

39 Bancroft Avenue
Roseville, NSW, 2069

NSW Department of Planning, Industry and Environment

Dear Sir or Madam

**Major Project: Application Number SSD-9912
Roseville College – New Sport and Wellbeing Centre**

We wish to object to the proposed development at Roseville College and we set out below our grounds for objecting.

Our property borders the proposed development and is the only residence which shares a boundary with the proposed development. As such our property will be the most directly impacted should the development proceed in its proposed format.

We have owned our home since 1998 and have witnessed Roseville College's expansion without regard for the Heritage aesthetic of the local area. The proposed development will further reduce the Heritage character of the area by introducing large scale buildings which are not in character with the local area and which will dominate the skyline of the streets in the Heritage Conservation Area.

Summary

We object to the development in its current form on a number of grounds, namely:

1. Demolition of a house in the Clanville Heritage Conservation Area
2. Bulk and scale of the development
3. Imprisonment effect
4. Loss of privacy and amenity
5. Noise and acoustic impact
6. Loss of solar access and overshadowing
7. Excavation vibration
8. Hours of Operation
9. Insufficient building setbacks
10. Hours of Work

In summary, the proposed development will:

- significantly and detrimentally alter the character of Bancroft Avenue and surrounding areas due to the bulk, scale and nature of the development

- require the demolition of a house in a Heritage Conservation Area, which we do not support
- have significant adverse impacts on our home and family including a substantial loss of privacy, increased noise, loss of view, creation of an imprisonment effect and loss of solar access

We have provided a significant amount of feedback to the College and their architects so as to reduce the impact the development will have on the area and in particular on our house.

We note that in a meeting with the Government Architect on 7 August 2019 the project Architect stated that in the project design “emphasis was placed on minimisation of impacts to 39 Bancroft Avenue...”. We can state that since we became aware of the proposed development and were invited to provide feedback via the consultation process, there has not been a single meaningful change to any design element that would reduce the impact on 39 Bancroft Avenue. We have provided extensive feedback and suggestions on what could be done to reduce the impact of the development but none have been adopted.

The negative detriment to us as a result of the development in its proposed state will be profound.

Details of the nature of our objection and requests for amendments are set out below.

1. Demolition of a house in the Clanville Heritage Conservation Area

The development proposes the demolition of No. 37 Bancroft Avenue, a dwelling currently zoned “R2 Low Density Residential” and which is located within the Clanville Heritage Conservation Area, which covers Bancroft Avenue and surrounding streets. We note that:

A heritage conservation area (HCA) is an area recognised and valued for its special historical and aesthetic character. Important elements that contribute to the heritage significance of a HCA include the architectural style of buildings, fences, trees and gardens.

HCAs protect not just single homes but whole areas from inappropriate development.

We submit that the house at No. 37 Bancroft is of significant heritage value and should not be demolished. 37 Bancroft Avenue should be retained substantially in its current form so as to preserve the Heritage character of the HCA and the streetscape of Bancroft Avenue.

We request that the development should be:

- undertaken on the land already zoned for school use i.e. 31-35 Bancroft Avenue. The only house directly impacted in that case would be 37 Bancroft Avenue, which is owned by Roseville College; or

- ii. reduced in scale so that it is accommodated on the land occupied by the existing 2 tennis courts fronting Bancroft Avenue, leaving 37 Bancroft Avenue untouched.

2. Bulk and scale of the development

The streets of Bancroft Avenue, Victoria Avenue, Glencroft Avenue and other surrounding streets are characterised by predominantly single level dwellings, most of which were built in the period 1907-1920. As a result, the area has been declared a Heritage Conservation Area.

The proposed development is stylistically unsympathetic to the architecture of the area and is of significant scale and bulk, such that its introduction will have a profound negative effect on the Heritage nature of the local area.

We object to:

- the scale and bulk of the development which will dominate the area
- the height of the tennis court deck and the height of the buildings

We request that:

- the size of the size of the development be reduced to reduce visual impact on the area
- the height of the proposed tennis courts be lowered to the level of existing courts i.e. if 37 Bancroft Avenue is excluded from the development a height of RL 85.44 at 33-35 Bancroft Avenue, or if 37 Bancroft is approved for development an RL 82.44 at 37 Bancroft Avenue. These heights can be achieved by sinking the development further into the ground with no impact on the utility of the development, which is already proposed to be largely subterranean.

3. Imprisonment effect

The proposed development will create a 'prison effect' on the entire Western side of our property and will dominate the skyline from every window on the Western side of our house. The plans show:

- i. from the Bancroft Avenue building line, built structures approx. 50 metres in length along our Western boundary. These structures consist of:
 - a solid wall approximately 36.5 metres in length and approximately 5 metres high, which will be topped by a 25 metre long metal awning approximately 3 metres in height, creating a total wall height of approximately 8 metres (NB the acoustic consultant has recommended that the Eastern wall of the 25 metre metal awning be filled with a solid-fill wall to lessen the effects of noise from people using the courts and awning)

- abutting the abovementioned wall, at the Southern end of the development will be a building, also facing directly onto our Western boundary. This building will be approximately 14.4 metres wide on our boundary and will rise to a height of approximately 11.5 metres above the level of our rear garden and swimming pool. This building will dominate our Western view and directly looks over our swimming pool and rear garden, depriving us of any privacy when we are outside
- ii. These elements create a monolithic structure along our Western boundary, dominating the skyline from every window on the Western side of our house, from our rear deck entertaining area, from our swimming pool and from all of our rear garden

We request that the issues noted above be remedied by:

- rejecting the application to demolish 37 Bancroft Avenue
- relocating of the Metal Awning to the Western end of the proposed tennis courts
- the large building should be relocated Westwards onto land at 33-35 Bancroft Avenue

4. Loss of privacy and amenity

The proposed development results in a substantial loss of privacy for:

- two bedrooms, main bathroom and study with west facing windows. There is a direct line of sight from the proposed tennis courts into each of these rooms
- rumpus room, family room, kitchen, master bedroom, main rear deck living area. There is a direct line of sight from the proposed building at the rear of the development and/or the proposed tennis courts into each of these rooms and areas
- swimming pool, outside entertaining area, BBQ area and entire rear garden. These areas will be overlooked from the proposed tennis courts, from the large building at the rear of the tennis courts and from East facing windows in the building at the rear of the development (windows approximately 5-8 metres above the level of our pool and garden areas).

The development deprives us of our privacy in our own home and an inability to have quiet enjoyment and privacy in our rear garden, swimming pool and outside entertaining areas.

We request that the issues noted above be remedied by:

- rejecting the application to demolish 37 Bancroft Avenue
- the tennis court deck height should be reduced to the level of the existing 37 Bancroft tennis court (RL 82.44)
- the large building should be relocated Westwards onto land at 33-35 Bancroft Avenue
- there should not be any windows on the Eastern side of any approved building

5. Noise and acoustic impact

We note the report dated 22 October 2019 from Acoustic Dynamics.

Metal Awning noise

The area beneath the metal awning at the Eastern boundary is likely to attract large numbers of students before, during (recess and lunch times) and after school as a place for recreation, eating and other activities not associated with spectating at a sporting event. These groups are likely to generate a high volume of noise, which will be amplified by the structure (due to its design and materials). We note:

- the Acoustic consultant has recommended the installation of a 3 metre high wall at the Eastern edge of the metal awning to reduce noise at 39 Bancroft. The architectural plans do not include this barrier
- installation of a barrier (as recommended) will increase the Imprisonment effect and overshadowing to 39 Bancroft Avenue

The table below is extracted from the Acoustic Consultants' report and shows the maximum noise calculated by each activity as measured at a 'Receiver Location'.

Table 5.4 – Calculated Maximum External $L_{Aeq(15\text{minute})}$ Noise Emission & Objectives (Day/Evening Period)

Receiver Location	Activity / Noise Source	Relevant Assessment Period	Calculated Maximum L_{Aeq} Noise Level ¹ [dB]	L_{Aeq} Noise Emission Objective [dB]	Complies?
Residential Receivers at 26 to 32 Bancroft Ave (North)	Mechanical Plant	Evening ² (6pm to 10pm)	25	41	Yes
	Ingress & Egress		17		
	Rooftop Sport Activities (60 Participants) ³		40		
	Cumulative Total		40		
Residential Receivers at 39 Bancroft Ave (East)	Mechanical Plant	Evening ² (6pm to 10pm)	31	41	Yes
	Ingress & Egress		21		
	Rooftop Sport Activities (60 Participants) ³		41		
	Cumulative Total		41		

Source: Acoustic Dynamics report dated 22 October 2019, page 31

We note that no estimate has been made of 60 (or more) students undertaking activities under the metal awning. We believe that large groups of students will congregate in this area and that noise levels are likely to exceed the maximum permitted Noise Emission Objective.

Rain noise

We note that the Acoustic Consultant has:

- based their Rain Noise Assessment calculations on ISO 140-18:2006, which has been withdrawn and has been replaced by ISO 10140-1:2010/Amd.2:2014, ISO 10140-5:2010/Amd.1:2014
- determined the worst-case rain fall event is approximately 10-15mm per hour
- not address the estimated external noise levels which will be generated by rain rain falling on metal surfaces of the development (building roof and the metal awning on the Eastern end of the Tennis Courts) and the glass skylight immediately adjacent to our boundary and whether the maximum noise will be within Australian Standards

Inability to determine if acoustic recommendations will be adopted

We note that the Acoustic Consultant has insufficient information to opine on whether the development will satisfy the various Acoustic Standards and the report (mostly) directs that the development should adopt Acoustic Dynamics' recommendations into the design. There is no evidence that the recommendations have been or will be adopted.

We further note that the Acoustic Consultant has made no allowance for activities being undertaken within the SWELL simultaneously to activities undertaken externally.

We request the following:

- a. the Acoustic report be revised using the current ISO standards, namely ISO 10140-1:2010/Amd.2:2014, ISO 10140-5:2010/Amd.1:2014
- b. that the metal awning structure be relocated to the Western end of the development. This will result in the noise being centralised within the school precinct and will reduce the overshadowing and imprisonment effect on our home which will result from the construction of an acoustic barrier beneath the metal awning
- c. a condition of approval for the development should be that there are no external speakers or amplification equipment
- d. the Acoustic Consultants be required to estimate the acoustic impact of large numbers of students gathering beneath the Metal Awning and ensuring that the noise generated is with the levels set out in the Australian Standards
- e. the Acoustic Consultants be required to estimate the maximum noise generated within the development (swimming complex, gymnasium, rooms etc) at maximum capacity and that these noise levels be added to levels calculated in Table 5.4 of their report, together with the maximum levels generated by large numbers of people standing beneath the metal awning at the Eastern end of the Tennis Courts surfaces to ensure that the noise generated is with the levels set out in the Australian Standards

- f. the Acoustic Consultants use maximum rainfall event criteria of 30-50mm per hour, which reflects rain events which occur on a regular basis at this location (not 10-15mm which has been used in their report)
- g. the acoustic consultant estimates the external noise generated by rain falling on all external metal surfaces and the glass skylight on our boundary to ensure that the noise generated is with the levels set out in the Australian Standards
- h. evidence and/or undertakings should be provided to show that all of the Acoustic Consultant's recommendations will be incorporated into the development, thereby ensuring that the required Acoustic outcomes have been met

6. Loss of solar access and overshadowing

Due to the proposed height of the development and its proximity to our boundary we will be deprived of skyline views from many areas where we currently enjoy such views.

Furthermore, we note from the consultant report that there will be a substantial number of hours each day where our house and garden will be shadowed by the development, particularly during winter where the solar effect of the sun assists in warming our house.

We consider the egress of direct natural sunlight into our home to be integral to our health and wellbeing as well as an important design feature of our home. Any reduction in solar access is unacceptable to us.

We request that the issues noted above be remedied by:

- rejecting the application to demolish 37 Bancroft Avenue
- if 37 Bancroft Avenue is approved for demolition and inclusion in the development, the tennis court deck height should be reduced to the level of the existing 37 Bancroft tennis court (RL 82.44)
- the large building at the Southern end of the proposed tennis courts should be relocated Westwards onto land at 31-35 Bancroft Avenue

7. Excavation vibration

We note the Geotechnical report, page 8, which refers to vibration during construction. Excavation is proposed at a distance of 1.0mtres or less from our boundary which is likely to cause high levels of vibration within our property. The report notes “that vibration levels above 2-3 mm/sec may be strongly perceptible to occupants of adjacent buildings”. The report also notes that a vibration levels 8 mm/sec is commonly adopted in constructions – approximately 3 times greater than levels comfortable for occupants of adjacent buildings.

Due to the age of our house we are extremely concerned that high levels of vibration in close proximity to our house will cause significant damage. We are also concerned that the vibration levels will render our house uninhabitable for prolonged periods.

We request that:

- no excavation takes place at 37 Bancroft Avenue
- should excavation be approved at 37 Bancroft Avenue, vibration levels be limited to 2 mm/sec

8. Hours of Operation

Once operational, the proposed development has the potential to create high levels of noise which will negatively impact the quiet enjoyment of our property.

The hours of operation of the facility are set out in the application (Acoustic Dynamics – Acoustic Consultant report 22 October 2019, page 5) and are proposed as:

The proposed operating hours of the facility are as follows:

- *School hours: 9:00am to 5:00pm, Monday to Friday;*
- *After hours: 5:00pm to 10:00pm, Monday to Friday. This will include public access to the gym, swimming pool and rooftop multi-purpose sports area; and*
- *Staff arriving from 7:00am and staff and student/parents departing by 10:15pm, Monday to Friday.*

Page 31 of the report refers to groups of 60 participants undertaking outside sporting activities until 10pm at night, together with music and amplification systems.

These hours are not acceptable and are different to those explained by Roseville College representatives during the Community Consultation Process. During that consultation the operating hours of the SWELL were designated as:

- 7am-5pm Monday to Friday
- 7am-12pm Saturday

We were also assured that the SWELL would strictly be for the use of Roseville College students and would not be used for commercial or like purposes e.g. there would not be public use of the pool for swimming squads or like activity, tennis courts would not be used by a private operator etc.

The proposed hours will create significant noise from the venue, including the arrival and departure of traffic on Bancroft Avenue and Recreation Avenue – both of which will have a detrimental impact on our quiet enjoyment of our house, garden and pool areas.

We request that the conditions of approval include:

- 1) SWELL operating hours be restricted to school terms only
 - 7am-5pm Monday to Friday
 - 7am-12pm Saturday
- 2) SWELL be restricted to use by Roseville College students, plus students competing with Roseville College students in scheduled events
- 3) A maximum of 60 people to be on the entire tennis court area, under the metal awning and surrounds at any one time i.e. includes all participants in any activity, supervisors, spectators, etc. This will also include students using the area for any purpose before, during and after school, whether for sporting activities or otherwise

9. Insufficient setbacks from 39 Bancroft Avenue

The plans provided show that the Subterranean Eastern wall of the development will be 1.0 metres from our boundary. We object to this because:

- Ku-Ring-Gai council requirements are for larger setbacks
- we are extremely concerned about potential damage to our house as a result of excavation so close to our boundary
- we have a 25 metre mature Norfolk Pine approximately 4 metres from the boundary with 37 Bancroft. The excavation is likely to damage roots and may cause the tree to be substantially affected and/or cause its death

Should approval be granted to undertake the development on 37 Bancroft Avenue **we request** that the subterranean wall of the development be at least 3 metres from our boundary (which will also assist in matters related to solar access).

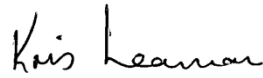
10. Hours of Work

The proposed hours of work are:

- Monday-Friday 6.30 am to 5.30 pm
- Saturday 8.30 am to 1.30 pm
- Sundays and Public Holidays – No works to be undertaken without prior approval

These hours are not acceptable to us. Works (including deliveries) should not commence prior to 7am on Weekdays and 9 am on Saturdays. No work should occur on Sundays or Public Holidays under any circumstances.

Yours Faithfully

Handwritten signature of Wayne Leamon in black ink.Handwritten signature of Kristine Leamon in black ink.

Wayne Leamon
Kristine Leamon
(owners and occupiers, 39 Bancroft Avenue, Roseville)