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Contact: Stuart Wilson

Ref: SSD-82709458

11 September 2025

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

Via: NSW Major Projects portal

Attention: Adela Murimba

Dear Madam

RE: SUBMISSION TO SSD-82709458 FOR RESIDENTIAL DEVELOPMENT WITH IN-FILL AFFORDABLE HOUSING AT 21, 23 & 25 MCINTOSH STREET AND 55 WERONA AVENUE, GORDON

Thank you for the opportunity to comment on the State Significant Development (SSD) application (SSD-81623209) for the proposed residential development with in-fill affordable housing at Nos. 21, 23 & 25 McIntosh Street and No. 55 Werona Avenue, Gordon.

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. **Appendix A** also form part of this submission.

Council's key issues with the proposal include excessive height, bulk and scale; failure to give any consideration to Council's desired future character of the area; inadequate Clause 4.6 written request seeking a variation to height of building development standard; a failure to maintain the landscape character of the locality; insufficient deep soil zones; substandard residential amenity for the affordable housing dwellings; unacceptable heritage impacts; and stormwater.

Should you have any further enquiries, please contact Stuart Wilson, Executive Assessment Officer, on 9424 0000.

Yours sincerely,

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Selwyn Segall
Team Leader Development Assessment

ATTACHMENT 1

Ku-ring-gai Council's objection to SSD-82709458 at Nos. 21, 23 & 25 McIntosh Street and No. 55 Werona Avenue, Gordon

A. DESIRED FUTURE CHARACTER

The desired future character for the site is more appropriately guided by Ku-ring-gai Council's adopted Alternative TOD Scenario (Council's Plan). This plan holds significant weight in shaping the future character of the area, particularly given that the NSW Government has publicly supported Council in developing an alternative scenario, the plan has undergone public exhibition, and it has been formally adopted by Council and submitted to the NSW Government for consideration. Section 20(3) of State Environmental Planning Policy (Housing) 2021 also states:

"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".

The proposed development is inconsistent with the desired future character as set out in Council's Plan, for the following key reasons:

- **Outside of the TOD Boundary** - The subject site is located entirely outside of the Transport Oriented Development Area as defined by Ku-ring-gai Council. The exclusion of this area is documented in [Appendix 7 to the 31 March Council report](#) (site reference #3). The subject site has been excluded on the basis that it lies at the outer edge of the 400m radius to which the TOD SEPP applied and is positioned between two Heritage Conservation Areas that Council has resolved to protect. Allowing high density development in this location would create unacceptable transition impacts on the adjoining heritage fabric. Council's Plan has excluded the subject site from the Transport Oriented Development Area, meaning that it is the intention of Council instead to apply the Low and Mid-Rise to this area.
- **Excessive building height** - Council's Plan proposes the existing building height of 9.5m remains. Under the Low and Mid-Rise, this height limit remains, however residential flat buildings are permitted. The proposed development comprises a maximum building height of 30.5m.
- **Excessive density** - Council's Plan proposes the existing FSR of 0.3:1 remains. Under the Low and Mid-Rise, this FSR increases to 0.8:1. The proposed development comprises a maximum FSR of 2.39:1.

Figure 1 shows the location of the proposed development (red outline) in relation to maximum building height and floor space ratio under Council's Plan.

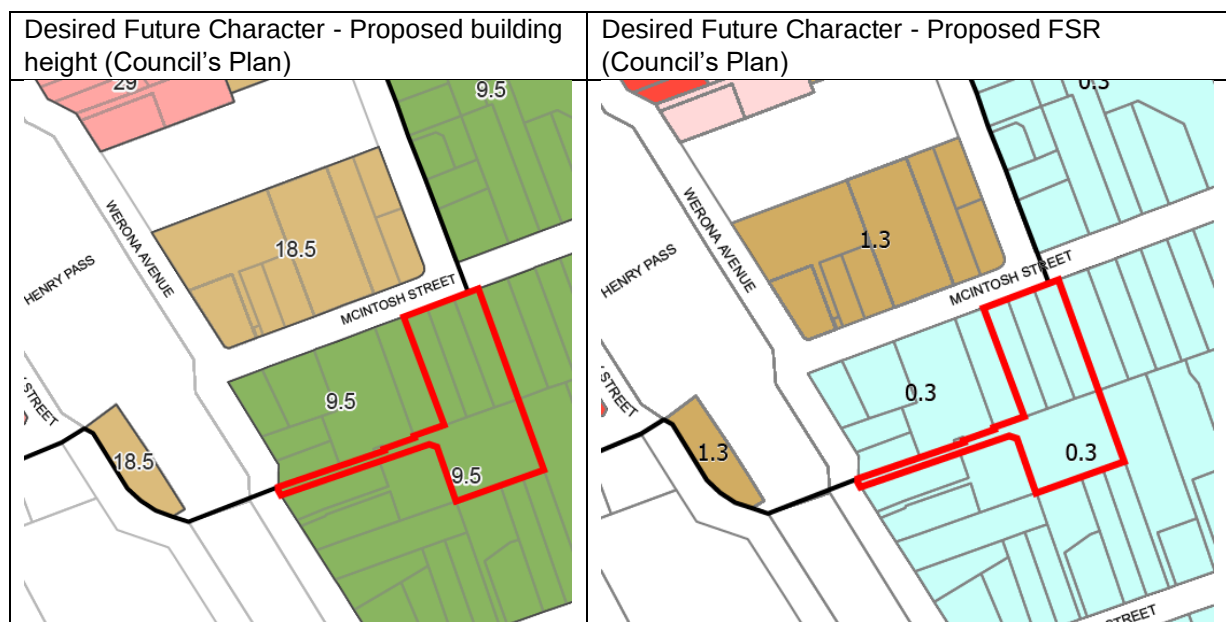


Figure 1: Maximum building height and FSR under Council's Plan

In light of Council's Plan, the proposed building height and FSR are excessive and result in a significantly taller and bulkier building which is out of character with the desired future character of the area.

B. RESIDENTIAL AMENITY

The proposed development fails to achieve the following objectives and criteria of the Apartment Design Guide (ADG):

3C Public domain interface

Objective 3C-1 seeks an appropriate transition between the private and public domain without compromising safety and security. The design guidance specifies that front fences and walls on street frontages should be visually permeable, and that the height of any solid fence or wall should be limited to 1m.

The proposal indicates a solid front fence. While the drawings do not clearly nominate a fence height, the "Building A – Front Fence Elevation" suggests a height that exceeds 1m when measured from the street, ranging from approximately 1.2m up to ~3.0m along the frontage. On this basis, the fence does not comply with the guidance for visual permeability or the 1m cap for solid elements.

In addition to height, the length of solid walls along street frontages should be limited to avoid creating a blank, visually impermeable edge to the public domain. In this case, the proposed front fence runs almost the entire length of the Building A frontage, with the only breaks being the driveway entry and a single pedestrian access point.

In summary, the height and continuous length of the proposed solid front fence reduces visual permeability and significantly limits opportunities for passive surveillance to the street. As currently proposed, the treatment is inconsistent with the design guidance, which seeks a balance between privacy and openness. To achieve compliance, the wall should be modulated, stepped, or broken into shorter sections with transparent elements (e.g. open fencing, planting, or articulation) to reduce its visual dominance and improve the interface between private and public domains.

The substation is proposed to be located at the McIntosh Street site boundary and not in the basement contrary to Objective 3C-2.

3F Visual Privacy

Objective 3F-1 of the ADG is that adequate building separation distances are shared equitably between neighbouring sites to achieve reasonable levels of external and internal visual privacy. The design guidance further states that apartment buildings should provide an increased separation distance of 3m (in addition to the baseline separation distances under Design Criteria 1) when adjacent to a different zone that permits lower density residential development. This allowance is intended to provide a transition in scale and allow for increased landscaping (see Figure 3F.5).

The subject site is located on the edge of the 400m TOD boundary and directly adjoins an R2 Low Density Residential zone on all sides. The R2 zone has a maximum building height of 9.5m, and the prevailing character is detached dwellings. In contrast, the proposal seeks an 8-storey residential flat building, which is a markedly different scale and intensity of development compared to its context.

In this scenario, the ADG recommends that an additional 3m setback be applied at the interface with the R2 zone, resulting in a 9m minimum separation on all boundaries (with the exception of McIntosh Street). This has not been provided—the proposal adopts only the minimum 6m separation, with no additional transition buffer.

This shortfall results in non-compliance with the ADG design guidance, fails to provide an appropriate transition to the adjoining low-density zone, and reduces opportunities for effective landscape screening. The lack of increased separation raises concerns regarding visual privacy, scale transition, and neighbourhood character impacts for surrounding properties.

3G Pedestrian access and entries

Objective 3G-1 requires that building entries and pedestrian access points connect to and address the public

domain. The design guidance further encourages the provision of multiple entries, including both communal lobbies and individual ground floor entries, to activate the street edge.

In this case, Building A fronts McIntosh Street but provides no direct pedestrian access from the street frontage—neither through individual ground floor entries nor a communal lobby. Instead, residents are required to enter the site via a gated access point and then circulate to the rear of the building, where the only two entry points are located.

This arrangement does not contribute to street activation, passive surveillance, or a welcoming interface with the public domain, as entries are located to the rear of the building and do not directly address McIntosh Street. This is inconsistent with the design guidance and does not meet the intent of Objective 3G-1.

4A Solar and daylight access

Objective 4A-1 of the ADG requires that a sufficient proportion of apartments receive direct sunlight to habitable rooms, primary windows and private open space. The design criteria specifies that no more than 15% of apartments in a building should receive no direct sunlight between 9am and 3pm at mid-winter.

In this proposal, the development complies with the criterion overall, with just 8 out of 162 units (5%) receiving no direct sunlight at mid-winter. However, when disaggregated, the performance of the affordable housing component is substantially poorer. Specifically:

- 24% of all affordable units (both the 15-year and in-perpetuity components) receive no direct sunlight.
- 50% of the affordable units in perpetuity receive no direct sunlight.

This outcome demonstrates that while the overall project achieves compliance, the distribution of solar access is inequitable, with affordable housing disproportionately affected.

The In-fill Affordable Housing Practice Note (p.15) makes clear that affordable housing should be delivered to the same standard of amenity as other dwellings within the development. The concentration of the lowest-performing apartments within the affordable housing stock highlights a shortfall in amenity for these residents, inconsistent with the Practice Note and contrary to the principle of equitable design outcomes.

C. CLAUSE 4.6 – HEIGHT OF BUILDING

The proposed development seeks a variation to the maximum height of 28.6m permitted under Sections 16(3) and 155(2) of the Housing SEPP in several locations. According to the Applicant, the proposed maximum building height is 30.5m which exceeds the building height development standard by 1.9m (16.6% variation).

There are no specific objectives associated with building height in Division 1 of the Housing SEPP. Consequently, the Clause 4.6 variation request addresses the consistency of the development against Chapters 2 and 5 of the Housing SEPP. Whilst this is commendable, the Clause 4.6 has failed to give any consideration to the objectives in Clause 4.3 in Ku-ring-gai LEP 2015 (KLEP 2015). The objectives in Clause 4.3 in KLEP 2015 deal directly with building height and should be considered in order to demonstrate whether strict compliance is “unreasonable and unnecessary”. The variation request argues that compliance with the development standard is unreasonable and unnecessary for various reasons. Relevant extracts of the variation request are provided below:

- *The proposed height variation will promote the social welfare of future residents of the community by maximising the future amenity of the residential dwellings proposed in response to the current housing crisis with no unacceptable, additional, adverse environmental impacts. The proposed height exceedance enables the delivery of a high quality communal open space at roof level and generous floor to floor heights. In this regard, the height variation is directly consistent with the aims of the development standards provided within the Housing SEPP.*
- *The elements of the building which exceed the height standard relate to the lift overruns providing access to the resident rooftop communal open space and as a result of the generous floor to floor heights proposed. The proposal does not result in any overshadowing to public recreation areas and does not have any unacceptable overshadowing and privacy impacts of adjoining residential development when compared to a compliant building envelope.*
- *The site is located within a precinct that is undergoing transformation as a result of the Chapter 6 (Low and Medium Rise Housing), Chapter 5 (TOD) and Chapter 2 (In-fill affordable housing)*

planning controls which seek to increase the supply of market and affordable housing in well located areas. The desired future character is informed by these planning controls and the desirable elements of the character of the local area which are:

- Leafy street character and landscaped street verge and front setbacks containing substantial street tree planting. - Accessibility of the site to Gordon Railway Station.*
- The identification of the locality within 400 metres of four lower north shore railway stations (including Gordon) as being capable of accommodating additional density and increasing housing supply including affordable housing.*
- The proposal is compatible with its local area in that the TOD and LMR regimes envisages a change in character and this is indicative of the future character of the area comprising greater intensity of Clause 4.6 Variation Request Page 17 development. The proposed variations to the building height control do not prejudice the achievement of the desired future character, and in fact enhance it by providing greater flexibility in the arrangement of building massing to optimise the spatial qualities of the development.*

It is clear from the issues raised in this submission, that contrary to the argument advanced in the Clause 4.6 request, the proposal:

- is not of an appropriate height, bulk and scale;
- does not consider Council's alternative TOD scenario;
- does not provide an appropriate height transition to the lower density land to the east of the site and therefore is not compatible with the desired streetscape character; and
- does not provide a high level of amenity as it does not comply with the solar access requirements of the ADG for the affordable units.

The environmental planning grounds are limited to achieving "objects of the EP&A Act", "desired future character of the locality", and lack of "environmental impacts". With respect, these are not sufficient environmental planning grounds to warrant the variation to the building height standard. The breaches result in:

1. Significant visual impacts;
2. A failure to appropriately transition building height to the adjoining lower density land; and
3. Lack of due regard to the future character which is to have significant less building height.

Given the above, the Applicant's Clause 4.6 variation request is not considered to be well founded and does not provide sufficient environment planning grounds for the consent authority to support the variation.

D. HERITAGE

Heritage objectives

The heritage provisions of 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 (KDCP) sets further detailed objectives and controls to implement the objects in KLEP 2015 in relation to conserving significance, fabric, setting and views for heritage conservation areas and heritage items.

Transport Orientated Development

The Guidance to Transport Oriented Development guide by the NSW Department of Planning, Housing and Infrastructure published 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.

...

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.

...

Design guidance for developments with heritage considerations

...

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, Housing and Infrastructure stated in publicly available correspondence to Members of Parliament that Clause 5.10 of a Standard Instrument 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?

KDCP Definition - Section B Part 19

The introduction section of Part 19 states:

This Part of the KDCP identifies various controls that specifically apply to contributory properties. For the purpose of this DCP, 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.*

Proposed development

- Demolition of four buildings in the subject site.
- Removal of ancillary buildings such as garages/sheds.
- Removal of vegetation within the subject site lots.
- Construction of three towers (Buildings A, B and C) 8 storeys (including a roof level).

The proposed development will have an unacceptable impact on the Gordon Park Conservation Area (C17) and the Gordon Park Estate, McIntosh and Ansell Conservation Area (C22) as well as heritage items in the vicinity at No. 17 McIntosh Street, Nos.49 and 51 Werona Avenue and No. 4 Forsyth Street Gordon.

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

(1) Demolition of existing buildings at Nos. 21, 23 and 25 McIntosh Street and No. 55 Werona Avenue, Gordon.

The proposed works will result in the demolition of Nos. 21 and 23 McIntosh Street and 55 Werona Avenue which are not located in an HCA but are in the vicinity of HCAs and some heritage items.

No. 21 McIntosh Street

The proposed demolition of this building and garden and the construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area and heritage items in the vicinity in terms of loss of a residential property and the introduction of a detracting building in close proximity of conservation areas and heritage items.

No. 23 McIntosh Street

The proposed demolition of this building and garden and the construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area and heritage items in the vicinity in terms of loss of a contributory property and the introduction of a detracting building in close proximity to conservation areas and heritage items.

No. 55 Werona Avenue

The proposed demolition of this potential heritage item and the construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area and heritage items in the vicinity in terms of loss of a potential heritage item and the introduction of a detracting building in close proximity to conservation areas and heritage items.

The house and grounds have the potential for heritage listing. The proposed demolition of the house and grounds will have an adverse and detrimental impact on the conservation areas and heritage items in the vicinity and is not acceptable from a heritage perspective.

The proposed demolition of No. 25 McIntosh Street, Gordon is located in an HCA and is in the vicinity of HCAs and some heritage items.

No. 25 McIntosh Street

Even though this house is neutral in the HCA, its proposed demolition and construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area and heritage items in the vicinity in terms of loss of a residential property and the introduction of a detracting building in close proximity to conservation areas and heritage items.

(2) Inappropriate setting and view impacts

Clause 5.10 Heritage conservation

The objective under Clause 5.10 of KLEP 2015 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” (emphasis added).

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. *Article 8. Setting* of the Burra Charter states:

“Conservation requires the retention of an appropriate setting. 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 HCA including a number of heritage items contributes to the significance of the locality. The proposed bulk and scale of the 8 storey residential flat building facing the street with two separate 8 storey residential flat buildings behind will result in drastic, adverse and irreversible change to the setting of the Gordon Park Conservation Area (C17) and the Gordon Park Estate, McIntosh and Ansell Conservation Area (C22) and nearby heritage items and is not acceptable. It will visually dominate and detract from the setting of this area.

The overall impact of the proposed development will have a high degree of visual impact to the setting of McIntosh Street due to the notable increase in scale. The setting of McIntosh Street 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.

Irreversible impacts to the setting



Figure 2: McIntosh Street Streetscape (SSDA Design Report by PMDL July 2025)



Figure 3: Proposed McIntosh Street elevation (SSDA Design Report by PMDL July 2025)

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.

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

Inappropriate setting for No. 19 McIntosh Street (adjacent property in the HCA)

No. 19 McIntosh Street is a contributory building in the HCA as a single storey Victorian style bungalow that has historic and aesthetic significance. It will have direct views to the development on its western side which will overshadow and adversely impact on its setting as there will be a backdrop of a large 8 storey high building.

Inappropriate setting for the Heritage items in the vicinity

No. 17 McIntosh Street, Gordon – Eryldene (State Heritage Item)



Fig 3. Front of Eryldene



Fig. 4. Front of Eryldene



Figs. 5. Garden of Eryldene



Fig 6. Function in the garden of Eryldene.

Figure 4: 'Eryldene' (State Heritage Item) at No. 17 McIntosh Street, Gordon

Inadequate Landscape Buffer

No. 17 McIntosh Street, Gordon (Eryldene Historic House and Garden) will be adversely impacted by the proposal as it fails to provide an adequate landscape buffer to protect the setting and significance of the heritage item.

Loss of trees to the street frontage of Eryldene

Some mature trees and open spaces that are currently home to native birds and animals will be destroyed.

Loss of Significant Plants of Eryldene

The museum is owned by The Eryldene Trust and houses an internationally significant Camellia collection of over 500 plants - many of them rare and endangered. These plants rely on adequate and appropriate light – particularly in the morning, clean rainwater, stable soil pH and good drainage. The proposed development would overshadow parts of the garden and would potentially damage and destroy many of these valuable plants through development contamination, changes to light and hydrology.

Access to Eryldene via Werona Avenue

Eryldene frequently uses the laneway off Werona Avenue that leads to No. 55 Werona Avenue, Gordon for deliveries at the rear of the property for bulk products required to manage this historic garden which is open to the public. This laneway is proposed as an access way to the proposed development and would prevent access to Eryldene via the laneway thus preventing proper care and maintenance of the historic garden.

Loss of privacy to adjoining properties

The scale of the proposed buildings results in direct overlooking into adjoining properties, with particular concern raised regarding views into the heritage listed gardens. This will adversely impact the nature of the space and limit its ongoing use for public access and cultural events.

Inappropriate setting for Nos. 49 and 51 Werona Avenue, Gordon and No. 14 Forsyth Street Killara

Views from these heritage items will drastically change from low rise to high rise with loss of trees as they will be obscured by three large scaled 8 storey buildings.

(3) Inadequate setbacks

Side setbacks from Nos.19 and 27 McIntosh Street, Gordon and No. 18A Forsyth Street, Killara

The proposed 8 storey buildings will be located on the adjacent western side boundary to No. 19 McIntosh Street, Gordon and eastern side boundary of No. 27 McIntosh Street, Gordon with minimal separation.

The proposed residential flat building has a four-storey rectilinear sheer high podium wall with four floors above slightly set in which is notably different in scale and contrast to the two-storey buildings in the conservation areas and is not acceptable.

The proposed western side building setback to No. 19 McIntosh Street, Gordon will combine a pedestrian entry and circulation path, which will limit the opportunity to establish tall trees along this interface. This results in poor amenity and reduced privacy to No 19 McIntosh Street, Gordon.

(4) Incompatible bulk-massing scale and form

View from Rosedale Road looking toward the South form

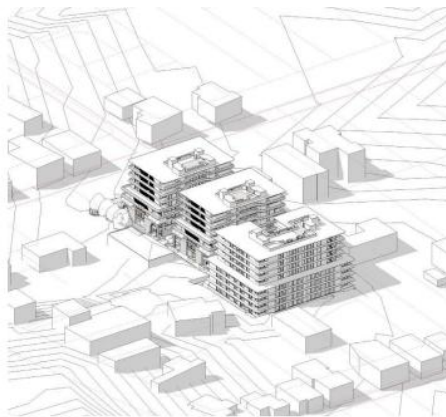


Existing



Proposed

Fig 9. And 10. SSDA Design Report by PMDL July 2025 street elevation-view from Stanhope Road, Killara



Existing Context

The existing density, heights and urban pattern of dwelling placement reflect the current R2 zoning.



Fig 11. Proposed buildings in existing context.
SSDA Design Report by PMDL July 2025

Fig 12. View of proposed buildings.

Figure 5: Various views of the proposed development (SSDA Design Report by PMDL)

Inconsistent bulk

The proposal massing of the residential flat buildings will adversely affect views from the Gordon Park Conservation Area (C17) and the Gordon Park Estate, McIntosh and Ansell Conservation Area (C22) and heritage items in the vicinity, including views to the sky, tree canopies and terracotta roof tops.

The proposed 3x8 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 surrounding HCAs and heritage items in the vicinity.

Increased density

The proposed increased density will irreversibly degrade the heritage significance of the Gordon Park Conservation Area (C17) and the Gordon Park Estate, McIntosh and Ansell Conservation Area (C22) and heritage items in the vicinity because of the inconsistency with the existing low scale historic built form. At a height of 8 storeys, this will be one of the tallest structures in the Gordon area with a disproportionate and overbearing impact on the Conservation Areas in the vicinity including inappropriate transition in built form, destroying sightlines, and obliterating the privacy of numerous residences adjacent and proximate to the site.

View in McIntosh Street looking south/east towards State
Listed residence and gardens of Eryldene



Existing



Proposed

Figure 6: Existing and proposed view of the proposed built form (SSDA Design Report by PMDL)

(5) Landscape loss

Absence of tall trees

The proposed McIntosh Street frontage will have an absence of tall tree plantings and large deep soil zones that adequately contribute to the leafy and green landscape character of the streetscape and neighbourhood.

The proposed entry path along the western side building setback to No. 19 McIntosh Street will reduce available deep soil and diminishing opportunities for buffer planting and tall tree establishment.

Loss of garden to Eryldene

The proximity of the proposed building to a State Heritage item, which includes a significant winter flowering garden with one of Australia's most important collections of camellias, is of enormous concern. The Eryldene garden houses one of Australia's most important collections of camellias and is highly regarded by both the national and international camellia fraternity. The camellia collection comprises some whose origins date back to early colonial times – now very rare and irreplaceable. There are also many camellias which are now commercially unavailable. Also of value are the camellias raised and developed by Professor Waterhouse who was regarded internationally as a camellia expert.

There is adequate shade in the garden due to the very large trees surrounding Eryldene. The proposed development will increase the extent of this shade in the morning to some of the camellias, azaleas and acers on the east side which will be detrimental to their survival.

(6) Inappropriate form, details, materials and colours

Inconsistent colours

Concern is raised that the proposed materials and finishes consisting of minimal brickwork and large areas of painted render in light colours will be visually dominating and obtrusive in the streetscape, when viewed from the surrounding heritage conservation areas and heritage items in the vicinity.

It is recommended that the external materials and finishes be amended to comprise primarily bricks of warm, earthy tones and secondary material such as sandstone or timber to present a more recessive building that responds more appropriately to the aesthetic of the surrounding heritage items and conservation areas. Render and grey colours should be avoided.

Incompatible building form

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

Solid front fence

The proposed front fence elevation suggests a solid fence with a height range from approximately 1.2m to 3.0m along the frontage. It is recommended the front fence be 1.2 m high and is to be partially transparent such as a low hob brick or sandstone base with palisades above.

E. LANDSCAPING AND TREE IMPACTS

Inconsistency with SEARs

The proposal has been assessed against **Item 14: Trees and Landscaping** of the SEARs compliance table. The submitted documentation does not satisfactorily respond to this requirement, for the following reasons:

1. **Inadequate Landscape Documentation:**
 - *Appendix U: Landscape Plan* does not quantify the proposed canopy cover as a percentage of the site area, preventing an accurate assessment of its compliance with tree canopy and landscape coverage objectives.
2. **Failure to Integrate Significant Existing Trees:**
 - The design does not demonstrate meaningful consideration or integration of significant existing trees within the site layout.
 - While several trees are proposed for retention, other several high retention value trees have been identified in the periphery of the site and are proposed for removal. It is recommended that high quality specimens be incorporate into the design including the following:
 - **T19** *Eucalyptus paniculata*
 - **T21** *Lophostemon confertus*
 - *Appendix H (Arboricultural Impact Assessment Report)* does not provide specific tree-sensitive construction methods for each of the trees proposed to be retained.

SEPP (Sustainable Buildings) 2022

The submitted certificate is not a valid BASIX certificate as it does not have a BASIX number nor a date of issue.

The landscape BASIX commitments indicated in the submitted preliminary BASIX certificate is inconsistent with the submitted plans in the following landscape items:

1. The certificate indicates a common lawn area of 591.54m², while the common areas of lawn presented in the landscape plans are 332.5m².
2. The certificate indicates a common garden area of 2,472.56m² and also commits to 229.44m² of indigenous or low water use species in common areas; submitted plans may be consistent with these commitments, through the submitted documentation does not include a clear diagram of how this is addressed.

SEPP (Housing) 2021

Dictionary:

Deep soil zone means a landscaped area with no buildings or structures above or below the ground. Landscaped area means the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool or open-air recreation facility, but does not include a part used or intended to be used for a driveway or parking area.

Chapter 2 – Infill Affordable Housing

The proposal does not meet Section 2(b)(ii) of Chapter 2 SEPP (Housing) 2021:

a minimum landscaped area that is the lesser of— (i) 35m² per dwelling, or (ii) 30% of the site area.

The proposal identifies 2,991m² (38.4% of site area) as landscape area, though the submitted documentation does not include landscape diagrams showing all areas with landscape included in this calculation.

Documentation must include a landscape diagram demonstrating compliance with the 30% requirement, showing all areas with landscape treatment.

Schedule 9: Design Principles for Residential Apartment Development – Clause 5: Landscape

The proposal is inconsistent with the landscape design principles for the following reasons:

1. The absence of tall tree plantings and large deep soil zones along the street frontages fail to provide tall canopy trees that adequately contribute to the landscape character of the streetscape and neighbourhood. *(Clause 5(2))*
2. The proximity of the proposed building to a Heritage item, which includes a significant winter flowering garden, fails to retain positive natural features and compromises solar access to the heritage landscape. *(Clause 5(3)(c))*
3. The proposed entry path along the western side setback reduces available deep soil, diminishing opportunities for buffer planting and tall tree establishment. This fails to demonstrate adequate consideration of neighbouring amenity and privacy. *(Clause 5(4)(d))*
4. The scale of the proposed building results in direct overlooking into adjoining properties, with particular concern raised regarding views into the heritage gardens. This will adversely impact the character of the space and limit its ongoing use for public access and cultural events.

Apartment Design Guide

Part 3E Deep soil zones

Based on the total site area of 7,776m², the development is required to provide 1,166.4m² (15% of site area) of deep soil with a minimum dimension of 6m, in accordance with Objective 3E-1 of the ADG.

The proposal identifies **2,991m² (38% of site area)** as deep soil. However, these areas are not consistent with the ADG definition of deep soil, nor do they meet the required minimum dimension of 6m for this type of development.

Council's assessment confirms that the proposal provides **753.2m² (9.7% of site area)** of compliant deep soil.

The proposal therefore fails to meet the minimum deep soil provision under the ADG and must be redesigned to achieve compliance, including the submission of detailed plans and diagrams demonstrating compliance with the required dimensions.

Key Deep soil Issues:

1. **Private Open Space within Deep Soil:** The extension of private terraces into deep soil areas should be avoided to maximise natural ground-level deep soil. Where terraces are necessary, they must be constructed with a pervious treatment or as suspended decks, to maintain compliant deep soil zones with the required 6 m minimum dimension.
2. **Capacity for Tall Trees:** Terraces intruding into deep soil areas reduce the capacity for tall canopy tree planting, diminishing the environmental and amenity benefits expected from deep soil zones.

3. **Insufficient Canopy Tree Provision:** The landscape design does not provide adequate deep soil to support the retention or establishment of tall canopy trees, resulting in inconsistency with the existing and desired landscape character.
4. The western side setback incorporates a pedestrian entry and circulation path, which limits the opportunity to establish tall trees along this interface with neighbouring properties. This results in poor amenity and reduced privacy.



Figure 7: Landscape area calculation (fuchsia) as per ADG definition with minimum dimension of 6m

Recommendation

To achieve compliance with Part 3E of the ADG and improve the landscape design, the following amendments are recommended:

- **Ground-Level Private Terraces:** Any ground-level private terraces within deep soil areas can either be constructed with a pervious treatment (e.g. suspended deck) or removed to maximise usable deep soil.
- **Front Setback:** Redesign the front setback to delete the wide retaining walls currently proposed along the frontage. These walls significantly reduce the available deep soil for tree root development and create an undesirable interface with the established street character.
- **Main Pedestrian Entrance:** Relocate the main pedestrian entrance closer to the built form to provide greater setback for taller buffer planting along the western boundary and the street frontage. The area between the entry and the western side setback should accommodate at least one large deciduous tree to ensure solar access to neighbouring properties in winter and to provide a framed setting for the built form.

Part 4O-1 Landscape Design

In accordance with the ADG, the proposal should include at least one large tree or two medium trees per 80m² of deep soil zone. This requirement has not been demonstrated in the current documentation.

Proposal shall include WSUD elements into the landscape design.

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

The proposal does not meet this objective due to the following issues:

1. **Deep Soil Zones and front setback**
Deep soil areas along the frontage of the site presents curved wide walls and water features that reduced the opportunity to accommodate large or medium trees to contribute to the streetscape and amenity and fails to meet ADG objectives.
2. **Interface with Heritage Item – The Eryldene Historic House and Garden**
The proposal fails to provide an adequate landscape buffer to protect the setting and significance of the heritage item.
3. The deep soil area provided along the western side setback is significantly reduced by the inclusion of proposed structures such as ramps, pedestrian entries, retaining walls, and private open spaces. This leaves minimal space for the planting of suitably scaled trees to provide an effective buffer between the proposed built form and the heritage gardens.

4. The western side setback includes Li-fa (a small deciduous tree not identified in the submitted plant schedule), *Acer palmatum*, *Camellia spp.*, and *Gardenia spp.* as buffer planting towards the western neighbours. This planting scheme is inappropriate in scale and character and will result in an adverse visual impact for users and visitors of the Eryldene gardens, significantly altering the established character and setting of the heritage item.
5. **Lack of Clarity in Landscape Ownership and Use:** The plans do not clearly differentiate between areas of private open space and communal ownership, reducing certainty about ongoing management and effectiveness of the proposed landscape outcomes.

Part 4P Planting on structures soil depths and soil volumes

Landscape and architectural plans provide insufficient information to assess the planting above structures. Where landscaping is proposed over structures raised planters / or planted areas the appropriate soil depths and volumes (as per ADG Table 5 of Part 4P) should be provided for the following purposes:

1. All Communal Open Spaces (COS): To improve amenity, air quality, and stormwater management. Include tree species known to perform well above structures.
2. Between Private Open Space (POS) and COS: To maintain privacy and enhance residential amenity.
3. Along edges of COS on higher levels of the proposed building: planters with cascading plants and screening small leave shrubs to provide visual softness to the streetscape and neighbours, wind protection, and long-lasting greenery.
4. The planting design shall include species suited to wind, drought, and varying solar conditions and consider seasonal changes.
5. Include automated irrigation and allow access for maintenance to all planting proposed above structures.

Ku ring gai DCP

TREE REMOVAL AND IMPACTS

Part 13 Tree and Vegetation Preservation

Inadequate Arboricultural Assessment:

- The submitted Arboricultural Impact Appraisal (AIA) lacks sufficient detail to confirm the protection and retention of trees both within and adjacent to the site. The architectural drawings and landscape plans are conceptual only and provide insufficient information regarding site levels, building interfaces, stormwater infrastructure, and service locations. The cumulative impacts of these elements on tree retention have not been addressed.
- Trees T12, T13, T14, T16, T17 and T18 are of particular concern, as proposed path levels appear to be below existing natural ground levels within the Tree Protection Zones of these trees.
- Further detail is required in both the architectural and landscape plans. All proposed structures must be consistent across submitted documentation, and the stormwater system must be included in the AIA to properly assess potential impacts on existing trees within the site.
- AIA shall also include particular tree sensitive construction methods for each tree proposed to be retained.

Accordingly, the proposal fails to demonstrate adequate protection of existing trees and is inconsistent with the objectives and controls of Part 13 (Tree and Vegetation Preservation) and Part 4A.4 (Landscaping) of the Ku-ring-gai DCP.

Part 7A.6 Deep Soil Landscaping

The development fails to meet the minimum requirement of 50% deep soil area. The proposal states a provision of 2,991 m² of deep soil, equating to 38.4% of the site area.

Deep soil areas must have a minimum dimension of 2m and be located in common areas to provide effective buffers between buildings (Control 4).

Tree Planting Requirements (as per Control 7 of Part 7A.6):

- Minimum of 1 tall tree per 300m² of site area is required. For this site, 26 tall trees (minimum 18m height at maturity) must be provided.
- Tall trees must be planted at least 2m from any boundary, and 4m from any structure. Tree planting is to be distributed across all setback areas, with at least 30% located within the front setback.

The current proposal does not meet these requirements. The proposal includes 8x *Syncarpia glomulifera*, 1x *Zelkova serrata*, 1 *Nyssa sylvatica*, 2x *Angophora costata*, 2x *Angophora floribunda*. Resulting in a total of 14 tall trees plus the 5 existing tall trees retained result in a total of 19 tall trees.

Recommendation:

- The proposal shall seek to augment the number of tall trees along the western and front setback.

Other Ku-ring-gai DCP relevant controls

- Front Boundary Landscaping: Hedges and shrubs along the street frontage must not exceed 1.2m in height (Part 7C.10, Control 4).
- At least 30% of the required number of tall trees must be planted within the front setback. The requirement is one tall tree per 300 m² (or part thereof) of the site, resulting in a minimum of 26 trees capable of attaining a mature height of at least 18 m in local soil conditions. Considering the shape of the site at least 4 to 3 tall trees shall be in the front setback. The proposal includes no tall trees in the front setback or the western side setback.
- Deep soil landscaping is to be provided in the common areas as a buffer between buildings that softens the bulk and scale of the buildings with planting.

Inconsistencies

The submitted architectural and landscape plans are inconsistent. In particular, the finished levels shown on each set of plans do not match, with conflicting information provided.

The proposed wall along the front setback is shown at differing heights across the submitted documentation, with no top-of-wall levels provided. As a result, the actual height of the proposed wall is unclear.

The landscape proposal includes insufficient detail regarding:

- The landscape plan does not include proposed stormwater structures, not being possible to assess if there is conflict with proposed or existing vegetation.
- Services Infrastructure:
 - Proposed substation in the front setback presents a hedge of shrubs in the front. This approach is not feasible, as a substation needs straight access from the public domain if provided in the frontage.
 - The development proposal shall include the substation within the building envelope, to minimise visual impacts, and ensure that new development does not impact on the landscape character and garden setting of the neighbouring Heritage Item and HCA.

Inadequate proposed planting

The landscape proposal does not adequately respond to the established or desired landscape character of the area, particularly in relation to:

Front setback

The front setback does not provide a suitable landscape buffer to the streetscape. The proposal includes one *Jacaranda mimosifolia* in the north-eastern corner, two *Pyrus ussuriensis*, and one *Ficus brachypoda*. No tall canopy trees have been incorporated into this area.

The proposal should include large canopy trees, such as *Syncarpia glomulifera*, *Angophora costata*, *Nyssa*

sylvatica, or *Zelkova serrata*, to create an effective buffer between the built form and the street while maintaining passive surveillance.

The proposed *Ficus brachypoda* is a small tree with a mature height of approximately 4m. While it may serve as an effective feature tree in podium or courtyard areas, it is not suitable for inclusion in the front setback as it is under scaled in relation to the proposed building and is neither indigenous nor characteristic of the local landscape.

Further heritage landscape considerations

The proposed landscape design presents the McIntosh Street façade with a formal row of *Buxus microphylla japonica*. This approach is not consistent with the established landscape character of the neighbouring heritage item or the Heritage Conservation Area (HCA). A more appropriate design response would include groupings of diverse exotic species. While geometric planting arrangements are acceptable, they should avoid rigid formality in order to better reflect the existing character of the area.

The proposed front wall should be replaced with a light or semi-transparent low fence (maximum 1.2m in height) to provide a more suitable interface with the public domain, consistent with surrounding properties and the desired character of the HCA. In addition, the front setback landscape setting should incorporate a mix of tall canopy trees and understorey planting characteristic of the area.

The increased height of the proposed building will exacerbate overshadowing impacts within the heritage gardens, particularly during winter, with negative consequences for the historic garden's health and character. The garden is renowned for its seasonal displays, including the winter flowering of various *Camellia* species and the vivid autumn foliage of several *Acer* specimens. Overshadowing is likely to reduce lawn vitality in both the front and rear gardens, and prevent *Acer palmatum* varieties—particularly those on the eastern side of the site—from producing their characteristic red autumn colour, which relies on a balance of sunny days and cool nights.

Furthermore, the flowering performance of heritage-significant cultivars, including *Camellia japonica* 'Fra Arnaldo da Brescia', *Camellia williamsii* 'Erydene Excelsis', *Camellia japonica* 'Altheiflora', as well as *Begonia fuchsioides*, *Iris germanica*, and *Rhododendron indicum*, will be adversely affected. These species typically flower in winter and early spring, and increased overshadowing will likely diminish or even prevent flowering altogether, undermining the cultural and horticultural value of the gardens.

The *Camellia* collection represents one of Professor Waterhouse's key contributions to the nomenclature and hybridisation of this genus. The proposal will adversely impact the remaining specimens on the site, which are an important resource for future studies of the genus.

Accordingly, the proposal would result in an unacceptable heritage impact by diminishing the cultural significance and horticultural setting of the Erydene Historic House and Garden and is inconsistent with the objectives and controls in Part 19 (Heritage Items and Heritage Conservation Areas) of the Ku-ring-gai DCP.

F. ECOLOGY

A biodiversity development assessment report (BDAR) (Ashby, 2025) and an Arboricultural Impact Appraisal (TreeIQ, 2025) have been submitted.

The site supports 0.11 hectares of Plant Community Type (PCT) 3262 – Sydney Turpentine Ironbark Forest (STIF), a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016. The proposal involves clearing 0.06 hectares of mapped STIF vegetation and removal of two native canopy trees. The BDAR (Section 7.1) confirms Vegetation Integrity (VI) of VZ1 will be reduced from 24.3 to zero, thereby generating an offset obligation of at least one ecosystem credit.

STIF Trees Identified

The Arboricultural Impact Appraisal (Appendix H) and BDAR identify the following native STIF canopy trees for retention:

- Tree 5 – *Eucalyptus paniculata* (Grey Ironbark)

- Tree 6 – *Eucalyptus paniculata* (Grey Ironbark)
- Tree 9 – *Eucalyptus paniculata* (Grey Ironbark)
- Tree 13 – *Eucalyptus resinifera* (Red Mahogany)
- Tree 14 – *Eucalyptus paniculata* (Grey Ironbark)
- Tree 25 – *Brachychiton acerifolius* (Illawarra Flame Tree)

These trees represent the structural core of the remnant patch and their retention is critical to maintaining ecological values.

Two native STIF canopy trees are proposed for removal:

- Tree 19 – *Eucalyptus paniculata* (Grey Ironbark)
- Tree 22 – *Brachychiton acerifolius* (Illawarra Flame Tree)

Tree 22 is unavoidably impacted by the building footprint. Tree 19 could feasibly be retained if the proposal were reconfigured, showing that the current design has not been adequately sited to avoid and minimise impacts on STIF.

Assessment of impacts and BAM requirements

- Stage 2 of the BAM Operational Manual requires proponents to follow the impact hierarchy: avoid, then minimise, then offset.
- Section 3.1 requires proponents to demonstrate that biodiversity impacts have been avoided through consideration of alternative layouts, designs, and siting.
- Section 3.2 requires that impacts which cannot be avoided are minimised, and Section 3.3 requires documentation of these decisions in the BDAR.

The BDAR fails to adequately address the requirements above.

Key non-compliance issues

1. Failure to avoid removal of Tree 19 (*Eucalyptus paniculata* – Grey Ironbark). BAM Stage 2, Section 3.1 requires proponents to “locate the proposal to avoid or minimise direct and indirect impacts on native vegetation and threatened ecological communities” and to consider “alternative siting or design layouts”. Tree 19 could be retained with design modification, yet the BDAR accepts its loss without exploration of alternatives.
2. No demonstration of alternative design or construction approaches. Section 3.1 of the Operational Manual requires evaluation of “alternatives for the location and design of the proposal with evidence of analysis of environmental considerations”. The BDAR does not document testing of reduced basement footprints, realigned accessways, or adjusted building envelopes to avoid or minimise clearing of STIF.
3. Lack of Tree Protection Zone (TPZ) assessment consistent with AS 4970–2025. The Arboricultural Impact Appraisal identifies TPZ constraints but does not apply the AS 4970 formula ($TPZ = DBH \times 12$) or permissible encroachment testing. BAM Stage 2, Section 3.2 requires proponents to apply “reasonable minimisation measures based on industry best practice”. The absence of TPZ analysis undermines the conclusion that Tree 19 must be removed.
4. Insufficient minimisation measures. BAM Stage 2, Section 3.2 requires minimisation measures to be proportionate, effective, and supported by evidence. The BDAR identifies only groundcover translocation and landscaping, which do not reduce the impact of canopy tree loss or maintain ecological function.
5. Premature reliance on offsets. BAM Stage 2, Section 3.4 specifies that offsets may only be considered once avoidance and minimisation have been demonstrably exhausted. The BDAR advances directly to offsetting without satisfying this requirement, incorrectly treating offsets as a substitute for avoidance and minimisation.

Conclusion and recommendation

The proposal does not comply with the BAM’s avoidance and minimisation hierarchy. Tree 22 (*Brachychiton acerifolius* – Illawarra Flame Tree) is accepted as unavoidably impacted, but Tree 19 (*Eucalyptus paniculata* – Grey Ironbark) could be retained with redesign. Its removal represents a significant and avoidable impact on a Critically Endangered Ecological Community. The reliance on offsets in place of avoidance is

inconsistent with BAM Stage 2, Section 3 and the Biodiversity Conservation Act 2016.

This proposal should not be supported in its current form. The proponent must:

1. Redesign the proposal to retain Tree 19 (*Eucalyptus paniculata* – Grey Ironbark) in accordance with arborist recommendations and BAM Stage 2 avoidance principles.
2. Provide a full AS 4970–2025 TPZ and SRZ assessment for Trees 19 and 22, including encroachment feasibility.
3. Demonstrate genuine avoidance and minimisation consistent with BAM Stage 2, Section 3.
4. Only once avoidance and minimisation are exhausted, confirm and provide for the required offset (minimum one ecosystem credit).

G. ENGINEERING

Water management

A stormwater management plan has been submitted and prepared by Hydracor Consulting Engineers issue A dated 21.05.2025.

Part 24A Site Design for Water Management

The proposal seeks to discharge into Council's existing drainage system via a 600mm diameter pipe. Council's existing trunk drainage system located downstream within McIntosh Street should be investigated as the primary point of connection rather than discharge into the existing trunk drainage on Rosedale Avenue. The existing invert levels and exact location of the stormwater pit within the road reserve will need to be confirmed by a registered surveyor. Before you Dig Australia is recommended to ensure there is no conflict of existing utility services.

A CCTV video and report of the existing pit and pipe fronting to Council's trunk drainage system shall form part of this required certification. The condition of the existing pipe is to be inspected by a licenced plumber/drainage contractor to verify if the existing pipe is in good working condition. The findings of their report is to be submitted.

The design engineer is to check the size of the existing Council pipe to which connection is proposed and shall confirm that the hydraulic capacity of this pipe can accept additional post developed flows.

Part 24C.5 Controls for On-site Detention

The stormwater plans show an on-site detention tank and reuse tank of 154m³ and 80m³ respectively located under the new driveway ramp servicing the proposal. An onsite detention calculation sheet has been submitted as part of this application, which is acceptable.

The proposed OSD tank is shown to form part of the driveway ramp which grades into a downward slope into Basement 1. There is no fail-safe overflow other than an internal overflow chamber which could potentially block and have no unobstructed overland flow path towards the kerb and gutter on McIntosh Street and potentially down the driveway ramp which is not supported.

Part 24C.4 On-site Stormwater Management

An invalid BASIX Certificate has been submitted not requiring any alternative water supply.

The submitted stormwater plans indicate an 80,000L rainwater tank which forms part of the OSD tank under the driveway ramp. A water balance model has been submitted to reduce the site runoff days by 50.0% which would satisfy Council's streamflow objectives under Part 24C.3 of the Ku-ring-gai DCP. The rainwater tank is only required to be connected for irrigation only.

Part 24B.5 Pump-out tank

A basement pump out tank including its associated components of pits and pipes that form part of the two level basement has been designed and shown to collect the driveway runoff of 105m². The sizing of the pump out has been based on the 100-year 2 hour storm event.

Part 24C.6 Stormwater Quality Control

A MUSIC model was undertaken and submitted as part of the application. The captured stormwater runoff/overflow will be treated using 11 x OceanGuard and 14 x OCEAN PROTECT 'StormFilters' which forms part of the OSD chamber and is isolated by a baffle wall.

Part 24D.2 and Part 24E.1 Flood Studies and Design Procedures

The development site is not affected by the 1% AEP and PMF storm events.

Car parking / vehicular access & traffic assessment

Traffic generation and associated impacts

An operational assessment of existing traffic conditions at the following intersections was carried out in the Traffic Impact Assessment (TIA) using SIDRA traffic modelling software, with the corresponding Levels of Service (ranging from A being good operation to F being unsatisfactory operation with excessive queuing):

Location	Level of Service AM Peak	Level of Service PM Peak
McIntosh Street and Werona Avenue	A	A
McIntosh Street and Rosedale Road	A	A
McIntosh Street and Arthur Street	A	A

The TIA has calculated the traffic generation of the site by applying the industry accepted traffic generation rate for high density residential developments close to transport in the AM peak hour (0.19 vehicle trips per dwelling) and the PM peak hour (0.15 vehicle trips per dwelling) set out by Transport for NSW in the Guide to Transport Impact Assessments to. Applying this rate to 162 dwellings would result in the following peak hour vehicle movements:

- AM peak hour: 31 vehicle trips (2-way) per hour.
- PM peak hour: 24 vehicle trips (2-way) per hour.

Allowing for the traffic generation of the existing four low density residential dwellings on the site, the net additional traffic generation would be:

- AM peak hour: 27 vehicle trips (2-way) per hour.
- PM peak hour: 20 vehicle trips (2-way) per hour.

The peak hour movements resulting from the proposal were distributed to the surrounding road network and re-analysed in the TIA. While there was a minor increased in average delay, the Level of Service for all the assessed intersections remained the same, at Level of Service A.

In terms of the wider transport context, Strategic Planning has commissioned transport consultants to assess the cumulative impacts in Gordon of the NSW Government's TOD and Council's alternative scenario. Progress so far indicates that the existing Level of Service of the intersection of Pacific Highway and Park Avenue is C in the AM peak (satisfactory operation) and B in the PM peak (good, with acceptable delays & spare capacity).

In its Development Contributions Plan, Council has the following transport works planned in the immediate vicinity:

- Pacific Highway – remove traffic signals at Park Avenue, changes to traffic flow in Park Avenue, and upgrade traffic signals at the intersection with Dumaresq Street.
- Intersection Pacific Highway and St Johns Avenue – intersection and traffic flow modifications.
- Intersection Pacific Highway and Ravenswood Avenue – new traffic signals.

This development (in isolation) is unlikely to significantly impact on the operation of nearby intersections. The full roll-out of the NSW Government's TOD and Council's alternative scenario in Gordon are yet to be tested, and at the moment it is unclear whether additional or modified transport infrastructure is needed to accommodate them.

Parking provision

Car Parking

The following apartment breakdown was provided as part of the architectural plans:

Use	Market Housing	Affordable Housing	Total
Studio	-	-	-
1 bedroom	14	4	18
2 bedroom	61	15	76
3+ bedroom	54	14	68
Total	149	23	162

This is inconsistent with the apartment breakdown in the TIA:

Use	Market Housing	Affordable Housing	Total
Studio	-	-	-
1 bedroom	15	3	18
2 bedroom	71	13	84
3+ bedroom	49	11	60
Total	135	27	162

Since the car parking numbers in the TIA pre-date those in the architectural plans, it is assumed that the apartment breakdown in the architectural plans prevail for this assessment.

Car parking provision from the architectural plans has been assessed against the requirements of the TOD SEPP and the Ku-ring-gai DCP:

Parking type	TOD SEPP requirement	Ku-ring-gai DCP requirement	Proposed
Residential - Market	149	182-249	149
Residential - Affordable	23	-	23
Visitor	-	27	18
Car Share Bay	-	2	-
Car Wash Bay	-	can be shared with visitor parking bay	None shown, but can be shared with visitor parking bay
Total	172	211-278	190

The proposed residential parking provision meets the requirements of the TOD SEPP but falls short of the minimum requirements of the Ku-ring-gai DCP. This is because the parking requirement for affordable housing is lower than Ku-ring-gai's DCP. Also, only 18 visitor car parking spaces are proposed which is significantly lower than the Ku-ring-gai DCP requirement. The visitor car parking spaces have not been shown/allocated on the architectural plans. Furthermore, there is no provision of on-site car share vehicle spaces, which is a requirement of the Ku-ring-gai DCP.

When considering the household vehicle ownership data in the 2021 Census, the following information was obtained for statistical areas in the Gordon TOD precinct with a high proportion of high-density residential apartments:

Vehicle ownership per household - 2021 Census					
Statistical Areas with high concentrations of apartments					
SA1 Location	TOD Centre	approx address	Number of vehicles per household		
			0	1	2+
12103140744	Gordon	Pacific Hwy, Henry St, Cecil St, Park Ave	16%	60%	24%
12103140759	Gordon	Pacific Hwy, Dumaresq St, Hanson Way, Moree St	10%	66%	24%
12103140747	Gordon	Pacific Hwy, Dumaresq St, Vale St, McIntyre St	8%	65%	27%
12103140738	Gordon	Werona Ave, McIntosh St, Rosesdale Rd, Park Ave	11%	60%	29%
12103140755 12103140756 12103140760	Gordon	Gordon North (Fitzsimone Ln, Merriwa St, McIntyre St)	9%	67%	25%
	Gordon	Average	11%	63%	26%

Figure 8: Vehicle ownership per household – 2021 Census

This indicates that approximately 3/4 of households in the above statistical areas own no cars or one car only.

A notional breakdown of resident parking allocation has been prepared, based on information in the architectural plans and the TIA:

Total			Allocation of proposed parking provision			
Qty	Unit type	Max	Units with 0 spaces	Units with 1 space	Units with 2 spaces	
0	Studio					0
18	1br		9	9		9
76	2br		7	69		69
68	3+br			42	26	94
162	Total	0				172 Total spaces
			16	120	26	162 Total units
			10%	74%	16%	

Figure 9: Allocation of proposed parking provision

This car parking provision meets the requirements of the TOD SEPP and is closely aligned with the existing vehicle ownership per household profile, however since it is below the minimum requirement of the Ku-ring-

gai DCP, it is recommended that adequate on-site car share parking spaces be provided – see below.

Car share spaces

The Ku-ring-gai DCP requires car share spaces for residential developments of more than 90 dwellings, but none have been provided. Based on the DCP requirements, 2 car share spaces, as a minimum, should be provided. However, guidance from one car share provider suggests the following provision:

- Provide 1 on-site car share vehicle for every 10-15 units without parking (dependent on location to transport hubs)
- Provide 3 on-site car share vehicles for every 100 2-bed+ units with one parking space

Based on this guidance and the notional car parking allocation, it is recommended that 4 car share spaces be provided on-site, to ensure that residents have adequate access to additional vehicles on an as-needs basis, to minimise overflow parking on surrounding streets.

Conditions similar to the following could be imposed:

1. At least 4 car parking spaces on Basement 1 level are to be reserved for car share operation, with no charge to the car share operator to use the spaces.
2. The spaces must be available/accessible to verified members of the car share scheme (including members who are not residents of the development) and should be well-lit with safe pedestrian access.
3. These spaces must be contracted to an operator (a Car Share Provider that has been approved by the Responsible Authority) with evidence of agreement submitted to Council prior to issuing of the Occupation Certificate.
4. Car share vehicles must be operational within 4 weeks of issue of the Occupation Certificate
5. The agreement must ensure appropriate insurance and vehicle maintenance is in place, including public liability.
6. Since car share spaces are located in the basement, sufficient cellular communications connectivity must be available at the location of the carshare spaces to ensure proper car share management/operation.

Bicycle parking

The TIA notes that resident visitor parking is proposed to be located in each apartment's allocated storage areas spread across Basement 1 and Basement 2. However, the architectural plans show bicycle storage rooms in the Basement 1 and Basement 2 levels. Therefore, the location of bicycle parking needs to be clarified. If bicycle parking in storage cages is proposed, the configuration of the storage cages and the location of the doors should be reviewed to ensure convenient access to/from the cages by bicycle without obstruction from parked vehicles. If resident bicycle parking in bicycle storage rooms is proposed, the design needs to ensure that the space is sufficient to accommodate the required number of bicycles.

Regardless of the location/configuration of resident bicycle parking within the basement, the entry/exit ramp and the ramp connecting the basement levels have gradients of up to 1:6.5 (15%), which generally will exceed the capability of many bicycle users to remain mounted with stability (1:12, or 8% is practical). Therefore, the lifts and lobbies and accessways should be of a suitable size such that residents can transport their bicycles between their bicycle parking area and ground/street level in McIntosh Street and Werona Avenue without using the internal car park ramps.

According to the TIA, visitor bicycle parking is proposed to be located on the Basement 1 level, but the parking facilities could not be found on the architectural plans and it is unclear whether visitor bicycle parking is intended to be located in the Bicycle Storage rooms on Basement 1 level. This needs to be clarified. Regardless, similar ramp gradient issues as residents arise (as noted above), and given the additional practicality of visitors entering the secure parking area to access the bicycle parking from the main entry ramp, it is recommended that the visitor bicycle parking be relocated to somewhere behind the gate from the McIntosh Street pedestrian entrance, marked-up in red on the General Arrangement Sheet 1 landscape plan:

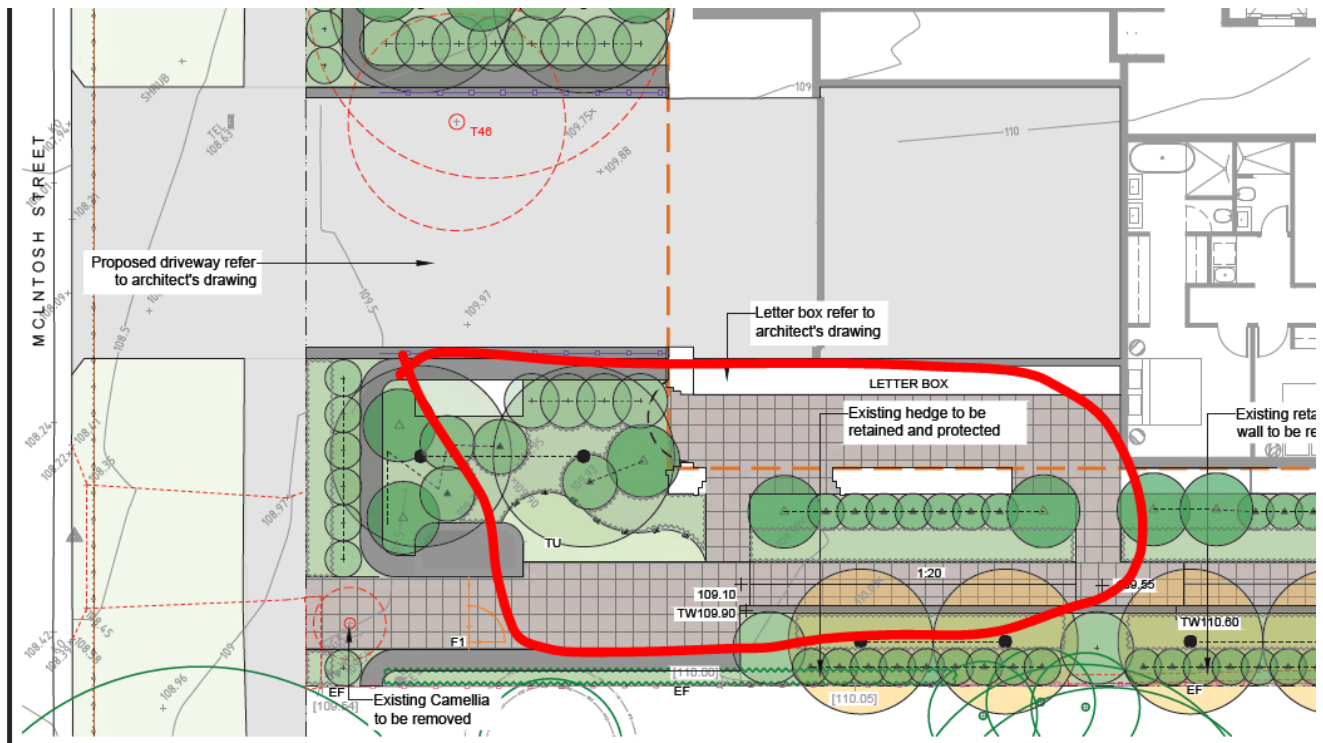


Figure 10: Recommended location for visitor parking (red area)

The pedestrian ramp at the Werona Avenue entrance should be sized to allow people to dismount and wheel their bicycles between street level and the internal courtyard/entry areas. It is also noted that there are multiple gates shown along the Werona Avenue pedestrian access route as part of the landscape plans. The CPTED report indicates a gated entry near the Werona Avenue frontage but it is not shown on the landscape plans or the architectural plans. With multiple gates along this access way, pedestrian access to the development from Werona Avenue needs to be clarified.

Electric vehicles (EVs)

There is no mention or provision for electric vehicle charging in the TIA or EIS. In accordance with the Kuring-gai DCP, EV readiness is to be provided for all car parking spaces within the development (including car share vehicles, with design and construction (provision for conduits, switchboards, electrical capacity etc) to enable installation of electric vehicle charging points that are linked to each individual dwelling electricity meter (in the case of residential parking spaces). This should be included as a condition of consent.

Access point

The architectural plans show an access driveway width of 6.9m (excluding kerbs) at the property boundary and at the kerb line is proposed. A central median - dimensions unknown, but scaled from the architectural plans to be approximately 0.6m wide - is proposed, reduces the travel lanes to 3.25m each way, which complies with the minimum roadway width in AS2890.1.

Service vehicle / removalist / loading bay

A loading bay is located on Basement 1 level. While not dimensioned, it appears to be more than adequate to handle Council's waste collection vehicle, and swept paths in the TIA of a small rigid vehicle shows that manoeuvring is acceptable.

The TIA notes that a nominal clearance height of 3.5m is provided for all areas traversed by a 6.4m SRV which is the largest vehicle permitted to access the proposed development. At 3.5m clearance, it may also be able to facilitate home grocery delivery vehicles which are typically SRVs. Therefore, clarification would be required on the degree of coordination between the loading bay and home deliveries/groceries.

To facilitate bulky goods waste collection and other service vehicles that cannot access the basement due to the height clearance, the development should also provide an on-site loading area (a separate hardstand area is not permitted). The position of the loading area must not prevent access to and from the basement

level car park, with at least one travel lane to be maintained at all times while loading/unloading takes place on the driveway. At least one on-site loading space is to be provided to cater for a minimum 6.7m long service vehicle. The loading space/s should be line marked and/or signposted as a designated loading area. The McIntosh Street and Werona Avenue frontages of the site are subject to No Parking Restrictions. Other areas of McIntosh Street experience heavy car parking competition from commuters and retail/commercial staff due to its proximity to the shops and station and is therefore unlikely to be practical for service vehicles. Requests for a Loading Zone on McIntosh Street and/or Werona Avenue will not be considered.

Recommendations

The following aspects of the proposal are not supported:

1. There is no provision for on-site car share vehicle car parking as required by the Ku-ring-gai DCP.
2. Visitor car parking provision is below the Ku-ring-gai DCP requirements.

The following aspects require clarification/additional information:

1. There is an inconsistency in the apartment breakdown between the Traffic Impact Assessment and the Architectural Plans. The final apartment breakdown needs to be clarified.
2. Visitor car parking needs to be shown on the plans.
3. Clarification is required as to whether resident's bicycles are to be parked in individual storage cages or in bicycle storage rooms.
4. If storage cages are to be used for bicycle parking, clarification is required that the size of the cages is suitable to access and store a bicycle.
5. If storage cages are to be used for bicycle parking, the configuration of the storage cages and the location of the doors should be reviewed to ensure convenient access to/from the cages by bicycle without obstruction from parked vehicles or other structures.
6. If bicycle storage rooms are to be used for bicycle parking, clarification is required that their design has sufficient space to accommodate the required number of bicycles.
7. Clarification is required on how pedestrian access from the Werona Avenue frontage is to be managed with multiple gates along the right-of way.
8. Clarification is required on the degree of coordination between the loading bay and home deliveries/groceries.

The remainder of the proposal would be acceptable subject to the following conditions:

Car parking

1. At least 1 visitor car parking space is to be made accessible in accordance with the Ku-ring-gai DCP.

Car share

1. At least 4 car parking spaces on Basement 1 level are to be reserved for car share operation, with no charge to the car share operator to use the spaces.
2. The spaces must be available/accessible to verified members of the car share scheme (including members who are not residents of the development) and should be well-lit with safe pedestrian access.
3. These spaces must be contracted to an operator (a Car Share Provider that has been approved by the Responsible Authority) with evidence of agreement submitted to Council prior to issuing of the Occupation Certificate.
4. Car share vehicles must be operational within 4 weeks of issue of the Occupation Certificate
5. The agreement must ensure appropriate insurance and vehicle maintenance is in place, including public liability.
6. Since car share spaces are located in the basement, sufficient cellular communications connectivity must be available at the location of the carshare spaces to ensure proper car share management/operation.

Bicycle parking

1. The lifts and lobbies and relevant accessways should be of a suitable size such that residents can transport their bicycles between their storage area/bicycle storage room and ground/street level on McIntosh Street and Werona Avenue without using the internal car park ramps.

2. Visitor bicycle parking is to be relocated to street level, somewhere behind the gate from the McIntosh Street pedestrian entrance.

EV charging

1. EV readiness is to be provided for all car parking spaces (including car share spaces) within the development.

Access point

1. Provision is to be made for an on-site loading area (a separate hardstand area is not permitted). The position of the loading area must not prevent access to and from the basement level car park, with at least one travel lane to be maintained at all times while loading/unloading takes place on the driveway. At least one on-site loading space is to be provided to cater for a minimum 6.7m long service vehicle. The loading space/s should be line marked and/or signposted as a designated loading area.

H. ENVIRONMENTAL HEALTH

Acoustic report

The Noise and Vibration Impact Assessment prepared by Acoustic Logic Pty Ltd dated 28 May 2025 for the proposed residential flat buildings at 21–25 McIntosh Street and 55 Werona Avenue, Gordon has assessed rooftop condenser units serving each building. Based on indicative selections, the report concludes that rooftop plant noise is predicted to comply with the NSW EPA *Noise Policy for Industry* (2017) and Ku-ring-gai DCP criteria.

The assessment identifies the following condenser plant allocations on the rooftop plant decks:

- Building A – 44 condenser units (27 + 13 + 4)
- Building B – 46 condenser units (28 + 14 + 4)
- Building C – 72 condenser units (43 + 22 + 7)
- TOTAL – 162 condenser units

Final plant selections and acoustic treatments (e.g. barriers, enclosures or louvres) are not yet resolved and the report advises this will be confirmed at the Construction Certificate stage.

The architectural plans show a 1.5m open louvre perimeter adjacent to the designated rooftop plant rooms on each building, which may influence both noise breakout and ventilation design.

Accordingly, clarification (and confirmation by an acoustic consultant prior to issue of the CC and OC) will need to address:

1. whether additional acoustic treatments (barriers, enclosures, or attenuation) will be incorporated where necessary to the rooftop plant rooms; and
2. confirmation that the 1.5m open louvred perimeters will not compromise compliance with acoustic requirements.

It is also noted that the rooftop plant rooms are not shown on the architectural height plane diagrams or the architectural solar access diagrams.

Contamination report

The proposal involves the demolition of existing residential dwellings and construction of residential flat buildings comprising multiple storeys over basement levels.

The Preliminary Site Investigation (PSI) prepared by EI Australia Pty Ltd identifies that the site has historically been used for residential purposes since at least the 1940s, with limited evidence of potentially contaminating land uses. Surrounding land uses have included residential, educational, and small-scale commercial activities. Historical business directory reviews noted potentially contaminating activities (such as dry cleaners, service stations, and motor garages) along the Pacific Highway corridor; however, these were located more than 200m from the subject site and are not considered to have directly impacted it.

A site inspection by the consultants confirmed:

- Existing residential dwellings in varying condition;
- Potential hazardous building materials (e.g. asbestos-containing material in fibre cement sheeting, old hot water units);
- No evidence of underground or above-ground storage tanks;
- No signs of stressed vegetation or olfactory indicators of contamination.

The Detailed Site Inspection (DSI) included the excavation of 10 test pits and 8 boreholes with soil sampling across the site.

Laboratory analysis did not identify concentrations of metals, hydrocarbons, pesticides, or asbestos above the adopted health-based investigation levels (HILs) or ecological investigation levels (EILs).

Groundwater was not encountered (at maximum 1.60 metre depths), and no evidence of fill material, buried wastes, or contamination was observed in the recovered soils.

A review of regulatory databases found:

- No statutory notices, orders, or licences under the *Contaminated Land Management Act 1997* or *Protection of the Environment Operations Act 1997* affecting the site;
- The site is not listed on the NSW EPA's contaminated land register;
- Surrounding EPA-licensed railway activities (Sydney Trains/Metro) were identified within 500 m but are not considered to pose a direct contamination risk to the site.

The conceptual site model concludes the site is suitable for the proposed redevelopment, with a low risk of contamination to human health and the environment.

I. BUILDING

The plans provided are not sufficient to enable comment in relation to the Building Code of Australia (BCA), nor do they establish whether the development is capable of complying with the BCA without requiring significant modifications to the plans for which approval is sought.

In this regard, a BCA report prepared by an Accredited Unrestricted Building Surveyor should be submitted as part of the development process.

I. DEVELOPMENT CONTRIBUTION

The proposed development would attract the payment of a s7.11 development contribution.

The current (inflated rates) can be found on Council's website at <https://www.krg.nsw.gov.au/Planning-and-development/Building-and-renovations/Development-contributions/Quotations-and-payments-for-local-infrastructure-contributions> and on the Planning Portal <https://www.planningportal.nsw.gov.au/details/Ku-Ring-Gai%20Council>.

Appendix A:

Nos. 21, 23 & 25 McIntosh Street and No. 55 Werona Avenue, Gordon (SSD-83478456)



Figure 1 Location map showing the subject site outlined in red.

Source: Nearmap, 2025.

Figure 1: Location map of subject site (Source: Ku-ring-gai Geocortex Map 2024).



Figure 2: Location map showing the site outlined in blue. Heritage items are shaded, HCA is hatched (Source: Ku-ring-gai Geocortex Map 2024).

The proposed development at **25 McIntosh Street Gordon** is located:

- In the Gordon Park Estate McIntosh/Ansell Grant Heritage Conservation Area (C15).
- In the vicinity is Gordon Park Conservation Area(C17).
- In the vicinity of the heritage item at No.17 McIntosh Street, Gordon.
- In the vicinity of the heritage items at Nos. 49 and 51 Werona Avenue, Gordon.

The proposed development at **21 and 23 McIntosh Street and 55 Werona Avenue**, Gordon is located:

- Adjacent to the Gordon Park Conservation Area (C17).
- Adjacent to the Gordon Park Estate McIntosh/Ansell Grant Heritage Conservation Area (C15).
- In the vicinity of a heritage item at No.17 McIntosh Street, Gordon.
- Adjacent to the heritage items at Nos. 49 and 51 Werona Avenue, Gordon and
- In the vicinity of No.14 Forsyth Street, Killara.

The following **statement of significance** for the “**Gordon Park Conservation Area**” (source: State Heritage Register):

Historically, the area represents the fine residential development of Gordon during the nineteenth and twentieth centuries. The area provides evidence of the 1823 land grant to Michael Ansell and the subsequent subdivision of this grant by the family of Robert McIntosh in 1895. 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 Victorian, Federation and inter-war period housing, including the State Heritage Register listed “Eryldene” at 17 McIntosh Street, which illustrates the subdivision history and development of the area. The area has aesthetic significance for the high proportion of quality houses with established gardens on large allotments. “Eryldene” is a focus for admirers of Professor Waterhouse’s life and works, and also a remarkable evocation of a way of life and philosophy of living, increasingly remote from contemporary society. It also reflects cultured, intellectual life in Sydney from the First World War to the Modern period.

The camellia collection at Eryldene is of research significance for its potential to reveal further botanical knowledge and understanding of the species.

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

The following **statement of significance** is for the “**Gordon Park Estate McIntosh/Ansell Grant Conservation Area**” (source: State Heritage Register):

Historically, the area represents the fine residential development of Gordon during the nineteenth and twentieth century. The area provides evidence of the 1823 land grant to Michael Ansell and the subsequent subdivision of this grant by Robert McIntosh as the Gordon Park Estate. This subdivision demonstrates the development resulting from the construction of the North Shore rail line at the end of the nineteenth century.

The area largely retains the overall form and layout of the original subdivision pattern with consistent streetscapes of houses in their garden setting. The building stock includes a high proportion of quality houses, representing examples of late federation and inter-war architecture. The buildings survive reasonably intact within mature gardens.

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

HOUSES PROPOSED TO BE DEMOLISHED

NO. 21 MCINTOSH STREET GORDON (located adjacent to an HCA)



Figures 3 and 4: Front elevation of No. 21 McIntosh Street Gordon. (Google maps)

No. 21 McIntosh Street is located adjacent to the Gordon Park Conservation Area (C17) and the Gordon Park Estate McIntosh/Ansell Grant Heritage Conservation Area (C15) and is in the vicinity of a heritage item at No.17 McIntosh Street, Gordon.

The dwelling was originally constructed before the inter war years. In c.2005 there have been extensive alterations and additions changing the bulk and scale of the house to a two-storey house with a render brick walls and a terracotta tiled roof. There is a garage extension with a gable roof at the front of the house.

There is a medium sized front garden with established plants.

The proposed demolition of this building and garden and the construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area and heritage items in the vicinity in terms of loss of a residential property and the introduction of a detracting building in close proximity of conservation areas.

NO. 23 MCINTOSH STREET GORDON (located adjacent to an HCA).



Figure 5: Front elevation of No. 23 McIntosh Street, Gordon (Council photo)

No. 23 McIntosh Street, Gordon is a single storey Inter-war bungalow constructed of face brickwork and a terracotta tiled roof. The roof is hipped continuing over the front verandah which is supported on tapered brick piers with slab cappings and grouped posts above. A front gable end faces the street. There is a single storeyed rear extension. The house is partially screened by mature vegetation and a high fence that is fairly transparent.

The proposed demolition of this building and garden and the construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area and heritage items in the vicinity in terms of loss of a contributory property and the introduction of a detracting building in close proximity to conservation areas.

NO. 25 MCINTOSH STREET, GORDON



Figure 6: Front elevation of No. 25 McIntosh Street, Gordon (Council photo)

No. 25 McIntosh Street Gordon was originally constructed in the Inter-war years. The bulk and scale of the house has changed from a single storey to a double storey in c.2008. The roof form as also been altered. The walls have been rendered bricks and the roof clad in dark concrete roof tiles. A wide concrete driveway leads to a two-car garage with roller door. There is a high fence on the street boundary.

Even though this house is neutral in the HCA, its proposed demolition and construction of a multi-storey residential flat building does not satisfy the objectives of KLEP 2015 to conserve the heritage significance of the conservation area in terms of loss of a residential property and the introduction of a detracting building in close proximity to conservation areas.

NO. 55 WERONA AVENUE, GORDON



Figures 7 and 8: Front garden area of No. 55 Werona Avenue, Gordon. (Council photos)

No. 55 Werona Avenue, Gordon is accessed via a narrow long battle-axe driveway off Werona Avenue and is obscured from the neighbouring dwellings by high and mature hedges. Halfway down the length of the driveway there is a steel entry gate.

The house was designed in c. 1930s in the Inter-war Mediterranean style with Spanish influences. It was constructed of rendered brickwork with a tiled roof and rendered Spanish style chimneys. In c1994-5 there was a two-storey addition at the rear designed to complement the features of the existing dwelling. Details

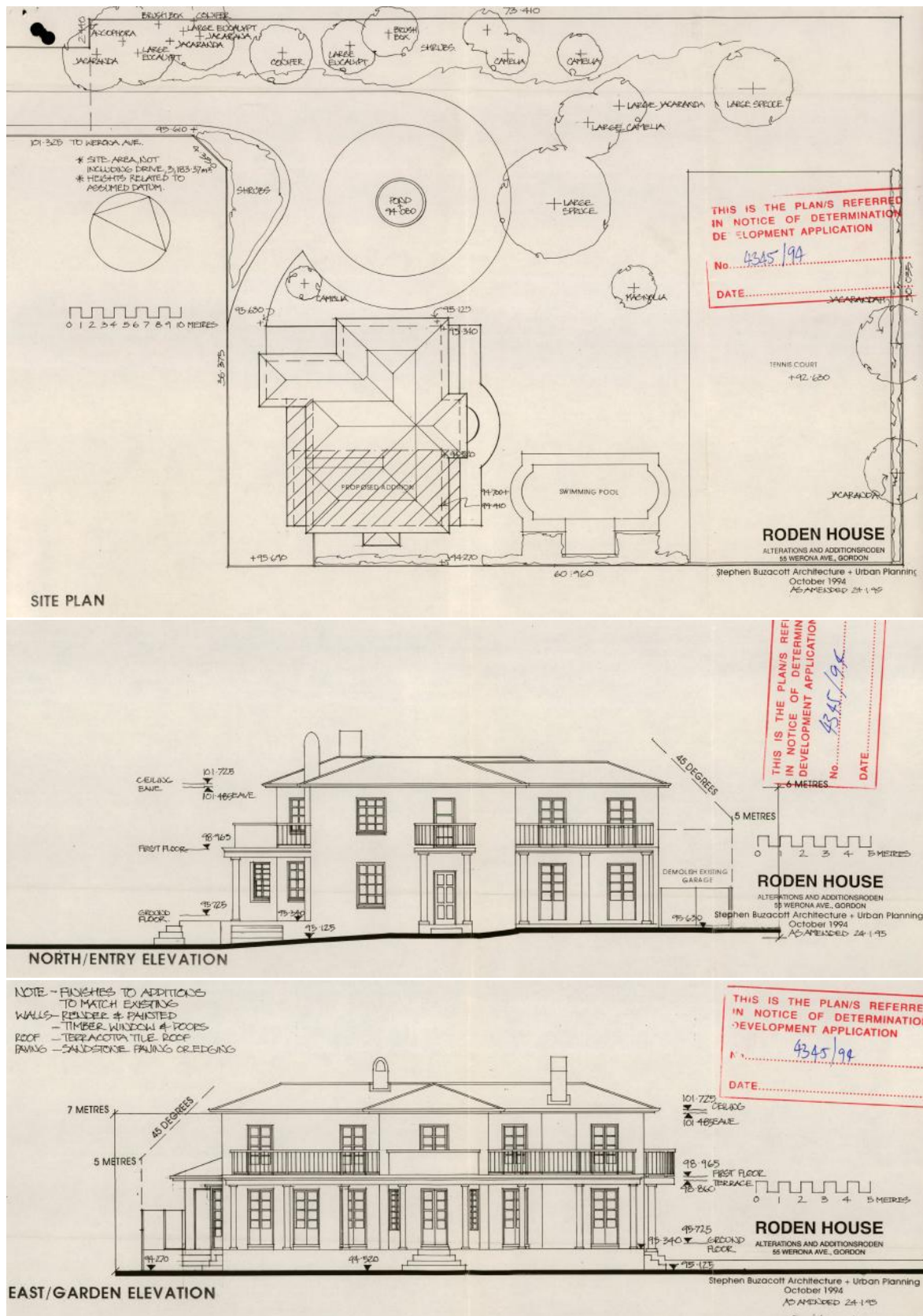


Figure 11. Circa 1994-5 alterations and additions of No. 55 Werona Avenue, Gordon

CONTRIBUTORY BUILDINGS IN THE VICINITY

NO. 19 MCINTOSH STREET, GORDON



Figure 12: Front elevation of No. 19 McIntosh Street, Gordon



Figure 13: Front elevation of No. 19 McIntosh Street, Gordon

No. 19 McIntosh Street, Gordon was constructed around the late 19th century and is a single storey Victorian style bungalow with a simple hipped roof and verandah. It has been modified at the front but still retains its original roof form and front rooms layout. Two wings have been added to the rear in c1982.

Even though there have been modifications to the front façade and rear additions the house is considered to be a contributory item as it retains its original form and some detailing.

HERITAGE ITEMS IN THE VICINITY OF THE SITE

NO. 17 MCINTOSH STREET, GORDON

‘Eryldene’ is a State Heritage Item.



Figures 14 and 15: Front Elevation of Eryldene

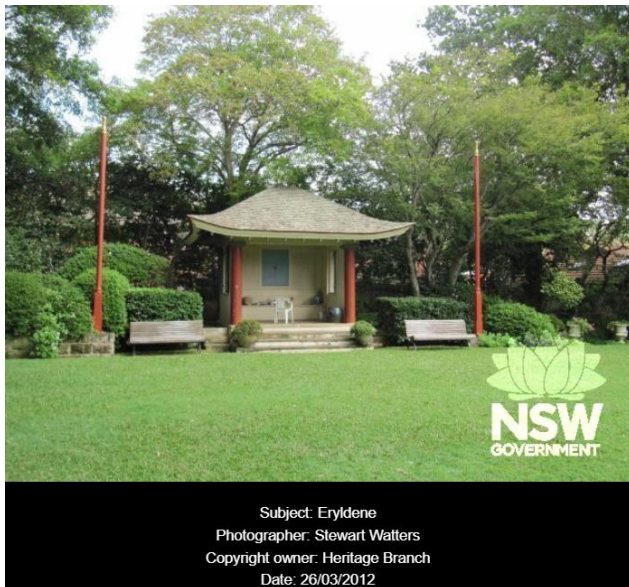


Fig. 16. Rear lawn and temple structure



Fig. 17. Side garden

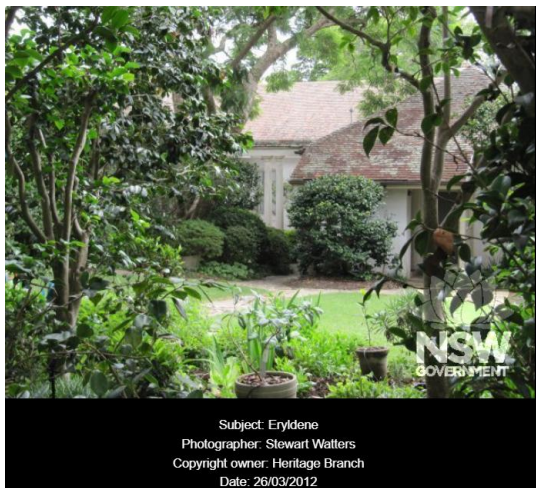


Fig. 18. Side Garden
(Photos from the State Heritage Inventory)

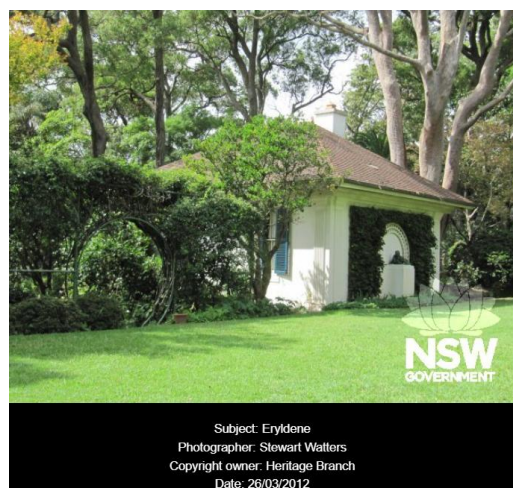


Fig. 19 Rear lawn

Figures 16-19: Photos of No. 17 McIntosh Street, Gordon (Source: State Heritage Inventory)

The following is the **statement of significance** for “Eryldene” (source: State Heritage Register):

Eryldene is of outstanding cultural significance being the most intact surviving example of the work of William Hardy Wilson, the prominent early twentieth century Australian architect, artist, writer and advocate of the Colonial Revival style. It comprises a residence, complementary outbuildings and garden setting, reflective of the close similarity of interests of both architect and client, Professor E G Waterhouse.

The garden was developed by its owner to a remarkable individual character and was the setting for his world-renowned efforts in developing the nomenclature and hybridisation of camellias. It remains a resource for their study. The house, gardens and outbuildings are significantly intact, with some room settings retaining their original furnishings and detail.

The place is also of considerable aesthetic significance for its demonstration of an exemplary example of a garden as an extension of a house, with a series of open air rooms carefully furnished with trees, shrubs and flowers, superbly proportioned garden structures (temple, garden study, teahouse/tennis pavilion, fountain, pigeon-house).

NO. 51 WERONA AVENUE, GORDON ‘Rochester’



Figures 20 and 21: Front elevation and front door of No. 51 Werona Avenue, Gordon (L J Hooker Real Estate 2023)

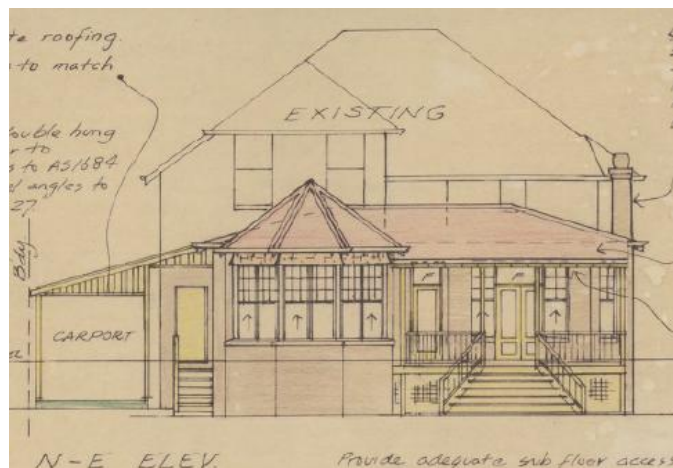
The following **statement of significance** is for “Rochester” (source: Ku-ring-gai Council):

Dating from circa 1914, “Rochester” house and garden demonstrates the early residential development of the Killara and Lindfield suburbs during the first decades of the twentieth century following the opening of the North Shore railway line.

The building demonstrates a good example of Federation Queen Anne domestic architecture with characteristic features of this style. Despite some modifications, the house remains largely intact with retained original features, externally and externally, in its front garden setting as the rear has been subdivided. The house and garden make a positive contribution to the streetscape.

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

NO. 49 WERONA AVENUE, GORDON



Figures 22 and 23: Front elevation of No. 49 Werona Avenue, Gordon circa 1993 and rear elevation

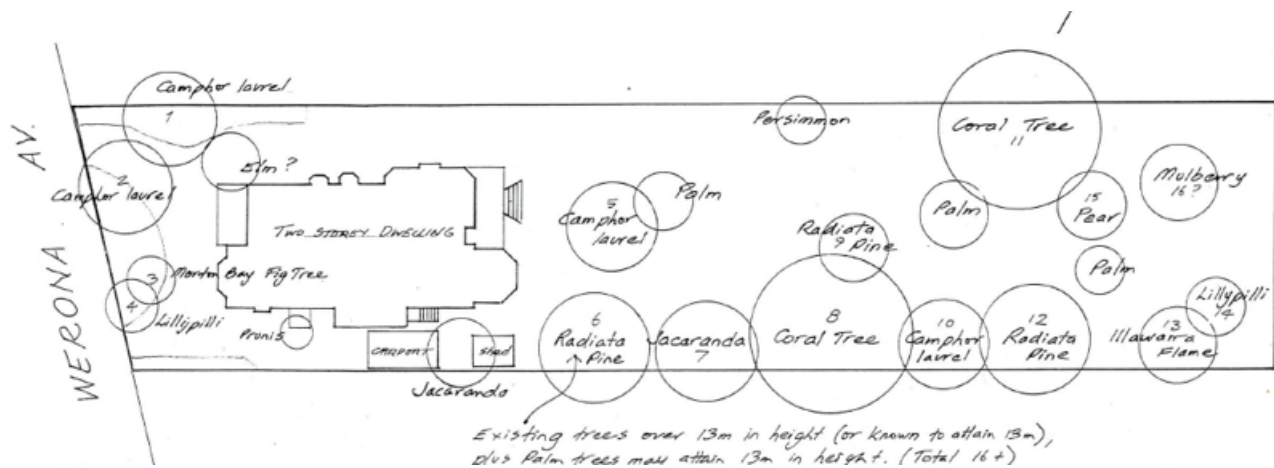


Figure 24: Circa 1993 BA application No. 49 Werona Avenue, Gordon

NO. 14 FORSYTH STREET, KILLARA



Figure 25: Front elevation of No. 14 Forsyth Street, Killara

The following **statement of significance** is for No. 14 Forsyth Street, Killara (source: 2006 Perumal Murphy Alessi Pty Ltd in association with Glen Cowell Heritage Services Pty Ltd):

Dating from circa 1911, 14 Forsyth Street and garden demonstrates the early residential development of the Killara and Lindfield suburbs during the first decades of the twentieth century following the opening of the North Shore railway line.

The building has some social significance as being the home of a local Congregational Minister.

The building demonstrates a good example of Federation style domestic architecture with characteristic features of this style. The house remains largely intact with retained original features, internally and externally, in its front garden setting as the rear has been subdivided. The house and garden make a positive contribution to the streetscape.

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

END OF SUBMISSION