tree impact to trees within the public domain. It is recommended the extent of BUA within the street frontage be significantly reduced and viable deep soil landscape area increased to maintain existing street trees.
- h) Tall tree planting outcomes to complement and enhance the tree canopy that characterises Ku ring gai and the public domain has not been satisfied. Increased setbacks within street frontages with increased deep soil landscape area is required.

HEALTH

17. Acoustic report

A Noise and Vibration Impact Assessment prepared by Acoustic Logic Pty Ltd (dated 4 April 2025, Rev 5) has been provided as part of the SSD application.

The assessment identifies that residential condenser units may be located on individual balconies or unit floors, with a general statement that compliance can be achieved through standard acoustic treatments. However, the submitted architectural plans (dated 2 April 2025) appear to show a significantly different outcome, namely, that residential condensers are proposed to be located on the rooftops of Levels 8 and 9.

This discrepancy between the referenced plans in the acoustic report (dated 28 February 2025) and the current architectural submission indicates that the acoustic assessment does not reflect or assess the finalised mechanical plant locations.

Given the number of residential units proposed (259 dwellings) and the potential for cumulative rooftop noise emissions, it is recommended that:

- The acoustic report be updated to reflect the most recent architectural plans, clearly identifying the confirmed location of all mechanical plant, including residential condenser units; and
- A detailed assessment be undertaken of the noise emissions from the proposed rooftop condenser locations, including cumulative impacts and mitigation strategies, to ensure compliance with relevant operational noise criteria.
- If any screening is required this should be detailed on the architectural plans, dimensioned and include an RL to the top of the screen.

Addressing these issues prior to determination will ensure that the design is acoustically feasible and that impacts on surrounding receivers, particularly from rooftop equipment, can be effectively mitigated as part of the final approval process.

18. Contamination report

A Preliminary Site Investigation (PSI) prepared by Douglas Partners Pty Ltd, dated 16 April 2025, submitted as Appendix Y of the Environmental Impact Statement has been provided. Further consideration of the recommendations should be undertaken.

ENGINEERING

19. Water Management

1. Supporting hydraulic calculations that demonstrate compliance with Part 24C.3-4 of the Ku-ring-gai DCP that requires rainwater retention and re-use to be provided to achieve a 50% reduction in runoff days are required. A water balance model is required.
2. Stormwater plans to clearly show OSR volumes and location. Cross section details of the tank showing surface and invert levels are required.
3. No stormwater disposal system has been submitted for the basement level(s).
4. No supporting calculation for the pump-out pit based on the 100 year 2 hour storm has been submitted as per Part 24B.5 of the KDCP.
5. Stormwater design does not show the rising main from the pump-out tank directed to the on-site detention tank.
6. The location of the access pits to the detention system and rainwater tank are to be shown outside of the communal area (not within private courtyard).
7. According to the Flood Impact Risk Assessment prepared by PTC, the proposed development includes a flood mitigation strategy involving the construction of an impermeable wall along the north-eastern to south-eastern boundary of the site to protect against floodwaters from 1% and 20% AEP storm events. The stormwater plans are to show that the wall will provide at least 500mm freeboard above the Design Flood Standard, exceeding Council's 300mm requirement, ensuring flood immunity up to the 1% AEP event.

20. Vehicle Access and Parking

1. The provision of visitors parking and car share space have not been met. Given that the SEPP is silent on visitor parking requirements, Council's DCP requirements prevail. A total of 43 visitor parking spaces and four dedicated car share spaces are required.
2. The minimum sight lines for pedestrian safety as per Figure 3.3 of AS2890.1:2004 have not been demonstrated on the exit approach.

21. Waste Management

1. A longitudinal section through the driveway and into the basement carpark is required to clearly demonstrate that there will be 2.6 metres clear headroom along the whole of the travel path required for the small waste collection vehicle. The section must include realistic slab/beam depths, stormwater pipelines and other overhead services.

ECOLOGY

22. Failure to comply with the requirements of the *Biodiversity Conservation Act 2016*

Assessment of Impacts on Tree 93 – Sydney Blue Gum (*Eucalyptus saligna*)

Council has determined that the impacts on Tree 93, a mature *Eucalyptus saligna* (Sydney Blue Gum) centrally located on the site, are significant pursuant to Section 7.3 of the *Biodiversity Conservation Act 2016* (BC Act). Tree 93 is a remnant canopy specimen approximately 1 metre in diameter, of high ecological value. It is associated with the Critically Endangered Ecological Community (CEEC) known as Sydney Blue Gum High Forest (BGHF), which is listed under the BC Act, and is mapped on the NSW Biodiversity Values Map (BV Map).

The proposed development involves encroachment into more than 90% of the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ), representing a substantial alteration to the tree's growing environment. These impacts have not been adequately assessed in the arborist report and are considered likely to result in the long-term decline or loss of the tree. It is on this basis that Council has determined the impacts to be significant under Section 7.3 of the BC Act.

Whilst a BDAR waiver has been submitted with the development application, this does not negate the requirement to prepare a BDAR where significant impacts are identified. The BDAR waiver process applies only where impacts are deemed to be minimal and not significant. In this case, the outcome of the five-part test under Section 7.3 indicates that the impacts are likely to be significant, and therefore a BDAR is required.

Had a BDAR been submitted, the extent of encroachment and associated impacts would likely have necessitated a redesign of the proposal to avoid and minimise impacts to Tree 93, as required under the BC Act.

Recommendations:

- Limit encroachment into the TPZ to no more than 15%
- Retain the remaining TPZ as soft landscape with no construction or disturbance
- This would help preserve the health and ecological value of Tree 93, support deep soil function on the site, and maintain recreational amenity

There is insufficient evidence that the design reflects the principle of avoidance. As significant impacts have been identified as discussed above, the development triggers entry into the Biodiversity Offsets Scheme (BOS) and the statutory requirement to prepare a BDAR.

Council recommends the proposal be revised to avoid further impacts to Tree 93 and to ensure full compliance with the *Biodiversity Conservation Act 2016*.

HERITAGE

Heritage Objectives

The heritage provisions of Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015) under clause 5.10 set the objective "to conserve the environmental heritage of Ku-ring-gai". A further objective set by the LEP is "to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views". These objectives follow the standard instrument established by the NSW Government SEPP.

The Ku-ring-gai Development Control Plan sets further detailed objectives and controls to implement these LEP objects in relation to conserving significance, fabric, setting and views for heritage conservation areas and heritage items.

Transport Orientated Development

The Guidance to Transport Orientated Development Brochure by the Department of Planning and Infrastructure May 2024 Page 11 states "Development Applications in heritage conservation areas. ***Any new apartment buildings proposed in an HCA should be appropriate to the context, and build upon the features of the HCA, whilst delivering increased housing density.***

Clause 5.10 of their LEP

Consent authorities will still be required to assess the application under clause 5.10 of their LEP. The clause 5.10 assessment will determine if the proposed new development satisfactorily addresses the significance of the HCA and any adjoining items and will need to determine that the HCA is not adversely affected by the proposed infill development. It is intended that the consent authority considers the character of the HCA and have regard to aim of increased housing density and change in built form as the area transitions over time.

The guide outlines the steps needed to ensure our heritage places are conserved, maintained and enhanced through good design, while realising good development outcomes.

Low and Mid-Rise Policy

The secretary of the Department of Planning and Infrastructure stated in publicly available correspondence to Members of Parliament that Clause 5.10 of a Standard Instrument style LEP continues to apply to development made under the provisions of SEPP (Housing) 2021 and must be considered in the assessment of those applications.

What is a Contributory Property?

Contributory Properties are buildings and sites within a HCA which are deemed to exhibit one or more of the following characteristics:

- i) buildings and sites that make an important contribution to the character and significance of the HCA. They can be from a key historical layer, true to an architectural type, style or period, or highly or substantially intact including their garden setting. Where subdivision has occurred, the subdivision is within the key historical period or the area.*
- ii) buildings and sites which are altered from their original form but are recognisable and could be reasonably reinstated to that condition or the alterations are not considered to be detrimental to the integrity of the building; for example, a building that has been rendered or painted or where the roof cladding has been replaced but the form is otherwise legible.*
- iii) buildings and sites with new layers/additions sensitive to the style, form, bulk, scale and materials of the original building.*

Note: *Contributory buildings do not necessarily need to be high-quality buildings but should represent the key historical period of the HCA. An HCA may also contain high-quality buildings which are not necessarily from the key historical period.*

The subject sites to be demolished satisfies the DCP definition (above) as contributory buildings in the Clanville Conservation Area (C32) in KLEP2015. See Appendix for details.

Proposed Development

The proposed development will have an unacceptable impact on the Clanville HCA(C32) and heritage items in the vicinity at Nos.16, 22, 29,31 and 32 Roseville Ave, and 19 and 28 Lord Street and the Lord Street/Bancroft Avenue Conservation Area (C36)

Refer to the above properties and their statements of significance in Appendix A of this submission.

(1) Inappropriate Demolition of existing buildings at 16-24 Lord Street and 21-27 Roseville Ave, Roseville

The proposed works will result in the demolition of all dwellings currently located at Nos. 16-24 Lord Street and 21-27 Roseville Ave, Roseville.

These dwellings are part of the Clanville HCA and were built in the Federation (1890-1915) and Inter-war (1915-1945) years. These buildings make an important contribution to the character and significance of the HCA as they have a key historical layer, most are true to an architectural type, style or period and some are substantially intact including their garden setting. A number of these dwellings have been altered from

their original form but are recognisable and could be reasonably reinstated to that condition. Most alterations and additions are sensitive in style, form, bulk, scale and materials of the original building.

The proposed demolition of these contributory buildings and gardens and the construction of a multi-storey residential flat building does not satisfy the objectives of the KLEP2015 to conserve the heritage significance of the conservation area in terms of loss of contributory property and introduction of a detracting building in the heritage conservation area.

(2) Inappropriate setting and view impacts

Clause 5.10 Heritage conservation

The objective under Clause 5.10 of the LEP states, “to conserve the environmental heritage of Ku-ring-gai”. A further objective set by the LEP is “to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views”

Inconsistent with Burra Charter

The Burra Charter – the Australia ICOMOS charter for the conservation of places of cultural significance – is the key document guiding conservation practice in Australia. The following *Article 8. Setting states,*

Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Inappropriate setting for the HCA

The low-density residential character of the heritage conservation area including a number of heritage items contributes to the significance of the locality. The proposed bulk and scale of the 9-storey residential flat building will result in drastic, adverse and irreversible change to the setting of the Clanville heritage conservation area and surrounding heritage items and heritage conservation area and is not acceptable. It will visually dominate and detract from the setting of this area.

The proposed development will have a high degree of visual impact to the setting of the Clanville HCA due to the notable increase in scale. The setting of Lord Street and Roseville Avenue and Martin Lane is characterised by a mix of single storey Federation and Interwar housing, many with first floor rear additions and all with large to medium established gardens with trees. These houses and gardens will be dwarfed by the 9 storey building which will tower over them.

The proposal is of such a large bulk and scale which is entirely disproportionate, unsympathetic, and out of character to the surrounding Clanville HCA and heritage items in the vicinity. The entire visual landscape of the Clanville HCA will be visually dominated by this proposal.

Inappropriate setting for the Scout Hall

The subject site is located in the vicinity of the Scout Hall which consists of two separate buildings. The historic buildings and this site have additional prominence in the conservation area as a result of their corner position at the intersection of Roseville Ave and Martin Lane. Views to the Scout Hall buildings will be adversely changed as there will be a backdrop of a large 9 storey high building.



The Scout Hall next to the proposal.

Inappropriate setting for the Heritage items in the vicinity

The site is also located in the vicinity of a number of heritage items - 16, 22, 29,31 and 32 Roseville Ave, and 19 and 28 Lord Street. Views from these heritage items will be obscured by a large scaled 9 storey building.



3D Visualisation, Lord Street Elevation Elevation



3D Visualisation, Roseville Avenue

Inappropriate setting for the Heritage Conservation Area in the vicinity

There will also be direct views of the proposed development from the heritage conservation areas in the vicinity (C36) that is located across the road in Lord Street. The views will be drastically changed from low rise to high rise with loss of trees and a towering built form. The 9-storey building height provides very little visual relief in the context of the heritage conservation area, which is of a low, domestic scale.

Irreversible impacts to the setting

The over-scaled development does not respect the established built form and landscaped character of the streetscape and will result in the loss of the garden setting which will irreversibly impact the heritage significance of the locality.

(3) Inadequate setbacks

The proposed 9 storey building does not respect the established pattern of built elements in the streetscape as it is larger and taller than all the buildings in this part of the street and surrounding area. The proposed building has a sheer base of 5 storeys in height with a small setback of 4 storeys above.

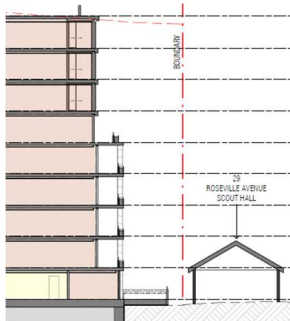
There are insufficient setbacks between the built form and insufficient setbacks on the upper levels to provide a transition between the adjacent buildings of different scales.

Setback from Scout Hall Buildings

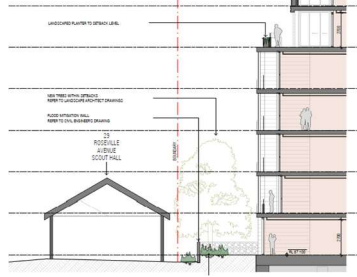


East Elevation of Roseville Scout Hall
cottage

Roseville Scout Group stone
cottage



Section B



Section F

Proposed SSDA LODGEMENT drawings 2/4/25



The proposed setback from the Scout Hall will be 10m from a 5 storeys high sheer wall.
The proposed setback from the stone building will be just over 12m to a 5 storey high sheer wall.

The proposed 5 storey wall will have the appearance of a rectilinear sheer high wall which is notably different in scale and contrast to the single storey heritage buildings.

(4) Adverse impacts on character

The proposed minimal setbacks to the side boundaries on both sides, is not the general character of the streetscape and will increase the bulk of the building and have an obtrusive and unacceptable impact. The proposed development will be located in the centre of the Clanville HCA as well as the vicinity of several heritage items and an HCA and does not harmonise or enhance the area's distinctive identity as it is very dominant in the streetscape and will be visible from all surrounding sides.

(5) Incompatible bulk-massing scale and form

Inconsistent Bulk

The proposed massing of the residential flat building will adversely affect views from HCAs and heritage items to the surrounding area including views to the sky, tree canopies and terracotta roof tops.

The proposed 9 storey development does not relate to the predominant scale (height, bulk, density) of the setting around it and will have an adverse impact on the Clanville HCA, heritage items and HCA in the vicinity.

Large Scale

The overall large scale of the proposed development is not in context with the streetscape of the Clanville HCA, heritage items and HCA in the vicinity and has no transition to the buildings on either side.

Increased Density

The proposed increased density will irreversibly degrade the heritage significance of the Clanville HCA, heritage items and HCA in the vicinity because of the inconsistency with the existing low scale historic built form. At a height of 9 storeys (over 30 metres), this will be the tallest structure in the Roseville area with a disproportionate and overbearing impact on the Clanville and Lord Street/Bancroft Avenue Conservation Area including inappropriate transition in built form and destroying sightlines.

(6) Landscape loss

Loss of Trees to the street frontage

Proposed tree plantings particularly within the site frontages are limited to small and medium sized trees, which fails to consider the established landscape context where tall trees contribute to the streetscape.

The lack of tall trees to the site frontages does not effectively contribute to the streetscape and amenity, particularly with the proposed scale of the proposal.

The extent of proposed hard surface treatment within the Lord St site frontage is uncharacteristic of the existing streetscape context and character and will result in tree impacts that are not acceptable.

Further root mapping is required by a consulting arborist to determine the outcomes of existing trees.

Loss of planting character

The proposed predominantly native plants are not typical of the established landscape character and context within the heritage conservation area which is of exotic species.

(7) Inappropriate form, details, materials and colours

Inconsistent Colours

Concern is raised that the materials and finishes consisting of light colours will be visually dominating and obtrusive in the streetscape, when viewed from the surrounding heritage conservation areas. It is recommended that the external materials and finishes be amended to comprise darker, earthy tones to present a more recessive building that responds more appropriately to the aesthetic of surrounding heritage items and conservation areas.

Incompatible Building Form

The overall scale and form of the proposed development will be obtrusive and dominant element in the streetscape and will have an adverse and detracting impact on the HCA and heritage items and HCA in the vicinity.

APPENDIX A

21-24 Lord Street and 21-27 Roseville Ave, Roseville (SSD-78669234)



Figure 1 Site Aerial showing the subject site outlined in red.

Source: Urbis, 2025



Figure 2 Location map showing the subject site outlined in red

Source: NSW Planning Portal ePlanning Spatial Viewer 2025

The proposed development at 16-24 Lord Street and 21-27 Roseville Ave is located

- In the Clanville Heritage Conservation Area (C32)
- Adjacent heritage item is No. 29 Roseville Ave.
- Heritage items in the vicinity are Nos. 16, 22, 31 and 32 Roseville Ave.
- 19 and 28 Lord Street
- HCA(C36) in vicinity

Statement Of Significance of the Clanville HCA

"Historically, the area represents the fine residential development of Roseville and Lindfield during the nineteenth and twentieth centuries. The area provides evidence of the 1819 land grant to Daniel Dering Mathew, the subsequent purchase of this grant by Richard Archbold in 1824 and later its subdivision. The area has further historic significance for the successive subdivisions of "Clanville" in the late nineteenth century with the subdivisions of Roseville Park Estate (1893) and Roseville Station Estate (1896), and the early twentieth century subdivisions of Clanville Estate (1903); Clanville Heights Estate (aka Lindfield Heights Estate of 1906) (1905); Terry's Hill Estate (1908); Archbold Hill Estate (1909);

Clermiston Estate (1912); Taraville Estate (1914); The Firs Estate (1918); The Garden Estate (1920); Hordern's Roseville Estate (1922) and Archbold Hill Estate (1923). These subdivisions demonstrate the development resulting from the construction of the North Shore rail line at the end of the nineteenth century.

The area has aesthetic significance for the highly intact and quality Federation and inter-war houses, with some examples of mid to late twentieth century development. Architectural styles present from the Federation period include Federation and transitional bungalows, Queen Anne, and Arts and Crafts, and present from the inter-war period mostly Californian Bungalows with some examples of Old English, Art Deco and Spanish Mission.

The area is of local heritage significance in terms of its historical and aesthetic value. This satisfies two of the Heritage Council criteria of local heritage significance for local listing."

HOUSES PROPOSED TO BE DEMOLISHED

(16-24 Lord Street and 21-27 Roseville Ave **are located in the Clanville HCA**)



Figure 3. Front facade of 16 Lord Street, Roseville (Google Maps 2024)

No. 16 Lord Street is a Federation Bungalow dwelling c.1900-1903. The primary façade includes a wrap-around veranda supported by a brick balustrade and sandstone-capped pillars beneath a deep terracotta tiled roof. The front garden is compact and well-maintained, with wrap-around hedges and a paved hardstand leading to a covered carport.

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling. Even though a large part of the building was reconstructed in 2008 it still contains its existing form.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 4. Front facade of 18 Lord Street, Roseville (Google Maps 2024)

No. 18 Lord Street, Roseville, is a Federation Bungalow dwelling constructed c. 1900- 1903. It has a stripped-back façade with minimal ornamentation. The left side of the primary facade includes a shallow gable with horizontal timber cladding and a rectangular gable vent, while the right side is plain except for simple rendered columns on brick plinths and multi-paned sliding windows with cathedral glazing. The gable façade is more decorative, featuring a diamond leaded glass casement window with a prominent overhang and a horizontal timber-clad windowsill and planter box. The dwelling is constructed of rendered brick with a terracotta tiled roof.

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling. Even though the front verandah has been enclosed it still contains its existing form.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 5. Front facade of 20 Lord Street, Roseville (Google Maps 2024)

No. 20 Lord Street, Roseville, is a Federation bungalow with Queen Anne style elements, constructed c.1907-1918. The primary façade features a timber veranda with decorative carved timber posts and ornate fretwork. A protruding gable with a decorative radial timber screen and rendered gable end is situated to the left of the veranda. The first-storey addition mirrors this gable but is constructed with timber shingles, distinguishing it from the original face-brick ground floor. The primary gable façade includes double sash windows, while contemporary transom French doors are on the right. The steeply

pitched terracotta roof features decorative ram-horn finials. The front garden is densely landscaped with trees, bushes, and trimmed shrubbery.

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling. Even though part of the first-floor addition can be partially seen from the street it has been detailed in the same style as the original building.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.

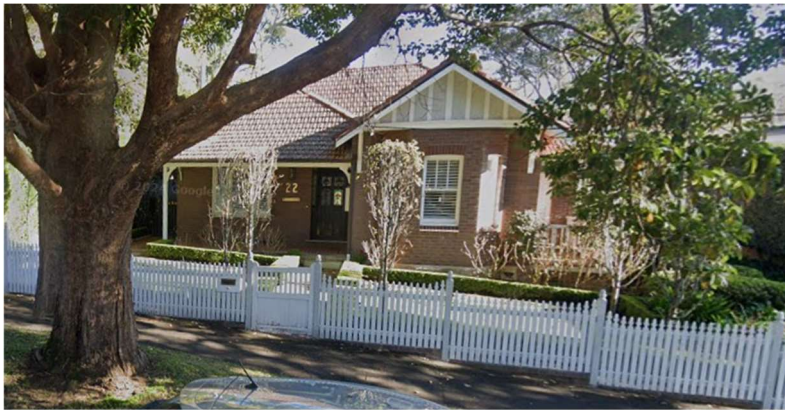


Figure 6. Front façade of 22 Lord Street, Roseville (Google Maps 2024)

No. 22 Lord Street, Roseville, is a Federation bungalow with Queen Anne style elements, built c 1907-1915. The primary façade is relatively plain with minimal ornamentation, featuring a protruding gable with a simple half-timbered effect and a rough-cast wall. The roof is a simple hip form with terracotta tiling and ball-top finials. The dwelling is constructed of face brick with a sandstone base, though the street-facing bricks have been recently replaced and repointed. Details includes a multi-paned sash window with a decorative head and sill and a bay window.

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling. Alterations and additions include the retention of the existing street façade, the front part of the original footprint including front and side verandahs, entry path and driveway, and a rear addition.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 7. Front façade of 24 Lord Street, Roseville (Google Maps 2024)

No. 24 Lord Street, Roseville is a Federation Bungalow with features of the Queen Anne style constructed in c. 1907-1915. The site is bounded by Lord Street to the south-west and Martin Lane to the north-east. The front façade features a protruding gable from with a simple half-timbered effect set in front of a rough cast wall, below sits a bay window with curved brick lintels, repointed face-brick wall construction of a running bond and accented brick quoins. The right-side of the façade is set-back behind a large front veranda supported by contemporary re-painted timber posts with accented corner brackets

The extent of the original footprint of the dwelling extends from the front veranda, Master Bedroom, portion of the entryway, study/library room, rumpus room to the lounge room. A large rear addition was constructed in c.2014 with a first floor in the roof space.

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling. The front façade facing Lord Street has been retained while the side elevation facing Martin Lane had been designed in keeping with the original style.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 8. Front façade of 21 Roseville Ave, Roseville (Google Maps 2024)

No. 21 Roseville Avenue, Roseville, is a Federation style bungalow with Queen Anne style elements, likely designed by Frederick Lockwood Holmes. Constructed circa 1913-1917, the home incorporates the Holmes family crest in various elements, such as windows and paving. The front façade includes a prominent gable with a half-timbered effect and a rough-cast wall. Below is an original leaded multi-paned casement window featuring the Holmes family crest, with a timber-framed awning above. The left side of the façade has a similar window without an awning. A covered brick entry veranda, set back to the right, features a terrazzo slab with a mosaic of the Holmes crest. The walls are constructed of red/brown brickwork and the roof is terracotta tiled.

It is identified as a contributory item as it retains its original form as a Federation style dwelling. No alterations or additions appear to have been undertaken to the overall footprint of the subject dwelling since 1943.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 9. Front façade of 23 Roseville Ave, Roseville (Source: Urbis, 10 October 2024)

No. 23 Roseville Avenue is a Federation Bungalow built c.1911. The front façade features typical Federation elements, including a protruding rough-cast gable end without a timber screen. Below a deep overhanging awning supported by prominent timber brackets is an original timber-framed tri-paned casement window. Other fenestration, including the front left-hand sash window, dates from a later renovation. The left side of the wrap-around veranda and horizontal timber elements along the primary façade were added during a 1973 extension. The primary form of the dwelling is of unfinished red face-brick construction arranged in a running bond with a common sandstone base below, the roof construction is of simple terracotta roof tiling.

Situated on a generous lot, the property is obscured from the street by boundary hedges and front garden vegetation. A paved hardstand on the left leads to a set-back contemporary covered carport.

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 10. Front facade of 25 Roseville Ave, Roseville (Source: Urbis, 10 October 2024)

No. 25 Roseville Avenue, Roseville, is a Federation Bungalow built in c.1907-1915. The simple façade features a large, deep roof plane with a wrap-around veranda, simple, front timber balustrade and replaced timber joinery and glazing. The right-projecting gable end has a simple timber half-screen and a modern shingle-finished awning supported by carved timber brackets. Constructed of rendered brick with a sandstone base, and the roof is finished with terracotta tiles. The veranda has been modified, with contemporary additions

It is identified as a contributory item as it retains most of its original form as a Federation style dwelling. Even though the front verandah has been extended on the side and a two-storey addition added to the rear it still contains its existing form.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.



Figure 11. Front façade of 27 Roseville Ave, Roseville (*Source: Urbis, 10 October 2024*)

No. 27 Roseville Avenue, Roseville, is a Federation Bungalow built c. 1907-1915. The front elevation features a projecting bay with a gable end with a simple timber screen, roughcast finish, and a protruding window awning with ornate timber brackets. The double-hung sash windows and most of the front veranda have been renovated. The left-side veranda has been added as well as a rear addition. Constructed of a rendered brickwork and terracotta tiles.

It is identified as a contributory item as it retains its original form as a Federation style dwelling. Even though it has been renovated and rear additions added it retains its original form at the front.

The dwelling is part of the HCA that contains a high aesthetic significance as a cohesive early twentieth century and interwar development. The proposed demolition of the house and garden will have an adverse and detrimental impact on the HCA.

HERITAGE ITEMS IN THE VICINITY OF THE SITE – STATEMENTS OF SIGNIFICANCE



Figure 12. North Elevation of Roseville Scout Hall 2012



Figure 13. Elevation of Roseville Scout Hall 2012

Source: Ku-ring-gai Council



Figure 14. Roseville Scout Group stone cottage 2012



Figure 15. Side Elevation of stone cottage 2012

Source: Ku-ring-gai Council

Roseville Scout Hall 29 Roseville Ave, Roseville

The following statement of significance for the “Roseville Scout Group Hall” item has been sourced from the State Heritage Register and is outlined below.

The property has a high degree of historic and social significance as a local scout hall and for its part in the early development of the suburb during the 1920s-30s. The brick scout hall building remains largely intact externally with some later additions at the rear of the original single storey brick building. The small largely intact sandstone building at the rear of the site has high historic, aesthetic and social significance as the earliest scout hall on the site.

The item is of local heritage significance in terms of its historical, aesthetic and social value. This satisfies three of the Heritage Council criteria of local

16 Roseville Avenue, Roseville

The following statement of significance has been sourced from the State Heritage Register and is outlined below.

The property demonstrates the initial residential development of the suburb of Roseville during the first decade of the twentieth century. The house retains its unusual form and massing with a tall paired hip roofline and the building presents as a rare example of this form of roof remaining within the Ku-ring-gai LGA. The building with its unusual roofline and largely intact original fabric contributes positively to the streetscape character which is enhanced by the original curtilage and mature trees.

The property is of local significance in term of its historical, aesthetic and rarity value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.



Figure. 16. Roseville Avenue Roseville - 11 August 2022 (3)
Photographer: Ku-ring-gai Council

22 Roseville Ave, Roseville

The following statement of significance has been sourced from the State Heritage Register and is outlined below.

The property is of historic significance as part of the residential development of the suburb around the 1930s. The front of the house remains largely intact externally with its original inter-war Mediterranean stylistic detailing and although it has undergone substantial modification since the 1980, it retains a degree of aesthetic significance. It makes a contribution to the Federation and inter-war style dwellings adjacent. The item is of local heritage significance in terms of its historical, aesthetic and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.



Figure 17. 22 Roseville Ave Front elevation 2013
Photographer: domain.com.au

31 Roseville Ave, Roseville

The following statement of significance has been sourced from the State Heritage Register and is outlined below.

The property has historic and social significance as part of the residential development of the suburb during the second decade of the twentieth century. Although the house has undergone some modifications at the rear the building retains its form and massing and original stylistic detailing in its presentation to Roseville Avenue. The character of the original building addressing Roseville Avenue contributes positively to the streetscape character in the immediate area.

The item is of local heritage significance in terms of its historical, aesthetic and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.



Figure 18. 31 Roseville Ave Front elevation 2013
Photographer: domain.com.au

32 Roseville Avenue, Roseville

The following statement of significance has been sourced from the State Heritage Register and is outlined below.

The property has historic and social significance as part of the initial residential development of the suburb during the first decade of the twentieth century. Although the house has undergone recent modifications, these additions are not visible from the street and the building retains its original form, massing and detail in its presentation to Roseville Avenue. The building addressing Roseville Avenue, in its original gardens contributes positively to the streetscape character in the immediate area.

The item is of local heritage significance in terms of its historical, aesthetic and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.



Figure 19. 32 Roseville Ave Front elevation 2013
Photographer: domain.com.au

19 Lord Street, Roseville

The following statement of significance has been sourced from the State Heritage Register and is outlined below.

The property is significant as part of the early residential development of the suburb during the 1920s when the period of subdivision and residential development was coming to a close. The building has undergone some modifications however these are not discernible from the street and the building retains its aesthetic significance as a largely intact example of a medium scale inter-war Bungalow. The largely intact and mature gardens at the front of the house contribute strongly to the streetscape character as the original curtilage to this early twentieth century residence. The item is of local heritage significance in terms of its historical, aesthetic, and representative value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.



Figure 20. 32 Roseville Ave Front elevation 2013
Photographer: domain.com.au

28 Lord Street, Roseville

The following statement of significance has been sourced from the State Heritage Register and is outlined below.

The church hall is of historic significance as part of the development of the area in the inter-war period, representing the establishment, growth and development of the local Presbyterian community in Roseville.

The building is of aesthetic significance as a good and intact example of a church constructed in the early twentieth century in the free Federation gothic style. The building retains its original form, character and detailing including its face brick, tuck-pointing, leadlight windows with stained glass and timber painted windows.

The church hall is of social significance to the local Presbyterian community who have continued to use the building as the former Presbyterian Church and church hall since its construction in 1918.

The item is of local heritage significance in terms of its historical, aesthetic and social value. This satisfies three of the Heritage Council criteria of local heritage significance for local listing.



Figure 21 28 Lord Street, Roseville
St Luke's Presbyterian Church Hall Photographer: domain.com.au



Figure 22. Interior of hall.

Lord Street/Bancroft Avenue Conservation Area

Historically, the area represents the fine residential development of Roseville during the nineteenth and twentieth centuries. The area provides evidence of the 1819 land grant to Daniel Dering Mathew, known as "Clanville", and the subsequent subdivision of this grant by Archbold family as the 1903 "Clanville Estate" subdivision. This subdivision demonstrates the development resulting from the construction of the North Shore rail line at the end of the nineteenth century.

The area retains a grouping of mostly intact houses from the Federation to inter-war period. The houses and heritage items within the conservation area are of high quality exhibiting fine detailing and quality workmanship.

The area is representative of suburban development in Ku-ring-gai and in Roseville close to the railway following the 1903 Clanville Estate subdivision.