

Date 24 March 2026

Objection to the proposed Seniors Living Development at 19-23 Rosalind Street, Cammeray on the NSW planning portal, reference SD-96505456

I'm a long-time resident of Rosalind Street and a senior citizen, I strongly object to the bulk of this proposed development and the mischievous way the developer is seeking to build luxury units under the guise of a seniors development to gain planning control benefits.

- After attending both webinar information sessions, the in-person event and a review of the documents submitted by the proponent for the 5 and 6 storey towers described as Seniors living development proposed at 19-23 Rosalind Street, Cammeray on the NSW planning portal, reference SD-96505456, **I object to the substantial bulk of this proposal which would result in a 5 storey tower with a side setback of 3 metres to the east boundary for the first 3 storeys above ground level then 6 metres for the remaining storeys above. And a 6-storey tower with a side setback to both the east and west boundaries of 3 metres and a set back to its southern boundary of 6 metres for the first 4 storeys above ground level and then 6 metres setback to its east and west boundaries and 9 metres to its south boundary. The significant loss of solar access and privacy to the adjoining neighbours to the east, west and south is contrary to what is prescribed in the Seniors Housing Design Guide and by reference in Section 18.0 Alignment with the Apartment Design guide [ADG]. Both documents are published by NSW Planning.**

My detailed objection is based on the following issues

Context

In an area bounded by Amherst, Miller, Falcon, and Alexander streets [50+ hectares] in which Rosalind Street is located, there are no apartment buildings that comprise more than 4 storeys of residential space and there remain a number of single and two storey dwellings. This forms the context of the neighbourhood; however, the proposed development has significant more bulk than any buildings within this area due to its proposed height, design, and reduced setbacks.

- The NSW Planning and Environment publication - Apartment Design Guide [ADG] provides a significant amount of information on the matter of building bulk, context and separation distances to neighbouring properties and states that "Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship, and the character they create when combined. It also includes social, economic, health and environmental conditions."
- Furthermore, the ADG advises that "Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape. and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change."
- The ADG also states that "Good design achieves a scale, bulk, and height appropriate to the existing or desired future character of the street and surrounding buildings."
- Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation, and the

manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.”

- The ADG prescribes that for a five to eight storey building the separation distance to the neighbouring buildings are:
 - a. 18m between habitable rooms/balconies
 - b. 12m between habitable and non-habitable rooms
 - c. 9m between non-habitable rooms

NSW Planning defines a *habitable* room as any room of a dwelling excluding a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby.

- Additionally, the ADG prescribes that when applying separation to buildings on adjoining sites, apply half the minimum separation distance measured to the boundary. This distributes the building separation equally between sites.

The proposal

- The lodged documents indicate that a significant portion of both the 5th storey of tower A and similarly the 6th storey of tower B **both exceed the allowable building height that includes the 3.8 metre “bonus”** and that the roof plant enclosure to each exceeds the building height limit further.
- Tower A is proposed to have a **side setback of 3 metres to the east boundary for the first 3 storeys [ground level, level 1 & level 2] then 6 metres for the remaining storeys above.** Tower B is proposed to have a **side setback to both the east and west boundaries of 3 metres and a set back to its southern boundary of 6 metres for the first 4 storeys [ground level, level 1, level 2 & level 3] and then 6 metres setback to its east and west boundaries and 9 metres to its south boundary**
- All perimeter rooms to every elevation on all levels are *habitable* which equates to **a minimum set back of 6 metres from the boundary where the adjoining building doesn't have habitable rooms facing the development and a 9 metres minimum setback from the boundary** where the adjoining building has habitable rooms facing the development.
- The adjoining buildings to the East, the South and the Southern portion of the Western boundary **all** have *habitable* rooms facing the development.
- The proposal exceeds the allowable building height in both towers A and B and furthermore reduces the side setbacks as described above resulting in an excessively bulky development contrary to this areas context and character. Additionally, the proposal ignores the building separation distances prescribed by the ADG.
- The shadow drawings included in the submission, ref DA 400 and DA 401 show the extraordinary increase of shadowing on all of the neighbouring properties, which is due to the significant non-compliance of the proposed boundary setbacks. ***Importantly these drawings do not reference the date of the shadow projections which is mandated to be the winter solstice. The shadow projections could therefore be worse than those shown, and I request that these documents be reviewed and authenticated by the Planning authority.***

Clause 4.6 Variation Request

- With reference to the Clause 4.6 Variation Request prepared by Colliers dated February 2026 document 2250508 it seeks variation to the prescribed building height, but it is actually seeking to also reduce the side and rear setbacks prescribed in the ADG. In its 6.0 Conclusions section it states that *"in terms of overshadowing, detailed analysis confirms the proposed massing performs better than a compliant ADG setback/Housing SEPP height compliant envelope. The height variation (arising from the articulated and offset building form) improves solar access to onsite communal open space and reduces shadow impacts on surrounding residential properties compared to the ADG setback/Housing SEPP height compliant scenario."*
- This statement is incorrect because the side and rear setbacks used in the analysis as ADG compliant are 6 metres. As detailed above, to be ADG compliant a 5-storey building is to have 18 metres separation between buildings where there are habitable rooms facing and when this is applied to buildings on neighbouring properties this distance is halved to establish the set back to boundary. This equates to a setback of 9 metres.
- With ADG compliant setbacks the height variation would have considerably less negative impact on solar access and privacy to neighbouring properties and as an additional benefit would reduce the number of established trees designated for destruction.

Loss of lower cost housing within the area

The proponent has acquired this site that currently comprises 3 apartment blocks each of 3 storeys some with ground level parking below totalling 54 apartments and a typical building height of less than 10 metres. The existing apartments are at the lower end of the price range and therefore represent lower rental rates for the area. This proposal will take these 54 apartments out of the housing stock for the 2-year construction period only to be replaced by a fewer amount and considerably more expensive apartments which would then attract higher rental costs. This is not consistent with providing more housing stock available to the wider community.

Loss of mature and established trees

There are a significant number of trees on the site and the proposal is to significantly reduce these trees. This neighbourhood has been the subject of a significant loss of trees following the upgrade to the Warringah freeway resulting in a major negative impact on native fauna and a very noticeable loss of amenity. The number of trees proposed to be destroyed is increased due to the non-compliant and excessive building footprint.

Abuse of the planning system

The proponent is proposing to build a Seniors Residential complex on the site comprising 2 towers with tower A being **5 storeys** and the other, tower B being **6 storeys** totalling 48 units. The site is zoned R4 which has a building height limit of 12 metres under North Sydney Development Control Plan [NSDCP] 2025.

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NSW State Environmental Planning Policy [Housing] 2021 made changes to planning rules for Seniors Housing, the key changes are a floor space incentive of 15% to 25% bonus floor space, a reduction in landscaped area for residential care facilities from 25m² to 15m² per bed, a Capital Investment Value [CIV] > \$30M for the State Significant Pathway for development approval and that such developments may be built in low density R2 zones.

Current NSW planning also allows a building height “bonus” of an additional 3.8 metres to apply for Seniors Residential Developments which translates to an allowed building height of 15.8 metres for this proposed development. In practical terms, this maximum building height translates to a maximum of 5 storeys. The CIV was documented in November '25 as \$31.8M and thereby triggering the SSD approval pathway, however this was for a proposal that exceeded the planning constraints. Based on a simple pro rata computation I contend that if the design complied with the planning constraints the CIV would be under the \$30M threshold and then be subject to North Sydney Council planning process. The concerns of this irregularity was widely articulated by the community group and now most strangely, the submission now has a CIV of \$60M+! This matter was formally raised to NSW Planning officer Najeeb Kobeissi.

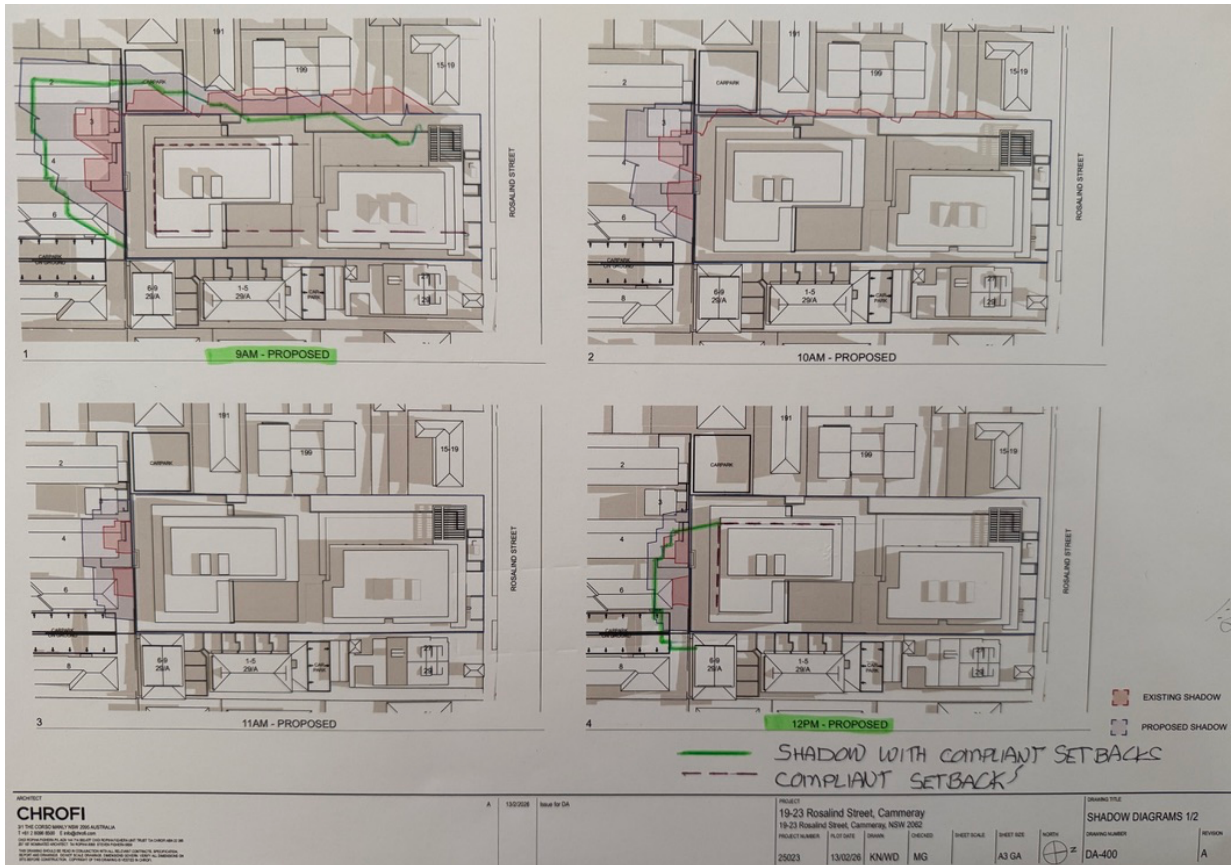
Let's be very clear that local Councils role is to represent the needs and wishes of its electorate.

Solution

I contend that this development proposes a significantly bulkier building than the applicable planning constraints permit to the detriment of all the neighbouring properties and sets a development precedent that only benefits the developer and ignores the communities wishes. Given the permissible building height “bonus” I strongly urge the planning authority to condition any approval by stating that all building setbacks are to be in accordance with both the Seniors Housing Design Guide and the Apartment Design Guide.

I've marked up the solar shadow drawings DA 400* and DA 401* prepared by the proponent, forming part of the application, to show the “proposed shadowing” if the building setbacks to the towers were based on compliance and it is clearly demonstrated that the shadowing impact on all neighbours is significantly reduced even with the benefit of the increased building height sought by the proponent.

*it is assumed that the shadow drawings prepared by the proponent is for the mandated winter solstice date [this issue has been raised with NSW Planning] and I note that if this date was not used, the shadowing affect would be worse.



Refer to the significant reduction in solar shadowing, marked up in green for 9am and noon, should the towers have compliant side and rear setbacks



Refer to the significant reduction in solar shadowing, marked up in green for 3pm, should the towers have compliant side and rear setbacks