

The Right Honourable Paul Scully, MP  
Minister for Planning and Public Spaces  
c/- Mr Keith Ng

Re: Residential development with in-fill affordable housing 16-24 Lord Street & 21-27 Roseville Avenue, Roseville (SSD-78996460)

My name is David Mann, and I am a near neighbour of the site in consideration. 6-9 adults live at my residence on any given day, depending on work location from time to time.

I strongly object to the proposed development by Hyecorp for reasons I outline below. I also reiterate reasons given previously and which remain unresolved.

I note that while the developer has had since July of last year to draft its 200+ page response with significant pages of appendixes, as a matter of procedure, we have been allowed a very short period, between the 20<sup>th</sup> of January and the 2<sup>nd</sup> of February (9 working days), to respond, and that during the traditional summer holiday period.

### **1. Overall**

When the SEPP thinking was first initiated, there was a need to address a lack of housing and affordable housing in the Roseville and in the broader Ku-ring-gai Council area. As a former police officer and the parent of children working in essential services who live at home with me for economic reasons, this ambition is both valid and welcomed.

Since that time, an agreed Transport Orientated Development plan (TOD) has been agreed which establishes a clear plan that meets all needs (and in fact increases the delivery of homes from 21,430 to 24,728). This plan balances the ambitions of the State Government, the community and the Local Council, having been considered carefully and advised by urban planners and experts which were not influenced by any profit motive. It was arrived at after long and careful consideration of all needs including the need for in-fill and affordable housing, respecting heritage and listening to the community.

Hence, in addition to being supportive of government intention on increasing housing and affordable housing, I also believe that there are appropriate and equitable means already agreed to achieve this. This is acknowledged by all levels of Government and as

is demonstrated by the Roseville and Ku-ring-gai TOD agreement which would not permit the current development if made today.

Given these circumstances, any need for this development is now non-existent, which exceeds the building limits and in no way fits with the rest of the heritage precinct and immediate surrounds. Government, community and council all recognise that this is not the right approach and have agreed accordingly. Hence the community and political needs are satisfied.

The only party that continues to push this opportunistic proposal further is the developer. It is noted that the same developer is a beneficiary of this agreement elsewhere as they already have a site on the Pacific Highway at Roseville. Further sites are located closer to the railway station and as agreed. Again, it is relevant to highlight that this application is not to develop Roseville or Ku-ring-gai for the benefit of all, but to develop this stranded, very large apartment block in an area otherwise being left for appropriate building in the context of the entire neighbourhood.

Furthermore, the net impact if this development proceeds, is that it will result in a 'stranded' development surrounded by single level, heritage and Federation properties which are adversely impacted by the presence of a 9 storey, 4 building clump of units which is misaligned with the intent of the NSW Government, the local council and the community. Given the agreed NSW State Government TOD, this would be the tallest building in the area and remain that way as a single, large and uncompromising set of towers dominating the area.

Regardless of the developer's attempts to somehow make this development 'fit' into the local area, it fails to do so. To the contrary, it would be an isolated anomaly with no sympathy to the surroundings.

The developer repeatedly asserts that the application has a 'saved' status and that this will be its silver bullet in forcing a decision against the views and desires of all other parties. The development should be considered in the overall context of the site and not just for the site itself. It will take into account the overall vicinity and the context for Roseville, Ku-ring-gai and Sydney overall. This is what has been encapsulated in the revised and agreed TOD for the area; this agreement did not change the character or the area, it reflects it. Hence, on any basis, the development is excessive, destroys the local environment, is counter the wishes of the community and flies in the face of the NSW Government and the Minister's expressed desires for the total area which has considered Roseville (and Ku-ring-gai) in its entirety. Even if 'saved', the over-reaching proposal does not pass muster and would be rejected.

The agreement of the NSW Government to the TOD and the recognition that the area, including the site in question, should not be used for high rise, demonstrates the reasonable and rational approach being taken by all except the developer. Hence, even

if the agreed TOD did not exist and this application was being judged on the basis of the pre-existing process, the Minister would be right to reject it using the same logic and reasoning that has led to the TOD agreement. All parties agree that this is the right outcome for the whole of Roseville with only the developer and its paid agents contending otherwise.

Hence, on any view, the proposed development should not be approved. It is significantly larger than would ever have been considered appropriate and is designed in a manner that is not sympathetic or aligned to the surrounding area. This design and the bulk and mass shown does not meet the needs of anyone and the development would destroy the character of the local area.

### **Public Interest**

Public interest is best served by ensuring that the commitments of Government can be relied on. This is an essential element of our democracy, and agreements between the Government and the community are paramount. This proposal does not support that commitment and should be rejected accordingly.

The project would result in a change for the worse in the living environment that has been built over centuries. The proposal would result in an 8-9 storey clump of 4 tower blocks that will dominate the area for centuries to come. It will be a complex entirely surrounded by one and two storey Federation houses and heritage buildings, with the ability for appropriate low to medium developments into the future. This high rise development is not in the public interest now, and certainly not into the future and after the first 15 years.

The development is neither wanted nor properly conceived. The agreed approach between the NSW State Government represented by the Minister, the council of Ku-ring-gai and the people in the community have set the right and appropriate way forward. It deliberately does not include a complex of 4 blocks of 9 storey unit towers in an area otherwise set aside for significantly lower development while allocating appropriate sites for high rise development closer to the railway station. The only party in this storey that wants this application to be approved is the developer and its cohort of property sellers (and not even all of them, with some expressing privately that they feel they have been forced into this position). If this development proceeds it will be in the pursuit of a payday and not for the good of the community.

Urbis, as the consultant to the developer, puts forward the case that tries to suggest that it is in the public interest to grant approval. The case is weak. Looking at the elements suggested by the developer:

- the first is simply a restatement of government policy which has been resolved through the TOD agreed. It is generic and does not address this development.

- the increase of affordable housing from 48 to 55 (noting that only the minimum will exist past 15 years) is again covered in the TOD and provides no additional reason that this development is therefore in the public interest. Given the same developer has marketed in 2025 single bed units on the Highway in Roseville for \$1.2m and 2-bedroom units at that location for \$1.75m, the reality contradicts the claim. Regardless, the provision of affordable units for 15 years in a development that will remain a blight on the landscape for a century or more is clearly not in the public interest.
- the developer contends that the revised design has responded to issues raised in public submissions and will not cause significant social or environmental impacts. First, this is incorrect in all respects – not least in the developer continuing to push for an enormous complex of towers in an area the public, its Government and the Minister have agreed should not be developed in this manner.

While the developer may assert this position, they have not consulted with the public and community, and have largely ignored its suggestions, preferring at best to argue and seek to reinforce a myriad of points which fail to address the fundamental issues and are done via written submissions after 6 months of virtual silence in a plethora of papers that cannot disguise the ultimate failure to create a development that is aligned to any other parties desires than its own. It is also patently untrue that there will be no adverse impacts.

Secondly, even if by some stretch of imagination, the assertion were accepted, this does not translate to creating a result which is in the public interest such that the approval should be granted. There is no public interest in the fact that the developer has mitigated some of the extensive damage which will flow through this development, even if that were the case.

- the developer suggests that the temporary creation of jobs is sufficient to impact the public interest in favour of a positive decision (while noting these would be for no more than the 7 months it says it will take to build the premises). With one of my household working in the construction industry, further employment in the sector is to be applauded, but to use these temporary roles as a bargaining chip in this context to enrich the developer is not legitimate and is borderline offensive. The same workers benefitting from this employment will be equally (better) employed on sites up the road that are legitimately in the public interest to have built at this scale, and which meet the agree TOD and desires of Government and community.

Additionally, many of these temporary roles for c.640-800 workers still remain on offer if the developer was to comply with the TOD and the community feedback and build a more sympathetic and less destructive building at an appropriate scale. While it may be a lesser number, to assume all would be unemployed is wrong.

Regardless, temporary employment of less than 9 months for this number of highly in-demand workers is not a matter of public interest.

This claim for public interest is overstated, misconceived and does not meet a public interest test.

- compliance with ADG design criteria is arguable and even then the outcome of which is so significantly out of character with all surrounding buildings as to make this irrelevant. This does not impact the public interest.
- the next plea made by the developer relates to the fact that development has met requirements for technical assessments and the like. This is a minimum requirement and is irrelevant to whether this development in its overall form is in the public interest.

Regardless and by the developers own submissions, it is not in line with all requirements so even on this point it fails.

- the final point is that if it undertakes mitigations, there will be no social or environmental impacts. While this seems highly unlikely, it is also irrelevant in assessing whether this development is in the public interest. If it confessed to social and environmental impacts that would be of concern to the public, but not doing so is not a reason to approve and does not create any public interest.

Overall, the developer does not put forward any positive case for supporting the development and which would be in the public interest. It relies instead on a number of minor matters most of which have limited or no public interest value. It does so to suggest that it has met a hurdle rate against its own development with the suggestion that this is sufficient for a public interest test to be achieved. It is not.

To the contrary, when all the complexity is peeled away, we see a very large and one-off development being put forward that is significantly against the character of the rest of the immediate area. We see a development that is destroying homes, that is impacting adversely the neighbourhood and that is destroying the natural environment. We see a development that is playing with a flood area, which is creating additional traffic and pollution problems. We have a development application that is completely misaligned to the NSW Government's desired and agreed plan for the development of Roseville and for Ku-ring-gai. We see a development that adds nothing unique but destroys what is unique. It is not in the public interest.

The developer has pushed the size limits and even concedes that it is over the limit in some areas. The reality is that it is even larger and oversized than the developer confesses. Then, despite being prepared to ignore these requirements, the developer suggests that the proposal should be 'saved', thus seeking to rely on strict wording while choosing to ignore it when it does not want to adhere to it. It is not in the public interest to reward this behaviour by developers.

Regardless, any 'saving' does not impact the Minister's ability to make a decision on the merits, which are few, and in line with the Government's planning desires as evidenced in the TOD agreement. To agree to a developer's demands in the context of all other opposing stakeholders, including the State Government's Minister, would be manifestly against the public interest.

As the proposed development is clearly not in the public interest it should be rejected.

From the other side, rejecting the application is in the public interests as it:

- i. Reinforces the role and primacy of the NSW Government and the Minister in leading environmental and housing issues.
- ii. Enables the public agenda of increasing housing and affordable housing to be created, including in Roseville, in a manner which is fair and equitable to the residents and the community.
- iii. Reinforces that Government and Ministerial agreements are met and not changed at the behest of property developers.
- iv. Supports public confidence in fair and transparent governance.
- v. Further protect the environment, both natural and built, and enable a sense of equity and fairness in the community.
- vi. Prevents the irreversible destruction of Roseville's heritage and character for future generations.
- vii. Enforces and respects the planning controls in place.
- viii. Releases workers which would be drawn to the building of expensive apartments misaligned to the public interest will be available to work on the building of housing that is in line with the strategic intent of both the NSW Government and the Local Council and located in an appropriate location 200m up the road.
- ix. Releases Capital being allocated to the creation of expensive and luxury apartments will be available for redirection to more affordable housing located in the near vicinity and beyond.
- x. Reflects that the Minister has listened to their community and noted the overwhelming number of objections to this development going ahead.

All these matters demonstrate that a decision to reject the application is in the public interest.

### **Developer Attitude and Engagement**

As a near resident, we have still had no consultation with the developer regarding its proposed development. They are and will increasingly be at loggerheads with the community.

The developer has not addressed the concern of the community or the experts employed by others to examine the initial proposal. Other than minor changes, it continues to push for over the maximum return for its investment, at the expense of the Government, the community, the environment and the legacy for future generations.

In almost every aspect the developer has ignored the input of individuals, interest groups, council and State Government alike. For example, the developer touts its 'reduction in the height and bulk of the proposed development' where this is, in fact negligible in nature and remains over the permitted limits on any assessment. As one example, the height is still over the limit with the developer asserting that this is only for roof elements such as lift overruns (as if that is relevant) and ignoring other breaches entirely.

The developer knows the views of the State Government as they are clearly set out in the agreed TOD. It has chosen to ignore these completely and continue to push for an extremely large development in the wrong area of Roseville.

It is worth noting that the initial application from the developer was a poorly executed and haphazard set of documents. While not claiming firsthand knowledge, we have been informed that these were submitted at least in part so that the developer could later argue that they were already in a process and thus circumnavigate the role and agreement of the NSW Government and the Minister on the agreed TOD.

The applicant has taken close to 6 months to do what should have been done prior to the application being submitted and attempt to show compliance as best it can, to ignore input from others and provide a proposal that is fundamentally at odds with the nature of the area in which it is being positioned. While the result may be a positive example of high rise design, it is in the wrong place and shows not understanding of the surrounding environment.

This developer knew it was taking a punt, but the prize was significant, so it was very prepared to take the risk. It is persisting to push its case despite the knowledge that the current proposal is entirely inconsistent with the desire of all other parties and is totally inappropriate for the location it is on. It is now seeking to force the Minister to go against his position and that of the community, and regardless of the agreements made.

It is worth noting that, despite the claim in the developer submissions, that Hyecorp acquired the site in July-September 2024, it has **not** acquired the site to this date. It has contracted options on the site which are subject to approval of the application.

It is noted that no independent urban planners have supported the application.

Finally, it is notable that the same developer is taking advantage of the new TOD for its site on the Pacific Highway which it has held for several years.

## Heritage

Heritage will be adversely impacted. There is a high concentration of heritage premises in the nearby area, with at least 7 sites within 50 metres and over 20 within 200 metres. The nearest example of these are the Scout Hall buildings in the same block on the corner of Roseville Avenue and Martin Lane, the home directly opposite on Roseville Avenue, the home opposite the Scout Hall, another home directly opposite on Lord Street and the Church adjacent and also on Lord Street. These will be significantly adversely overshadowed, overlooked and dominated by the development. For the Scout Hall buildings located on the same block, the suggestion that the 4-storey podium adjoining the hall reduces the impact in any material manner is factually incorrect. This does not create human scale and does not work.

The developer appears to place heavy reliance on this 4-storey podium and references it multiple times. The reality, shown in the diagrams and plans, indicate that it is very small and fundamentally insignificant in overcoming the issues raised. One may reference the developer's response to submission where it includes the following image at page 59 with the 'before' and 'after' inclusion of the changes:



*(Note the Scout Hall is two (2) buildings – the smaller at the rear can be seen on close inspection)*

Furthermore, the developer contends that the design sought to provide consistency with Roseville's character and heritage including its 'garden suburb' nature. Despite its best attempts this was never going to be possible with the mass and bulk of the project it is proposing, and it has consequently failed to achieve this outcome. So, while its intent may be admirable, it does nothing to solve the problem. The site is too large and too dominant to fit Roseville's character and heritage at that location.

The development itself is not compatible with the desirable elements of the character of the surrounding area or the desired future character of the precinct. The heritage buildings together with the several conservation areas adjacent and impacted negatively by the site are evidence of this. So, while the response to submissions attempts to address the legion of issues on the Heritage front and while some of these might seem reasonable, they are not when viewed in context or in entirety.

The use of Urbis to provide more comment in this area after the initial submissions for this important aspect is problematic. Urbis, had already determined that none of the houses impacted had any value, and has then been engaged to provide ongoing heritage consultation advice to meet challenges to this. Urbis again uses a misleading diagram (see below) that purports to show the development in a sea of developments, albeit low to medium density. There is no such development taking place currently and is only demonstrative of what could happen not what is happening. Nor is it accurate in that it omits some of the heritage buildings and parkland. It is also not to scale as it attempts to minimise the extreme nature of the proposal.

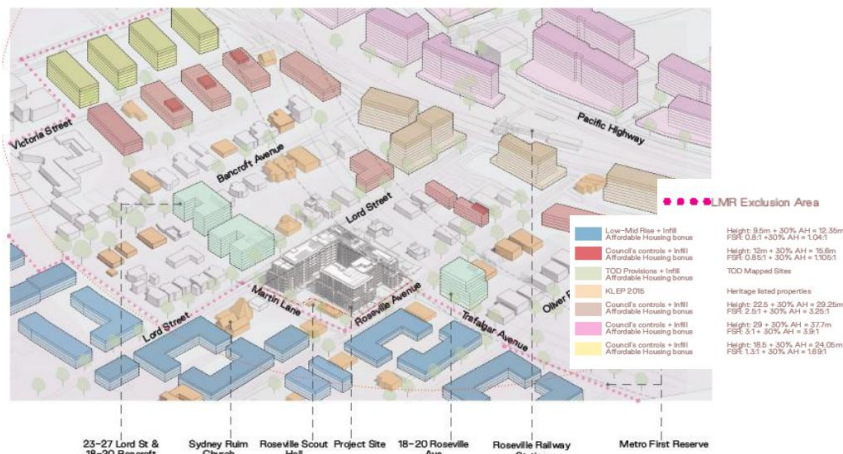


Figure 2 Map showing the future context under the now gazetted current planning controls. Source: Urbis, 2025

The submission by the developer attempts to deal with issues on the Clanville Conservation Area, including in its letter to council included in the submission response (appendix T), and concedes that there are issues to overcome, which it fails to do. Further, it fails to even acknowledge, let alone address, those concerning the Lord Street/Bancroft Avenue Conservation Area or the Grove Conservation Area.

The use of a 'refined material palette' does nothing to assist and cannot turn a 4 block, 9 storey monolith into a building that fits in with the area which reflects Federation era character. Despite its efforts, desires and considerations, the design remains unacceptable.

The developer via Urbis continues to suggest that the homes to be destroyed by them have limited value and they contend that they have been subject to "notable changes to their principal facades". This is not true.

In their initial report, Urbis shows a series of select photographs from select angles to prove their point. While referencing facades, these include photographs are of rear cabanas (not visible from the street and certainly not a façade), carports adjacent the actual front (again not a façade) and rear extensions. Only 3 of the 9 are of a façade and these have been taken at select angles to distort the view. The following is the Urbis

selection of photographs to support their argument that the facades have been altered beyond value:

Figure 45 Modifications to existing dwellings



16 Lord Street, Contemporary front veranda addition



18 Lord Street, Contemporary cabana in rear garden



20 Lord Street, Contemporary carport adjacent to dwelling



22 Lord Street, adjacent contemporary garage structure



24 Lord Street, Contemporary side veranda



21 Roseville Avenue, Front façade of double garage addition



23 Roseville Avenue, Primary façade with contemporary veranda extension

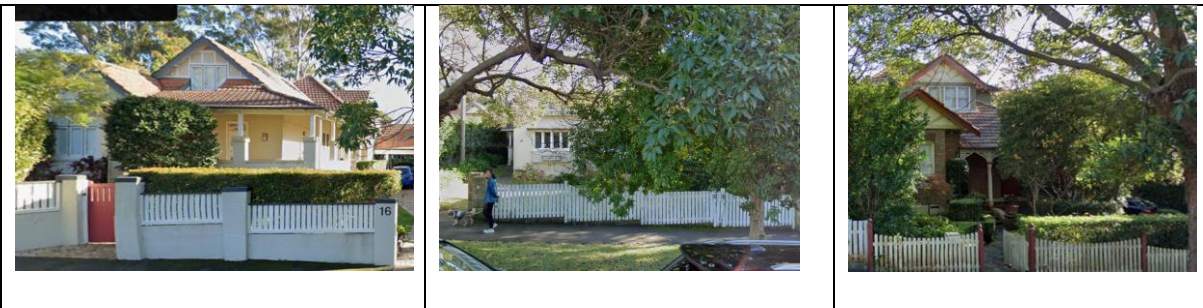


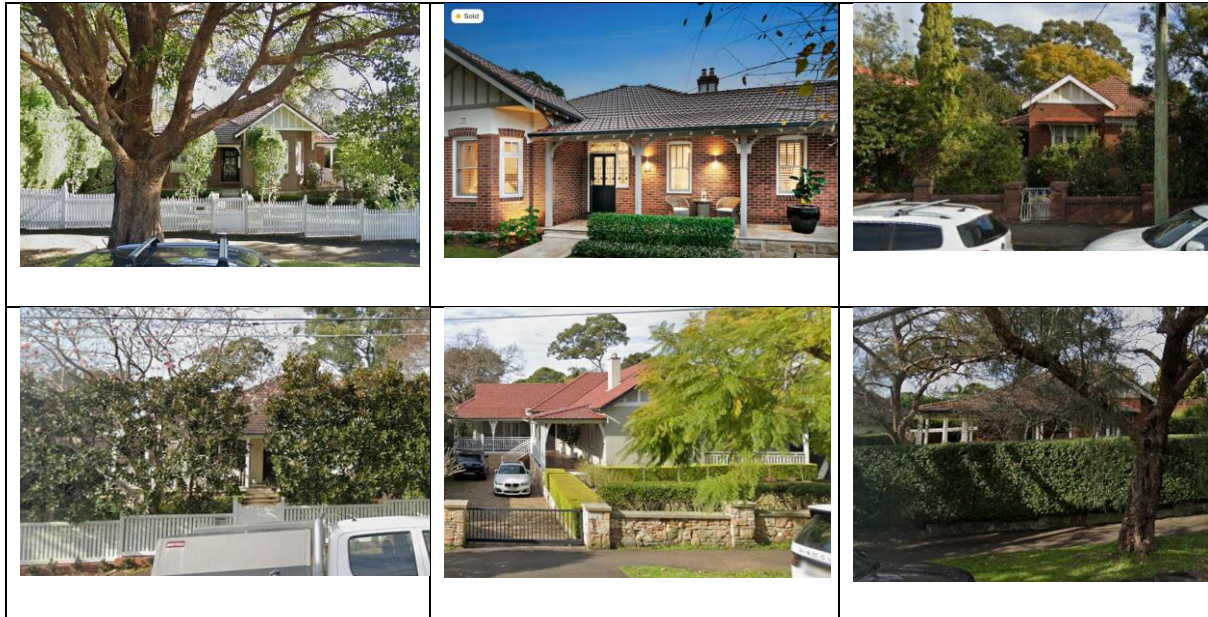
25 Roseville Avenue, Contemporary rear extension



27 Roseville Avenue, Primary façade with extensive alterations

Compare these images with the following (same houses in the same order) – showing actual facades from Google Maps:





## Environment

The project negatively impacts the natural environment and certainly does not provide a better environment. Simply put the argument that 'minimising the impacts' on the environment which the developer refers does not help its case as it clearly implies there is a negative impact or why would one seek to minimise it.

Furthermore, the environmental issues raised have not been dealt with. Given minimum of 89 trees and numerous other plants which will be destroyed by this development, we will lose not only these, but the native bees, the possum habitats, the bush turkey nestings, the feeding areas for the native birds including owls, parrakeets and butcher birds, as well killing off populations of numerous smaller reptiles such as the shingle back lizards and insect populations.

Planting new trees in the place of old, established trees is not a valid answer. While in 60 years many of these will be established, the damage to the environment is extensive and will continue into the future.

## Visual Impact

Despite all the developer has tried to do in the design and in trying to spin the story, the monolith proposed remains a blight on the landscape and is fundamentally at odds with its surrounding.

It is bigger and more substantial than would ever be allowed regardless of SEPP or TOD. It is so out of character with its surroundings that it fails to meet any reasonable test. This is regardless of the compliance issues.

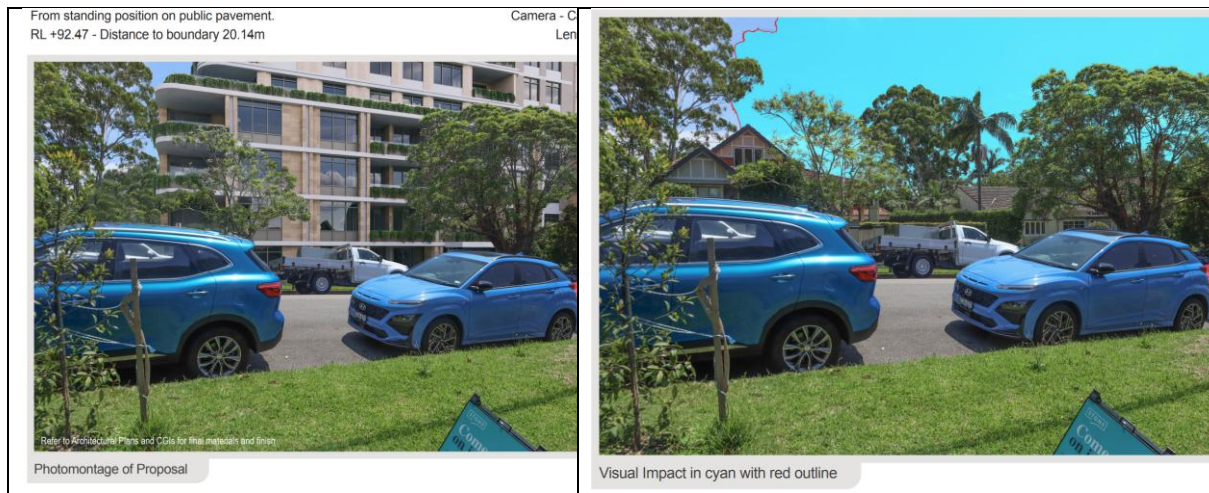
This document from Urbaine in the response to the submissions clearly leans toward helping the developer make a case for approval rather than providing an independent expert view. The diagrams and photomontages include perspectives and angles to make a case, making things look smaller or larger – or more distant than exists on location as might benefit the case. This is made necessary by the overwhelming nature of what is being proposed. However, what might be great for a sales brochure, is not evidence that supports a good decision being made.

Even with the distortions, it is apparent that the block is completely out of line with everything surrounding it and the impact on the surrounding neighbourhood is significant – hence it implicitly supports rejecting the application, albeit that is not what it was intended to do.

It is noted that Urbaine attempts to justify and give credibility to its interpretation of reality by referencing a court decision *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140 to set the principles it then purports to apply in making its assessments. The case may set out principles, but the application of them remains open to question, as does the assessment that follows. This and the later persistent references to LEC Judgement: *Rose Bay Marina v Woollahra Council* (2013) appear designed to influence the viewer into believing their assessment has the authority or endorsement of a court where they do not. I also note that while these cases may be influential in future proceedings, they are non-binding and open to challenge in higher courts. The impact is still being subjectively assessed by Urbaine on behalf of its developer client.

The bottom line is that the outcome is wrong. Common sense shows that and no amount of spin and obfuscation can change what is obvious to the eye.

An example of the way in which the photomontage might provide a misleading impression is demonstrated in the following example. First, the photo has been cropped thus omitting a large part of the bulk which the photo hopes to avoid. We can then note that the first floor of the development is only at the height of a Toyota ute (and each floor thereafter roughly the same height so about 1.75m). Next, the angle of the photo is taken from down the slope of the footpath making the photo look like it is being taken closer to ground level and looking up which makes things look smaller (given there is a drop of roughly 1m at that point the camera is about 0.75m above road level). It can also be noted that the proposed development finishes above the rear passenger seat of the blue SUV on the right. In the equivalent photograph, without the overlay, the 1 storey residence is well over twice the height of the same Toyota Ute – and the actual property which is the site of the development extends well beyond the right side of the photo, so it appears that the entire development has been shifted by over 15m to the right (if this was not done there would be no blue sky in the right hand photo).



The same issues are apparent in many of the photomontages used to make the developer's case.

The final conclusions are, perhaps unsurprisingly, that the detriment to the community is "acceptable". It is not, as is clearly and obviously the case. This report's recommendations should be disregarded in favour of common sense and reality. Finally, even if the report is accepted at face value, the application should still be rejected as the outcome is clearly not acceptable at all.

### Some basic tests

This project fails to:

- promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
- promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- promote the orderly and economic use and development of land,
- promote the maintenance of affordable housing,
- protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- arguably, good design and amenity of the built environment,
- provide increased opportunity for community participation in environmental planning and assessment.

The project maintains in its documentation that it is consistent with the Clanville Conservation Area. This is incorrect. Through the destruction of federation single storey dwellings, the removal of a large number of trees, the clear overshadowing of the 1-2 storey dwellings that remain, and the enormous size of the building proposed it is clearly not consistent. This is not arguable despite all the detail one might throw at it to obscure the reality.

### **Community Engagement**

There has been a failure to engage the community.

The developer seeks to rely on the Gyde confirmation (its consultants) but the reality is there has been no consultation with the community worth note. While we can argue about flyers and surveys, the bottom line is there has been no open communication and no evidence of any intent to achieve this. Further there has been no genuine attempt to engage and communicate – at best the developer has made minimal contact via passive means with no attempt to listen, respond or react to input. This is evident in the end product it has submitted.

The developer did not:

- Plan early
- Engage as early as possible (or at all)
- Ensure engagement is effective
- Ensure engagement is proportionate to the scale and impact of the project
- Be innovative
- Be open and transparent about what can be influenced
- Implement the community participation objectives (at all)

### **Connection to Country**

There is no effective attempt to ensure that Country is respected and cared for. The response provided to this challenge takes the matter no further than 5 months ago. There are many very positive and interesting matters in the report, but no actions of any note from the developer. The developer points to non-country matters in an attempt to assert some effort in this area or distract from its failure.

The newly commissioned and included letter from Artefact Heritage and Environment is a great read and highlights the indigenous perspective and aboriginal heritage well. Unfortunately for the developer it highlights the paucity of consideration given to giving the connection to Country and real impact. There is little follow up in what is being planned.

Putting an acknowledgement of Country at key entry points and creating a nature play space is not even close to recognising the impact to Country of the destruction of the existing flora, including significant trees, and the impact this has on the local fauna

including possums, native bees, owls and other bird species. Calling on the views that it creates across Gamaragal Country is also pointless in this context (unless you are rich enough and lucky enough to occupy one of the few highest level, multi-million dollar apartments looking into the Conservation Area and its dwellings).

While the words try to show a positive spin, it is clear that the project is inconsistent with Connecting to Country. Take, for example, the comment of the developer that:

“The project is consistent with the Connecting to Country framework as it will:

- Native trees are retained and will be supplemented by the introduction of endemic planting species”

The reality from the developer itself is that ‘some, albeit it very few’ native trees are retained. As a reminder, the developer submission provides that a maximum of 26 out of the existing 119 trees will remain, and that even those 26 are at risk in the fine print.

Having ‘sandstone elements feature prominently’ is not a connection to Country.

### **Transport Impact Assessment Update**

The appended report is long and obscures some fundamental issues with the development relating to the traffic by including significant space on non-contentious matters. It attempts to paint a picture where the massive unit complex creates only a nominal increase in the amount of traffic. The same report also seeks to justify a deep basement with 344 individual parking spots for the new residents.

Despite all the words and different topics raised, the report, when we find the section regarding traffic in the area, is based on the assertion that despite the 344 new vehicles (not including any parked on the street and assuming that even 2 bedroom apartments need only one car) there will be a significant reduction in per person vehicle usage.

Without trying to follow the logic of the report, any reasonable person would reject this finding as incorrect – it simply cannot be right. Basic experience in life and common sense highlight the error in the outcome, regardless of how it was arrived at.

When we look further, we find that this report is not tailored for Roseville. It appears to be largely desk-based assessment based on a mixture of old and irrelevant data points to make a case. A small study over one day at 4 select locations (2 of which are largely irrelevant to the case) is the only specific work undertaken. Hence, including elements such as the volumes of vehicles in Lane Cove on the Pacific Highway (over 4km away), for example, are entirely irrelevant to this development proposal. Moreover, its conclusions and findings are wrong and should be rejected.

The main point to look for is the impact on traffic and transport from this development in its immediate area. This may be found in the table on page 32 as follows:

**Table 16: Traffic Generation**

| Scenario   | Yield         | Traffic Generation Rate<br>(vehicle trips/ dwelling/ hour) |      | Traffic Volumes<br>(vehicle trips/ hour) |    |
|------------|---------------|------------------------------------------------------------|------|------------------------------------------|----|
|            |               | AM                                                         | PM   | AM                                       | PM |
| Existing   | 9 dwellings   | 0.68                                                       | 0.77 | -6                                       | -7 |
| Proposed   | 252 dwellings | 0.19                                                       | 0.15 | 48                                       | 38 |
| Net Change |               |                                                            |      | 42                                       | 31 |

**Table 15** indicates that the proposal would result in a net increase of 42 vehicle trips during the weekday AM peak hour and 31 vehicle trips during the PM peak hour.

The first problem here is that the source of the information is not clear (it appears to be from decade old, pre-covid ABS data referencing all of Roseville including across the Highway and across Archibald Road or from somewhere nearby but not from the development site). This data pre-dates fundamental changes in work patterns post covid, the launch of the Sydney Metro, the move to more bicycle use and end of trip facilities, changed demographics of the area, and fundamental changes to the economy.

The report, from this shaky start, suggests that the per person daily vehicle trips from 9 dwellings is notably more than the expected trips from the new dwellings by a factor of 3 in the morning and 4 in the afternoon. Put simply the existing residents use their vehicles nearly all the time whereas the new residents will not – and will not by a considerable margin. There is no reason provided as to why this might be realistic or what is causing that dramatic change in behaviour (but is not evident in the rationale for using decade old data which suggests nothing has changed in over a decade or the need for 344 parking spaces).

From this questionable base, the report contends that, despite the addition of say, 500-700 new residents into the mix and 344 new parking spaces inside the building alone, there will be only 42 extra vehicles on the road during the AM peak hour traffic and a mere 31 at night (no indication as to how the other 11 are transported home).

This line of assumption leads the developer to assert that the already busy roads and intersections (see table 17) would only be moderately affected to the worse.

The same report tries to justify 344 parking spots in the building for the residents, presumably the same residents who will not be driving them. These will replace the 9-12 parking spots for the current residents.

It also dismisses concerns on additional traffic created by vehicles needed to service the massive unit complex, such as the garbage trucks.

This report is should not be relied on and common sense and logic should be applied. There will be traffic issues created which the council and the State will need to resolve.

## Other Matters

### Notes on Initial EIS Report

**First it is worth noting that the list Urbis uses here is not the full list that should be considered or even the right one. It starts from a position of justification rather than looking at the development in context. It attempts to convince the reader that they are right and that these reasons are sufficient. Neither of these assumptions is correct. Regardless, given the fact that this summary exists, I address some of the main points below:**

| Urbis Assertion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| The design of the building has been carefully considered to ensure any potential impacts are mitigated or minimised. The proposal will deliver a high-amenity residential development in an accessible area that will help address the housing demand in Roseville, including demand for affordable housing.                                                                                                                                                                                                     | <p>The development is not aligned to the agreed TOD for the area. The design is excessive and has been done to optimise the profitability for the developer and not in consideration of potential impacts or the need to mitigate them. The area demands a high amenity residential development but will not be a key element in addressing accessibility in the area. That the design has been carefully considered and that the outcome would be a high amenity residential development is overwhelmed by the obtrusive and enormous blight that it would create in the area.</p> <p>The development does nothing of note to help address the housing demand in Roseville given the agreed TOD.</p> <p>The development will not in any real or lasting way have an impact on affordable housing in the area.</p> |
| The proposal optimises the development potential of the site by utilising the floor space ratio and building height provisions available under Chapter 2, Part 2, Division 1 of the Housing SEPP. The proposed density and form of development is appropriate for the site, which is located within the Roseville TOD Area                                                                                                                                                                                       | The proposal optimises the site to optimise the return to the developer. It is not an appropriate use of the site and is outside the usage agreed with the NSW Government in the Roseville TOD. It will create an isolated, standalone clump of 4 9 storey buildings in an area of largely single and double storey, heritage and Federation single dwellings. Even with new developments it will stand out as the only tower blocks in that location.                                                                                                                                                                                                                                                                                                                                                             |
| A total of 259 residential dwellings are proposed on the site as well as communal open space, landscaping and parking. The proposal will contribute to alleviating the affordable and market housing crisis in Sydney and deliver a high level of amenity for future residents. The residential dwellings will be provided within four buildings and demonstrates a high level of compliance with the relevant provisions of the Apartment Design Guide. Overall, the project design is appropriate for the site | Communal open spaces are not open to the public. The landscaping and build requires the destruction of the existing environment including removal of 89 trees (over 75%). The proposed development will not materially contribute to alleviating affordable housing with the majority of units returning to the developer after 15 years. The majority of the heavy lifting for affordable housing will be made closer to the highway and railway station as agreed in the TOD.                                                                                                                                                                                                                                                                                                                                    |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Overall, the project is too big for the site and inappropriate in its design as it seeks to optimise the number of units for the maximum return. The project design is ostensibly not appropriate for the site (albeit it may be appropriate for the area designated up the road for such developments).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| The proposal will deliver much-needed high-amenity housing on an accessible site in close proximity to Roseville Station. It will contribute to achieving local housing targets, NSW government priorities to deliver more housing, and the objectives of the National Housing Accord. The proposal will also deliver a significant number of affordable housing dwellings, equating to 17% of the overall development yield, which directly addresses the NSW Government mandate to boost housing supply tackle housing affordability. Overall, the proposed development will support local, regional and national planning policy initiatives to fast track the construction of high-quality residential development, including affordable homes, on a well-located site. | The proposal is unnecessary given the other agreed developments and the agreed TOD. The reference to the 17% is both wrong and misleading as only 2% of the total affordable units will remain affordable post 15 years. While the developer would like to ride the old wave, this has already been moved forward and the NSW Government together with the local community has set forth a preferred and agreed approach to achieve the targets (and exceed them) without this development. If the developer were genuine in its desire to help with this (or to have engaged and listened to the community) it would do so in line with these agreements. The argument put forward is referable to the overall need for housing in-fill in Roseville and not for the validity of this development on this site. The developers reliance on "affordable homes" is to be viewed as cynical. |
| Community and stakeholder engagement has been undertaken by the Applicant and project team in the preparation of the SSDA. This included direct engagement and consultation with: <ul style="list-style-type: none"> <li>Surrounding landowners, residents and businesses.</li> <li>Local Aboriginal community.</li> <li>Government, agency, utility services and other key stakeholders.</li> </ul> This engagement was consistent with the community participation objectives in the Undertaking Engagement Guidelines for State Significant Projects and complied with the community engagement requirements.                                                                                                                                                            | This is untrue. The developer has <b>not</b> engaged the community and stakeholders. What little it has done is not engagement. The developer has not complied with the community engagement requirements. The developer did not: <ul style="list-style-type: none"> <li>Plan early</li> <li>Engage as early as possible (or at all)</li> <li>Ensure engagement is effective</li> <li>Ensure engagement is proportionate to the scale and impact of the project</li> <li>Be innovative</li> <li>Be open and transparent about what can be influenced</li> <li>Implement the community participation objectives (at all)</li> </ul>                                                                                                                                                                                                                                                         |
| Overall, the proposed development will not have any unacceptable impacts on the natural environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | This is not true, as detailed herein. It will destroy native flora and fauna, it will decimate a large portion of Federation buildings, it will adversely effect a number of neighbouring heritage, Federation and other dwellings in the vicinity. It will increase the waste in the area, increase noise, light and air pollution and remove the natural habitat of local animals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Built Form and Design: The proposed development exhibits high quality-built form and design outcomes by thoughtfully integrating with its context, minimising bulk and scale through a four-level podium and set-back upper levels,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Incorrect. The built form and design has been created to optimise the number of units in the blocks at the expense of minimising bulk and scale. The 4 level podium much boasted by the developer is of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| preserving existing street trees, and enhancing visual interest and light flow at the corner of Lord Street and Martin Lane. The proposal offers a diverse mix of apartment sizes and layouts, including affordable housing, to ensure a wide range of housing choices for various demographics and budgets,                                                                                                                                                                                                                                                                                                                                                                        | minimal if any impact and does not increase any amenity.<br>The development creates overshadowing and blocks large portions of a skyline currently dominated by the trees it will remove. It will be the only such development in that area.<br>Roseville will remain an expensive suburb and any pretence that this development will create housing choices for various demographics and budgets is fallacious.                                                                                                                                                                                                                                         |
| Environmental Amenity: Detailed analysis has been undertaken to demonstrate that the proposed development will achieve a high degree of amenity without creating adverse amenity impacts to surrounding development and public open spaces:                                                                                                                                                                                                                                                                                                                                                                                                                                         | This is, again, untrue.<br>It may be that one can argue why it is necessary but to say that it creates amenity without destruction to surrounding areas is simply wrong. It is noted there are no other surrounding developments.                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Overshadowing/privacy: Solar access and overshadowing analysis show that the proposed development maximises solar access and generally complies with the requirements for sunlight between 9am and 3pm on 21 June, ensuring at least 3 hours of direct sunlight for adjoining properties. Despite a height control exceedance resulting in minimal additional shadow, affected gardens still receive 4 hours of direct sunlight, with greater solar access on other days of the year.                                                                                                                                                                                               | 3-4 hours of sunlight is very low and unacceptable. To suggest that this is sufficient is wrong.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Wind Environment: With regard to wind impacts, the proposal includes design elements to ensure an acceptable wind environment for the proposed development, including the retention of trees and proposed tree planting. The proposal will have acceptable wind impacts on the surrounding public realm.                                                                                                                                                                                                                                                                                                                                                                            | Retention of less than 25% of the trees and these won't be much use at 9 stories high.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Visual Impact: The VIA has assessed a selection of 13 viewpoints from the immediate site context and surrounding area. The use of light building materials, articulation and balconies softens the built form and its presentation to the streetscape. Significant landscape planting and the retention of all existing street trees also assists in minimising the appearance of the built form. While noting the impacts on the immediate adjoining properties are assessed as moderate-severe, these impacts do not extend to the wider locality. Overall the visual effects and view impacts caused by the proposed development are considered to be reasonable and acceptable. | 13 viewpoints of which 6 are completely irrelevant as they are at a significant distance or over a hill. 6 are materially impacted as they are within the area. So, put simply, 6 of 7 relevant viewpoints in the developer's report are materially impacted. The building materials and all other tricks employed cannot hide the fact that this is monolithic set of 4 large unit towers of 9 stories being built in an area where the only other buildings are limited in height to a maximum of 3 stories and the majority are currently single storey.<br>A reasonable person with no vested interest would not find this reasonable or acceptable. |
| Traffic, Transport and Parking: Ason Group has prepared a TIA for the project which concludes:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | The Ason Group report on which this is based in out of date and incorrect. It cannot be relied on.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Tree Removal: To accommodate the proposed development, 89 trees require removal, and twenty-six trees will be retained and protected. No trees that require removal have been assessed to contain high retention value and are all located within the development site                                                                                                                                                                                                                                                                                                                                                                                                              | 89 trees from 119. That none have any high retention value seems unlikely, particularly given the age, height and type visible from the street. No independent arborist has been consulted. Destruction of 89 trees is a travesty at any point and to dismiss it in this manner is hard to fathom.                                                                                                                                                                                                                                                                                                                                                       |

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| <p>Biodiversity: The proposed development will require the removal of planted native vegetation, including trees and various ornamental shrubs and groundcovers; most of the vegetation consists of exotic species. The vegetation is situated in a fragmented landscape, making it unlikely to be used by threatened species. The removed vegetation is not considered high-value habitat due to surrounding residential development. No sensitive or specialist fauna habitats will be impacted. There are no prescribed impacts on threatened entities associated with the proposed development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <p>89 trees and a lot of foliage and other plant life is being removed from a large area. This also impacts many different animals. There are no prescribed impacts identified, but nor has a proper study been conducted.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Flooding: the proposal includes the construction of a flood wall barrier which will provide flood immunity to the development up to and including the 1% AEP storm event. The site will be flood affected up to a depth of 0.5m in some areas during the PMF event, however the Flood Impact Risk Assessment Report prepared by PTC determines that this flood risk is acceptable and that safe evacuation will be possible.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Flooding is not insignificant. This is not an acceptable position for the developer to take.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p>Social Impact: an SIA has been prepared by Gyde in accordance with the DPHI's Social Impact Assessment Guideline (2023). The SIA considers the likely changes to the following elements of value to people: way of life, community, accessibility, culture, health and wellbeing, surroundings, livelihoods, and decision-making systems.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>More fully addressed elsewhere but this is of little assistance.<br/>The net impact of the project is negative whichever way it is cut. That may be argued to be justifiable but to suggest otherwise is simply wrong.<br/>The negative impact supports a decision to reject the approval.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>European Heritage: Urbis has prepared a Heritage Impact Statement for the proposed development which concludes: – The group of dwellings on the subject site do not provide an accurate reflection of the Clanville HCA's character as they do not feature a high degree of aesthetic significance and have been identified to not be "highly intact" or "high quality" examples of Federation houses within the area. The heritage significance of the HCA will be retained despite their removal. – Whilst the proposed development will be of a notably different scale and typology than that which currently exists, the proposal exists in a legislative context which will facilitate some uplift of the same type in nearby areas with vicinity to the nearby Roseville railway station. As such, the development will be in line with the planned future character of this area whilst providing in demand affordable accommodation. – A degree of visual impact to the setting of the HCA and the heritage item will arise as a result of the proposed development given the notable increase in scale. However, given the intended affordable residential housing programme, the proximity to the Roseville Railway corridor and the planned high density uplift affecting the future</p> | <p>This self-serving document prepared by the developer makes a number of fundamental mistakes and seeks to mislead the reader. The houses are characteristic of a style and have significance. That is why the developer's architects have attempted to capture their essence in the new design (they may have failed but they did try).<br/>The development is in no way congruent or sympathetic to the current character and style of the surrounding vicinity and will stand out as fundamentally and notably different if allowed to proceed.<br/>This development would be better located on the Developer's site on the Pacific Highway in Roseville and would be better placed to provide affordable housing in that location. I would encourage the developer to forego the 15 year clawback period for those premises.</p> |

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| <p>character of the area, the proposal is on balance considered as acceptable for the subject site from a heritage perspective</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>The site is considered highly suitable for the proposed development for the following reasons:</p> <ul style="list-style-type: none"> <li>• The site is currently underutilised and is suitable for the scale of the proposed development due to the development potential established for the site by the TOD controls within the Housing SEPP.</li> <li>• The site is located in proximity to Roseville Station, making it an optimal location to deliver additional market and affordable housing.</li> <li>• The site is highly suitable for redevelopment as the existing dwellings have been assessed as non-contributory to the Clanville Conservation Area.</li> <li>• The site has limited biodiversity value, meaning the development will not result in any harmful impacts on biodiversity. Additionally, existing high value trees located on the site are able to be retained as part of the future development.</li> <li>• There are no watercourses located within the site and the nearest watercourse to the site will not be affected by the proposed development.</li> </ul>                             | <p>It is highly suitable to the developer to make lots of money but for no other reason.</p> <p>The site is not 'underutilised'. It provides homes for families and maintains the local environment. The only underutilisation in is in realising returns in cash terms per square meter and that is not relevant to the consideration on the application. The development of this site is not aligned to the current TOD (or those prior). The development is not aligned to the planning and development regulations. Proximity to a railway is a given and is not the primary consideration for the application. This is particularly since the agreed TOD. The categorisation of the existing dwellings is self-serving and wrong. It only considers one of the several conservation areas. The proposal will have a significant impact on the biodiversity value of the area as noted above. There is a significant watercourse and the site and adjacent areas are subject to flooding. The water runs to the creek and from there to Middle Harbour.</p>                                                                       |
| <p><b>PUBLIC INTEREST</b></p> <p>The proposed development is considered in the public interest for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The proposal delivers affordable housing in an accessible location, directly responding to the NSW Government's policy mandate to improve housing choice and affordability. The site's location allows easy access to retail, open space, and social infrastructure.</li> <li>▪ The proposal is consistent with relevant State and local strategic plans and substantially complies with the relevant planning controls.</li> <li>▪ The development includes compliance with ADG design criteria, ensuring high standards of amenity for future occupants.</li> <li>▪ Subject to the implementation of the recommended mitigation measures, no adverse social or environmental impacts result from the proposal during construction and operation of the development.</li> <li>▪ The proposal will deliver 640 direct and 865 indirect jobs during the construction phase and 3 ongoing jobs during the operational phase of the development.</li> </ul> | <p>This is not correct.</p> <p>The public interest is broader than one development which must be viewed in the round and within the whole area in context. This context has not changed but has been crystallised in the agreed TOD by the NSW Government for the Roseville and Ku-ring-gai areas. This development is not in the interest of any level of government, the local community or the public more broadly. The public interest is served in being able to rely on Government. It is also served by the provision of housing and affordable housing which are the subject to the agree TOD. The public interest is not served by acceding to developers wanting to build significantly more than should ever be considered in areas that do not need nor want such construction simply to further the developers' interest. The development is inconsistent with the up to date State and local strategic plans. The development is not in compliance with relevant planning controls. The development is not consistent with community consultation. There are significant social impacts which are being overlooked.</p> |

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| <p>This will create short and long term benefits for the local economy.</p> <ul style="list-style-type: none"> <li>▪ The site will facilitate the orderly and economic use and development of the land</li> </ul> | <p>The provision of jobs over a 6 month period does not compensate the public or the community for the resulting outcomes.</p> <p>The site will not facilitate orderly or economic use of the land as it is a one off, isolated and inappropriate use of land.</p> <p>The development is overblown and excessive for the site regardless of any TOD or SEPP.</p> |
| <p>This proposal is ill conceived and is the result of an opportunistic grab being exploited by a small group at the expense of the broader community.</p>                                                        |                                                                                                                                                                                                                                                                                                                                                                  |

### NSW Government Architect's Policy "Better Placed"

Despite an attempt to retrofit the project into these requirements there are huge gaps evident. These are referenced in the EIS at 58 and 59 and highlighted below:

- Better Fit –
  - Developer: The development thoughtfully considers both its immediate surroundings and the broader urban context. It responds to local landscape features, urban patterns and existing neighbouring built forms. The building effectively addresses the site conditions, enhances local materiality, and offers a diverse array of programs and activities. These initiatives bring together various cultures, age groups, and community members, enhancing the quality of life for all residents.
  - Response: Better fit is not about "thoughtful consideration" it is about delivering an outcome that has a better fit than alternative. This proposal does not. Every other surrounding building is either heritage, federation or unique. They are all one or two stories maximum. Four 9 storey apartment blocks are fundamentally incapable of enhancing local materiality and adding to the amenity of the neighbourhood. They cannot and in fact don't even try to bring together various cultures, age groups and community members. It is noted that throughout, community is only reference to those inside the 4 big, 9 storey unit blocks and does not take into consideration any other members of the community.
- Better Performance –
  - Developer: The proposal features extensive landscaping and retains mature tree canopies. The communal courtyard provides sunlight, fresh air, and natural light, mitigating the urban heat island effect and reducing energy costs. Green edges and tree planting enhance amenity and reduce direct sunlight on glazing.
  - Response: The proposal creates a new landscape with fewer trees and the destruction of those already in location. The project creates significant shadowing of adjacent properties, and the sunlight, fresh air and natural light already exists and only needs mitigation if the project proceeds. Energy costs are minimal today and will increase significantly with the development. Destroying green edges to replace them with green edges is pointless.
- Better for Community –
  - The project features universally accessible public and communal spaces near residential entries, fostering community gatherings and daily interactions. This design enhances vibrancy and community spirit. The proposal also offers a variety of liveable and accessible apartments to meet diverse resident needs.

- Response: The project will not be accessible to the public as it will be a private grouping of 4 unit blocks isolated inwards from the broader community (this is made clear in the EIS – for example at point 6.1.1.5 at page 66). Given the cost of acquisition, there is a slim chance of any community being fostered or daily interactions. The examples of large developments in other places including those in Australia and abroad provide more than sufficient information to negate that assertion.

Additionally, the project disturbs native species including native bees, possums, bush turkeys and other protected animals as well as common natives such as lorikeets, rosellas, king parrots, owls, shingle back lizards, and cockatoos.

▪ Better for People –

- The public open spaces on the site are highly visible and well-defined, ensuring a secure, inclusive, and inviting environment for gatherings. Podium apartments facing Roseville Avenue, Martin Lane, and Lord Street will offer passive surveillance, enhancing safety and oversight of these areas.
- Response: The four blocks of units will indeed be highly visible as they tower over everything around them for any distance – trees, buildings and even the local hills will be dwarfed so that much is accurate. Ensuring a secure, inclusive and inviting environment for gatherings is a large stretch. An internal courtyard will be uninviting even if living in one of the blocks as it will suffer from a lack of light and breeze. Offering passive surveillance sounds Orwellian for ability to spy on neighbours as they go about their business in their own homes as you will be looking down on them.

▪ Better Working –

- Developer: The development is designed to meet daily needs and amenities, offering versatile homes tailored to various demographic requirements. Communal spaces prioritise accessibility while preserving the distinctive character and sense of identity of the surrounding context.
- Response: This is just words and doesn't even suggest a how or why. Seems nothing real to add.

▪ Better Value –

- Developer: The proposal is a vibrant residential development that enhances the Roseville precinct, attracting residents to this established suburb. A wide range of amenities ensures a high quality of living for residents while also creating an active street presence along Roseville Avenue, Martin Lane, and Lord Street.
- Response: Not a 'vibrant residential development' – nothing in the proposal indicates anything vibrant about it. The suburb doesn't need this development to attract residents, and the agreed TOD and other turnover of properties will cater adequately for this. While this may create the most expensive unit blocks in Roseville, they are unlikely to be vibrant, and the only active street presence will be in the significant increase in traffic, noise and pollution created.  
The development is certainly better value for the developer, but not for anyone else.

▪ Better Look and Feel –

- The proposal features high-quality, aesthetic design and a highly landscaped public realm. Unique to the area, this development enhances the neighbourhood both visually and aesthetically by integrating beautiful architecture into the surrounding context.
- Response: This is a matter of interpretation and taste so hard to argue. It will be highly landscaped which is a shame given this will be counter the current environment which is well established and boasts many species of flora and fauna. It will certainly be unique to the area as it is surrounded on all sides by single dwellings and the nearest next unit blocks will be some distance up the hill in line with the NSW State Government agreed TOD.

## Housing - SEPP Design Principles

Within the Urbis EIS there is reference to the SEPP Design Principles (pages 61-62) as follows:

### Context and Neighbourhood Character

- The proposal is designed to enhance the surrounding context by integrating natural and built elements, contributing to the area's evolving character. It draws inspiration from the established streetscape with high-quality brickwork and articulated façades. The retention of mature trees and proposed landscaped spaces strengthen the site's connection to the natural environment, creating a seamless transition between built and green spaces. The podium's scale aligns with the human-scaled built form of the neighbourhood, fostering an inviting streetscape that supports pedestrian activity. The upper levels are articulated to reduce bulk and respect surrounding buildings. The development offers high-quality residential amenities, fostering a strong sense of community, and supporting sustainable density with access to public transport, employment, and community infrastructure.
- **Response: It does not enhance the surrounding context. In a very real sense it cannot, given it is an isolated development of a four block, nine-storey unit complex in a residential neighbourhood of single dwellings and has been considered unsuitable in the overall area for high-rise development. This is one of the most significant flaws in the developer's application. It is completely unsympathetic and incompatible that all that surrounds it and all that will surround it or could surround it in the future.**  
It is irrelevant where it draws inspiration – it fails to match even remotely the surrounding area and to suggest otherwise is a flight of fancy.  
The retention of some mature trees papers over the destruction of many more, and the foliage surrounding them. It also fails to consider that green spaces are more than just a patch of grass and a tree, it involves the local flora and a myriad of bugs, birds and animals, all of which will be removed for this development.  
It is not and can never be human scale once over 5 floors and to suggest this shows a fundamental lack of understanding of what that term means and the impact it refers to. If it was to be human scale it would be 3 stories all moving back from the street and with no central atrium. Peering upwards to 7, 8 or 9 floors is unnatural. Faces cannot be recognised at the 5<sup>th</sup> floor upwards from below.  
The development offers no sense of community and is unsustainable. The only reference of reality is that there is access to public transport which does nothing to recommend the development.

### Built Form and Scale

- The proposal's height and bulk align has been designed to respond to the surrounding site context. The four-level podium promotes a pedestrian-friendly streetscape, as outlined in the NSW Apartment Design Guide. The north-facing façade enhances street activation along Roseville Avenue while integrating mature trees. On Lord Street, the elevation is divided into three elements with vertical articulation and landscaped planters, reinforcing a fine-grain rhythm. The upper levels use concave and convex brick elements to modulate scale, visually reducing bulk and adding depth. This design defines the public domain, enhances views, and provides high internal amenity and outlook.
- **Response: The proposal ignores the NSW Government and Local Government agreed TOD. The 4 level podium, as noted elsewhere, does not create a pedestrian friendly streetscape.**

### Density

- The proposal ensures high residential amenity, fostering community and enhancing long-term resident satisfaction. Thoughtfully designed shared spaces encourage interaction while providing privacy. Each apartment has private open space, extending living areas to the exterior. Generous lobbies facilitate social engagement, framed by extensive landscaping and mature trees. The lower ground level features a wellness space with a gym, sauna, and pool, connected to the landscape. These amenities support appropriate density, ensuring access to public transport, jobs, and community infrastructure.
- **Response: this proposal does not foster community and enhance long term resident satisfaction. The living area for the number of units posited is minimal at best. The amenities do not ensure access to public transport, jobs and community infrastructure with this being added to try and convince the decision maker but having no relevance here.**

## Sustainability

- The proposal includes a number of ESD initiatives to ensure to meets sustainability targets. These initiatives are discussed in Appendix AA.
- **Response: The project is, at the end of the day, significantly less sustainable or environmentally responsible than the existing dwellings. Given the impact from the developments in the agreed TOD, this will place additional strain on the local authorities, on the sewage and wastewater systems, will increase noise, light and air pollution and will increase the risk of local flooding. The proposals in appendix AA are all predicated on mitigation of this inevitable outcome.**

## Landscape

- The proposal integrates architecture and landscape into a cohesive, sustainable system; enhancing amenity and environmental performance while retaining mature trees to reinforce the site's natural character and neighbourhood identity. Landscaping along street frontages and setbacks softens the built form, creating a pedestrian-friendly interface with green buffers and layered planting to improve privacy, usability, and social interaction. This approach, incorporating passive design principles and providing green spaces, ensures the development fits harmoniously within its context, elevating the public domain and contributing positively to the urban fabric.
- **Response: This is consultant word salad. The landscape will be diminished as will the local environment. Retaining a few trees while destroying the rest cannot reinforce the sites natural character nor neighbourhood identify. A "pedestrian friendly interface" to describe a 4 block 9 storey unit complex in a otherwise low rise area is fanciful. None of the plans are sympathetic to the landscape or the surrounding environment. This is an isolated clump of 4 large buildings, 9 stories high in an area of 1 and 2 storey, single block dwellings and will remain isolated in the fashion in line with the agreed NSW Government TOD or the pre-existing surrounds if allowed to proceed.**

## Amenity

- **Apartment amenity** Given the development's location in an established suburb of single-family dwellings, the apartments are designed to evoke the feel of free-standing homes, responding to the context of the local area. The design is elegant and timeless, with generous, well-proportioned rooms that optimise functionality and comfort, and orientation that prioritises solar access and views, enhancing the connection between indoors and outdoors. The development seamlessly integrates affordable dwellings with the same level of amenity, ensuring ease of access for all residents, and uses high-quality materials and passive environmental strategies to foster a sustainable, well-balanced living experience.
- **Response: This is marketing jargon not fact based nor evidentiary of anything. Mere puffs are of no relevance for planning purposes.**
- **Communal amenity** Communal amenity spaces are designed to enhance lifestyle and wellbeing while fostering community and connection. The development offers various private and communal spaces, including a lounge, co-working area, entertainment space, communal kitchen, children's lounge, and cinema. A fitness area and pool deck with a sauna, nestled among tree canopies, provide opportunities to recharge, while a Chinese Elm at the entrance serves as a wayfinding element and creates an informal pocket park, encouraging street activation.
- **Response: All spaces will be private to the unit owners or renters. This does nothing for the broader community. A Chinese Elm is the highlight of an underwhelming scope.**

## Safety

- The development has been designed in accordance with the principles of Crime Prevention Through Environmental Design. Please refer to Section 1.1.5 and Appendix II.
- **Response: My experiences in law enforcement suggests that creating more large unit blocks near railway stations is unlikely to result in less crime. That said, provided the State Government is prepared to fund additional police and affiliated services, this is manageable. I would suggest that spying on neighbours being one of the 'big ideas' in this area is not great and may be discouraged. The rest of the thinking detailed on page 66 of the EIS is weak.**

## Housing diversity and social interaction

- The proposal offers a diverse mix of apartment sizes and layouts, including affordable housing, to cater to various demographics, lifestyles, and budgets, fostering a socially inclusive

community. Thoughtfully designed communal spaces, including a lounge, communal dining area, cinema room, and wellness facilities, encourage interaction and engagement, while landscaped courtyards provide additional relaxation and community connection opportunities. The design's flexibility accommodates evolving resident needs, supporting a dynamic and diverse community, and the site is conveniently located near public transport, retail, education, and leisure facilities

- **Response: Starting with the obvious, providing affordable housing for 15 years and then taking the units for private sale is advantageous for the developer. In a less expensive area, the upside would be minimal. In an expensive area, this is a built-in windfall. I do not blame Hyecorp for trying to leverage this, but it cannot in fairness use this as a positive. The reality, as unpalatable as it may be, is that this project will not foster social inclusivity nor various demographics. There is no evidence to support that conjecture by Urbis. I note that once again Urbis and the developer invoke the 'conveniently located near public transport, retail, education (that last one is untrue) and leisure facilities' (not sure what these might be) to seek alignment to the government agenda while ignoring the true isolated nature of the development and the more appropriate nature of that agreed in the TOD. The location near the station is true of the entire area as is recognised in the agreed TOD.**

#### **Aesthetics**

- The proposal achieves a well-proportioned built form with balanced architectural elements that reflect the building's internal layout and structural logic. It uses a thoughtful mix of materials, colours, and textures to create visual interest and a refined, contemporary aesthetic. The façade composition breaks down visual bulk while maintaining rhythm and proportion, blending Roseville's heritage with contemporary refinements. Landscaped elements, including deep soil planting and mature tree retention, soften the built form and reinforce Roseville's garden-suburb identity, ensuring the development positively contributes to the area's evolving architectural landscape
- **Response: No matter which way you cut it, the proposal is for a stranded, 4 block, 9 storey mega-clump of units in an otherwise predominantly heritage and foundation dwelling area. The agreed TOD recognises this but the developer seems incapable of doing so. A "façade composition" that 'maintains rhythm and proportion, blending Roseville's heritage' (if such a thing was possible) while trampling over the remaining conservation areas which surrounds it is fanciful nonsense. If this development was co-located with others of similar size and function within the NSW Government agreed TOD, then it may well be able to boast of its aesthetic values, but in its actual location, that is wrong.**

### ***Design Excellence/Better Placed***

Urbis uses a blanket statement that the project 'aligns with the Better Placed design policy by considering the local context and enhancing the quality of life through good design' @p.10 of Exec Summary. No evidence has been provided (nor is evident) on this front of how this has translated to change, action or delivery, but simply states that it was considered. The only real evidence is that this enormous, 4 building complex 9 stories high which towers over everything surrounding it cannot ever 'enhance' Roseville, given it destroys the local character of the neighbourhood, skylines, Federation residences, trees, animals and space for people.

### ***Consistent with Strategic Planning Policies (page 10 EIS Executive Summary)***

It does not comply with strategic planning policies.

Consistent is not sufficient.

Urbis only references big picture contextual aspects for the site itself and ignores specific strategic planning policies as they refer to Roseville. There are several instances of non-compliance.

***The Project is Consistent with State and Local development controls***

Again, consistent is not the test – the specifics of this project are in question. Consistent at the macro level and not at the micro level. Consistent but not wholly compliant.

The project ignores the agreed TOD and puts forward no cogent reason why it should go ahead within that context.

***The project minimises impacts on the natural environment***

It is unclear what 'minimises impacts' means here but the suggestion is that the project would be harmful if not mitigated so they have some mitigations to minimise the impact (while it remains significant?).

Further, this project does nothing to facilitate ecologically sustainable development.

Urbis' states at page 11 of the EIS Executive Summary that "Overall, the proposed development will not have any unacceptable impacts on the natural environment." It is clear that Urbis is not prepared to say that there are no impacts, no negative impacts or even no significant impacts on the natural environment (trees, animals, people, community, flood zone, traffic, pollution, waste), only that these impacts are all deemed 'acceptable' against some unstated yardstick, presumably profit.

There is clearly the removal of trees, yet Urbis leads with a suggestion that it 'has sought to retain significant trees' in attempting to make a positive from a negative. To be clear, there are listed in the Urbis report at page 90 & 91, one hundred and sixteen trees (116). Of these 63 are to be removed for the building works, another 16 as being unsustainable and another 10 to, without irony, facilitate landscaping. So 89 of 116 are to go – that is destruction of 77% of the current tree population.

The report from Urbis goes on to outline how for the remaining trees there will be mitigation measures to avoid impacting them negatively – so we are likely to see the destruction of many of these also. Urbis tries to put a positive spin on this, but the reality is 89 established trees are to be knocked down to make way for an unnecessary and unwanted development to enrich the developer.

Perhaps one of the more cynical notes in the entire Urbis EIS is the following:

**Intergenerational Equity:** The development considers the needs of future generations by providing high-quality, affordable housing near Roseville train station, reducing reliance on

private vehicles and lowering carbon emissions. Energy and water efficiency measures are also incorporated.

Urbis contends that as a result of this overly large unit development which will have almost no affordable element for future generations (2% being the least the developer can get away with) provides affordable housing near Roseville Station. Let us remember that the same developer in 2025 was advertising 1 bedroom units on its development on the Pacific Highway in Roseville for \$1.2m a piece and 2 bedroom units for \$1.75m. The thought that this development in one of the most expensive areas of Sydney will provide affordable housing into the future (after the 15 years) is against all evidence.

### ***The project minimises impacts on the built environment***

It does nothing to embrace the current built environment or its surrounds but significantly detracts from them.

To suggest that minimising this negative is somehow to be applauded is interesting in what it doesn't say as much as in what it does say. There is no attempt to even try and say that this development is positive, just that it could be worse (and by the way, inserting a heart in a diagram does not make it loveable).

Regardless, to suggest that the four block, nine storey unit blocks would be an appropriate replacement for these dwellings is wrong. The reality is that regardless of the worth of the current buildings, the new proposal is significantly out of character with all neighbouring properties.

At page 59-60 of the EIS, Urbis tries to suggest that the bulk and scale of the four, nine storey blocks of units are 'minimised with a four level podium'. This implicitly recognises that they are excessive in the first place, leading to the need to mitigate that fact and which the podium concept fails to do.

### ***The project has positive social impacts***

It does not. The overall TOD as agreed does. This project does not. It does not promote either the social or economic welfare of the community nor a better environment.

The evidence, such as it is, that Urbis puts forward for this contention supports and reinforces the general thrust and the reasons for the agreed scheme between the NSW State Government, the residents and the local council. Nothing indicates that this project has anything material to add to this. To the contrary, this stranded development will alienate an entire community and lead a lasting, negative legacy for the entire scheme.

It is also noted that not even all those benefitting from the development through the sale of their homes see this as a positive and have stated in private that they feel they have been cajoled and corralled into this by others.

### ***The project has positive economic impacts***

Urbis omits the most significant positive economic impact and that is to Hyecorp who will likely make well over \$400m from this project.

The employment aspects have been considered elsewhere.

Urbis' contention that the project will positively impact property values gives away its (and Hyecorp's) obsession with money. Property values increase and, it seems, we should therefore be prepared to destroy the amenity of the neighbourhood, sacrifice the natural environment and forego the benefits of the current skyline.

To be clear, it is not this development that will increase the economic activity and support for businesses in the area, it is the overall scheme that the NSW Government and the local council with the support of the people which will deliver this outcome. This development is unwanted and unwarranted and would be rejected outright if put forward today and is only being entertained because the developer 'got in quick'.

### ***The site is suitable for the project***

If this were true, it would have been included in the agreed scheme.

Leaving that evident issue aside, and even the destruction of the pre-existing environment, it is not a suitable area. There is already a flood zone which sees regular inflows of water and a roadway that subsides on a regular basis. With a large development going underground for parking this will worsen.

Furthermore, there is the metro which abuts the project and which is likely to be impacted.

Urbis contend the site is underutilised – offering no rational for this and seemingly going directly against those who agreed the TOD from within the State and Local Governments.

Hence, while it is clearly suitable for the developer to make money, there appears not real reason why it is suitable for any other party.

### ***The project is in the public interest***

It is not.

Yet again, Urbis falls into the mistake of thinking it is arguing for the affordable in-fill housing scheme and not for this project. Nobody rational argues that the in-fill and affordable housing scheme is not in the public interest; the reason why the agreed scheme was agreed. That does not make this proposal in the public interest.

Urbis also assumes the project is going ahead and that the Government is a mere formality – hence, it focuses on the way in which the project will mitigate the ills it creates and not if it is truly in the public interest.

The general public need will be met in a manner that has considered the needs and desires of the community, reflected in the plans for the whole of Roseville and Ku-ring-gai as contained in the agreed TOD. The general public is most likely to see this as an attempt by a rich developer to become richer while ignoring the wishes of the State Government, the Local Council and the people.

The Government and the public interest has been met through the agreed scheme. The public interest cannot be served by a long and drawn out battle which pits the Government against the people, in the interests of a developer.

Further, the public represented by over 360+ negative submissions in the first round alone (against 10 in support) put a raft of matters on record. Taking these into consideration (despite the developer's failure to do so) would be in the public interest.

***Some other points to note:***

- Urbis EIS
  - Page 24 Schools: The site is located nearby to several schools. The site within the school catchment zones of Roseville Public School, Killara High School. located 700 metres east. Roseville College, a private school for girls, is located 200 metres south of the site.
    - Killara High is 3.7km from the site by car (not 700m)
    - Roseville Public School (primary) is 1.2km across Boundary Road
    - Roseville College is one of the most expensive schools in Australia
  - Page 24 Health Infrastructure: The site is located nearby to several private health services facilities within the Roseville Local Centre and Chatswood CBD. The site is located roughly 4km from the Royal North Shore Hospital and 6km from the Northern Beaches Hospital
    - Royal North Shore is 6.8km from the site
    - Northern Beaches Hospital is 7km from the site