KU-RING-GAI LOCAL PLANNING PANEL MEETING
TO BE HELD ON MONDAY, 15 DECEMBER 2025 AT 10:00 AM
BY ZOOM CONFERENCING

Please note this meeting will not be livestreamed and items GB.1, GB.2 and GB.3 will be determined offline as these items do not fit the criteria for a public meeting (it is not contentious – does not have more than 10 objectors). The result will be determined and published on council's website within 48 hours of the closing of the determination meeting.

AGENDA

** ** ** ** ** **

NOTE: For Full Details, See Council's Website – www.krg.nsw.gov.au under the link to business papers

APOLOGIES

DECLARATIONS OF INTEREST

GENERAL BUSINESS

GB.1 **Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works** **4**

File: EDA0453/25

Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works

RECOMMENDATION

THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, being satisfied that the proposed development would be in the public interest, grant development consent to eDA0453/25 for Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works, for the reasons provided in the Development Assessment Report **(Attachment A1)**.

GB.2 **26-30 McIntyre Street, Gordon - Alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021** **145**

File: EDA0371/25

Alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021

RECOMMENDATION

THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refuse development consent to eDA0371/25 for alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021 on land at 26-30 Mcintyre Street, Gordon for the reasons provided in the Development Assessment Report **(Attachment A1).**

GB.3 **74 Ridge Street, Gordon - Torrens Title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works.** **382**

File: EDA0479/25

Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works.

RECOMMENDATION

A. THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refuse development consent to eDA0479/25 for Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works - Heritage Item on land at 74 Ridge Street GORDON NSW 2072, for the reasons provided in the Development Assessment Report **(Attachment A1)**.:

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DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE:	TULKIYAN HOUSE - CHANGE OF USE FROM A DWELLING HOUSE TO AN INFORMATION AND EDUCATION FACILITY (HOUSE MUSEUM), ACCESS UPGRADES, AMENITIES BUILDING AND ASSOCIATED WORKS
ITEM/AGENDA NO:	GB.1

APPLICATION NO:	eDA0453/25
ADDRESS:	707 Pacific Highway, Gordon
WARD:	Gordon
DESCRIPTION OF PROPOSAL:	Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works
APPLICANT:	Lucas Stapleton Johnson & Partners Pty Ltd
OWNER:	Ku-ring-gai Council
DATE LODGED:	20 August 2025
SUBMISSIONS:	3 submissions received
ASSESSMENT OFFICER:	Annabelle Ambrogio, Consultant Planner
RECOMMENDATION:	Approval

KLPP REFERRAL CRITERION:	Conflict of interest (Council owned land)

PURPOSE OF REPORT

To determine Development Application No eDA0453/25 for Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works.

This application is reported to the Ku-ring-gai Local Planning Panel for determination as the applicant or land owner is the Council.

RECOMMENDATION

THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, being satisfied that the proposed development would be in the public interest, grant development consent to eDA0453/25 for Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works, for the reasons provided in the Development Assessment Report **(Attachment A1)**.

Annabelle Ambrogio
Planner - Creative Planning Solutions

Attachments:

A1⇩	Assessment report	2025/290561
A2⇩	Location Sketch	2025/349874
A3⇩	Zoning Sketch	2025/349878
A4⇩	Architectural plans	2025/371979
A5⇩	Stormwater plans	2025/262107
A6⇩	Landscape Plan	2025/371736
A7⇩	Plan of Management	2025/371737
A8⇩	Statement of Heritage Impact	2025/371739

DEVELOPMENT APPLICATION

ASSESSMENT REPORT

REPORT TITLE:	707 Pacific Highway, Gordon – Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works

APPLICATION NO:	eDA0453/25
PROPERTY DETAILS:	707 Pacific Highway, Gordon Lot 3 Sec 1 DP 3267 1,828.6m^2 R4 High Density Residential
WARD:	Gordon
PROPOSAL/PURPOSE:	Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works
TYPE OF DEVELOPMENT	Integrated
APPLICANT	Lucas Stapleton Johnson & Partners Pty Ltd
OWNER	Ku-ring-gai Council
DATE LODGED	20 August 2025
RECOMMENDATION	Approval

PURPOSE OF REPORT

To determine Development Application No eDA0453/25 for Tulkiyan House - change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works.

This application is reported to the Ku-ring-gai Local Planning Panel for determination in accordance with the Minister's Section 9.1 Local Planning Panels Direction as the land-owner is the Council.

INTEGRATED PLANNING AND REPORTING

Places, Spaces & Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai.	Applications are assessed in accordance with state and local plans.	Assessments are of a high quality, accurate and consider all relevant legislative requirements.

EXECUTIVE SUMMARY

Issues	Ancillary facilities Demolition related to a heritage item Access and parking Building design
Submissions	Notification Period: 08/09/2025 – 08/10/2025: 3 submissions
Land and Environment Court	N/A
Recommendation	Approval

HISTORY

Site history

The site has a history of residential use.

Previous applications history

Council's records show previous applications relating to the site as follows:

Type	Application	Description	Decision	Date
ConvDA	550/06/DF	Heritage property – front fence	Approved	
DA	DA0139/11	Construction of a gabled pavilion and driveway and change of use to community facility - heritage property	Withdrawn	29/03/2011
DA	DA0393/11	Construction of a gabled pavilion - Tulkiyan house - Heritage property	Withdrawn	28/07/2011
DA	DA1004/10	Construction of external building (interpretation space) and works to the driveway - Heritage listed property	Withdrawn	30/12/2010
eDA	eDA0049/24	Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works - Heritage Item - Integrated Development - Heritage Act 1977	Withdrawn	19/02/2024
eDA	eDA0059/25	Tulkiyan House - Change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works - Heritage Item - Integrated Development - Heritage Act 1977	Withdrawn	26/02/2025

Current Development Application History

Date	Action
20/08/2025	Application lodged.
27/08/2025	Referral received from Council's Senior Building Surveyor. Acceptable, subject to conditions.
31/08/2025	Referral received from Council's Team Leader Development Engineers and Strategic Traffic Engineer. Acceptable, subject to conditions.

3/09/2025	Referral received from Council's Team Leader – Landscape, Tree and Ecological Assessment. Acceptable, subject to conditions.
8/09/2025 – 8/10/2025	The application was notified to neighbouring property owners for a period of 30 days. Three submissions were received, including one submitted after the notification period had ended.
17/09/2025	Referral received from Council's Heritage Advisor. Acceptable. subject to conditions.
16/10/2025	Referral received from Heritage NSW. Acceptable. General Terms of Approval issued.

THE SITE



Figure 1: Aerial photograph of the subject site and surrounding area

Site description

The site is legally identified as Lot 3, Section 1 in DP 3267 and is known as No. 707 Pacific Highway, Gordon **(Figure 1)**. The site is regular in shape with an area of 1,828.6m^2 by survey. The site is located on the eastern side of Pacific Highway and has a frontage of 30.48 metres and a depth of 60.24 metres. The site has a crossfall of 4.55 metres from the front north-western corner to the rear south-eastern corner.

The site presently includes a two storey 'Arts and Crafts' style brick dwelling house with a tile roof, along with a small metal shed atop a deteriorated concrete slab. The front boundary of the site is lined with a brick and timber front fence, with gates at the vehicular and pedestrian access points, whilst the side and rear boundaries are lined with timber paling fences.

A single-width vehicular crossover is located at the northern end of the frontage with a gravel driveway which runs along the northern boundary between the dwelling house and the

setback to meet the concrete pad. A separate pedestrian entry is located centrally within the frontage and provides a gravel path which curves to link up with the gravel driveway and provides access to the main entrance to the dwelling house located at the front north-western corner of the dwelling house. Additional paths are found within the site, including along the side and rear elevations of the dwelling house and within the rear yard. The remainder of the site is grassed and includes a large number of trees along with garden beds.

The site is known as 'Tulkiyan' and is identified as a State listed heritage item (SHR No. 01733) and is also a locally listed as a heritage item (No. I11) within Schedule 5 of Ku-ring-gai Local Environmental Plan 2015 ('KLEP 2015').

Constraint:	Application:
Visual character study category	Not categorised on map
Easements/rights of way	Yes
Heritage Item - Local	Yes
Heritage Item - State	Yes
Heritage conservation area	No
Within 100m of a heritage item	Yes – Nos. 748 and 738 Pacific Highway
Bush fire prone land	No
Natural Resources Biodiversity	No
Natural Resources Greenweb	No
Natural Resources Riparian	No
Within 25m of Urban Bushland	No
Contaminated land	No

Surrounding development

The site is located within an R4 High Density Residential zone and is surrounded by residential flat buildings (RFBs). The adjoining site to the north is No. 711 Pacific Highway, which includes a four storeys brick RFB, whilst the site to the south is No. 705 Pacific Highway, which accommodates a three storeys brick RFB. The adjoining site to the rear is No. 22-24 Henry Street which is accommodated by a more contemporary four storeys RFB.

THE PROPOSAL

The application proposes the change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, stormwater management upgrades, the addition of an amenities building and associated works. The proposal is outlined in detail as follows:

Change of Use

- Change of use from a dwelling house to an Information and Education Facility (house museum).
- Hours of operation:
    - Supervised public access to the dwelling house and gardens: no more than 14 times a year and only within the hours of 10am to 4pm (weather permitting).
    - Events: no more than 12 events per year for no more than 4 hours public access per event.
- Staff arrangements (various options presented to cater to the different circumstances/ scenarios, i.e. number of guests, type of event, large tour groups):
    - Usual house tour operations (option 1):

        - 2 trained volunteer guides for morning shift
        - 2 trained volunteer guides for afternoon shift
        - 1 supervisor (trained/experienced volunteer or a staff member)
    - Usual house tour operations (option 2):
        - 2 trained volunteer guides for full day
        - 1 supervisor also acting as a guide (trained/experienced volunteer or a staff member)
    - 'Free-flow' tours (option 1 – ground floor rooms only):
        - 4 volunteer guides
        - 1 supervisor (trained/experienced volunteer or a staff member)
    - 'Free-flow' tours (option 2 – ground and upper floor rooms):
        - 4 volunteer guides for ground floor
        - 4 volunteer guides for upper floor
        - 1 supervisor (trained/experienced volunteer or a staff member)
    - Large booked groups (e.g. 40-45 on tour bus)
        - 4 volunteer guides, 1 of whom is experienced to act as supervisor

Access improvements to the grounds

- Adjust ground level of driveway at eastern end using imported fill to meet floor level of new amenities building and cover with existing gravel to match driveway. Two existing steps adjacent to the house will be covered by the imported fill and gravel due to the level changes.
- Adjust ground levels at rear (east) of house museum to form new terrace (approximately 13m^2) with surrounding low brick retaining wall. Surface to be covered in gravel to match driveway and provide level access to proposed rear ramp and small gathering space.
- Construct new brick stairs and landing to eastern side of new terrace adjacent to new ramp leading to east garden.
- Construct new lightweight metal ramp with glass reinforced plastic (GRP) flooring on metal posts and 300mm diameter concrete piers with handrail leading from eastern side of new terrace to the east and then south to connect to former tennis court. Retain existing brick path under.

Access improvements to the house

- Construct new lightweight metal ramp with GRP flooring and metal handrail on northern side of dwelling leading from the driveway and entry path to the main entry porch. The ramp is to be installed over the existing entry steps and landing, which are to be left exposed.
- Provide offset hinges to servery and kitchen doors to increase the width of the existing door openings.
- Provide portable step ramp to door between dining room and the southeastern verandah.

New amenities building

- Demolition and removal of existing concrete slab (used for former garage) and metal shed atop located at the end of the gravel driveway.
- Construct a new stepped, suspended concrete slab supported on concrete piles.
- Construct a new single storey amenities building within the new terrace area atop the stepped concrete slab.
    - The western side is to be constructed upon a concrete slab 1 (finished floor level 121.23) and contain a locker room with space for 36 lockers, a

kitchenette, and a female toilet. Access to these elements is provided on the western side of the building.
    - The eastern side is to be constructed upon concrete slab 2 (finished floor level 120.74) and contain male toilets and an accessible toilet.
    - Windows are provided on the southern and western elevations, with no windows or openings on the northern side elevation presenting to the adjoining site.
- Install a fully sealed roof drainage system to manage stormwater from the new structure.

Landscaping

- Remove one Chinese fringe tree (*Chionanthus retusus*) to accommodate the new amenities building. Identified as Tree 10 within Arboricultural Impact Assessment (AIA) prepared by Glenyss Laws Consulting Arborist.
- Remove one Flowering Cherry tree (*Prunus sp.*) due to its short ULE and low STARS value whilst also being considered unsuitable for retention. Identified as Tree 15 within the AIA.
- Relocate two Firespike shrubs (*Odontonema strictum*) and two Brazilian plume shrubs (*Justicia carnea*) from the current location of the proposed amenities block to sit between the new rear ramp and the northern boundary.
    - To be removed prior to the commencement of construction works and temporarily relocated on-site for holding during works, then to be replanted once all works are complete.
- Relocate existing ground covers (*Clivia sp.*) from the current locations within the rear yard that will be impacted by the works to the base of the brick retaining wall of the new gravel terrace and along the sides of the new rear ramp.
    - To be removed prior to the commencement of construction works and temporarily relocated on-site for holding during works, then to be replanted once all works are complete.

Stormwater management upgrades

- Provide one 2,000 litre below ground rainwater re-use tank within rear garden.
- Construction one 3200 millimetres x 600 millimetres x 600 millimetres absorption trench within rear garden.
- Install a sediment control inlet pit adjacent to the absorption trench.

Refer to **Figures 2, 3 and 4** below for plan extracts.

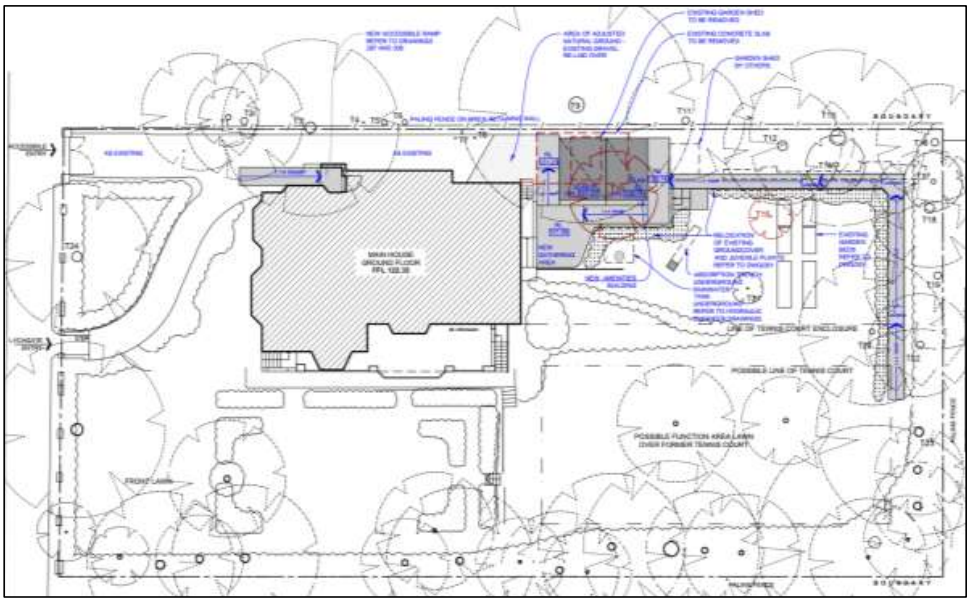


Figure 2: Extract of proposed Site Plan, new works shown in grey
(Source Lucas Stapleton Johnson, 08.01.2025)

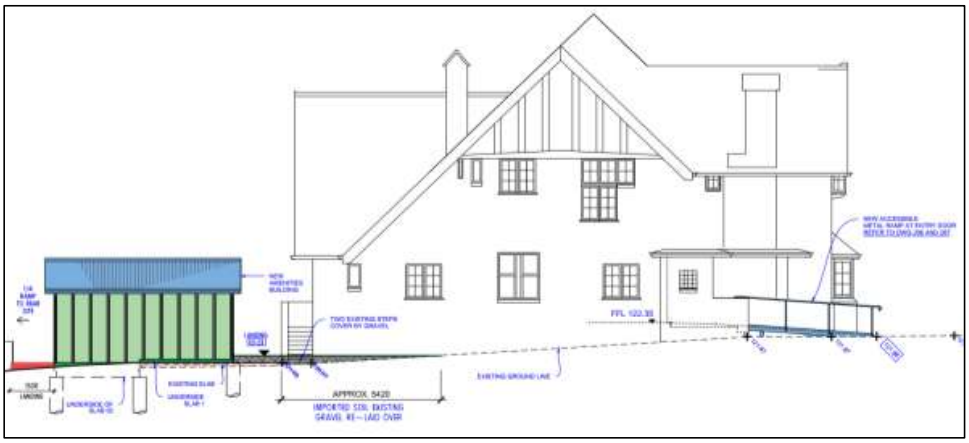


Figure 3: Extract of Northern Elevation, proposed works shown in colour
(Source Lucas Stapleton Johnson, 08.01.2025)

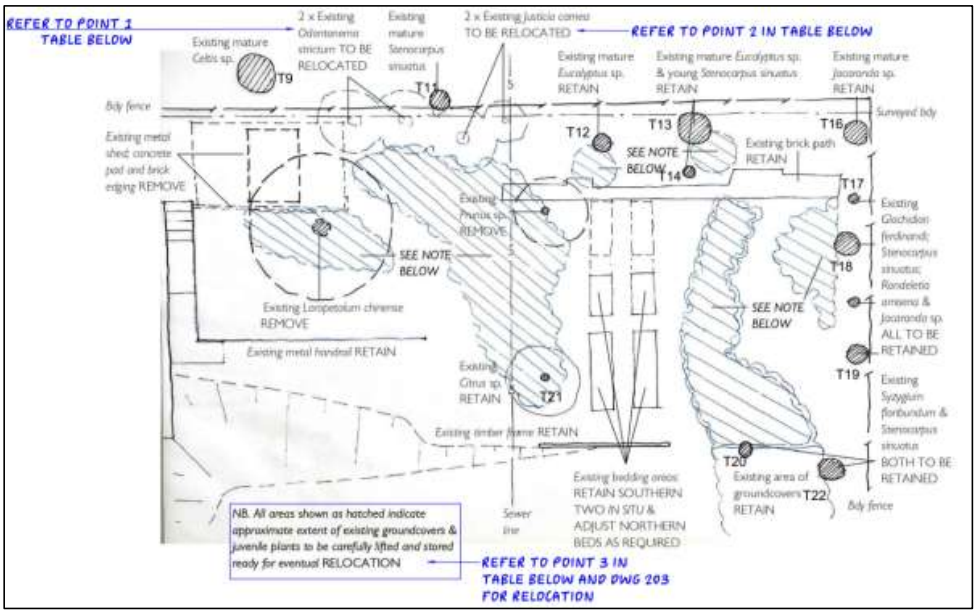


Figure 4: Extract of proposed Landscape Plan
(Source Lucas Stapleton Johnson, 08.01.2025)

CONSULTATION

Community

In accordance with Appendix 1 of the Ku-ring-gai Community Participation Plan, owners of surrounding properties were given notice of the application. In response, three submissions from the following were received:

1. *Strata Committee – No. 22-24 Henry Street, Gordon*
2. *Strata Committee – No. 711 Pacific Highway Gordon*
3. *J. Hutchinson – Unit 8/22-24 Henry Street, Gordon*

The submissions raised the following issues:

Location of Proposed Amenities Block

Issues raised:

- **Impact of noise and odours generated from the amenities block on neighbouring site.**
- **Privacy and overlooking potential of the amenities block.**

The amenities block has been sited in the proposed location to resemble the general location of the existing dilapidated concrete slab and previous garage, which is presently accommodated by a small metal shed. This location has been recommended and deemed acceptable by Council's Heritage Advisor and Heritage NSW, as it results in minimal impact on the significance of the heritage item and reflects the existing locations of built/hardstand areas of the site.

The amenities block has been designed to have no windows, doors or other openings on its northern elevation which faces the neighbouring site. This ensures that the structure will not result in any overlooking between sites. The structure is also of a relatively small height and scale, ensuring that it does not tower over the side boundary fence or impose upon the visual privacy of the adjoining site. A long driveway extends along the opposite side of the boundary fence in the neighbouring site, providing sufficient separation between the block and the neighbouring development, including its private open space areas.

Furthermore, the site will only be in use for limited hours a day for a maximum of 26 days a year. As such, the amount of noise and odours generated by the new structure will be minimal. This, in combination with the small scale, the separation from neighbouring development and the absence of windows on the side elevation ensures that the amenities block will not result in adverse impacts on neighbouring sites.

Impact of Works on Trees

Issues raised:

- **Impact of the removal of the existing concrete slab, construction of a new concrete slab, construction of ramps and adjustments to ground levels on the root zones of existing trees and vegetation on the site.**
- **Impact of these works on the large tree on the adjoining site located near the boundary.**

The proposal has been accompanied by an Arboricultural Impact Assessment and Root Mapping Report prepared by Glenyss Laws and has also been reviewed by Council's Team Leader – Landscape, Tree and Ecological Assessment. A plan demonstrating the proposed works, root mapping locations and proposed structural concrete pile locations has also been submitted. These documents outline that the removal of the existing concrete slab and the proposed works can be undertaken without damaging the roots of surrounding trees, including the large neighbouring tree referred to in the submission (identified as Tree 9 in the reports).

The new concrete slabs are to be constructed atop of new 450mm diameter concrete piles which have been strategically placed to avoid the roots of the surrounding trees mapped within the root mapping investigations. The raised nature of the slab atop these piles also ensures that the roots are not harmed as a result of the development. Council's Team Leader – Landscape, Tree and Ecological Assessment has provided conditions to be included in the consent which will also ensure that all trees are protected, and works are carried out accordingly.

Car Parking

Issues raised:

- **use of public transport by visitors is unlikely and will instead result in increased parked cars on Pacific Highway outside of clearway hours. This is noted as being what has occurred when Tulkiyan House has been open previously.**
- **increase in parked cars on Pacific Highway will worsen a current blind-spot for vehicles entering and exiting the driveway of No. 711 Pacific Highway.**
- **parking along Pacific Highway is already used for commuters using public transportation and surrounding residents who do not have sufficient off-street parking. Additional use by Tulkiyan House visitors will result in further pressure on the highway.**

The proposal has been accompanied by a Traffic and Parking Impact Assessment prepared by Express Traffic Engineering Solutions and the car parking and access arrangements have also been reviewed by Council's Team Leader Development Engineers and Strategic Traffic Engineer. The site does not provide any on-site parking; however, it is within 300 metres of Gordon train station and within close proximity to several bus routes, suggesting reduced reliance on private vehicles. The proposal states that information regarding the availability of public transport in the area will be promoted on the museum's website (if made), flyers, posters and any other communications with visitors. Use of public transport by employees/volunteers will also be encouraged within the employment agreement.

In addition, parking is available outside of peak times on Pacific Highway, with further street parking available on neighbouring streets including Ravenswood Avenue. A recent parking survey indicated that on average, 52% of on-street parking spaces in these locations were occupied between 10am and 5pm, which provides a large number of spaces available for visitors to the site during its minimal opening days.

Given the site will only be open a maximum of 26 times a year, with 14 of those times being for supervised public access between 10am and 4pm, the impact of parked cars associated with the development will be minimal. If cars are parked within the marked zones along Pacific Highway, then the development presents no issues in relation to an existing blind-spot for the driveway of No. 711 Pacific Highway, as vehicles not associated with the site are also able to park in those same public locations.

Council's officers have also assessed the proposal in relation to the relevant guidelines, including the Roads and Maritime Services' "Guide to Traffic Generating Developments – 2002", the Institute of Transportation Engineers guideline and additional supporting guidelines including the ACT Parking and Vehicular Access Guideline (2002). The proposal has been deemed satisfactory in relation to these documents and has been considered to have an acceptable impact on the surrounding traffic network.

Stormwater Impacts

Issues raised:

- **unclear how stormwater or roof water from the proposed development will be satisfactorily disposed of, both during operation and the construction phase.**
- **the site has previously resulted in water inundation on the adjoining rear site (No. 22-24 Henry Street) which has caused significant damage to the adjoining property.**
- **the development might increase or otherwise adversely impact the flow of water into the adjoining rear site.**

The proposal has been accompanied by detailed Stormwater Management Plans prepared by Hydracor Consulting Engineers which demonstrate a new stormwater management system for the proposed works.

The system includes a new 2,000 litres below-ground rainwater tank located within the rear yard to the south of the new amenities block and terrace, with stormwater from this new building directed to this new tank. Overflow from this tank and associated hardstand areas will be directed to a new 3.2 metres long absorption trench, located to the east of the new tank.

The stormwater system associated with the existing dwelling is to be retained, with the multiple kerb outlets along the site street frontage providing a discharge point for the

dwelling.

The possibility of connecting to the stormwater pipe within the adjoining southern site (No. 705 Pacific Highway) was discussed between Council's Team Leader Development Engineers and the project engineer. However, this required obtaining an easement as well as upgrading the stormwater disposal within the structural root zones of existing trees which was considered to be problematic, and the proposed solution was developed as an alternative.

Council's Team Leader Development Engineers has confirmed that the new system is acceptable and has been designed in accordance with the requirements of KDCP 2024 and also meets the relevant provisions of KLEP 2015. Relevant conditions of consent have been recommended by the Team Leader Development Engineers in relation to stormwater and water management which have been included in the draft conditions set (**Conditions 1 and 45)**

Conclusion

All issues raised within the submissions have been addressed and the assessment undertaken by the specialist officers is concurred with. In this regard, the proposal is appropriate in relation to the above concerns. Conditions of consent have also been recommended where required to mitigate any potential impacts.

Internal & External Referrals

Heritage

Council's Heritage Advisor commented on the proposal as follows:

> ***Planning Instruments:***
>
> ***Ku-ring-gai Local Environmental Plan (KLEP) 2024***
>
> *Clause 5.10 (4) of the KLEP 2015 requires that before granting consent to the proposed works Council must consider the effect of the works on the heritage values of a place listed in the Heritage Schedule of KLEP 2015*
>
> *Clause 5.10 of the KLEP 2015 requires that before granting consent to the proposed works Council must consider the effect of the works on the heritage item, nearby items or conservation area concerned. Clause 5.10 (5) allows Council to require a Heritage Impact Statement before granting consent.*
>
> ***Heritage Status***

Local Heritage Item	*Yes*
Heritage Conservation Area	*No*
Immediate vicinity of a heritage item	*Yes – Nos. 748 and 738 Pacific Highway*

> ***Statement of Significance***
>
> *Council's heritage inventory sheet has the following statement of significance for the Heritage Item:*
>
> *'Tulkiyan is of State significance as an important, intact example of a fine Arts & Crafts suburban villa, designed by eminent Edwardian architect B.J. Waterhouse of*

the architectural firm of Waterhouse and Lake, for a prominent local family. The design of the house, together with their contents, represent the taste and lifestyle of the upper middle class in Sydney prior to World War 1, and document the building's ownership and occupation by the Donaldson Family for 80 years with a minimum of alteration from the original 1913 house. The ownership has remained in the one family from the commissioning of the architect to its bequest to Ku-ring-gai Council by Miss Margaret Donaldson in 1985. The largely intact interior is furnished with most of the original contents of the house. There is comprehensive documentary evidence relating to the house, family, contents and garden. The house and its garden setting also represent the suburban expansion of Gordon during the early twentieth century (Noel Bell Ridley Smith, 1998, 43).'

Description

Site and Garden:

The site is 1.32 acres, or 0.534 hectares. It is bounded by paling fences to the west, north and east, while the southern (Pacific Highway) boundary is a brick fence with timber infill panels. The main entrance to Tulkiyan is through a timber gate located under a brick arch with terracotta tile detail in keeping with the detailing of the main house. Two large Lily Pilly trees frame the brick lych gate to the Pacific Highway front. The gravel driveway (edged with a low brick wall; and a stone wall to its north) is located at the north-western corner of the site and is entered through this pair of timbered gates. The driveway leads to a garage north-east of the house's rear corner. The gravel path curves across the block towards the front door, joining up with the driveway. On the southern side of the house a sandstone path leads to the rear. An area of lawn is to the house's west, south-west and south. In the lawn to the house's south-east are two beds of roses. A rear garden behind the garage has a shed, incinerator, compost heaps, brick path and areas of garden beds, more lawn and trees lining the north-eastern, eastern and southern boundaries.

House:

The house is designed in the Federation Arts and Crafts style by B. J. Waterhouse. Tulkiyan is an important intact example of Waterhouse's work. The house is asymmetrical with an all embracing roof line covering balconies and verandahs. All major rooms downstairs and bedrooms upstairs have access to verandahs and sleeping out was 'an activity seen as being conducive to health'.

Tulkiyan is a face brick building with steeply pitched terracotta shingled roof and tall chimneys finished with gabled shingled caps. The roof gables are either hung with terracotta shingles or half timbered with bracketed eaves. The main entry is on the northern side of the house via a covered porch which opens under the staircase.

The ground floor includes a stair hall, morning room, living room, dining room, kitchen, pantries and maids' room, while the first floor contains the four bedrooms, a bathroom and lavatory. A wide verandah on the eastern side of the house opens off the dining room and overlooks the side garden and former tennis court lawn. Each of the four bedrooms on the first floor has built in cupboards and opens onto a separate balcony. These were often used at this period for sleeping out, an activity seen as being conducive to good health.

The interior of the house includes some good examples of Edwardian joinery and hardware, including a built in sideboard accessible from both the dining room and the kitchen and a fine timber stair. The original timber front entry gate is located below a

brick arch with a terracotta shingled hood detail similar to that on the chimneys. A matching pair of timber vehicular gates at the driveway entry in engraved with the name 'Tulkiyan.' The original layout of the front garden and the pea gravel driveway remain together with remnants of the original garden and early plantings around the house. Tulkiyan is typical of Waterhouse's distinctive Edwardian houses. In his writing he advocated simplicity and straightforwardness in house planning. The house has a remarkable flow of simple spaces on the ground floor and an economy of planning.

Tulkiyan is a remarkably intact survivor of a distinctive phase in the development of domestic architecture in Australia. It is a substantial two storey brick residence located on the north eastern side of the Pacific Highway, Gordon NSW.

Controls

The following relevant objectives and controls apply for KDCP2024:

Development Controls	***Complies***
19B.2 Demolition related to a Heritage Item	
Partial Demolition of a Heritage Item	
4. In considering applications for partial demolition of a Heritage Item (including parts of buildings and other structures, trees and landscape features), Council will assess:	
i) the significance of the building part or structure and/or landscape features and whether its retention is considered necessary;	***NO***
ii) its contribution to the significance of the Heritage Item as a whole;	***YES***
iii) whether all alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.	***YES***

An assessment of the variations to the controls identified in the compliance table is provided below.

19B.2 Demolition related to a Heritage Item

Objectives

1. *To ensure that sites, buildings and landscape features that contribute to the significance of an HCA are retained.*
2. *To ensure that Heritage Items and all significant elements of Heritage Items are retained and conserved.*

For the following reasons it is considered that the objectives and controls are achieved despite the variation to the design control:

cl.19B.2.4(i)

i. *The existing slab is in poor condition, being weathered with cracking, is structurally unsound and does not meet current standards to support a new amenities building. The existing slab is also not of an adequate size to support an amenities building that provides for equitable water-closets (WCs).*
ii. *The 1998 NBRS Conservation Management Plan (CMP) for the place identified the concrete slab as being of "considerable" significance (i.e. moderate), being compromised by later modifications. The removal of this*

slab will be mitigated by the design of the new amenities building, which has been located and detailed to interpret the early garage.

Development Control	***Complies***
19D. HERITAGE ITEMS	
19D.1 Adaptive Reuse	
1. Development involving adaptive reuse of a Heritage Item requires the preparation of a Conservation Management Plan (CMP) by an experienced consultant to guide change and ensure conservation of the Heritage Item.	***YES***
2. In accordance with Clause 5.10.10 of the KLEP, Council will consider variations to other development standards, including car parking requirements, in order to achieve desirable heritage and planning	***YES***

Development Control	***Complies***
19D.3 Gardens and Landscaping	
1. Trees, and garden elements and structures which contribute to the significance of the Heritage Item are to be retained and conserved. Examples of historic garden elements and structures can include, but are not limited to, tennis courts, croquet lawns, grottos, ferneries, garden terracing, lawn edgings etc.	***YES***
2. New gardens should be horticulturally and stylistically sympathetic to the period of the Heritage Item. The use of similar materials such as sandstone, brick and gravel is encouraged.	***YES***

Development Control	***Complies***
19D.4 Access and Parking	
Equitable Access	
1. Modifications and alterations to provide access and mobility are to: *i) explore all options to achieve the statutory requirements in the least obtrusive manner possible;* *iii) involve the least demolition of significant fabric;* *iii) be reversible; and* *iv) preserve fabric of higher significance if a compromise is required.*	 ***YES*** ***YES*** ***YES*** ***YES***
Note: *Access requirements apply for public buildings and residential flat buildings; they are not generally required for dwelling houses.* ***Note:*** *Access solutions will be unique to each property and will be assessed on their individual merits.*	
Driveways	
2. Original and existing rear lane or side entry vehicle access is to be retained.	***YES***
Original Coach Houses, Stables and Garages	
16. Where demolition extension or change of use for original garage, coach house or stable is justified, the proposal is to provide replacement parking in the same or alternate location that will maintain the significance of the Heritage Item including its setting.	***N/A***
17. Where original and early garages, coach houses and stables survive, they should be retained and conserved.	***NO***
18. Original garage doors, usually boarded timber, are to be retained and conserved, where possible. Where replacement doors are proposed to original or early garage structures, they are to be similar in colour, materials and detail of the original.	***YES***

19D.4 Access and Parking

Original Coach Houses, Stables and Garages

Objective

12. To retain and conserve original and early coach houses, stables and motor garage as they contribute to the setting of the house.

For the following reasons the objectives of the controls are achieved despite the variation to the design control:

cl.19D.4.17

i. The existing rear concrete garage footing and base is degraded. The draft conservation management plan (CMP) identifies the footings and base as being of exceptional significance, likely because it provides evidence of the early configuration of the place. The slab is proposed to be demolished as the new amenities building requires the same finished floor level as the path in order to provide equitable access.

ii. The removal of this slab will be mitigated by the design of the new amenities building, which has been located and detailed to interpret the early garage.

Development Control	***Complies***
19D.5 Building Design	
Alterations and Additions – External	
1. All works to a Heritage Item are to comply with the controls in this section regardless of whether the property is located in an HCA or not.	***NO***
2. Development applications for works to a Heritage Item require a materials board and details of the colour scheme and finishes to be submitted.	***YES***
3. New work to Heritage Items may be identifiable as new; however, works are to respect and have minimal impact on the property heritage significance.	***YES***
4. All significant built features of a Heritage Item are to be retained and conserved.	***YES***
5. Original materials, finishes and details are to be retained and their repair using traditional techniques in encouraged.	***YES***
6. Alterations and additions are to respect the scale, form, height, materials and colours of the Heritage Item.	***YES***
7. Alterations and additions are be located at the rear or side of the building to maintain the integrity of the prominent elevations and streetscape contribution.	***NO***
8. Extensions, alterations and additions are not to visually dominate or compete with the original scale of the existing building.	***YES***
9. Alterations and additions to a Heritage Item site are to respect the heritage significance and predominant architectural character of the Heritage Item by having similar massing, style, form, proportions and arrangement of parts to the building itself. Extensions and additions are to be kept at or below the existing roof ridge height.	***YES***
Alterations and Additions - Internal	
12. All significant interior spaces and fabric of Heritage Items are to be retained and conserved.	***YES***

13. Original materials, finishes and details are to be retained and their repair using traditional techniques in encouraged.	***YES***
14. The re-instatement of missing elements and details, where known, and the removal of past unsympathetic changes, is encouraged.	***YES***
Views	
15. New development on the site of a Heritage Item is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.	***YES***
Verandahs	
17. Original verandahs and porches to the front and side elevations of contributory properties are to be retained where contributing to the significance of the property.	***NO***

19D.5 Building Design

Alterations and Additions

Objectives

1. *To ensure the significant external features of a Heritage Item and its setting are retained and new development is sympathetic in terms of bulk, form, style, character, scale, and materials.*
2. *To encourage the reinstatement of missing elements, where known, and the removal of later unsympathetic changes.*
3. *To ensure that the materials, finishes, and colours of new work enhances the identified significance of the Heritage Item.*
4. *To ensure alterations and additions do not dominate the Heritage Item.*
5. *To ensure the significant internal spaces and features of a Heritage Items are identified, retained and conserved.*
6. *Encourage the re-instatement of missing elements, where known, and the removal of later unsympathetic changes.*
7. *To ensure the retention and encourage reinstatement of early verandah and balcony forms.*
8. *To protect the original fabric and details of doors and windows of heritage items.*

For the following reasons the objectives of the controls are achieved despite the variations to the design controls:

Cl.19D.5.1 and 19D.5.7

<u>Ramp and Front Entry Porch</u>

i. *The new entry ramp is freestanding and will not result in any physical changes to the original fabric of the entry porch.*
ii. *The proposed solution has been selected as it provides the best balance between providing equitable access under the disability standards to the house and conserving the significant aspects of the place.*
iii. *Locating the new entry ramp to provide access into the house via the front door ensures that all original external doors are to be retained.*
iv. *The ramp is to be located over the existing brick steps with marble treads and terracotta tiled landing of the entry porch to Tulkiyan. The ramp is free standing being supported on concrete piles located in the driveway under the ramp and supported on a timber structure to be placed on the landing. The supports have*

been designed to spread the weight evenly and are located to avoid the marble stairs entirely.

v. *No penetrations into the original fabric of the house are required to support the new ramp and all work is reversible.*

vi. *The metal ramp is a clearly modern, lightweight structure that will sit over the existing steps and rest on the existing landing. The existing handrail will be retained to provide evidence of the steps under the ramp, and a new handrail will be located on one side only, minimising visual intrusion. This handrail will be attached to the new ramp only and will not be fixed to the house or porch.*

vii. *All new works are reversible.*

Amenities Building

i. *The amenities building is a small, single storey structure located behind the existing house and will not obscure views of the existing house or its significant elements as seen from the Pacific Highway.*

ii. *The amenities building has been designed to interpret the form, scale, appearance and materials of the original garage and is acceptable.*

Development Control	***Complies***
19D.6 Outbuildings and garden structures (excluding garages and carports)	
2. No new garden structures or outbuildings including pools, water tanks, gazebos, sheds, stores, cabanas are to be located within the front setback.	***YES***
3. In considering any application for permission to erect an outbuilding or structure, the following will be considered: *i) the location of the proposed structure in relation to the principal building, boundaries and other details of the site.* *ii) the proposed form, scale, materials and colours of the structure. In this regard, the scale of any outbuilding or structure is to be subservient to the main house, colours and materials should be recessive; and*	 ***YES*** ***YES***

Conclusion on Demolition (KLPP)

The proposed demolition works (including the pruning or removal of trees) will have no more than a minimal impact on the integrity of the heritage item.

Development Control	***Complies***
19F. DEVELOPMENT IN THE VICINITY OF HERITAGE ITEMS OR HERITAGE CONSERVATION AREAS (HCAS)	
19F.1 Local Character and Streetscape	
General *1. All development in the vicinity of a Heritage Item or HCA is to include a Heritage Impact Statement (HIS). The HIS is to address the effect of the proposed development on a Heritage Item or HCA and demonstrate that the proposed works will not adversely impact upon significance, including any related heritage features within the identified curtilage and setting.*	***YES***

Built Form	
2. Development on sites that either directly adjoin or are in the vicinity of a Heritage Item or an HCA is to have regard to:	
i) the form of the existing building or buildings including height, roofline, setbacks and building alignment;	***YES***
ii) dominant architectural language such as horizontal lines and vertical segmentation;	***YES***
iii) proportions including door and window openings, bays, floor-to-ceiling heights and coursing levels;	***YES***
iv) materials and colours;	***YES***
v) siting and orientation;	***YES***
vi) setting and context;	***YES***
vii) streetscape patterns.	***YES***
Views	
New development in the vicinity of a Heritage Item or HCA is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.	***YES***

Development Control	***Complies***
19F.3 Gardens and Landscaping	
Gardens, Setting and Curtilage	
1. Development in the vicinity of a Heritage Item or an HCA is to:	
i) retain original or significant landscape features associated with the Heritage Item or HCA, or which contribute to its setting. In particular, garden settings in the vicinity are not to be adversely affected in terms of overshadowing or physical impacts on significant trees;	***YES***
ii) retain the established landscape character of the Heritage Item or HCA including height of the tree canopy and density of boundary landscape plantings or otherwise reinstated them in the new development;	***YES***
iii) include appropriate screen planting on side and rear boundaries.	***YES***

Conclusion

The proposed change of use from a dwelling house to a house museum with access upgrades, amenities building, and associated works will have a minimal impact on the heritage item and items in the vicinity and is acceptable from a heritage perspective.

The above assessment and relevant provisions have been reviewed. It is agreed that the proposal is satisfactory for the reasons given by Council's Heritage Advisor.

Landscaping

Council's Team Leader – Landscape, Tree and Ecological Assessment commented on the proposal as follows:

KDCP COMPLIANCE TABLE		
Control	***Proposed***	***Complies***
Part 4A.2 Building Setbacks		

C12. Side setbacks are to accommodate a pathway and at least 0.6 metres of landscaping width for single storey houses, and 1.1 metres for 2 storey houses.	*Dwelling setbacks remain unchanged. The proposed amenities building proposes a historic setback similar to the original garage footprint.* *There is no opportunity for amenity screen planting adjacent to the site boundary for the proposed amenity building.*	***YES***
C13. Side setbacks are to accommodate shrubs to a height of 3-4 metres for 2 storey houses, and 2-3 metres for single storey houses.	*Refer above.*	***YES***
Part 4A.4 Landscaping and Part 13 Tree and Vegetation Preservation		
C1. Landscape proposals are to retain existing trees where possible	***Tree removal*** *The proposal includes the removal of Trees 10 and 15:* ***Tree 10 Loropetalum chinense (Chinese Fringe Flower)** located adjacent to the existing concrete slab and within the development footprint. The tree/large shrub is a contemporary planting and while in good health and condition typical for the species, and an appropriate species for the heritage context of the garden, the tree is not historically significant and does not provide amenity beyond the site.* ***Tree 15 Prunus serrulata (Flowering Cherry)**, a small specimen planting located adjacent to the existing brick path and raised garden beds. The tree would otherwise be exempt from requiring approval for removal if not located within a heritage listed property. The tree provides onsite amenity as part of the established garden but does not have historical significance.* *On the above grounds, removal of Trees 10 and 15 is acceptable.* ***Tree impacts*** *The following trees are potentially impacted by the proposal:* ***Tree 9 Celtis sp (Hackberry)** located adjacent to the northern site boundary within the neighbouring property. The tree is a dominant specimen in poor health and condition. The tree*	***YES***

	is in irreversible decline. The proposed amenities building is within the trees Structural Root Zone (SRZ)/Tree Protection Zone (TPZ) and within the footprint of the previous garage. Root mapping has been undertaken with numerous structural roots located. The proposed finished floor level (FFL) is above existing grade on isolated piers which are sensitively located so as not to sever existing structural roots and minimise tree impact. *The location of the amenities building creates a high target zone for falling debris as Tree 9 declines in health. The species is exempt from requiring approval for removal under Part 13 of the DCP. It is strongly recommended the strata body of the neighbouring property be contacted to discuss the removal of Tree 9.* *Recommended consent conditions will require the retention of tree roots and hand digging of proposed piers, to further reduce direct tree impact (**Conditions 33, 34 and 36**).* ***Tree 11 Stenocarpus sinuatus (QLD Firewheel Tree)** located adjacent to the northern site boundary within the neighbouring property. The proposed amenities building and access path are located within the tree's SRZ/TPZ with an encroachment of approximately 18%. Tree sensitive root mapping has been undertaken with the discovery of three minor roots and one structural root. The potential severance of the three minor roots should not adversely impact the trees ongoing health or stability. The structural root is required to be retained. A condition is recommended to this effect (**Condition 34**).* ***Other trees to be retained*** *Where development encroaches within the TPZ of retained trees adjacent to the northern and eastern site boundaries within the rear garden, potential impact is minimised with the lightweight and elevated GRP walkway on isolated piers, which minimises excavation within the TPZ and is within acceptable thresholds.* *Conditions are recommended requiring all excavation to be undertaken by hand and tree roots greater than 50mm diameter to be retained (**Conditions 33, 34 and 36**).*	
C2. Tree replenishment and planting to be	*The proposal satisfies this Part as existing tree numbers exceed minimum requirements.*	***YES***

provided.		
C3. Landscaping to include tall trees, small trees, shrubs and ground cover. Continuous rows of monoculture planting and high hedging to boundaries is to be avoided.	*The existing landscape is to remain.* *Refer to comments at Part 21.2*	***YES***
C4. Landscape designs are to reflect the prevailing landscape character of the area.	*The landscape plan satisfies this control.* *Refer to comments at Part 21.2*	***YES***
C5. New trees are to be distributed across the site and are to be located to accommodate the mature growth of both new and existing trees.	*No new tree planting is proposed. Existing tree numbers exceed minimum requirements.*	***YES***
C6. Hedges near boundaries are not to impact the amenity of adjoining properties by blocking sunlight, bushland or water views or unreasonably shading neighbours' private open space or living areas in winter. Hedges are not to grow to excessive height and are to be maintained at a height below 2 metres.	*The existing landscape is to remain.*	***YES***
Part 19 Heritage Items and Heritage Conservation Areas		
19D.3 Gardens and Landscaping – Heritage Items	*The existing landscape is to remain.* *Existing planting where possible is to be transplanted and reinstated after the completion of building works.* *Historic landscape elements such as the brick path are retained.*	***YES***

	NOTE: The landscape has changed over the years with the planting of many trees that has altered the gardens micro-climate and solar availability.	
Part 21.1 Earthworks and Slope		
C3. Landscape cut or fill should not be more than 600 millmetres above or below natural ground line.	*Landscape cut and fill is not proposed.*	***YES***
C4. A minimum 0.6 metres width is required between retaining walls.	*No terraced retaining walls are proposed.*	***YES***
C5. Existing ground level is to be maintained for a distance of 2 metres from any boundary.	*Minor level changes are proposed within the driveway footprint adjacent to the northern site boundary to accommodate the proposed FFL of the amenities building, which is acceptable on merit.*	***YES***
C8. Retaining walls, excavated and filled areas are to be located and constructed to have no adverse impact on iii) trees and vegetation to be retained on site or on adjoining sites.	*The proposal satisfies this control.* *See comments above at Part 4A.4*	***YES***
Part 21.2 Landscape Design		
21.2 Landscape Design *To ensure the landscape design and species selection is suitable to the site its context and considers the amenity of residents and neighbours.*	*The landscape plan is acceptable as the historic context of the landscape is retained.*	***YES***

Recommendation:

*The application is acceptable subject to recommended conditions (**Conditions 7 – 13, 16, 33 – 37 and 43**).*

The above assessment and relevant provisions have been reviewed. It is agreed that the proposal is satisfactory for the reasons given by Council's Team Leader – Landscape, Tree and Ecological Assessment.

Engineering

Council's Team Leader Development Engineers commented on the proposal as

follows:

Water Management

The development is a Type 1 – Alterations and Additions in a Location 'D' (drains to the rear). The site has an increase in impervious area of 32m^2. The site is not burdened by easements or restrictions nor is the site within a flood prone area.

The subject site has a crossfall of approximately 6 metres from the western boundary to the eastern rear boundary. According to Council's mapping system, there is a 225 millimetres pipe within No. 705 Pacific Highway, without a corresponding easement ***(Figure 5)****. The matter of obtaining an easement as well as upgrading the stormwater disposal within the SRZs of existing trees was discussed with the design engineer. It was agreed that obtaining an easement would be problematic and therefore an alternative stormwater disposal would need to be considered.*

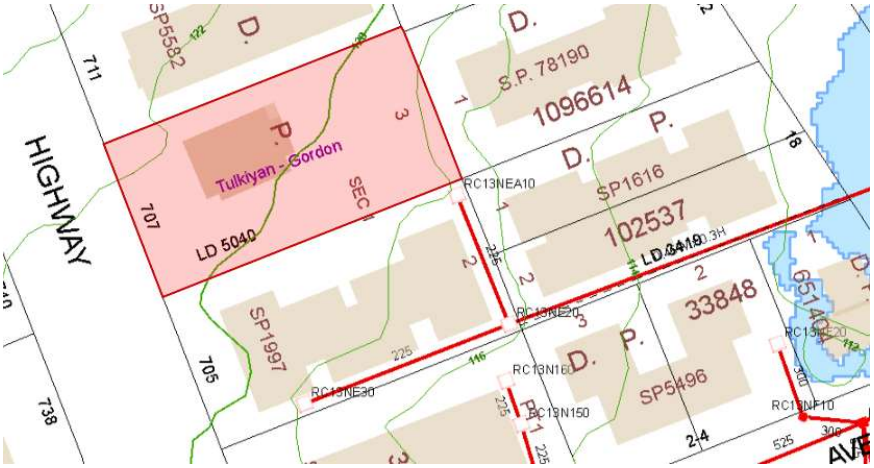


Figure 5: Location of stormwater pipe in adjoining property

Stormwater management plans prepared by Hydracor Consulting Engineers have been submitted. The plans show the proposed rear roof areas directed to a 2,000 litres belowground rainwater tank located in the rear landscaped area with the overflow from the rainwater tank and associated hard paved areas to be directed to a 3.2 metres long absorption trench, which is acceptable.

The absorption trench has been sized as per 1 lineal metre for every 10m^2 of area draining to it as per Part 24B.5 of KDCP.

A 2,000 litres rainwater tank complies with the requirements of Part 24C.4 of KDCP.

The stormwater system from the existing dwelling will be retained. It is understood that there are multiple kerb outlets along the street frontage providing a discharge point for the main dwelling.

The site falls within a regulated catchment. The proposal includes appropriate stormwater measures to minimise any adverse impacts on the regulated catchment. The proposal is satisfactory in regard to Chapter 6 'Water Catchments' of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

The proposed development has been assessed against Clause 6.5 (Stormwater and Water Sensitive Urban Design) of Ku-ring-gai Local Environmental Plan (KLEP). As the requirements of Part 24 (Water Management) of KDCP have been met, the proposed development satisfactorily meets the relevant provisions of Clause 6.5 of KLEP.

Vehicular Access and Accommodation

The proposed development involves the conversion of 327m^2 of the existing building into a house museum, with no off-street parking spaces provided. The traffic report references the guidelines from the "Institute of Transportation Engineers (ITE)" and the Roads and Maritime Services (RMS) "Guide to Traffic Generating Developments" to assess the parking provision for the proposed development.

The site is located within 300 metres of Gordon Train Station and within close proximity to several bus routes (196, 560, 197, 195), meeting the accessibility criteria outlined in the "NSW Government Fact Sheet - Public Transport Accessibility". The site's location within a highly accessible public transport corridor suggests reduced reliance on private vehicles.

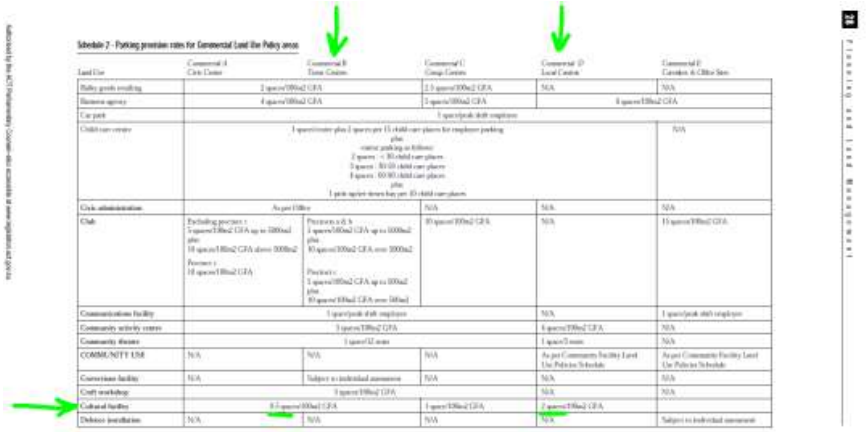
On-street parking provision includes 17 spaces along Pacific Highway (available for bus parking after 10am weekdays and all weekend) and 27 spaces on Ravenswood Avenue. A recent parking survey conducted from 10am to 5pm indicated that on average, 52% of on-street spaces were occupied, leaving at least 21 vacant spaces at all times. This aligns with the findings of the RMS Guide regarding minimal parking pressure in areas with high public transport accessibility.

According to the "Institute of Transportation Engineers (ITE) Trip Generation Manual", museum-type developments typically generate lower parking demands compared to other commercial or residential uses. Therefore, the absence of dedicated off-street parking is considered acceptable under ITE guidelines and is consistent with local standards that prioritise public transport use given the close proximity to the train station interchange.

Given the available public transport options and the adequate on-street parking capacity, the proposed development is unlikely to have significant adverse impacts on parking supply or the surrounding road network. As such, the proposal does not require additional off-street parking.

Council's Strategic Traffic Engineer

In the absence of a specific parking rate for museum houses in the TfNSW guide, the ITE rate is a good starting point. The current dwelling is not in use, existing traffic generation at peak times does not need to be considered as outlined in Section 6.1. Whilst not strictly relevant to the proposed development, the ACT Parking and Vehicular Access Guideline (2002) could be used as a guide. The Guideline provides the following parking requirements for a "Cultural Facility":



Even at the Local Centre rate, the requirement would be 6-7 spaces, so not too different to the ITS or the KDCP rate for Business.

In terms of traffic generation, there is unlikely to be any AM or PM peak hour traffic generation impacts as the Operational Plan of Management states that it will be (only) open for:

- *Events - no more than 12 times a year for no more than 4 hours public access per event.*
- *Public Access – supervised public access to the gardens and house would occur on no more than 14 times a year and only within the hours for entry of 10am to 4pm.*

In terms of parking, the surveys show there is parking available on Pacific Highway and Ravenswood Avenue after 10am, and Public Access visitors can also park in any 2P spaces on street or in the Wade Lane car park and walk, if needed.

Traffic Impact Assessment

The existing site, a residential dwelling, generates 9 daily trips and 1 peak hour trip, as per the Roads and Maritime Services' "Guide to Traffic Generating Developments – 2002". The proposed change of use to a house museum (327m²) was assessed using the ITE trip generation rates, as no specific guidelines exist for house museums in the RTA's guide. The proposed development is estimated to generate in the order of 1 peak hour vehicle trips in the area. Such level of traffic represents one vehicle movement every 60 or so minutes during peak hours in the surrounding road network.

Waste Management

No waste report has been submitted. It is expected that minimal additional waste will be generated from this development. Any additional waste will be managed using the existing waste bins. Separate general waste and recycling bins will be provided in the gardens. All waste generated from operations must be disposed of in the designated bins.

Recommendations

The proposal is acceptable from an engineering perspective subject to a condition requiring certification of drainage works prior to issue of the Occupation Certificate ***(Condition 45).***

The above assessment and relevant provisions have been reviewed. It is agreed that the proposal is satisfactory for the reasons given by Council's Team Leader Development Engineers.

Building

Council's Senior Building Surveyor commented on the proposal as follows:

An Access report has been submitted. The proposal in general would be able to achieve compliance with the BCA requirements.

A detailed BCA assessment will be undertaken by the Certifier at the CC stage.

The proposal is acceptable from a building perspective, subject to conditions (**Conditions 15, 46 and 54).**

External Referrals

Heritage Council of NSW (Department of Climate Change, Energy, the Environment and Water)

Under the provisions of Section 4.46 of the Environmental Planning and Assessment Act 1979, the proposal is Integrated Development on the basis that approval from the Heritage Division is required under Section 60 of the *Heritage Act 1977*.

Accordingly, the development has been referred to the Heritage Division, who advised that the application is acceptable. General Terms of Approval (GTAs) have been provided and are contained within **Conditions 56 – 65.**

STATUTORY PROVISIONS

Heritage Act 1977

The assessment of the development proposal for 'Tulkiyan' against the specific requirements of the *Heritage Act 1977* (NSW) and the *Environmental Planning and Assessment Act 1979* (EPA Act) is required due to the item's listing as a State Heritage Item (SHR No. 01733) and as a heritage item (No. I11) within the KLEP.

The change of use to a house museum directly addresses and aligns with the objects of the Heritage Act in proposing an adaptive reuse and conservation, providing a viable, long-term use for the significant item.

The proposed change of use, alterations to the house and grounds, and new construction (amenities building) all constitute 'development' on a State Heritage Register item, necessitating a Section 60 approval. The GTAs provided by the Heritage Division fulfill this requirement.

The proposal is consistent with the conversation principles of the Heritage Act. The physical alterations (e.g., ramps, new building) maintain the integrity of the item as an "intact example

of a fine Arts & Crafts suburban villa".

Environmental Planning and Assessment Act 1979

The proposal is Integrated Development because a DA under the EPA Act is required, and it concurrently requires the Section 60 approval under the *Heritage Act 1977* from the Heritage Division. The Council has referred the DA to the Heritage Division, and the Division has provided the necessary GTAs (**Conditions 56 – 65)** and have been included in the recommendations of this report in accordance with Section 4.47.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

The provisions of Chapter 4 require Council to consider the potential for a site to be contaminated. The subject site is unlikely to contain any contamination given its historical uses for residential development and further investigation is not warranted in this case.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Division 17 Roads and traffic

The property has a frontage to a classified road, being Pacific Highway and consideration is required pursuant to Division 17 Clause 2.119 'Development with frontage to classified road.' The proposal achieves the objectives of this section as:

i. The low traffic generation (estimated 1 peak hour vehicle trip) indicates a minimal impact on the function of the Pacific Highway. The development primarily relies on public transport and existing on-street parking, avoiding the creation of new high-volume access points or a significant surge in vehicle movements that would compromise the highway's operation.
ii. The proposed development is a house museum (Information and Education Facility), which is generally not considered sensitive to traffic noise or vehicle emissions compared to residential uses. It retains the existing building structure, which may already possess some ameliorating qualities.

The development meets the provisions of subclause (2) for the following reasons:

i. The proposal does not provide off-street parking, and the traffic generation is extremely low (1 peak hour trip), relying upon the existing access and non-vehicular transport. While the site fronts the Pacific Highway, the proposal minimises vehicular access directly from the highway by promoting the use of public transport (Gordon Train Station and bus routes within 300 metres) and retention of the existing access.
ii. No new or modified vehicular access is proposed. The low volume of traffic (1 peak hour trip) minimises potential conflicts.
iii. The change of use to a house museum with associated upgrades is unlikely to generate significant smoke or dust that would affect the highway.
iv. The low volume (1 vehicle movement every hour in peak periods) ensures the classified road's safety, efficiency, and operation are not adversely affected.
v. As an Information and Education Facility (house museum), it is less sensitive than residential or other high-occupancy uses.

The application does not require Transport for NSW (TfNSW) concurrence as it does not propose any additional vehicle access points to the classified road and does not propose an increase in parking spaces provided on site. The proposed development is estimated to

generate 1 peak hour vehicle trip (i.e., 1 vehicle movement every 60 or so minutes during peak hours). Since 1 vehicle per hour is less than the threshold of 50 motor vehicles per hour, the development does not meet the size or capacity test to be defined as traffic-generating development under Section 2.122. Therefore, the development is not required to be referred to TfNSW under Section 2.122

State Environmental Planning Policy (Biodiversity & Conservation) 2021

Chapter 4 Koala habitat protection 2021

Chapter 4 of the SEPP is applicable as the site is located within the Ku-ring-gai Local Government Area (LGA which is within the Central Coast Koala Management Area. Due to the nature of the development, being for a change of use and ancillary works on a site that is already developed with no biodiversity values, it will not interfere with the aims of this Chapter.

Furthermore, in accordance with Clause 4.10, which applies to land with an area less than 1 hectare and does not have an approved Koala Plan of Management (KPOM), Council is not prevented from granting consent if the land does not have an approved KPOM or that Council is satisfied that the land is not core koala habitat. Due to its residential zoning and that the site does not include any koala use tree species, Council is satisfied that the site is not a core koala habitat.

Chapter 6 Water catchments

This chapter applies to the whole of the Ku-ring-gai LGA. The north-eastern part of the LGA is in the Hawkesbury Nepean Catchment and the southern part in the Sydney Harbour Catchment. The site, being in Gordon, is located within the Sydney Harbour Catchment. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment, and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment.

The development, a change of use to an Information and Education Facility (house museum) with associated upgrades, achieves the controls under Chapter 6 of the SEPP by incorporating specific stormwater management and site design measures.

The development addresses Clause 6.6 Water Quality and Quantity primarily through its comprehensive stormwater management upgrades, aiming for a Neutral or Beneficial Effect (NorBE) on water quality and managing water quantity. This is achieved via a 2,000 litres below-ground rainwater re-use tank and an absorption trench (3,200 millimetres x 600 millimetres x 600 millimetres). These systems treat and manage runoff, ensuring the water quality entering a natural waterbody is as close as possible to NorBE. As the site is in the Sydney Harbour Catchment, Clause 6.6(3) applies, meaning NorBE is addressed by the general controls, not the specific Sydney Drinking Water Catchment Part 6.5 requirements.

Clause 6.7 Aquatic ecology is addressed through measures to prevent erosion and sedimentation, and the minimal impact on existing vegetation. The inclusion of a sediment control inlet pit adjacent to the absorption trench and the fully sealed roof drainage system for the new amenities building prevent loose soil and sediment from entering the drainage system or natural waterbodies, thus minimising erosion and sedimentation. This combined with conditions of consent ensures adequate erosion and sedimentation management and limiting impact upon existing vegetation.

The development is not located within a flood-prone area, which significantly reduces its impact on flooding controls. The proposal does not involve foreshore land. As such, Clause 6.8 'Flooding', 6.9 'Recreation and public access' and 6.10 'Total catchment management' are not directly relevant to the development.

Ku-ring-gai Local Environmental Plan 2015 (KLEP 2015)

Part 1 Preliminary:

Aims of the KLEP

The Ku-ring-gai Local Environmental Plan 2015 is the primary planning instrument that applies to the subject site. In summary the relevant aims seek to:

> *(a) to guide the future development of land and the management of environmental, social, economic, heritage and cultural resources within Ku-ring-gai,*
>
> *(f) to recognize, protect and conserve Ku-ring-gai's indigenous and non-indigenous cultural heritage,*
>
> *(l) to facilitate development that complements and enhances amenity for residential uses and public spaces,*
>
> *(o) to protect the character of low density residential areas and the special aesthetic values of land in the Ku-ring-gai area.*

The relevant aims of the KLEP are achieved because:

- The change of use to a house museum is a sympathetic adaptive reuse that provides a viable, long-term economic purpose for the heritage item. This use justifies the ongoing maintenance and resource allocation required to keep the building and its original contents.
- The proposal is guided by a conservation management plan (CMP) and has been assessed against its policies. This ensures that the development and subsequent management of the property align with best-practice heritage principles, effectively guiding the future development of the item.
- The adaptive re-use protects and conserves the non-indigenous cultural heritage of Tulkiyan House which is an important, intact example of a fine Arts & Crafts suburban villa, including its largely intact interior and original contents.
- The new amenities building is sited on the footprint of the former garage and is designed to interpret the original garage's form, scale, and materials.
- The proposal protects residential amenity by the restricted use. The museum will only be open for supervised public access a maximum of 14 times a year and host a maximum of 12 events per year. This minimal, low-frequency use ensures that traffic, noise, and general disturbance are within acceptable limits for the surrounding R4 High Density Residential zone.
- The new amenities building is designed to complement the neighbour's amenity by having no windows or openings on the northern elevation facing the adjoining site, directly addressing privacy and overlooking concerns. The structure's scale is subservient to the main house, and new materials are carefully selected (e.g., lightweight, recessive metal ramp) to ensure they are clearly modern but do not visually dominate or compete with the original heritage item.
- The development facilitates a house museum, transforming a once private dwelling into a public space for education and cultural benefit. The accessibility upgrades

(ramps, accessible toilet) enhance amenity for the public by allowing equitable access to the state listed heritage item.
- The heritage item itself forms a part of the special aesthetic values and character of Ku-ring-gai. The change of use and alterations have been designed to maintain the integrity of the prominent elevations and streetscape contribution. The amenities building is located behind the house and is a small, single-storey structure that will not obscure views of the existing house or its significant elements as seen from the Pacific Highway.

Part 2 Permitted and prohibited development

Clauses 2.1 – 2.3 Zoning & permissibility

The site is zoned R4 High Density Residential. The proposed development is defined as a 'information and education facility', which is not permitted in the subject zone. Despite this, due to the site containing a state heritage item, the development is permitted in accordance with the heritage incentive clause within Clause 5.10 of KLEP. Refer to Clause 5.10 discussion for further information.

The objectives of this zone are:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for high density residential housing close to public transport, services and employment opportunities.*

The development is consistent with objective three, as it provides for another land use that provides an educational service for the community. This respects the existing development, which includes a state heritage listed item to be converted to an information and education facility, allowing for the item to maintained and used for public benefit. Despite this, the proposal is permitted in accordance with Clause 5.10 of KLEP and is consistent with the objectives provided within that clause. Refer to Clause 5.10 discussion for further information.

The proposed development therefore upholds the zone objectives.

Part 4 Principal development standards

Development standard	Proposed	Complies
Cl 4.1 – Minimum subdivision lot size: Minimum Lot Size – 1200m^2	No subdivision proposed	**N/A**
Cl 4.3 – Height of buildings: Maximum Building Height - 11.5 metres	The proposed alterations and additions do not result in a building height that exceeds the existing building height or the maximum building height of 11.5 metres.	**YES**

Development standard	Proposed	Complies
	The amenities' structure has a maximum height of 3.66 metres and complies.	
Cl 4.4 - Floor space ratio (FSR): Maximum Floor Space Ratio - 0.85:1 Note: Subclause 2C Calculation 1:1 Gross Floor Area = 1828.6 m^2	The GFA is increased by 23.6m^2 as a result of the amenities building. The total GFA does not meet or exceed 1828.6m^2 and complies.	**YES**

Part 5 Miscellaneous provisions

Clause 5.10 – Heritage conservation

The assessment of the proposed development for 'Tulkiyan' (SHR No. 01733, KLEP item I11) against all provisions of Clause 5.10 (Heritage conservation) has been undertaken. The development largely aligns with the objectives and procedural requirements of the clause, although the physical alterations introduce specific points of concern regarding the fabric.

The objectives of this clause are:

(a) to conserve the environmental heritage of Ku-ring-gai,
(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
(c) to conserve archaeological sites,
(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

The development meets these objectives for the following reasons:

i. The change of use to an information and education facility (house museum) is an act of sympathetic adaptive reuse that ensures the long-term conservation and interpretation of the item's state significance, including its intact interior, original contents, and garden setting. The design seeks to conserve significant elements, such as retaining the original front steps under the new ramp.
ii. There is no indication of significant Aboriginal heritage or impact on known archaeological sites, beyond the typical need to be cautious during ground disturbance. The removal of the existing non-original concrete slab is an excavation, but its documented history as a former garage base suggests a low risk of discovering significant pre-colonial or early colonial relics.

Development consent is sought in accordance with subclause (2)(a)(i). The subject site contains a heritage item, is located within 100 metres of an Item, and is not within a heritage conservation area. The site is identified as containing a heritage item of state significance, being '"Tulkiyan", dwelling house'.

The consent authority must consider the effect of the proposed development on the heritage significance of the item in accordance with subclause (4). The change of use ensures the house's continued interpretation and conservation, directly addressing its significance as a preserved example of B.J. Waterhouse's work and the Donaldson family lifestyle. The adverse effect of the covering of two existing steps with imported fill and the removal of the original concrete slab are acknowledged. However, the overall conclusion is that these impacts are minimal and are necessary to achieve the overriding goal of equitable access and public amenity required for the conservation-based adaptive reuse. The design confirms

the ramps are reversible, further mitigating long-term harm. The development does not result in any adverse effects on the heritage item and has been documented in the Statement of Heritage Impact (SOHI) and is confirmed by the referral to and subsequent approval by the Heritage Division.

There are two CMPs for Tulkiyan, the 1998 Original Conservation Management Plan (CMP) and the 2021 Draft Conservation Management Plan (CMP). Both reports outline the detailed technical steps and prioritisation for works and how these works must be professionally managed and undertaken.

Clause 5.10(10) allows the consent authority to grant consent for a development purpose that would otherwise be prohibited by the zoning (in this case, the change of use to a museum in the R4 zone), provided key criteria are satisfied. The criteria and how the development achieves the criteria is provided below:

(a) The conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent.

The conservation of Tulkiyan an important, intact example of Arts & Crafts architecture with a largely intact interior and original contents would be directly facilitated by the granting of this consent. The change to an Information and Education Facility (house museum) provides a viable, long-term economic purpose for the house and its contents. This use justifies the maintenance and resource allocation required to keep the building and its original furnishings. Without a viable use, the property and its contents would face long-term decay or pressure for unsympathetic alteration, a core principle derived from established heritage case law which favours sympathetic adaptive reuse to ensure conservation.

(b) The proposed development is in accordance with a heritage management document that has been approved by the consent authority.

There is a CMP and a Statement of Heritage Impact which have guided the design. The Statement of Environmental Effects (SEE) specifically addresses this compliance requirement, confirming that the proposal is in accordance with the heritage management guiding documents for Tulkiyan.

The SEE primarily relies on the 2021 Draft Conservation Management Plan (CMP) as the guiding heritage management document, despite the earlier 1998 document's existence. The SEE notes that the Plan of Management (2001) refers to the older 1998 CMP, but the SEE itself explicitly relies on the Draft CMP (2021) as the current best practice guide. The Draft CMP establishes a revised Statement of Significance that expands the period of significance to 1913-1994 (the full period of Donaldson family occupancy), reinforcing the value of the house, its contents, and subsequent alterations as a time-capsule and an archive.

The proposal is assessed as being in accordance with the key conservation policies by demonstrating that the changes facilitate the preferred use while minimising impact on the cultural significance for the following reasons:

i. The proposal formally seeks a change of use to an Information and Education Facility house museum), which is directly consistent with the CMP's preferred use and Margaret Donaldson's bequest for a worthwhile community enterprise (Policy 10).
ii. The proposed works are designed to be reversible to minimise the impact on significant fabric. Changes are limited to those necessary for museum operation and equitable access (Policy 5 of Draft CMP).

iii. Access is limited to the ground floor only. The ramp is a lightweight, freestanding structure that avoids physical attachment to the original, "Exceptional significance" entry porch fabric (Policy 32 of Draft CMP).
iv. The new amenities building is constructed on the former garage site and is designed to interpret the former garage (including form, materials, and detailing). This demonstrates an adherence to the policy of finding compatible and interpretive adaptation (Policy 3 & 48 Draft CMP).
v. The removal of the metal garden shed is proposed because it is a later addition graded as Intrusive in the Draft CMP (Policy 16).
vi. The property is owned by Ku-ring-gai Council and managed by the Historic Houses Association of Australia (HHA), a specialist heritage organisation, fulfilling this management requirement (Policy 23 of Draft CMP).

The proposal also addresses specific physical alterations by referencing the grading of components within the CMPs:

i. The ramp is freestanding and uses lightweight, recessive materials (metal/GRP grating) to sit *over* the existing steps, avoiding alteration or removal of "Exceptional" fabric, which complies with Policy 12.
ii. Offset hinges provide necessary wheelchair clearance (795-800 millimetres) with minimal alteration; the original hinges are stored, and the work is reversible, upholding the principle of minimal intervention.
iii. The SEE argues the slab is actually of Moderate significance (as it has been modified from the original garage footprint) and must be removed as it is decayed and unsuitable for the new amenities block. The impact is mitigated by building the replacement amenities block in the same location to honour the historical context (Policy 48).

The proposal has been subject to the Integrated Development process and has received GTAs from the Heritage Division ensuring it is carried out in accordance with an approved heritage management regime. The development is in accordance with the guiding CMP principles by adopting an approach of compatible use, minimal and reversible intervention, and strategic placement of new elements to maintain the overall heritage significance.

(c) The consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out.

The granting of consent will be conditioned to ensure that any necessary conservation works identified in the CMP and the GTAs are completed. The use of the heritage incentive clause enables the essential conservation works to be undertaken as a mandatory condition of the consent.

(d) The proposed development would not adversely affect the heritage significance of the heritage item, including its setting.

While the overall purpose enhances significance, certain physical elements pose potential harm, which must be mitigated to meet this criterion:

i. The use of lightweight, reversible metal ramps installed *over* the main entry steps meets the standard of minimal adverse impact. The Statement of Heritage Impact (SOHI) confirms "*No penetrations into the original fabric of the house are required*," thereby preserving the exterior fabric and architectural character.
ii. The new amenities building's design has been refined to be a small, single storey structure located at the rear, designed to interpret the form of the original garage. It is

deemed acceptable because it will not obscure views of the existing house or its significant elements as seen from the Pacific Highway, thus preserving the item's streetscape contribution and setting.

iii. The proposal to adjust the ground level and cover two existing steps will have no more than a minimal impact on the integrity of the heritage item. This localised impact is acceptable and necessary to achieve the provision of equitable access required for the public museum use, which itself facilitates the conservation goal.

(e) The proposed development would not have any significant adverse effect on the amenity of the surrounding area.

The amenity impact is minimised by the proposed limited hours of operation (14 public access days and 12 events per year) and the supervised nature of the use. The building is a heritage house in an R4 High Density Residential zone, and the low frequency, supervised operation is compatible. The new amenities building is located behind the house and designed with no windows or openings on the northern side elevation presenting to the adjoining site, which directly addresses potential privacy, and amenity impacts on the immediate neighbour, ensuring the control is met.

Part 6 Additional local provisions

Clause 6.1 – Acid sulfate soils

The subject site is identified as Class 5 Acid Sulfate Soils. The proposal does not include earthworks below 5 metres AHD within 500 metres of Class 1, 2, 3 or 4 land and does not include the lowering of the watertable on adjacent Class 1, 2, 3 or 4 land. The proposal is satisfactory in this regard.

Clause 6.2 – Earthworks

The proposed development will not restrict the existing or future use of the site, adversely impact on neighbouring amenity, the quality of the water table or disturb any known relics. Additionally, the fill to be removed will be disposed of appropriately.

Clause 6.3 – Biodiversity protection

The site is not mapped as land comprising biodiversity significance.

Clause 6.4 – Riparian land and waterways

The site is not mapped as riparian land and waterways.

Clause 6.5 – Stormwater and water sensitive urban design

The objectives of this clause which seeks to minimise the adverse impacts of urban water on the site and within the catchment have been considered. The stormwater design adequately manages water quality and control discharge volumes and frequency, subject to **Conditions 1 & 45**.

Ku-ring-gai Development Control Plan (KDCP)

Part 1A.5 General aims of the DCP

The proposed development has been assessed against the general aims of this DCP and is found to be acceptable in all relevant respects for the reasons given throughout this report.

Sections of the DCP relevant to the proposal include:

Section A
- *Part 2 – Site Analysis*
- *Part 4 – Dwelling Houses*

Section B
- *Part 15 – Land Contamination*
- *Part 19 – Heritage and Conservation Areas*
- *Part 20 – Development near rail corridors and busy roads*

Section C
- *Part 21 – General Site Design*
- *Part 22 – General Access and Parking*
- *Part 23 – General Building Design and Sustainability*
- *Part 24 – Water Management*
- *Part 25 – Waste Management*

Section A

Part 2: Site analysis

The table below addresses the assessment criteria contained under Section A, Part 2 – **Site Analysis.**

DCP COMPLIANCE TABLE SECTION A – Part 2: Site analysis		
Development control	**Proposed**	**Complies**
Part 2 Site Analysis		
Development applications are to contain a site analysis	A site analysis was not provided, however sufficient information regarding the site and its context was provided with the application.	**YES**

Part 4: Dwelling Houses

The proposal is not for the use of a dwelling house but does however comprise a change of use of the existing historical dwelling house to an information and education facility. The proposed works have been assessed in accordance with the controls in Part 4 relating to dwelling houses due to the residential zoning and as no specific controls relating to the proposed use are available within the DCP in order to assist in the merit assessment of the application

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
4A – Site Design		
4A.1 Local Character and Streetscape		
Visual Character Design components of new development are to be based on the existing predominant and high quality visual character of the local neighbourhood.	The proposed components are complementary to the existing development and do not detract from the visual character of the heritage item.	**YES**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
The appearance of the dwelling is to maintain the local visual character by considering the following elements: i) visibility of on-site development when viewed from the street, public reserves and adjacent properties; and ii) relationship to the scale, layout and character of the tree dominated streetscape of Ku-ring-gai.	The design of the proposal maintains the local visual character.	**YES**
The prominent and high quality characteristics of the neighbourhood are to be identified and considered as part of the site analysis.	The supporting documentation addresses these matters.	**YES**
Public Domain and Communal Space Development is to integrate with surrounding sites by: i) being of an appropriate scale retaining consistency with the surrounds when viewed from the street, public domain or adjoining development and not exceeding two storeys; ii) minimising overshadowing; and iii) integrating built form and soft landscaping (gardens and trees) within the tree canopy that links the public and private domain throughout Ku-ring-gai.	The proposed works are of an appropriate scale, minimise overshadowing and integrate built form and landscaping.	**YES**
4A.2 Building Setbacks		
Building Line (Front Setback)		
The location of development on the site is to demonstrate its consideration of: i) The existing setback of adjoining properties; ii) The setback patterns of its street block; and iii) Council's minimum and average setback requirements.	The location of the development responds to the existing setbacks of the heritage item and respects the setbacks of surrounding development.	
<u>Single storey</u> Low side – 9 metres (minimum) High side – 12 metres (minimum)	The new amenities building is set back behind the existing building line. The proposed ramp extends 670 millimetres within the existing setback line but remains compliant with a 12.2 metres setback and comprises a minor element which is not perceived from the road. The development complies with this requirement. No new two-storey elements are proposed.	
<u>Two storey</u> Low side – 9 metres (11 metres average) High side – 12 metres (14 metres average)		
Building Line (Rear Setbacks)		

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
For sites with a depth greater than 48 metres, a minimum 12 metre rear setback is to be provided.	Site depth = 59.815 metres The setback to the amenities building is 20 metres, with 18.4 metres to the slab.	**YES**
Side setbacks are to accommodate a pathway and at least 0.6 metres of landscaping width for single storey buildings, and 1.1 metres for 2 storey houses. Where sites are of greater widths (over 20 metres) larger side setbacks should be progressively provided.	600 millimetres setback provided between the new amenities building and the northern side setback in accordance with Heritage Advisor recommendations.	**YES**
Side setbacks are to accommodate shrubs to a height of 3-4 metres for two storey houses, and 2-3 metres for single storey houses.	Landscaping is to remain as existing, being contributory to the heritage item. Setbacks presently contain trees and shrubs.	**YES**
4A.3 Built-Upon Area		
Max BUA 50% (914.3m²)	BUA including proposed works = approximately 482m^2 (26.4%)	**YES**
For alterations and additions, on sites where the existing BUA is greater than the maximum permitted by control 1, the maximum BUA is the existing BUA, however, a reduction in BUA is desirable.	The existing site does not exceed the maximum BUA.	**YES**
The proposal is to include a reasonable provision of built elements, normally associated with a residential property, such as pathways, and show consideration of these elements at an early stage of the design process	The proposal retains existing external pathways, stairs and gravel areas, whilst adding additional pathways, ramps and a terrace area to improve accessibility on the site.	**YES**
The BUA of the front setback is to be maximum 30%	The BUA of the front setback is to remain as existing (82m^2, 20.1%)	**YES**
4A.4 Landscaping		
Landscape proposals are to retain existing trees, where possible. This may be achieved by: i) minimising changes to existing ground levels; ii) confining building works where appropriate to pre-existing building footprints.	Landscaping is related to the heritage significance and is to largely be retained. The proposed Landscape Plan and design and is satisfactory given the heritage context. Council's Team Leader – Landscape, Tree and	**YES**
Landscaping is to include tall trees, small trees, shrubs and ground covers.		
Landscape designs are to reflect the prevailing landscape character of the area		

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
and relate to the existing streetscape in terms of scale and planting style. **Tree replenishment** Less than 850m^2 — 3 trees 850m^2 to 1,000m^2 — 5 trees 1,001m^2 to 1,500m^2 — 7 trees Over 1,500m^2 — 10 trees or as directed	Ecological Assessment has supported the application in relation to these controls, subject to conditions (**Conditions 33, 34 and 36**). The assessment by the referral officer is concurred with.	
4C – Building Design and Sustainability		
4C.1 Building Envelopes		
The maximum height of a dwelling is 9.5m (including any garage, basement or the like) and present as a 2 storey dwelling house.	Dwelling to remain as existing. Amenities building is to have a height of 3.66 metres which complies.	**YES**
The following matters are to be considered with regard to the potential impact on neighbouring properties and local character: i) opportunities to minimise overshadowing of living and private open space areas and solar panels; ii) opportunities to minimise overlooking of living and private open space areas; iii) opportunities to minimise adverse impacts on any significant bushland, or distant views; iv) the relationship with the streetscape.	The amenities building does not result in any adverse overshadowing impacts or overlooking/privacy impacts. There are no windows on the northern side elevation and the adjoining RFB is set back approximately 6.5 metres from the side boundary with a driveway between. Trees and vegetation also line this boundary, providing further screening.	**YES**
Development is to avoid the creation of an overbearing effect upon adjoining development by: i) ensuring appropriate side setbacks and landscaping are incorporated in the design; ii) ensuring all built structures are within the building height plane as illustrated in Figure 4C.1-2 of the DCP (4m @ 45°); iii) the relationship with the streetscape.	Given the large setback of the new structure (33.4 metres) and being located behind the existing building, the amenities building will not be easily perceived from the street. The structure falls within the building height plane, given it has a height of less than 4 metres.	**YES**
4C.2 Building facades		
Extensive blank or unarticulated walls to street frontages will not be permitted.	Not proposed.	**YES**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
All external facades are to be articulated to reduce the apparent building mass and present a human scale. This may be achieved through the use of bay window openings, window awnings, chimney and alcove features, verandas, pergolas, balconies, entry porches, staggered wall planes, a combination of materials and finishes, decorative architectural elements including brick corbelling, banding and recesses.	The amenities building is of a small scale and uses appropriate articulation.	**YES**
The maximum length for an unrelieved wall is 12m.	Length of side elevation of amenities building is 6 metres.	**YES**
Where walls exceed 4m in height, the maximum length for an unrelieved wall is 8m.	Amenities building walls are less than 4 metres in height.	**YES**
Side elevations are to avoid unrelieved walls. This may be achieved by: i) dividing walls into sections, bays or modules; ii) separating wall sections with recesses or courtyards.	The amenities building is of a small scale and uses appropriate articulation.	**YES**
Alterations and additions to an existing dwelling are to be: i) designed so that they are integrated into the existing building; ii) result in the new and old structures appearing as one building from the street. This may be achieved through the choice of materials, detailing, building proportion and configuration.	Minor alterations proposed to the existing building (entry ramp) are proposed. The alterations are integrated appropriately and are not prominent features when viewed from the street to ensure the heritage significance of the building is not adversely impacted.	**YES**
Building design is to integrate soft landscaping and natural site features and make provision for tall shrub plantings.	The site is sufficiently landscaped and is to largely remain as existing. Some landscaping works are proposed, including relocation of existing plants which contribute to the heritage significance.	**YES**
4C.3 First Floor Design and Roof Forms		
Roof line		
Roof structures are to be designed to minimise bulk and overshadowing of neighbouring buildings and open spaces by:	The amenities building features a gable roof which reflects the roof of the existing building.	**YES**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
i) considered selection of material, colour and pitch; ii) use of low-angled pitched roofs providing that they are compatible with existing development and the streetscape character; or iii) inclusion of habitable rooms within the roof space.	The roof pitch is low angled at 23° and is corrugated Zincalume with timber end frames to match the house. The Heritage Advisor supports the roof design. The proposed roof design is considered appropriate and sympathetic to the heritage significance of the site and the referral officer's comments are concurred with.	
Gables		
Unless otherwise consistent with the form of development within the immediate locality, gables are: i) to be positioned a minimum of 0.2m below the main roof ridge height; ii) not to occupy any more than 40% of the face of any gable wall and not occupy more than 20% of the face of any roof or slope for a gable window; iii) not extend beyond the external wall of the dwelling.	The gable roof is measured 1.1 metres in height from roof ridge to bottom end of gable. The Heritage Advisor supports the roof design as it respects the existing roof design of the house. The proposed roof design is considered appropriate and sympathetic to the heritage significance of the site and the referral officer's comments are concurred with.	**YES**
Mechanical equipment		
Plant and equipment is to be integrated into the overall design of the roof and be contained within the roof form or screened behind parapet walls. These elements include lift overruns, plant equipment and air conditioning.	No mechanical equipment proposed on roofs.	**YES**
4C.5 Solar Access		
Solar access to habitable areas, recreational space and solar collectors on the site and on neighbouring sites is to be preserved by: i) consideration of siting and orientation of buildings; ii) use of setbacks which increase with building heights;	The works do not result in the loss of solar access to neighbouring sites. Solar access within the site complies.	**YES**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
iii) landscape design and location of vegetation including deciduous or tall trees; iv) consideration of window locations and size.		
A building is to be designed and sited to maintain solar access to adjoining properties of at least 4 hours between 9am and 3pm on 21st June to north facing windows and all living areas (family rooms, rumpus, lounge and kitchen) and the principal private open space recreational areas, such as swimming pools and patios.		
Dwelling design and orientation is to provide at least 4 hours between 9am and 3pm on 21st June to north facing windows and all living areas (family rooms, rumpus, lounge and kitchen) and the principal private open space including swimming pools and patios, to the proposed dwelling.		
Where shadows cast by existing buildings preclude satisfying the above requirements, sunlight during winter solstice (21st June) should not be reduced by more than 20%.		
Development is to consider the use of sun protection devices that preserve internal amenity. These can include window shades and awnings, roof and eave overhangs, use of pergolas and landscaping for shading of openings.		
4C.6 Natural Ventilation		
Building design is to incorporate measures for natural cross ventilation as specified in Control 1.	The amenities building provides adequate windows for ventilation given its use.	**YES**
4C.7 Ancillary Facilities		
Outbuildings		
Outbuildings including studios, hobby rooms, storage structures, cubby houses or cabanas, are to be located on the site having regard to the relationship with existing development on-site and on adjoining properties.	The amenities building is appropriately located given the existing site features and relationship with adjoining sites. The siting has a minimal impact on the heritage item, being located in the area of an existing concrete slab and metal shed. Significant plants and trees in this area are to be relocated on site where necessary.	**YES**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
	The development is mostly obscured from the street, due to its large 33.4 metres setback and the fact that it is primarily sited behind the existing house and further obscured by existing vegetation along the side boundary. The adjoining northern RFB is set back 6.5 metres from the side boundary with an access driveway and vegetation between. This, in conjunction with the small scale of the building, results in minimal impacts on the neighbouring site.	
Consideration is to be given to the position of windows associated with habitable rooms and the potential impact of noise, fumes, loss of light, and ventilation	No windows are located on the side elevation presenting to the adjoining northern site. The structure is not for habitable use and will not be used frequently given the limited days and hours the site will be in operation. As a result, noise and odour will also be limited. Solar access and ventilation of the neighbouring development will not be impacted due to the small scale of the structure. The separation distance from the adjoining RFB is adequate for the proposed use to minimise impacts.	**YES**
Outbuildings are not to exceed a single storey. All outbuildings will be included in both floor space ratio calculations and built upon area calculations.	The amenities building is one storey and does not result in an exceedance of the FSR or BUA controls.	**YES**
A minimum setback of 2 metres from boundaries is to apply for any outbuilding	The amenities building is set back 600 millimetres	**NO**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
with a wall height exceeding 2 metres relative to the ground level at the boundary.	from the side boundary (wall height of 2.56 metres). Refer to variation discussion in this report.	
Other Site Facilities		
The location and design of facilities such as mail boxes, utility poles, bin storage and enclosures, clothes drying areas are to be an integrated and sympathetically designed as part of the site design and development. This may be achieved by: i) the undergrounding of utilities; ii) ensuring that clothes lines are not visible from the street; and iii) provision of bin enclosures.	On-site stormwater treatment systems are to be installed underground to not impact upon the site design. All other elements are to remain as existing.	**YES**
For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of the DCP.	Noted.	**YES**
4C.9 Waste Management		
During the design of the development, construction waste is to be minimised by: i) using recycled materials, selecting materials that reduce waste or do not require disposal, or can be reused or recycled in the future; ii) designing with minimal site disturbance by avoiding unnecessary excavation or fill.	Waste is to be recycled where appropriate. The design involves minimal site disturbance.	**YES**
Developments must allocate, within each property boundary, an area for storing Council waste and recycling bins, (1 X 120 litres, 2 x 240 litres, 1 x 360 litres) preferably located at the rear of the premises to minimise visual clutter. The storage area is to be a minimum of 3 metres from openable windows and integrated with the landscaping.	Council's Team Leader Development Engineers has advised that the existing waste arrangement is appropriate as minimal additional waste will be generated. The existing waste arrangement is considered acceptable and the referral officer's assessment is concurred with.	**YES**
4C.10 Materials and Finishes		
External walls must be constructed of high quality and durable materials and finishes.	Fibre cement cladding in Indian Red and cream	**YES**

DCP COMPLIANCE TABLE SECTION A – Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
	batten accents to match house.	
Large, unbroken expanses of any single material and finish (rendered or not) to building facades must be avoided.	The structure is of small scale.	**YES**
New development is to avoid extensive use of highly reflective or gloss materials on the exterior of buildings.	Highly reflective and gloss materials are not proposed. Corrugated Zincalume is proposed for the amenities building roof which is appropriate given the heritage nature and small scale of building.	**YES**
The exterior finish material (e.g. sandstone or brick) must be integral to the overall building façade design and must not appear to be cosmetic.	The exterior finish is integral to the façade design and does not appear cosmetic.	**YES**
Where additions and alterations are proposed, external materials and finishes must complement the existing building.	The colours and materials used for the proposed works complement the existing structure.	**YES**
Colours		
The selection of a colour scheme for new development and in the restoration of existing facades is to comply with the guidelines in control 8.	Fibre cement cladding in Indian Red and cream batten accents to match house. Other colours used, including metal elements on ramps are appropriate given the context and are recessive.	**YES**

An assessment of the variations to the design controls identified in the compliance table is provided below.

4C.7 Ancillary Facilities – Outbuildings

The proposal does not comply with Control 21, reproduced as follows:

> *A minimum setback of 2 metres from boundaries is to apply for any outbuilding with a wall height exceeding 2 metres relative to the ground level at the boundary.*

The proposal includes a new amenities building which has wall height of 2.56 metres on its northern elevation and provides a setback of 600 millimetres from the northern side boundary, which is non-compliant with the control.

The 600 millimetres setback has been a requirement of Council's Heritage Advisor from previous iterations of this proposal which has remained in this application and is deemed acceptable by the Heritage Advisor and Heritage NSW. The proposed setback and siting of the amenities building have been designed to reflect the positioning of the existing

deteriorated concrete slab and the previous garage which historically sat atop the slab. The setback also ensures that the impact of the development on the significance of the heritage item is minimised, through siting the development in a location that was previously built upon, whilst also ensuring that the gardens and landscaping are minimally affected.

In addition, despite presenting a non-compliance with the above control, the proposal is consistent with the objective of the control, reproduced as follows:

> *To ensure outbuildings and utility areas are sympathetically positioned on the site and do not detract from the visual quality of the area.*

The outbuilding does not detract from the visual quality of the area due to its small scale and large front setback from the street of 33.4 metres which ensures it is not a prominent feature when viewed from the public domain. The structure is also designed to be sympathetic to the existing dwelling in relation to form, materials and colours, whilst also not detracting from the heritage significance of the site. The siting also ensures that the structure has minimal impact upon the significance of the gardens and landscaping of the site. Furthermore, as explained within the discussion relating to the submissions to the proposal within this report, the structure results in minimal adverse impacts for the neighbouring northern site.

Therefore, the non-compliance with the control is acceptable in this circumstance due to the heritage significance of the site and the existing site features. The provision of a compliant setback would result in impacts on the heritage item, including the dwelling and the gardens, that are unwarranted.

Section B

Part 15 – Land Contamination

The site is not mapped as being contaminated and has a history of residential uses and as such, it is unlikely to contain contamination, and further investigation is not warranted in this case.

Part 16 – Bushfire Risk

The site is not mapped as bush fire prone land.

Part 17 – Riparian Lands

The site is not mapped as riparian land.

Part 18 – Biodiversity

The site is not mapped as land comprising biodiversity significance.

Part 19 – Heritage and Conservation Areas

The site is heritage listed and is within 100 metres of other heritage items but is not within a heritage conservation area.

Council's Heritage Advisor has provided a full assessment against the heritage controls of the KDCP. The assessment raised no objections to the proposal, subject to conditions recommended by Heritage NSW **(Conditions 56 – 65)**. This assessment is concurred with.

Part 20 – Development near Road or Rail noise

The proposal has been assessed against the relevant provisions contained under this Part. The proposed development is consistent with these provisions as there will not be a significant detrimental impact on the road/railway from construction including excavation, noise, air quality, vibration or to the safety to users of the site or the road/ rail corridor subject to conditions. As a result, the development meets the relevant objectives of the controls.

Section C

Development Control	Proposed	Complies
Part 21 General Site Design		
21.1 – Earthworks and slope		
Development consider site topography, drainage, soli landscapes, flora, fauna and bushfire hazard by: • Stepping buildings down the site • Locate finished ground level as close to the natural ground level as practicable • Level changes to occur primarily within building footprint • Minimum 0.6 metres width between retaining walls • Maintain existing ground level within 2 metres from any boundary • Limit slope for embankments to 1:6 (grassed) and 1:3 (soil stabilising vegetation) • No fill and excavation within sensitive environments • Minimise altered groundwater flows	The proposal has been designed to ensure minimal earthworks are required. Ramps are suspended on piers to ensure minimal impact on the land and heritage item.	**YES**
Dwelling houses Excavation within building footprint must not exceed 1m • 0.9m maximum fill • 1.8 m maximum level difference across the building footprint • Retaining walls maximum 0.9m above NGL	Excavation does not exceed 1 metre.	**YES**
21.2 – Landscape Design		
Appropriate and sensitive site planning and design Existing appropriate screen planting is retained	Landscaping is primarily retained on the site. Two trees are proposed for removal which has been considered acceptable by Council's Team Leader – Landscape, Tree and Ecological Assessment and Heritage Advisor. Significant plantings are proposed to be relocated on the site.	**YES**

	The proposed landscaping and tree works are considered acceptable, and the assessments by Council's referral officers are concurred with.	
Part 22 - General access and parking		
22.1 – Equitable Access		
Compliance with DDA demonstrated Entry access ramps located within the site and does not dominate the front façade Access ways for pedestrians and for vehicles are separated.	Ramps have been provided within the front and rear yards to provide equitable access. The proposal has been accompanied by an Access Report which states that accessibility is acceptable. Pedestrian and vehicular access points are separated.	**YES**
22.2 – General vehicle access		
• Minimise width and number of vehicle access points • Access driveways set back at least 10 metres from street intersections and 3 metres from pedestrian entrances • Vehicle and pedestrian access to buildings clearly distinguished and separated • Vehicle crossing width is acceptable for intensity of use proposed • Vehicles must exit in a forward direction • Vehicle entries are integrated into the external façade and are finished in a high quality material • Retaining walls associated with driveways maximum height of 1.2 metres • No driveways are longer than 30 metres unless a passing bay is provided	Vehicular access is to be retained as existing. The proposal has been considered acceptable by Council's Team Leader Development Engineers and Strategic Traffic Engineer. The assessment is concurred with. The current vehicular access crossing is deemed acceptable due to its heritage significance.	**YES**
22.5 – Parking for people with a disability		
Accessible spaces are signposted and have a continuous path of travel to the principal entrance or a lift	Accessible parking is not provided or required. This has been deemed acceptable by Council's Strategic Traffic Engineer. The assessment is concurred with. The	**YES**
Non-residential development provides accessible parking as follows: Type of facility — Rate of provision *Retail/commercial* — 1-2%		

Civic/community centres 2-3 *Recreational facilities* 2-3% *Schools* 2-3% *Tertiary Education* 2% *Entertainment* 3-4% *Hospitals* 3-4% *Medical centres* 3% *Other uses* At least 1%		proposal is deemed acceptable in relation to parking.	
22R.1 – Car Parking Rates			
No specific parking rates provided for information and education facilities/house museum.		Council's Strategic Traffic Engineer has stated that the parking arrangement is acceptable, and surrounding streets can accommodate the parking within the limited operating times, which are out of peak hours on very limited days per year. Provision has been made for 1-2 bicycle parking spaces on site. The site is also located near Gordon train station and bus stops providing public transport options. The assessment is concurred with. The proposal is deemed acceptable in relation to parking impacts.	**YES**
Part 23 – Building Design and Sustainability			
23.2 – Green Buildings			
All new non-residential developments are to include Ecologically Sustainable Design (ESD) measures in the following areas, and list them under these titles in the required ESD report and checklist: i) Water Efficiency: - provide systems to minimise mains water usage. ii) Energy Generation: - building design is to demonstrate a reduced reliance on mains power and provision of alternate energy sources. iii) Heating and Cooling: - use of mechanical air conditioning		The development involves a change of use of an existing heritage dwelling house to an information and education facility. No physical works are proposed other than access improvements and a small-scale amenities building (GFA of 22.93m^2). The stormwater management system is	**YES**

and heating is to be minimised. Where it is unavoidable, the systems are to be of a high efficiency in technology choice to reduce peak energy demand. iv) Lighting: - buildings are to be designed to reduce the need for artificial light use.	to be upgraded, including a below-ground rainwater tank which is to be connected to roof drainage and reused in the new amenities building and for gardening. All new fittings are capable of meeting 4, 5 or 6 WELS star ratings or similar as required. Electricity use is limited to the times when the property is open to the public or for events and functions (total possible maximum of 26 times a year). Electricity saving measures are not required due to the minimal use of electricity on the site. No air conditioning or heating is required or provided. Minimal artificial light is required for the amenities building due to its small size and provision of windows. Solar panels are not appropriate for the heritage context.	

All new non-residential buildings, including alternations/ additions, less than 2,000m^2 GFA: i) Ecologically Sustainable Design (ESD) Report: - prepared by a GBCA Accredited Professional, verifying that the elements/systems included in the development will, in the view of that professional, result in buildings with an ESD level equivalent to a 4, 5 or 6 Star Rating under the GBCA Green Star Buildings rating tool. ii) Annotated Development Application (DA) Drawings: - clearly indicating the elements/systems described in the ESD Report, including the requirements in 23.2(1) of this section. iii) A signed Statement of Commitment from the applicant to develop and implement the elements/systems described in the ESD Report into the Construction Certificate (CC) stage and deliver elements/systems in the final built form. For all non-residential development: • 2000-5000m^2 GLA must achieve a four star rating or equivalent if GBCA rating tool is not available	Given the proposal seeks to change the use of an existing heritage dwelling house to an information and education facility, an ESD report or upgrades to achieve green star rating are not appropriate or necessary. Upgrades would result in alterations to the heritage significance of the building, and the proposal seeks minimal physical works, including a new small-scale amenities building (GFA of 22.93m^2) which is not considered necessary to comply. Furthermore, under the GBCA Green Star Building system, an uninhabited building, such as the proposed amenities building, does not meet the eligibility criteria for Green Star Buildings. Despite this, the amenities building includes sustainable features, including low flush toilets, water efficient fixtures and fittings, high performance glazing and light coloured internal finishes.	**YES**
23.3 – Sustainability of Building Materials and 23.4 – Materials and Finishes		
External walls constructed of high quality and durable materials	The materials have been chosen to respond appropriately to the heritage context and significance. The materials chosen are high quality and durable.	**YES**

	External walls are painted fibre cement cladding with battens.	
Use of materials and colours creates well-proportioned facades and minimises visual bulk	The materials chosen for the minimal works are appropriate for the site and heritage context and minimise visual bulk.	**YES**
23.7 – Acoustic Privacy		
Design minimises impact of internal and external noise sources	The amenities building will result in minimal mechanical noise that will not result in adverse impacts on adjoining properties. The site will only be in operation a maximum of 26 times per year and between daytime hours of 10am and 4pm. These conditions minimise noise impacts further **(Condition 52)**.	**YES**
Noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination shall not be audible within any habitable room in any residential premises before 7am and after 10pm. Outside of these restricted hours noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination shall not emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the boundary of the nearest potentially affected neighbouring properties. The background (LA90, 15 min) level is to be determined without the source noise present.		**YES**
23.8 – Visual Privacy		
Visual privacy maintained for occupants and for neighbouring dwellings	The amenities building is of a small scale and does not have windows on the side elevation. The development will not impede upon the visual privacy of neighbouring residential uses.	**YES**
23.9 – Construction, Demolition and Disposal		
Satisfactory Environmental Site Management Plan	Minimal site disturbance is anticipated. Tree protection zones are outlined in the Arborist Report. Area of demolition is shown on the site plan. Sufficient area is available on site for interim material storage.	**YES**

	Erosion and Sediment Control Plan to be provided prior to the issue of a Construction Certificate.	

Part 24 – Water management

Council's Development Engineer is satisfied that the proposed development has been designed to manage urban stormwater as per the requirements of the DCP, subject to **Conditions 1 and 45**. This assessment is concurred with.

Part 25 – Waste management

Council's Team Leader Development Engineers is satisfied that the proposed development will generate minimal additional waste, and that any additional waste will be managed using the existing waste bins on site. This assessment is concurred with. Separate general waste and recycling bins will be provided in the gardens. All waste generated from operations must be disposed of in the designated bins. As such, the proposal is considered to comply with the requirements of this Part.

REGULATIONS

Section 61(1) of the Environmental Planning & Assessment Regulation 2021 requires the consent authority to consider the provisions of *Australian Standard AS 2601-2001: The demolition of structures.* The partial demolition of the existing structure(s) will be carried out in accordance with a work plan and statement of compliance that will be required to be submitted to the Principal Certifier prior to the commencement of any works. A condition **(Condition 14)** to this effect has been included in the recommendation section of this report.

LIKELY IMPACTS

The likely impacts of the development have been considered within this report and are deemed to be acceptable, subject to conditions.

SUITABILITY OF THE SITE

The site is suitable for the proposed development.

PUBLIC INTEREST

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by the Panel ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the relevant environmental planning instruments and is deemed to be acceptable. On this basis, the proposal is not considered to raise any issues that are contrary to the public interest.

CONCLUSION

Having regard to the provisions of section 4.15 of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory.

RECOMMENDATION

PURSUANT TO SECTION 4.16(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, being satisfied that the proposed development would be in the public interest, grant development consent to eDA0453/25 for a change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, amenities building and associated works - Integrated Development - Heritage Act 1977 at, 707 Pacific Highway, Gordon NSW 2072 subject to conditions. Pursuant to Section 4.53 of the Environmental Planning and Assessment Act 1979, this consent lapses if the approved works are not physically commenced within five years of the date of the Notice of Determination.

The conditions of the consent are set out as follows:

CONDITIONS THAT IDENTIFY APPROVED PLANS:

1. Approved architectural plans and documentation (alterations and additions)

The development must be carried out in accordance with work shown in colour on the plans and as described or depicted in the documentation listed below and endorsed with Council's stamp, except as amended by other conditions of this Development Consent.

Plan no.	Drawn by	Dated
Architectural Plans		
Site Plan Dwg No. 110430/200/A	Lucas Stapleton Johnson	07.08.2025
Site Entry Plan – Dwg No. 110430/202/B	Lucas Stapleton Johnson	05.08.2025
Rear Site Plan and New Amenities Building Dwg No. 110430/203/D	Lucas Stapleton Johnson	07.08.2025
Front and Side (N) Elevations Dwg No. 110430/204/B	Lucas Stapleton Johnson	05.08.2025
New Amenities Elevation and Section Dwg No. 110430/205/C	Lucas Stapleton Johnson	07.08.2025
Root Map and Concrete Piles Over Services Survey Dwg No. 110430/206/B	Lucas Stapleton Johnson	07.08.2025
Accessible Entry Ramp Plan Dwg No. 110430/207/B	Lucas Stapleton Johnson	07.08.2025
Accessible Entry Ramp Elevations and Sections Dwg No. 110430/208/B	Lucas Stapleton Johnson	07.08.2025
Landscape Plans		
Rear Site Showing Existing Landscaping to be Retained Dwg No. 110430/201/A	Lucas Stapleton Johnson	07.08.2025
Stormwater Management Plans		
Project No. CC250084, Issue A, Dwg No. C1 – C5	Hydracor Consulting Engineers	26.06.2025

Document(s)	Dated
Accessibility Assessment prepared by Accessibility Solutions (NSW)	31.01.2025
Arboricultural Impact Assessment prepared by Glenyss Laws Consulting Arborist Rev. B	03.02.2025
Baseline Archaeological Assessment prepared by Curio Projects Issue 2	05.08.2025
Draft Conservation Management Plan prepared by Robert Griffin Heritage & Conservation	09.2021
Museum Operational Requirements prepared by Robert Griffin	05.05.2025
Operational Plan of Management Tulkiyan prepared by Ku-Ring-Gai Council Version 2.0	07.2024
Root Mapping Report prepared by Glenyss Laws Consulting Arborist Rev. A	11.09.2024
Statement of Heritage Impact prepared by Lucas Stapleton Johnson and Partners	08.2025
Traffic and Parking Impact Assessment prepared by Express Traffic Engineering Solutions Ref: ETSJ361 – V1	08.2023

Reason: To ensure that the development is in accordance with the Development Consent.

2. Inconsistency between documents

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this Development Consent prevail.

Reason: To ensure that the development is in accordance with the Development Consent.

3. No demolition of extra fabric

Alterations to, and demolition of, the existing building shall be limited to that part of the existing building as documented on the approved plans (by way of notation or otherwise). No approval is given for removal and/or rebuilding of any part of the existing building which is shown to be retained by the approved plans.

Reason: To ensure compliance with the Development Consent.

CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION:

4. Asbestos works

All work involving asbestos products and materials, including asbestos-cement-sheeting (i.e. fibro), must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.

Reason: To ensure public safety.

5. Notice of commencement

At least 48 hours prior to the commencement of any demolition, excavation or building works, a notice of commencement of building works or subdivision lodgement form and appointment of the Principal Certifier form shall be submitted to Council.

Reason: Statutory requirement.

6. Notification of builder's details

Prior to the commencement of any works, the Principal Certifier shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

Reason: Statutory requirement.

7. Tree protective fencing type galvanised mesh

Tree protection fencing shall be constructed of galvanised pipe at 2.4 metres spacing and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres.

Reason: To protect existing trees.

8. Tree protection signage

Prior to the commencement of any works, tree protection signage is to be attached to the tree protection fencing, displayed in a prominent position and repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:

The words:

- Tree protection zone/No access.
- This fence has been installed to prevent damage to the tree/s and their growing environment both above and below ground.

and the following information:

- The name, address, and telephone number of the developer/builder and project arborist

Reason: To protect existing trees.

9. Ground protection - avoiding soil compaction

Prior to the commencement of any works, temporary measures, to avoid root damage and soil compaction, are to be installed in accordance with Section 4.5.3 (figure 4) of the current version of **Australian Standard** AS 4970 - *Protection of trees on development sites*, within the specified radius of the following listed tree/s:

Tree/Location
Trees: 3, 7 and 8 Adjacent to northern site boundary Between the northern boundary and the dwelling for the length of the dwelling

Reason: To protect existing trees.

10. Trunk and branch protection

Prior to the commencement of any works, the trunk/s and branches of the listed trees are to be protected by the placement of 50 x 100mm timbers over suitable protective padding

material in accordance with Section 4.5.2 of the current version of **Australian Standard** AS 4970 - *Protection of trees on development sites*. The trunk and branch protection shall be maintained intact until the completion of all works.

Any damage to the tree/s is to be treated in a timely manner by an experienced arborist, with minimum AQF Level 5 qualification and a report detailing the works carried out shall be submitted to the Principal Certifier:

Tree/Location
Trees: 7, 8, 12, 13 and 14 On site

Reason: To protect existing trees.

11. Inspection of tree protection measures

Upon installation of the required tree protection measures, an inspection is to be conducted by the project arborist or the Principal Certifier to verify that tree protection measures comply with all relevant conditions of this Development Consent.

Reason: To protect existing trees.

12. Project arborist

Prior to the commencement of any works, a project arborist shall be engaged to ensure all tree protection measures and works are carried out in accordance with the conditions of this Development Consent.

The project arborist shall have a minimum AQF Level 5 qualification with a minimum of 5 years' experience. Details of the arborist including name, business name and contact details shall be provided to the Principal Certifier and a copy shall be provided to Council.

Reason: To protect of existing trees.

13. Tree protection plan

Prior to the commencement of any works, tree protection works shall be carried out in accordance with the following approved tree protection plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this Development Consent:

Plan no.	Drawn by	Dated
T01 Rev C, T02 Rev B	Glenyss Laws	03/02/2025

Reason: To protect existing trees.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE:

14. Statement of compliance with Australian Standards

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The applicant must provide work plans required by AS2601: 2001 and a written statement from a suitably qualified person that the proposal contained in the work plan comply with the safety requirements of the Standard. The work plan and the

statement of compliance shall be submitted to and approved by the Certifier prior to the commencement of any demolition works.

Reason: To ensure compliance with the Australian Standards.

15. Access for people with disabilities (commercial)

Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building is provided. Dignified and equitable access shall be provided.

Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Certifier prior to the issue of a Construction Certificate. All details shall be prepared in consideration of the *Disability Discrimination Act* and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian standards.

16. Pier and beam footings near trees

Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that the footings of the approved amenities building, associated retaining walls and elevated walkway will be isolated pier or pier and beam construction within the specified radius of the trunk/s of the following tree/s:

Tree/Location	Radius in metres
Tree 9: Celtis sinensis (Hackberry) Adjacent to northern site boundary within neighbouring site	11.5m
Tree 11 Stenocarpus sinuatus (Qld Firewheel Tree) Adjacent to northern site boundary within neighbouring property	5.0m
All retained trees On site	12 x trunk diameter

The piers shall be located such that no roots of a diameter greater than 30mm will be severed or injured during the construction period. The beam/s shall be of reinforced concrete or galvanised steel sections and placed in positions with the base of the beam being a minimum of 50mm above existing soil levels.

Reason: To protect existing trees.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR BUILDING WORKS (WHICHEVER COMES FIRST):

17. Infrastructure damage security bond and inspection fee

To ensure that any damage to Council property as a result of construction activity is rectified in a timely manner:

(a) All work or activity undertaken pursuant to this development consent must be undertaken in a manner to avoid damage to Council property and must not jeopardise the safety of any person using or occupying the adjacent public areas.

(b) The applicant, builder, developer or any person acting in reliance on this consent shall be responsible for making good any damage to Council property and for the removal from Council property of any waste bin, building materials, sediment, silt, or any other material or article.

(c) The Infrastructure damage security bond and infrastructure inspection fee must be paid to Council by the applicant prior to both the issue of any Construction Certificate and the commencement of any earthworks or construction.

(d) In consideration of payment of the infrastructure damage security bond and infrastructure inspection fee, Council will undertake such inspections of Council Property as Council considers necessary and will also undertake, on behalf of the applicant, such restoration work to Council property, if any, that Council considers necessary as a consequence of the development. The provision of such restoration work by the Council does not absolve any person of the responsibilities contained in (a) to (b) above. Restoration work to be undertaken by Council referred to in this condition is limited to work that can be undertaken by Council at a cost of not more than the Infrastructure damage security bond payable pursuant to this condition.

(e) **Release of the bond** – Upon receipt by Council of an Occupation Certificate, Council will undertake an inspection of Councils Infrastructure and release the bond if no damage is found.

For development relating to more than 2 dwellings, there will be a six months holding period after the receipt by Council of the final occupation certificate, after which you may request Council to return any bond monies.

If there is damage found to Council property, the bond will not be released until the damage has been rectified to Council's satisfaction.

(f) In this condition:

"Council property" includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, letter bins, trees, shrubs, lawns, mounds, bushland, and similar structures or features on any road or public road within the meaning of the Local Government Act 1993 (NSW) or any public place; and

"Infrastructure damage security bond and infrastructure inspection fee" means the Infrastructure damage security bond and infrastructure inspection fee as calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment and the cost of any inspections required by the Council of Council property associated with this condition.

Reason: To maintain public infrastructure.

18. Construction Certificate plans

The Construction Certificate plans must be consistent with the approved plans and documents referred to in Condition No. 1 of this Development Consent, as modified by any conditions of consent.

Reason: To ensure that the works are carried out in accordance with the Development Consent.

CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION AND CONSTRUCTION PHASES:

19. Road opening permit

The opening of any footway, roadway, road shoulder or any part of the road reserve (excluding where a Driveway Application and Roads Act Approval is required) shall not be carried out without a road opening permit being applied for and obtained from Council (and upon payment of any required fees) beforehand.

Reason: Statutory requirement (Roads Act 1993 Section 138) and to maintain the integrity of Council's infrastructure.

20. Prescribed conditions

The work shall comply with any relevant prescribed conditions of development consent under Sections 69, 70, 71,72, 73, 74 and 75 of the Environmental Planning and Assessment Regulation 2021. For the purposes of section 4.17 (11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

1) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the *Building Code of Australia*.

2) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the *Home Building Act 1989*, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.

3) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the *Building Code of Australia*.

4) In subsection (1), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.

5) In subsection (3), a reference to the *Building Code of Australia* is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.

6) This section does not apply -

   (a) to the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or

   (b) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

7) ***relevant date*** has the same meaning as in the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, section 19.

Erection of signs

1) This section applies to a development consent for development involving building work, subdivision work or demolition work.

2) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out -

   (a) showing the name, address and telephone number of the principal certifier for the work, and

   (b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and

   (c) stating that unauthorised entry to the work site is prohibited.

3) The sign must be -

   (a) maintained while the building work, subdivision work or demolition work is being carried out, and

   (b) removed when the work has been completed.

4) This section does not apply in relation to -

   (a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or

   (b) Crown building work certified to comply with the *Building Code of Australia* under the Act, Part 6.

Notification of Home Building Act 1989 requirements

1) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.

2) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following -

   (a) for work that requires a principal contractor to be appointed -

      i. the name and licence number of the principal contractor, and

      ii. the name of the insurer of the work under the *Home Building Act 1989*, Part 6,

   (b) for work to be carried out by an owner-builder -

      i. the name of the owner-builder, and

      ii. if the owner-builder is required to hold an owner-builder permit under the *Home Building Act 1989* - the number of the owner-builder permit.

3) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.

4) This section does not apply in relation to Crown building work certified to comply with the *Building Code of Australia* under the Act, Part 6.

Entertainment venues

1) The requirements specified in this section are conditions of development consent for the use of a building as an entertainment venue.

2) During a stage performance at an entertainment venue, there must be at least 1 suitably trained person in attendance in the stage area at all times for the purpose of operating, if necessary, a proscenium safety curtain, drencher system and smoke exhaust system.

3) If a proscenium safety curtain is installed at an entertainment venue, there must be no obstruction to the opening or closing of the curtain and the curtain must be operable at all times.

4) When a film is being screened at an entertainment venue, there must be at least 1 person in attendance at the entertainment venue who is trained in -

   (a) the operation of the projectors being used, and

   (b) the use of the fire-fighting equipment in the room in which the projectors are installed (the projection room).

5) If the projection room is not fitted with automatic fire suppression equipment and a smoke detection system, in accordance with the Building Code of Australia, the person required by subsection (4) to be in attendance must be in the projection suite in which the projection room is located during the screening of a film.

6) A member of the public must not be present in the projection suite during the screening of a film.

7) An entertainment venue must not screen a nitrate film.

8) An emergency evacuation plan must be prepared, maintained and implemented for a building, other than a temporary structure, used as an entertainment venue.

9) The emergency evacuation plan must specify the following -

   (a) the location of all exits, and fire protection and safety equipment, for the part of the building used as an entertainment venue,

   (b) the number of fire safety officers that must be present during performances,

   (c) how the audience will be evacuated from the building if there is a fire or other emergency.

10) A fire safety officer appointed to be present during a performance must have appropriate training in evacuating persons from the building if there is a fire or other emergency.

11) In this section -

   (a) exit has the same meaning as in the Building Code of Australia.

Maximum capacity signage

1) This section applies to a development consent, including an existing development consent, for the following uses of a building, if the development consent contains a condition specifying the maximum number of persons permitted in the building -

   (a) an entertainment venue,
   (b) a function centre,
   (c) a pub,
   (d) a registered club,
   (e) a restaurant or cafe.

2) It is a condition of the development consent that a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building.

Shoring and adequacy of adjoining property

1) This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.

2) It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense -

   (a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and

   (b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.

3) This section does not apply if -

   (a) the person having the benefit of the development consent owns the adjoining land, or

   (b) the owner of the adjoining land gives written consent to the condition not applying.

Reason: Statutory Requirement.

21. Hours of work

Demolition, construction work and deliveries of building material and equipment must not take place outside the hours of 7.00am to 5.00pm Monday to Friday and 8.00am to 12 noon Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Demolition and/or excavation using machinery of any kind must be limited to between 7.00am and 5.00pm Monday to Friday, with a respite break of 45 minutes between 12 noon and 1.00pm. No demolition and/or excavation using machinery of any kind is to occur on Saturdays, Sundays or public holidays.

Where it is necessary for works to occur outside of these hours (i.e. placement of concrete for large floor areas on large residential/commercial developments or where building processes require the use of oversized trucks and/or cranes that are restricted by Transport for NSW (TfNSW) from travelling during daylight hours to deliver, erect or remove machinery, tower cranes, pre-cast panels, beams, tanks or service equipment to or from the site), approval for such activities will be subject to the issue of an "outside of hours works permit" from Council as well as notification of the surrounding properties likely to be affected by the proposed works.

Failure to obtain a permit to work outside of the approved hours will result in regulatory action.

Reason: To ensure reasonable standards of amenity for occupants of neighbouring properties.

22. Approved plans to be on site

A copy of all approved and certified plans, specifications and documents incorporating conditions of consent and certification (including the Construction Certificate if required for the work) shall be always kept on site during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifier.

Reason: To ensure that the development is in accordance with the determination.

23. Site notice

A site notice shall be erected on the site prior to any work commencing and shall be displayed throughout the works period.

The site notice must:

- be prominently displayed at the boundaries of the site for the purposes of informing the public that unauthorised entry to the site is not permitted
- display project details including, but not limited to the details of the builder, Principal Certifier and structural engineer
- be durable and weatherproof
- display the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice
- be mounted at height of 1.6 metres above natural ground on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted

Reason: To ensure public safety and public information.

24. Dust control

During excavation, demolition and construction, adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood. The following measures must be adopted:

- physical barriers shall be placed around or over dust sources to prevent wind or activity from generating dust
- earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed
- all materials shall be stored or stockpiled at the best locations
- the ground surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs
- all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust
- all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays
- gates shall be closed between vehicle movements and shall be fitted with shade cloth
- cleaning of footpaths and roadways shall be carried out at least daily
- no advertising or signage is permitted to be attached to dust cloth material.

Reason: To protect the environment and the amenity of surrounding properties.

25. Use of road or footpath

During excavation, demolition and construction phases, no building materials, plant or the like are to be stored on the road or footpath without written approval being obtained from Council beforehand. The footpath shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost of rectification against the applicant/owner/builder or any other responsible person, as the case may be.

Reason: To ensure safety and amenity of the area.

26. Toilet facilities

Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed. One toilet, plus one additional toilet for every 20 persons working at the site, are to be provided. Each toilet must:

a) be a standard flushing toilet connected to a public sewer, or
b) have an on-site effluent disposal system approved under the Local Government Act 1993 <https://www.legislation.nsw.gov.au/>, or
c) be a temporary chemical closet approved under the Local Government Act 1993 <https://www.legislation.nsw.gov.au/>.

Reason: Statutory requirement.

27. Recycling of building material (general)

During demolition and construction, the Principal Certifier shall be satisfied that building materials suitable for recycling have been forwarded to an appropriate registered business dealing in recycling of materials. Materials to be recycled must be kept in good order.

Reason: To facilitate recycling of materials.

28. Garbage receptacle

1. A garbage receptacle must be provided at the work site before works begin and must be maintained until all works are completed.
2. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
3. The receptacle lid must be kept closed at all times, other than when garbage is being deposited.

Reason: To ensure appropriate construction site waste management and to avoid injury to wildlife.

29. Construction signage

All construction signs must comply with the following requirements:

- are not to cover any mechanical ventilation inlet or outlet vent
- are not illuminated, self-illuminated or flashing at any time
- are located wholly within a property where construction is being undertaken
- refer only to the business(es) undertaking the construction and/or the site at which the construction is being undertaken

- are restricted to one such sign per property
- do not exceed 2.5m^2
- are removed within 14 days of the completion of all construction works

Reason: To ensure compliance with Council's controls regarding signage.

30. Road reserve safety

All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (2009) “Manual for Uniform Traffic Control Devices for Work on Roads”. If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may take actions to stop work, which may include the bringing of proceedings.

Reason: To ensure safe public footways and roadways during construction.

31. Services

Where required, the adjustment or inclusion of any new utility service facilities must be carried out in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the applicant’s responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services (including water, phone, gas and the like). Council accepts no responsibility for any matter arising from its approval to this application involving any influence upon utility services provided by another authority.

Reason: Provision of utility services.

32. Erosion control

Temporary sediment and erosion control and measures are to be installed prior to the commencement of any works on the site. These measures must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm and/or as directed by the Principal Certifier and Council.

Reason: To protect the environment from erosion and sedimentation.

33. Landscape works near trees

To avoid tree impacts, all landscape works such as soil preparation, soil spreading, mulching and planting shall be carried out by hand within the specified radius of the following trees.

Tree/location	Radius in metres
All retained trees On site and within 5.0m of site boundaries	12 x trunk diameter

Reason: To protect existing trees.

34. Retention of tree roots

No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following tree/s shall be severed or injured in the process of any works during the construction period. All pruning of roots less than 50mm in diameter shall be undertaken by an experienced arborist/horticulturalist, with a minimum AQF Level 3 qualification.

Tree/location	Radius in metres
All retained trees On site and within 5.0m of site boundaries	12 x trunk diameter

Reason: To protect existing trees.

35. Approved tree works

Prior to the commencement of any works, the following is to be undertaken to the specified trees:

Tree/location	Approved tree works
Tree 10 *Loropetalum chinense* (Chinese Fringe Flower) Rear garden	Removal
Tree 15 *Prunus serrulata* (Flowering Cherry) Rear garden	Removal

1. All trees are to be clearly tagged and identified in accordance with the specifications in the arborist report prior to the removal or pruning of any tree/s.
2. Canopy and/or root pruning shall be undertaken by an experienced arborist/horticulturist, with a minimum AQF Level 3 qualification.
3. All root or canopy pruning works shall be undertaken as specified in current version of **Australian Standard** AS 4373 - *Pruning of amenity trees*.

Removal or pruning of any other tree on the site is not approved, excluding species and works exempt under Council's Development Control Plan.

Reason: To ensure that the development is in accordance with the Development Consent.

36. Hand excavation

All excavation within the specified radius of the trunk/s of the following tree/s shall be carried out by hand digging and/or by an air knife and shall be supervised by an experienced arborist/horticulturist, with a minimum AQF Level 3 qualification. The arborist /horticulturalist shall provide a report to the Principal Certifier confirming compliance with this condition:

Tree/Location	Radius in metres
All retained trees On site and within 5.0m of site boundaries	12 x trunk diameter

Reason: To protect existing trees.

37. No storage of materials beneath trees

No activities, soil compaction, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Development Control Plan at any time unless specified in other conditions of this consent.

Reason: To protect existing trees.

38. Removal of refuse

All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

Reason: To protect the environment.

39. On site retention of waste dockets

All demolition, excavation and construction waste dockets are to be retained on site, or at suitable location, in order to confirm which facility received materials generated from the site for recycling or disposal.

- each docket is to be an official receipt from a facility authorised to accept the material type, for disposal or processing
- this information is to be made available at the request of an authorised Council officer.

Reason: To protect the environment.

40. Maintenance of site

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- all vehicles entering or leaving the site must have their loads covered, and
- all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

Reason: To ensure the site is appropriately maintained.

41. Control of construction noise (Australian Standard)

During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with best practice objectives of AS 2436-2010 and NSW Environment Protection Authority Interim Construction Noise Guidelines.

Reason: To protect the amenity of neighbouring properties

42. Site fencing

The site must be secured and fenced prior to works commencing. All excavation, demolition and construction works shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.

If the work involved in the excavation, demolition or construction of the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, hoarding is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place (note that separate approval is required prior to the commencement of works to erect a hoarding or temporary fence on public property).

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons on public property.

The site shall be secured/locked to prevent access at the end of each day.

Any hoarding, fence or awning is to be removed when the construction work has been completed.

Reason: To ensure public safety.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE:

43. Completion of landscape works

Prior to the issue of an Occupation Certificate, the Principal Certifier is to be satisfied that all landscape works have been undertaken in accordance with the approved plan(s) and conditions of this development consent.

Reason: To ensure that the landscape works are consistent with the Development Consent.

44. Conduct of business premises - amenity

The business shall be conducted and patrons controlled at all times by the business operator so that no interference occurs to the amenity of the area.

Reason: To protect residential amenity.

45. Certification of drainage works (alterations and additions)

Prior to issue of an Occupation Certificate, the Principal Certifier is to be satisfied that:

1. The components of the new drainage system have been installed by a licensed contractor in accordance with the National Plumbing and Drainage Code AS3500.3 and the Building Code of Australia.
2. The stormwater drainage works have been completed in accordance with the approved Construction Certificate drainage plans, the nominated BASIX commitments and Ku-ring-gai DCP Part 24 'Water Management'.

Evidence from the plumbing contractor or a qualified civil/hydraulic engineer confirming compliance with this condition is to be provided to Council prior to the issue of an Occupation Certificate.

Reason: To ensure appropriate stormwater management.

46. Fire safety certificate

Prior to the issue of an Occupation Certificate, the Principal Certifier shall be satisfied that a fire safety certificate for all the essential fire or other safety measures forming part of this Development Consent has been completed and provided to Council.

Reason: To ensure suitable fire safety measures are in place.

CONDITIONS TO BE SATISFIED AT ALL TIMES:

47. Outdoor lighting

All external lighting must:

1. Comply with AS/NZS 4282:2019: *Control of the obtrusive effects of outdoor lighting* and
2. Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.

Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set: 2010 *Lighting for roads and public spaces.*

Reason: To protect the amenity of surrounding properties.

48. Noise control - mechanical plant

Noise levels associated with mechanical plant installed on the premises must not be audible within any habitable room in any other neighbouring residential premises before 7.00am and after 10.00pm. Outside of these restricted hours noise levels associated with mechanical plant installed on the premises either as an individual piece of equipment or in combination must not emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the nearest adjoining property boundary. The background (LA90, 15 min) level is to be determined without the source noise present.

Reason: To protect the amenity of neighbouring residential occupants and neighbouring properties.

49. Noise control - rainwater re-use system

Noise levels associated with rainwater re-use system(s) installed on the premises must not be audible within any habitable room in any other neighbouring residential premises before 7.00am and after 10.00pm. Outside of these restricted hours noise levels associated with rainwater re-use system(s) installed on the premises either as an individual piece of equipment or in combination must not emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the nearest adjoining property boundary. The background (LA90, 15 min) level is to be determined without the source noise present.

Reason: To protect the amenity of neighbouring residential occupants and neighbouring properties.

50. Noise Control - mechanical exhaust ventilation

Noise levels associated with mechanical exhaust ventilation installed on the premises must not be audible within any habitable room in any other neighbouring residential premises before 7.00am and after 10.00pm. Outside of these restricted hours noise levels associated with mechanical exhaust ventilation installed on the premises either as an individual piece of equipment or in combination must not emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the nearest adjoining property boundary. The background (LA90, 15 min) level is to be determined without the source noise present.

Reason: To protect the amenity of neighbouring residential occupants and neighbouring properties.

51. Deliveries and waste collections - commercial premises

All deliveries and waste collection services for the business are to be carried out between 6:00am and 10:00pm only.

Reason: To protect the amenity of the surrounding area.

52. Hours of operation

At all times, the hours of operation are restricted to:

- Supervised public access to the house and gardens:
  No more than 14 times a year and only within the hours of 10am to 4pm (weather permitting).

- Events:
  No more than 12 events per year for no more than 4 hours public access per event.

Reason: To protect the amenity of the area.

53. Compliance with the approved plan of management

The operation of the Information and Education Facility (house museum) shall be in accordance with the approved Operational Plan of Management for Tulkiyan House, 707 Pacific Highway, Gordon prepared by Ku-Ring-Gai Council dated July 2024, Version 2.0 and the Museum Operational Requirements document in relation to staffing arrangement prepared by Robert Griffin dated 5 May 2025.

The premises must be operated in accordance with the submitted plan of management approved by Council except where amended/varied by conditions of this consent.

The Plan of Management shall be consistent with the approved frequencies and hours of operation and provided to the consent authority prior to operation.

Reason: To ensure the premises are well-run, encourage a satisfactory and safe environment for the house museum staff, volunteers and visitors, and that the operation of the premises does not cause a disturbance in the local area.

54. Annual fire safety statement

Each 12 months after the installation of essential fire or other safety measures, the Owner of a building must provide the Council with an Annual Fire Safety Statement for the building. In addition, a copy of the Statement must be given to the NSW Fire Commissioner, and a third copy must be displayed prominently in the building.

Reason: To ensure maintenance of essential statutory fire safety measures.

55. Separate consent for signage

Development Consent must be obtained for any signs which are either externally fitted or applied, prior to the erection of any such signs. This does not apply to signs which are classified as being "Exempt Development".

Reason: To protect residential amenity.

INTEGRATED REFERRAL CONDITIONS:

56. Approved development

Development must be in accordance with:

a) Architectural drawings, prepared by Lucas Stapleton Johnson Heritage Planning and Architecture as listed below:

DWG No.	Dwg Title	Date	Rev
110430/201	SITE PLAN	08.01.2025	A
110430/201	REAR SITE SHOWING EXISTING LANDSCAPE TO BE RETAINED	08.01.2025	A
110430/202	SITE ENTRY PLAN	08.01.2025	B
110430/203	REAR SITE PLAN AND NEW AMENITIES PLAN	08.01.2025	D
110430/204	FRONT AND SIDE (N) ELEVATIONS	08.01.2025	B
110430/205	NEW AMENITIES ELEVATION AND SECTION	08.01.2025	C
110430/207	ACCESSIBLE ENTRY RAMP PLAN	01.09.2025	B
110430/208	ACCESSIBILE ENTRY RAMP ELEVATIONS AND SECTIONS	01.09.2025	B

b) Report: Statement of Heritage Impact, Tulkiyan, 707 Pacific Highway, Gordon, prepared by Lucas, Stapleton, Johnson and Partners Pty Ltd, dated August 2025.
c) Report: Conservation Management Plan, Tulkiyan, 707 Pacific Highway, Gordon (Draft), prepared by Robert Griffin Heritage & Conservation, dated September 2021.
d) Report: Baseline Archaeological Assessment, Tulkiyan, 707 Pacific Highway, Gordon, prepared by Curio Projects, dated August 2025.
e) Report: Arboricultural Impact Assessment Report, Tulkiyan, 707 Pacific Highway, Gordon, prepared by Glenyss Laws Consulting Arborist, dated 3 February 2025.

57. Details to be submitted for approval

The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate):

A detailed methodology is to be prepared outlining how the original marble stairs and landing will be protected from physical damage, moisture retention and structural stress during both the installation and ongoing use of the front entry ramp.

Reason: The details requested were not supplied during the assessment of the application. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

58. Heritage consultant

A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

59. Site protection

Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

60. Heritage Interpretation Plan

1) An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate.

2) The interpretation plan must detail how information on the history and significance of Tulkiyan will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.

3) The approved interpretation plan must be implemented prior to the commencement of public access and operations at the museum.

Reason: Interpretation is an important part of every proposal for works at heritage places.

61. Photographic Archival Recording

A photographic archival recording of the garden, driveway and entry must be prepared prior to the commencement of works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW.

Reason: To capture the condition and appearance of the place prior to modification of the site which impacts significant fabric.

62. Unexpected finds

The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric such as works not identified in Baseline Archaeological Assessment, Tulkiyan, 707 Pacific Highway, Gordon, prepared by Curio Projects, dated August 2025, are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

63. Aboriginal objects

Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

64. Compliance

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

65. Section 60 application

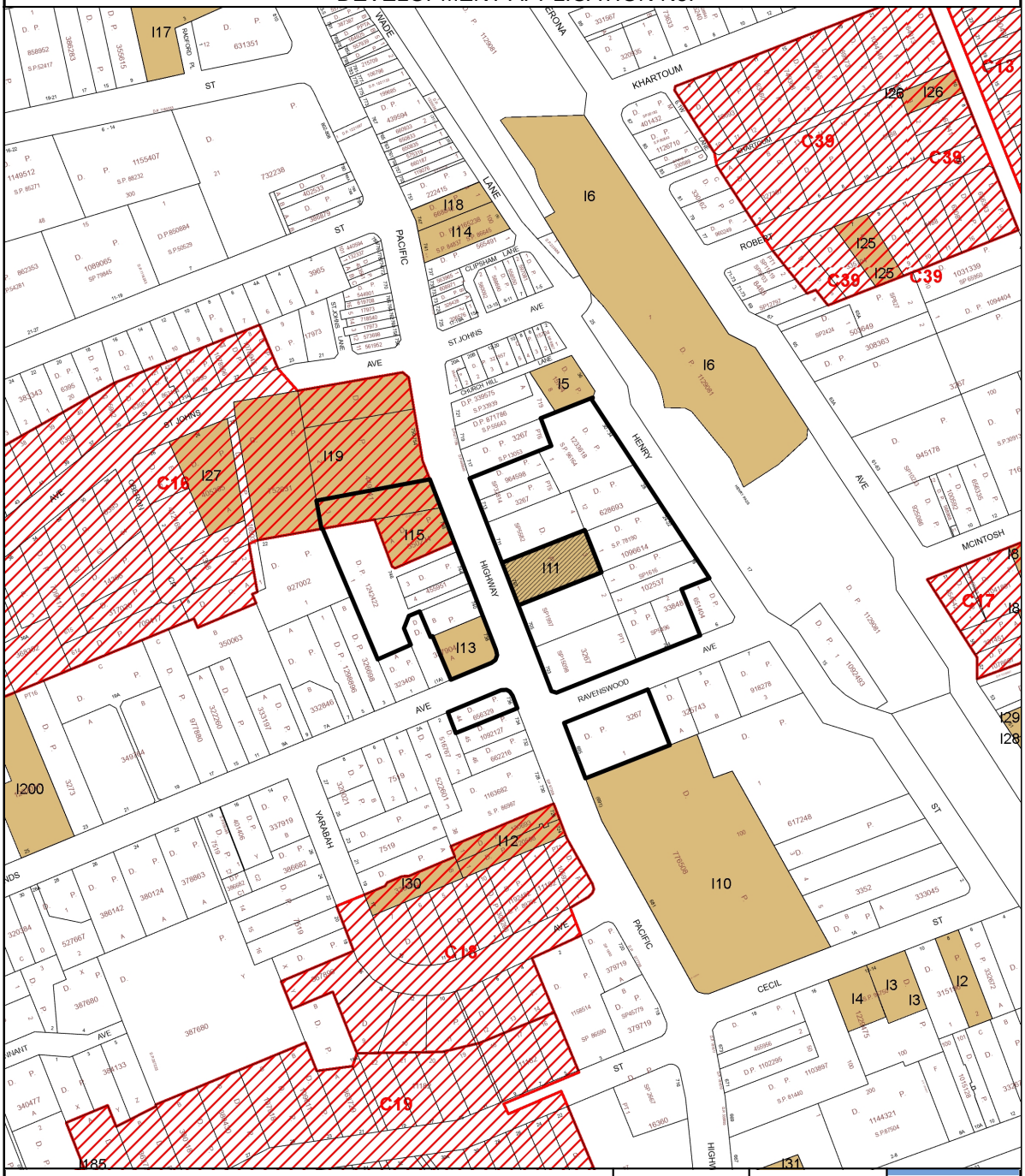
An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

LOCATION SKETCH

707 Pacific Highway GORDON NSW 2072

DEVELOPMENT APPLICATION No.



No submissions were recorded for this DA.

AGREEMENT	SUBJECT LAND
OBJECTION	CIRCULATED AREA
SUBMISSION	HERITAGE ITEM
PETITION	CONSERVATION AREA

Scale 1 : 3500

20/10/2025

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NORTH

70 0 35 70

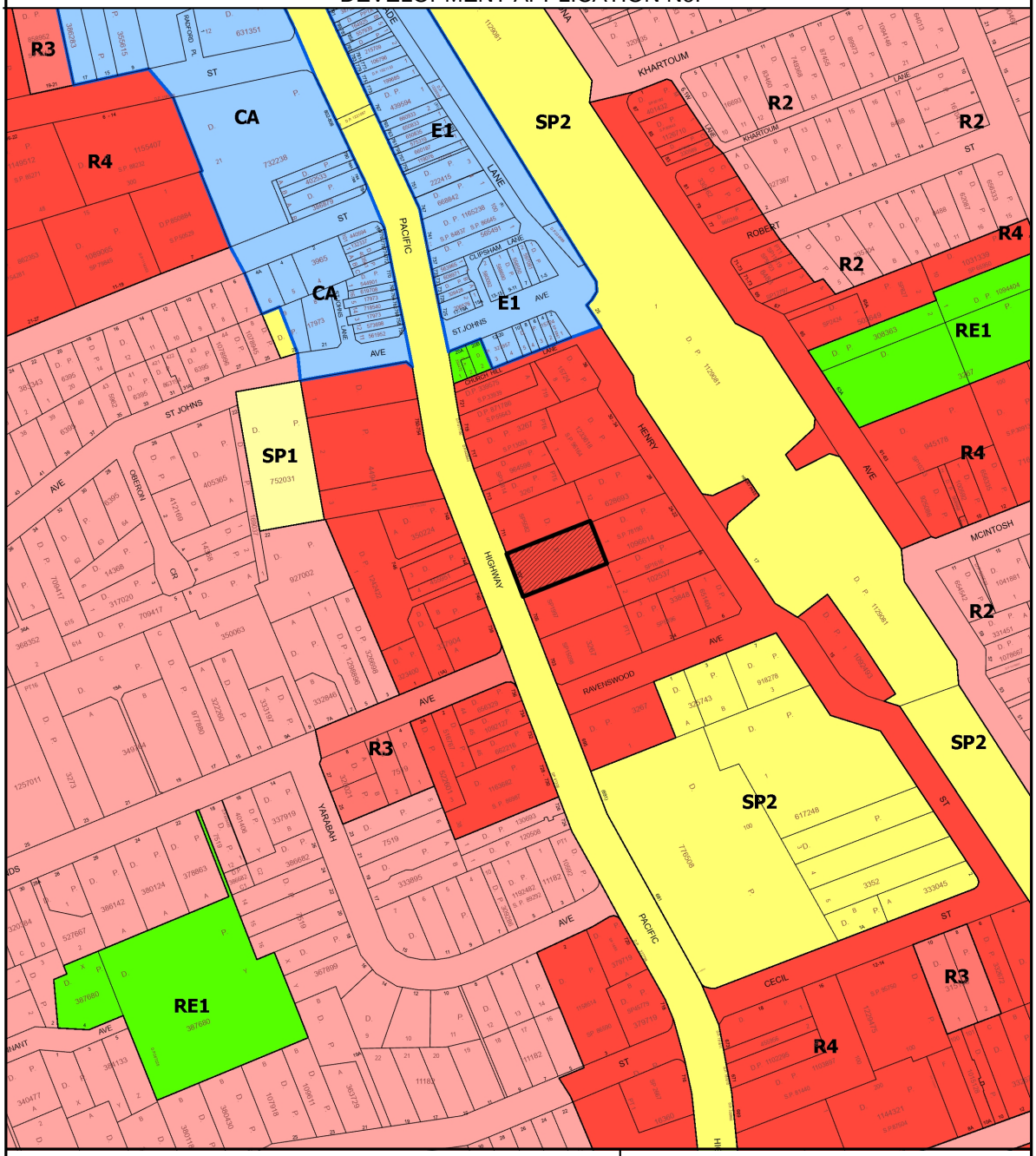
Meters

Ku·ring·gai Council

KU-RING-GAI LEP 2015 ZONING EXTRACT

707 Pacific Highway GORDON NSW 2072

DEVELOPMENT APPLICATION No.



Legend

Subject Land

Zoning

E1	Local Centre	C4	Environmental Living	RE1	Public Recreation
E3	Productivity Support	R1	General Residential	RE2	Private Recreation
MU	Mixed Use	R2	Low Density Residential	SP1	Special Activities
C1	National Parks & Reserves	R3	Medium Density Residential	SP2	Infrastructure
C2	Environmental Conservation	R4	High Density Residential	W1	Natural Waterways
C3	Environmental Management	R5	Large Lot Residential		

Scale 1 : 3500

Date: 20/10/2025

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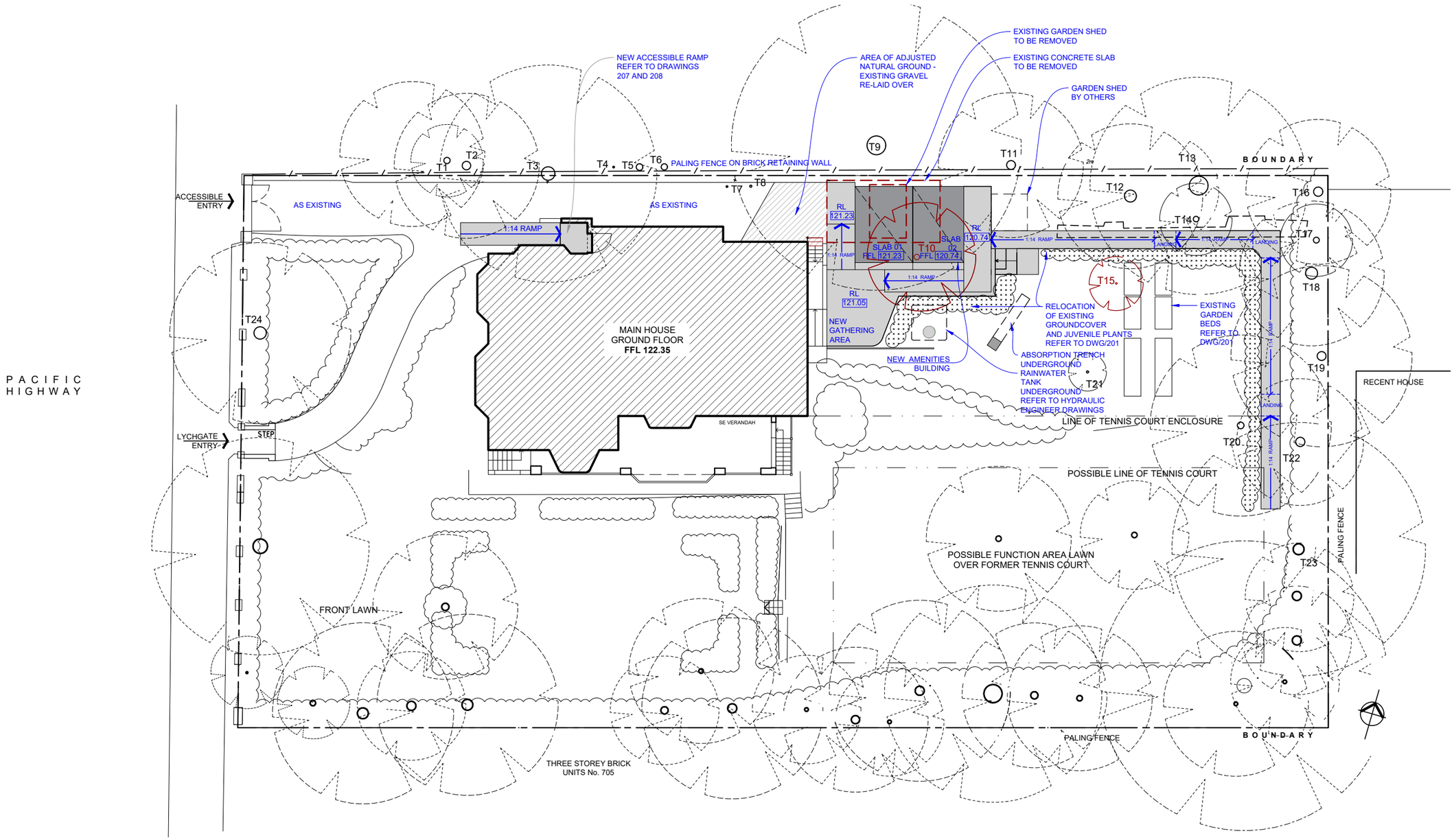
NORTH

0 70 140

Meters

Ku·ring·gai Council



PACIFIC
HIGHWAY

LEGEND:

- NEW WORK
- NEW LANDSCAPE WORK TO COMPLY WITH AS 1428 'DESIGN AND MOBILITY'
- EXISTING MAIN HOUSE
- 000.00 EXISTING RELATIVE LEVELS
- 000.00 PROPOSED RELATIVE LEVELS
- TREE TO BE REMOVED
- CONCRETE SLABS AND GARDEN SHED TO BE REMOVED

07/08/25 A AMENDED
Date No. Amend.

LUCAS STAPLETON JOHNSON
LSJ Heritage Planning & Architecture

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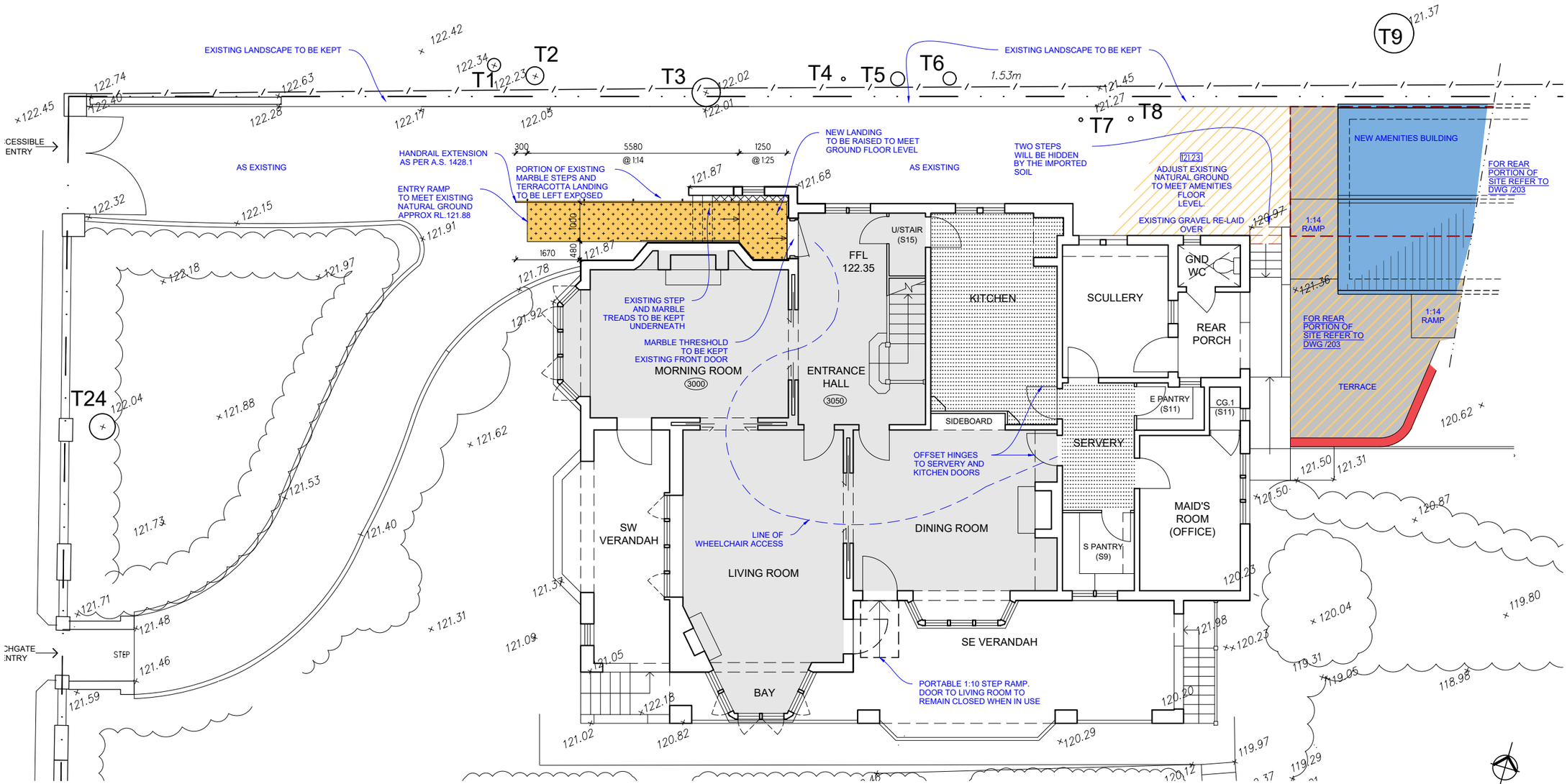
Check all dimensions. Figured dimensions to be taken in preference to scale.

Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. SITE PLAN

Date	Scale (at A3)	Drawn	Dwg. No.
08/01/2025	1:200	EC	110430/200/A



LEGEND:

MAIN HOUSE FULLY ACCESSIBLE AREAS

PARTLY ACCESSIBLE (800mm CLEAR DOOR WIDTH)

NEW PATH SURFACES FINISH SIMLAR TO EXISTING GRAVEL.

NEW RAMP ** TO COMPLY WITH AS 1428 'DESIGN AND MOBILITY' WITH METAL HANDRAIL

NEW GARAGE ROOF - CORRUGATED ZINCALUME
NEW BRICK WORK (TO MATCH EXISTING)

EXISTING RELATIVE LEVELS 000.00

PROPOSED RELATIVE LEVELS 000.00

** **METAL RAMP COLOUR CODE AND MATERIAL:**

FLOOR:
GRP MOULDED GRATING MG1325 COLOUR BLACK GREY RAL 7021

BALUSTRADE INCLUDING HANDRAIL AND KERB TO BE POWDER COATED:
COLOUR EQUAL TO NATURAL BRONZE BY DULUX - DURATEC
FINISH FLAT

NOTE:

1. INTERPRETIVE DISPLAY OF THE FIRST FLOOR TO BE DEVELOPED FOR INSTALLATION ON THE GROUND FLOOR

Date	No.	Amend.
05/08/2025	B	AMENDED
21/05/2025	A	AMENDED

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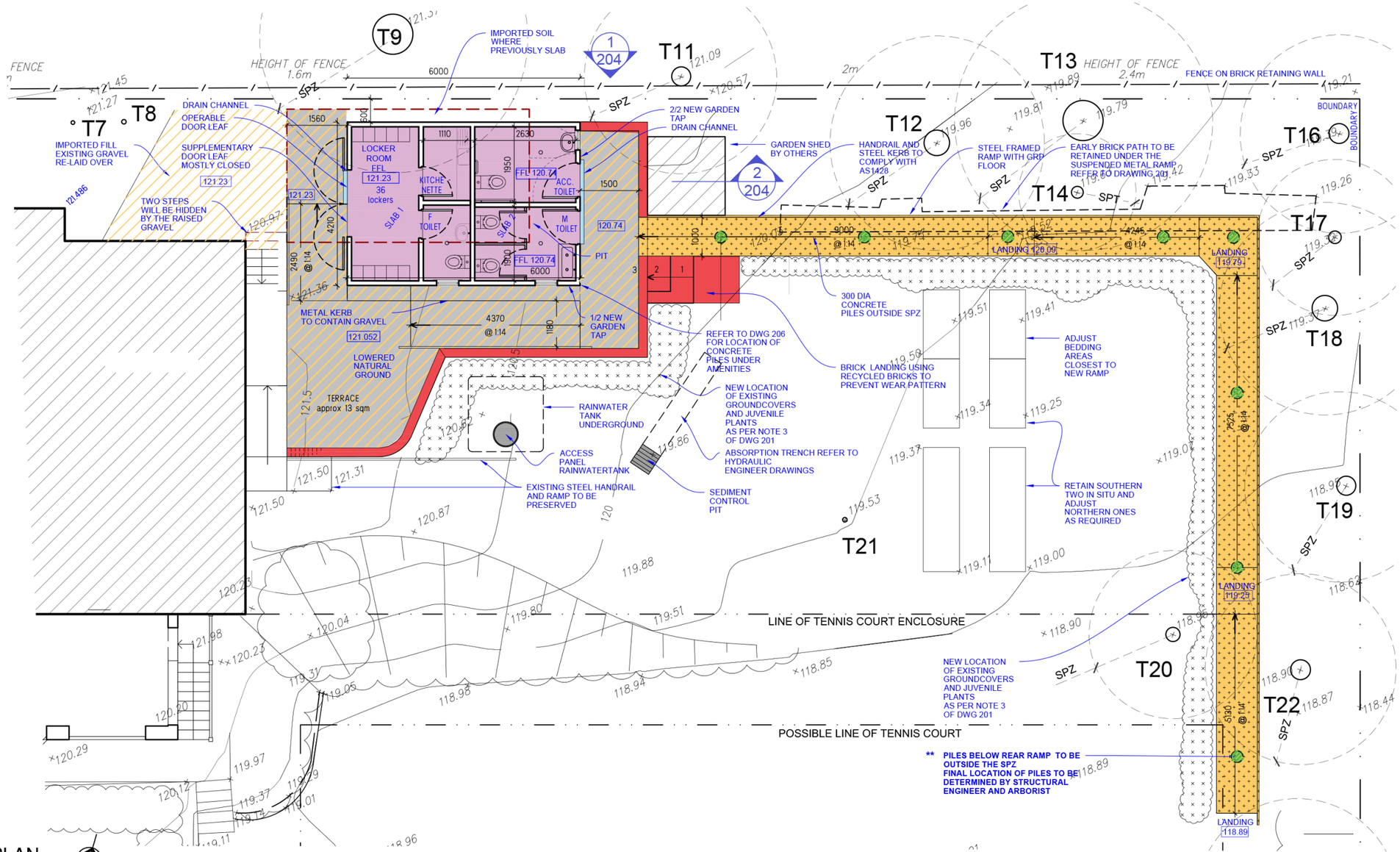
Job: **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg.: SITE ENTRY PLAN

Date	Scale (at A3)	Drawn	Dwg. No.
08/01/2025	1:100	EC	110430/202/B



1 REAR SITE PLAN

Scale 1:100 119330-ie.dwg

LEGEND :

NEW PATH SURFACES FINISH SIMLAR TO EXISTING GRAVEL.

** 300DIA CONCRETE PILES UNDER RAMPS

000.00 EXISTING RELATIVE LEVELS

000.00 PROPOSED RELATIVE LEVELS

------- CONCRETE SLAB TO BE REMOVED

FINISHES :	**COLOUR & MATERIAL**
PAVING -BRICK EDGE	BRICK (TO MATCH EXISTING)
SLAB	CONCRETE
NEW GARAGE:	
TILES (INTERNALLY)	CERAMICS NON-SLIP
WALLS	PAINTED FIBRE CEMENT CLADDING (COLOUR: CREAM TO MATCH HOUSE) WITH BATTENS (COLOUR: INDIAN RED, TO MATCH HOUSE)
ROOF	CORRUGATED ZINCALUME
RAMP	GRP MOULDED GRID FLOOR
DOORS	TIMBER FRAME AND LEAF (COLOUR CREAM TO MATCH HOUSE)

** **METAL RAMP COLOUR CODE AND MATERIAL:**

FLOOR:
GRP MOULDED GRATING MG1325 COLOUR BLACK GREY RAL 7021

BALUSTRADE INCLUDING HANDRAIL AND KERB TO BE POWDER COATED:
COLOUR EQUAL TO NATURAL BRONZE BY DULUX - DURATEC
FINISH FLAT

NOTE:
STP
STRUCTURAL PROTECTION ZONE
AS PER GLENYSS LAWS ARBORICULTURAL IMPACT ASSESSMENT REPORT DATED 03.02.25

Date	No.	Amend.
07/08/2025	D	AMEND
21/05/2025	C	AMEND
07/02/2025	B	NOTE
05/02/2025	A	SPZ

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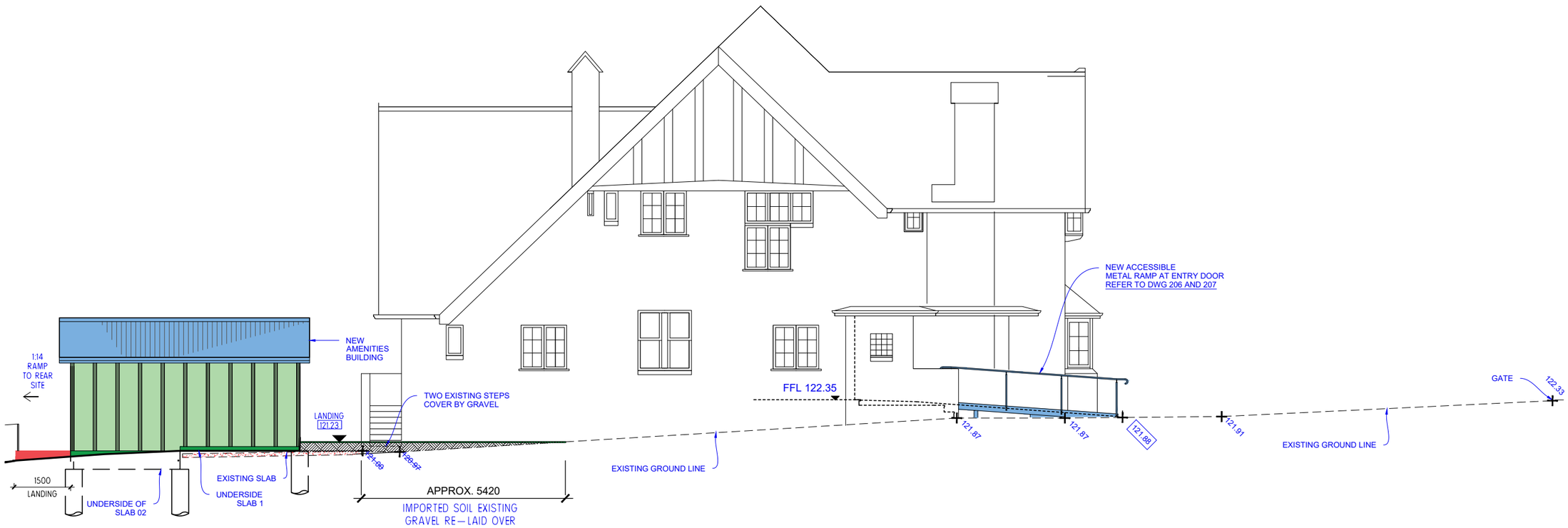
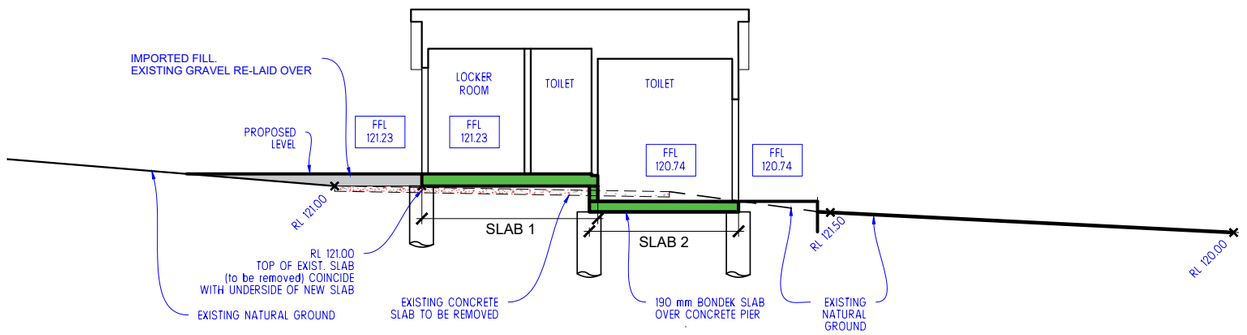
Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. REAR SITE PLAN AND NEW AMENITIES BUILDING

Date	Scale (at A3)	Drawn	Dwg. No.
08/01/2025	1:100	EC	110430/203/D



1 -- SIDE ELEVATION
Scale 1:100 119330-ie.dwg



2 -- SECTION
Scale 1:100 119330-ie.dwg

FINISHES : **COLOUR & MATERIAL**

PAVING -BRICK EDGE	BRICK (TO MATCH EXISTING)
SLAB / KERB	CONCRETE
NEW GARAGE:	
TILES (INTERNALLY)	CERAMICS NON-SLIP
WALLS	PAINTED FIBRE CEMENT CLADDING (COLOUR: CREAM TO MATCH HOUSE) WITH BATTENS (COLOUR: INDIAN RED, TO MATCH HOUSE)
ROOF	CORRUGATED ZINCALUME
WINDOWS	OPAQUE GLASS FOR TOILETS
DOORS	TIMBER FRAME AND LEAF (COLOUR CREAM TO MATCH HOUSE)

LEGEND :

NEW PATH SURFACES FINISH SIMLAR TO EXISTING GRAVEL.

000.00 EXISTING RELATIVE LEVELS

000.00 PROPOSED RELATIVE LEVELS

05.08.25 B AMENDED
03.02.25 A AMENDED
Date No. Amend.

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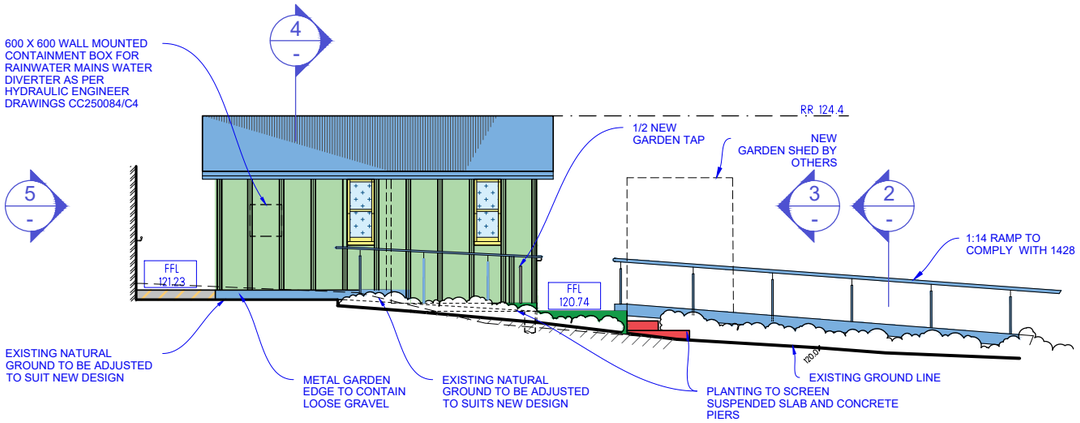
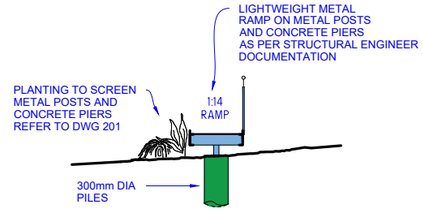
Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. FRONT AND SIDE (N) ELEVATIONS

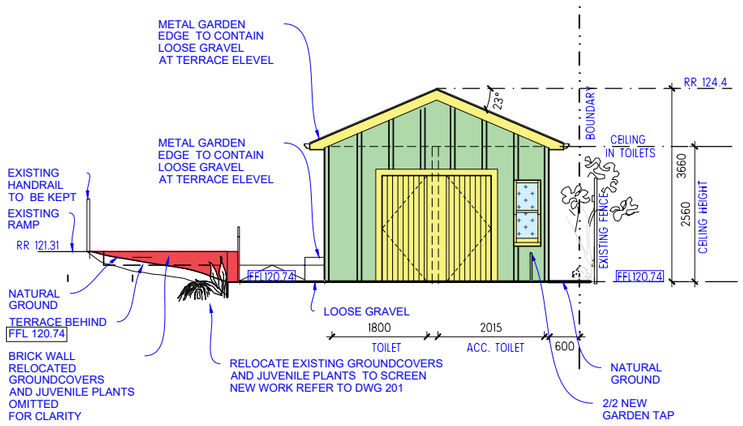
Date	Scale (at A3)	Drawn	Dwg. No.
08/01/2025	1:100	EC	110430/204/B



2 -- SOUTH ELEVATION
Scale 1:100 119330-ie.dwg

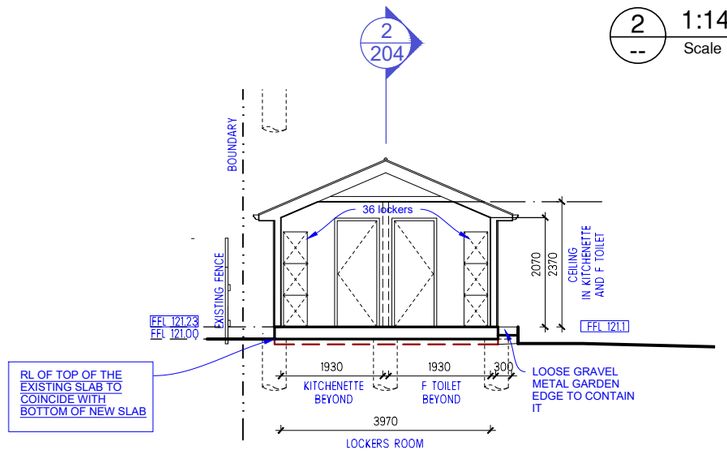


2 -- 1:14 RAMP SECTION
Scale 1:100 119330-ie.dwg

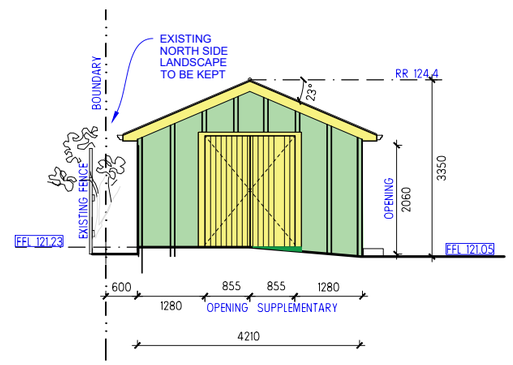


3 -- REAR (EAST) ELEVATION
Scale 1:100 119330-ie.dwg

2 204



4 -- SECTION
Scale 1:100 119330-ie.dwg



5 -- FRONT (WEST) ELEVATION
Scale 1:100 119330-ie.dwg

FINISHES : **COLOUR & MATERIAL**

PAVING -BRICK EDGE	BRICK (TO MATCH EXISTING)
SLAB / KERB	CONCRETE
NEW GARAGE:	
TILES (INTERNALLY)	CERAMICS NON-SLIP
WALLS	PAINTED FIBRE CEMENT CLADDING (COLOUR: CREAM TO MATCH HOUSE) WITH TIMBER BATTENS (COLOUR: INDIAN RED, TO MATCH HOUSE)
ROOF	CORRUGATED ZINCALUME
WINDOWS	OPAQUE GLASS FOR TOILETS
DOORS	TIMBER FRAME AND LEAF (COLOUR CREAM TO MATCH HOUSE)

LEGEND :

NEW PATH SURFACES FINISH SIMLAR TO EXISTING GRAVEL.

000.00 EXISTING RELATIVE LEVELS

000.00 PROPOSED RELATIVE LEVELS

------- CONCRETE SLAB TO BE REMOVED

Date	No.	Amend.
07/08/2025	C	
21/05/2025	B	
06/02/2025	A	

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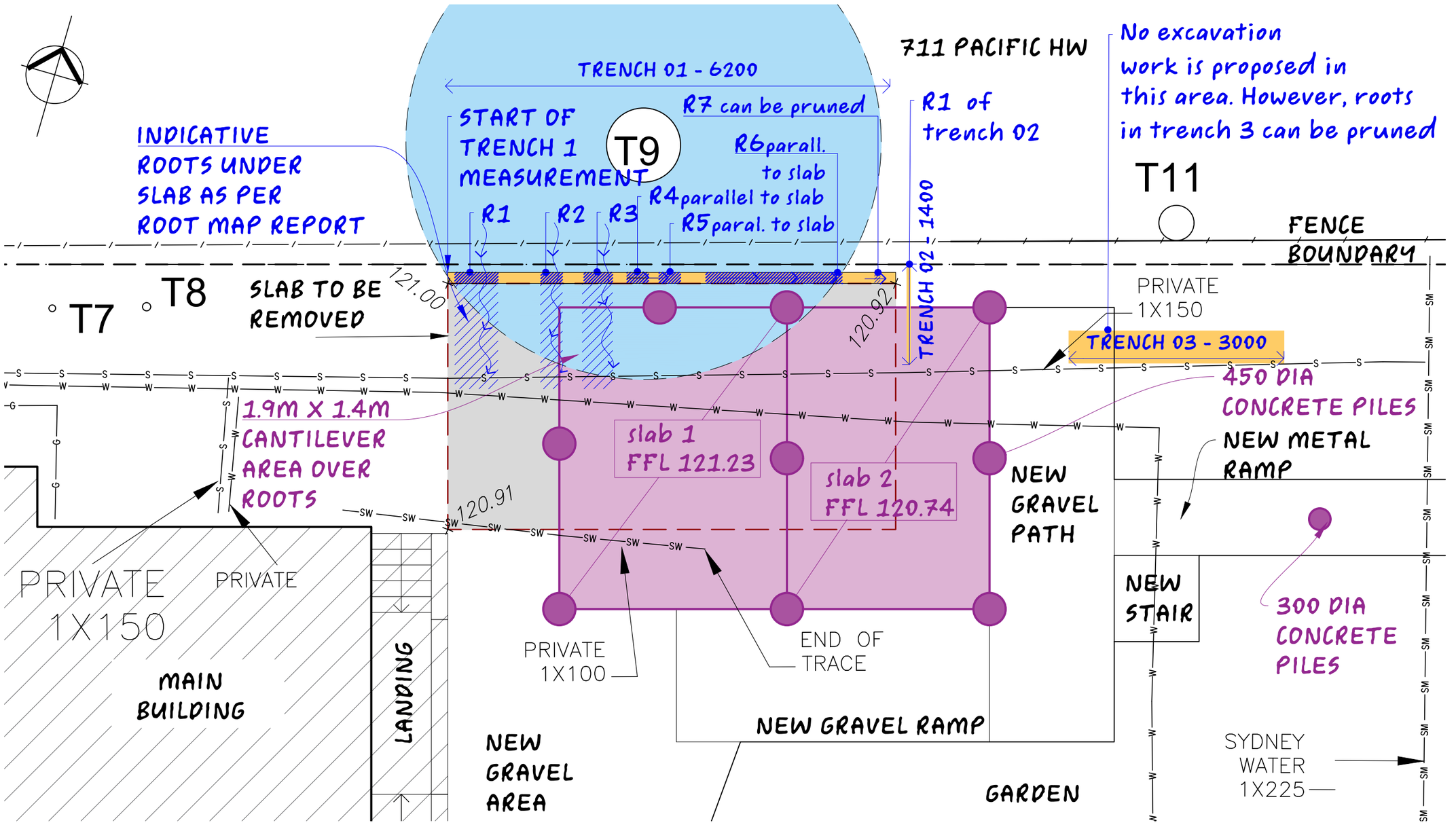
Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. NEW AMENITIES ELEVATION AND SECTION

Date	Scale (at A3)	Drawn	Dwg. No.
09/01/2025	1:100	EC	110430/205/C



LEGEND:

- SLAB TO BE REMOVED
- TREE9 STRUCTURAL PROTECTION ZONE
- ROOT MAP TRENCH

FFL	FINISH FLOOR LEVEL
R	ROOT
S	SEWER SERVICES
SM	SEWER MAIN
SW	DRAINAGE INFRASTRUCTURE
W	LOCAL WATER UTILITY

NOTE:

THIS DRAWING COMBINE THE FOLLOWING DOCUMENTATION:

- REAR SITE PROPOSED PLAN BY *LSJ ARCHITECTS* DATED 01.2025
- SITE SURVEY BY *CRAIG AND RHODES* DATED 09.08.10
- TREE PROTECTION PLAN BY *TREE PLAN DRAFTING* DATED 01.02.24
- ROOT MAPPING REPORT BY *GLENYSS LAWS* DATED 11.09.24
- SERVICE SURVEY BY *LOCATERS SURVEYORS* DATED 21.06.24
- STRUCTURAL PLAN BY *DBCE STRUCTURAL ENGINEERS* DATED 11.24

07/08/2025 B AMEND.
21/05/2025 A AMEND.
Date No. Amend.

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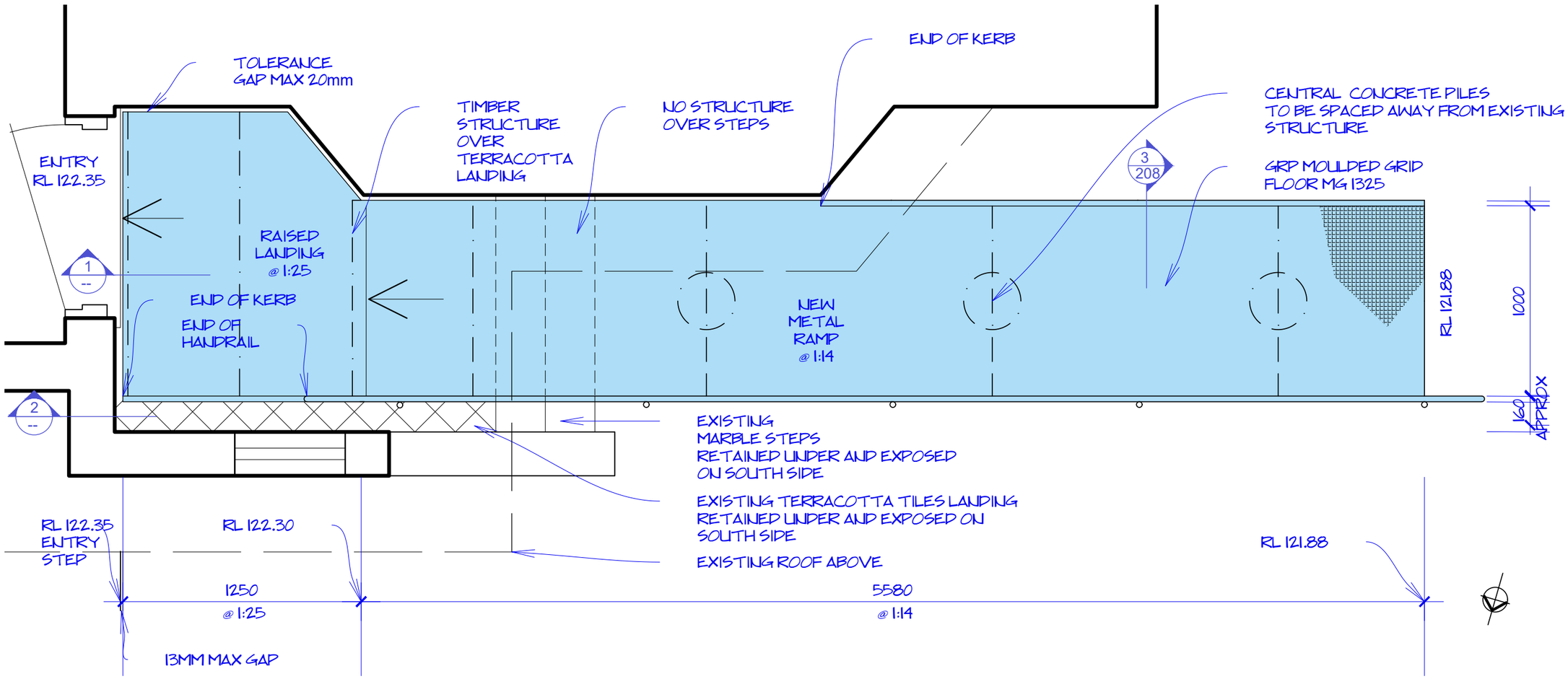
Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. ROOT MAP AND CONCRETE PILES OVER SERVICES SURVEY

Date	Scale (at A3)	Drawn	Dwg. No.
07/01/2025	1:50	EC	110430/206/B



1 -- PLAN
Scale 1:20

LEGEND:

RL 00.0 EXISTING RELATIVE LEVEL

NEW METAL/MOULDED GRID AS NOTED
NEW TIMBER

NOTE:

NEW WORK ASSOCIATED WITH ENTRY RAMP
TO COMPLY WITH AS 1428.1 DESIGN FOR ACCESS AND MOBILITY
TO FURTHER DETAIL

METAL RAMP COLOUR CODE AND MATERIAL:
FLOOR: GRP MOULDED GRATING MG1325 COLOUR BLACK GREY RAL 7021

ALL STEEL INCLUDING HANDRAIL AND KERB TO BE POWDER COATED:
- COLOUR EQUAL TO NATURAL BRONZE BY DULUX - DURATEC
- FINISH FLAT

07/08/2025 B AMEN.
22/05/2025 A AMEN.
Date No. Amend.

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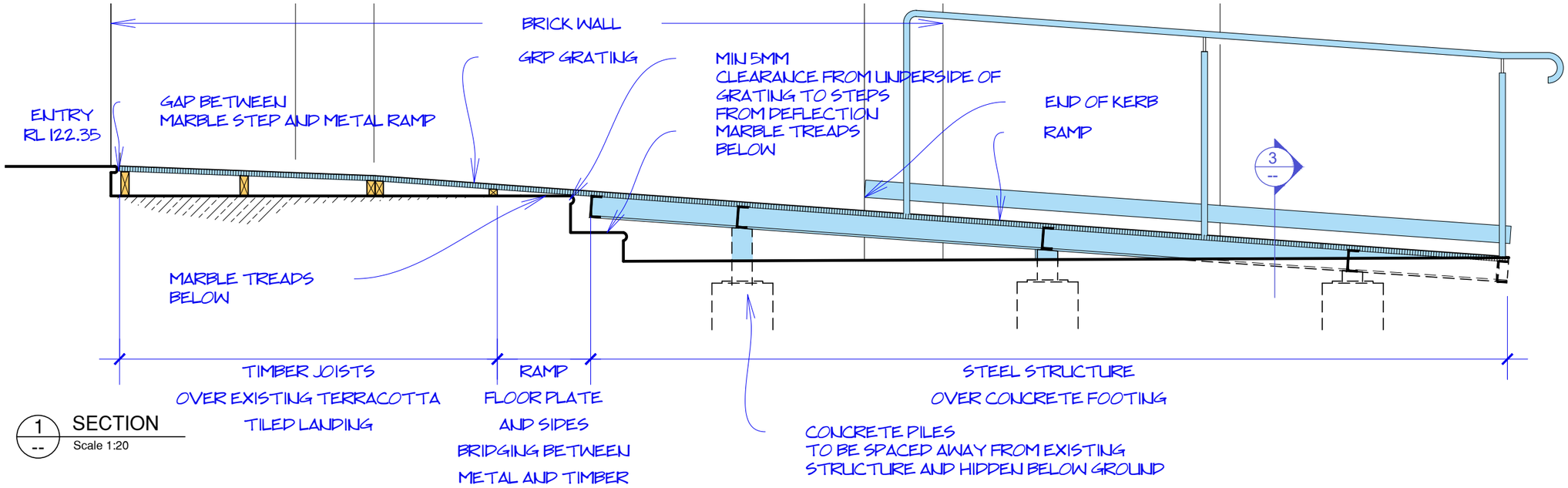
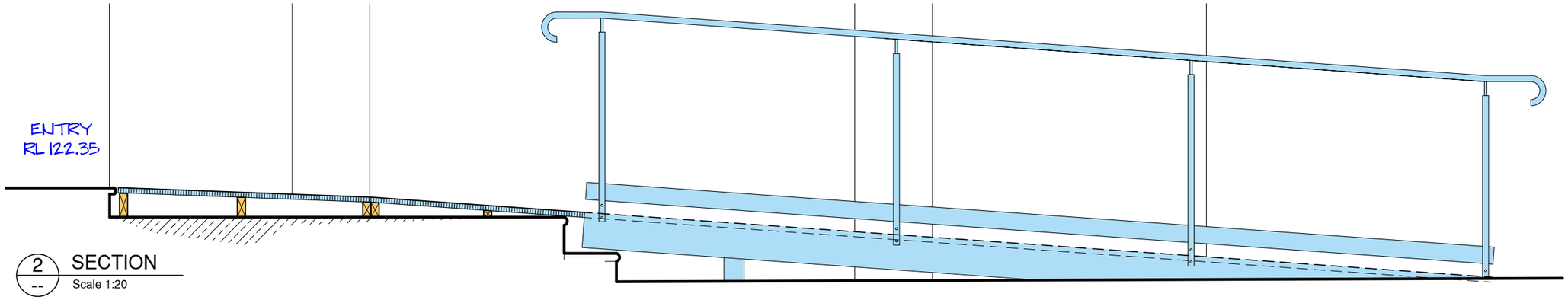
Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. ACCESSIBLE ENTRY RAMP PLAN

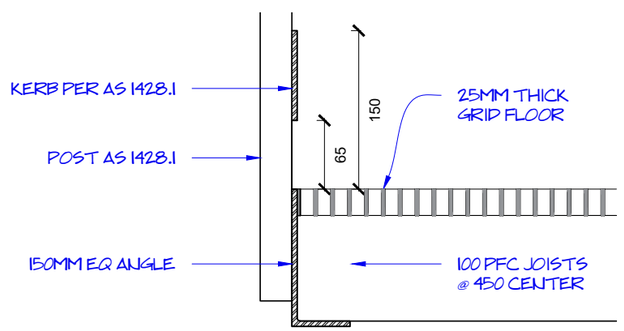
Date	Scale (at A3)	Drawn	Dwg. No.
01/09/2025	1:20	EC	110430/207/B



1 -- SECTION
Scale 1:20



2 -- SECTION
Scale 1:20



3 -- INDICATIVE DETAIL
Scale 1:5

LEGEND:

RL 00.0 EXISTING RELATIVE LEVEL

NEW METAL MOULDED GRID AS NOTED
NEW TIMBER

METAL RAMP COLOUR CODE AND MATERIAL:

FLOOR: GRP MOULDED GRATING MG1325 COLOUR BLACK GREY RAL 7021

ALL STEEL INCLUDING HANDRAIL AND KERB TO BE POWDER COATED:
- COLOUR EQUAL TO NATURAL BRONZE BY DULUX - DURATEC
- FINISH FLAT

NOTE:

NEW WORK ASSOCIATED WITH ENTRY RAMP
TO COMPLY WITH AS 1428.1 DESIGN FOR ACCESS AND MOBILITY
TO FURTHER DETAIL

07/08/2025 B AMEND.
21/05/2025 A AMEND.
Date No. Amend.

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Check all dimensions. Figured dimensions to be taken in preference to scale.

Job: **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg.: ACCESSIBLE ENTRY RAMP ELEVATIONS AND SECTIONS

Date	Scale (at A3)	Drawn	Dwg. No.
09/01/2025	1:20	EC	110430/208/B

PROPOSED DEVELOPMENT
(No.707) PACIFIC HIGHWAY, GORDON
STORMWATER MANAGEMENT PLANS

LEGEND

- DENOTES ON-SITE DETENTION TANK
- DENOTES ON-SITE RETENTION TANK
- DENOTES DWELLING FOOTPRINT
- SW — DENOTES 100mm DIA. STORMWATER/SURFACE WATER SYSTEM PIPE AT 1% MIN. GRADE U.N.O.
- RW — DENOTES 100mm DIA. FULLY SEALED RAINWATER SYSTEM PIPE U.N.O.
- 150 RW — DENOTES RAINWATER PIPE AND DIA. WHEN PIPE EXCEEDS 100mm DIA.
- 150 SW — DENOTES STORMWATER/SURFACE WATER PIPE AND DIA. WHEN PIPE EXCEEDS 100mm DIA.
- W/RM — DENOTES RISING MAIN AND PIPE DIA. U.N.O.
- 100 SS — DENOTES SUBSOIL DRAINAGE LINE AND DIA. WRAPPED IN GEOFABRIC U.N.O.
- DP — DENOTES DOWNPIPE
- IO — DENOTES INSPECTION OPENING WITH SCREW DOWN LID AT FINISHED SURFACE LEVEL
- CO — DENOTES INSPECTION OPENING WITH SCREW DOWN LID AT FINISHED SURFACE LEVEL FOR SYSTEM FLUSHING PURPOSES
- STORMWATER PIT - SOLID COVER
- STORMWATER PIT - GRATED INLET
- DENOTES GRATED DRAIN
- DENOTES ABSORPTION TRENCH
- NON RETURN VALVE
- PUMP
- STOP VALVE (ISOLATION VALVE)
- 240v REQUIRED
- IL23.31 — DENOTES LEVEL OF INLET /OUTLET OF STORMWATER PIPE. NOTE: UNLESS NOTED OTHERWISE, THE BASE OF THE PIT IS THE SAME AS THE PIPE INLET/OUTLET.

DIAL BEFORE YOU DIG

BEFORE YOU DIG byda.com.au

IMPORTANT: THE CONTRACTOR IS TO MAINTAIN A CURRENT SET OF "DIAL BEFORE YOU DIG" DRAWINGS ON SITE AT ALL TIMES.

GENERAL NOTES

1. THESE PLANS SHALL BE READ IN CONJUNCTION WITH OTHER RELEVANT CONSULTANTS' PLANS, SPECIFICATIONS, CONDITIONS OF DEVELOPMENT CONSENT AND CONSTRUCTION CERTIFICATE REQUIREMENTS. WHERE DISCREPANCIES ARE FOUND HYDRACOR CONSULTING ENGINEERS PTY LTD MUST BE CONTACTED IMMEDIATELY FOR VERIFICATION
2. WHERE THESE PLANS ARE NOTED FOR DEVELOPMENT APPLICATION PURPOSES ONLY, THEY SHALL NOT BE USED FOR OBTAINING A CONSTRUCTION CERTIFICATE NOR USED FOR CONSTRUCTION PURPOSES
3. SUBSOIL DRAINAGE SHALL BE DESIGNED AND DETAILED BY THE STRUCTURAL ENGINEER. SUBSOIL DRAINAGE SHALL NOT BE CONNECTED INTO THE STORMWATER SYSTEM IDENTIFIED ON THESE PLANS UNLESS APPROVED BY HYDRACOR CONSULTING ENGINEERS PTY LTD.

STORMWATER CONSTRUCTION NOTES

1. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH AS/NZS 3500 (CURRENT EDITION) AND THE REQUIREMENTS OF THE LOCAL COUNCIL'S POLICIES AND CODES
2. THE MINIMUM SIZES OF THE STORMWATER DRAINS SHALL NOT BE LESS THAN DN90 FOR CLASS 1 BUILDINGS AND DN100 FOR OTHER CLASSES OF BUILDING OR AS REQUIRED BY THE REGULATORY AUTHORITY
3. THE MINIMUM GRADIENT OF STORMWATER DRAINS SHALL BE 1%, UNLESS NOTED OTHERWISE
4. COUNCIL'S TREE PRESERVATION ORDER IS TO BE STRICTLY ADHERED TO. NO TREES SHALL BE REMOVED UNTIL PERMIT IS OBTAINED
5. PUBLIC UTILITY SERVICES ARE TO BE ADJUSTED AS NECESSARY AT THE CLIENT'S EXPENSE
6. ALL PITS TO BE BENCHED AND STREAMLINED. PROVIDE STEP IRONS FOR ALL PITS OVER 1.2m DEEP
7. MAKE SMOOTH JUNCTION WITH ALL EXISTING WORK
8. VEHICULAR ACCESS AND ALL SERVICES TO BE MAINTAINED AT ALL TIMES TO ADJOINING PROPERTIES AFFECTED BY CONSTRUCTION
9. SERVICES SHOWN ON THESE PLANS HAVE BEEN LOCATED FROM INFORMATION SUPPLIED BY THE RELEVANT AUTHORITIES AND FIELD INVESTIGATIONS AND ARE NOT GUARANTEED COMPLETE NOR CORRECT. IT IS THE CLIENT & CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL PRIOR TO CONSTRUCTION
10. ANY VARIATION TO THE WORKS AS SHOWN ON THE APPROVED DRAWINGS ARE TO BE CONFIRMED BY HYDRACOR CONSULTING ENGINEERS PTY LTD PRIOR TO THEIR COMMENCEMENT

RAINWATER RE-USE SYSTEM NOTES

1. RAINWATER SUPPLY PLUMBING TO BE CONNECTED TO OUTLETS WHERE REQUIRED BY BASIX CERTIFICATE (BY OTHERS)
2. TOWN WATER CONNECTION TO RAINWATER TANK TO BE TO THE SATISFACTION OF THE REGULATORY AUTHORITY. THIS MAY REQUIRE PROVISION OF:
   2.1. PERMANENT AIR GAP
   2.2. BACKFLOW PREVENTION DEVICE
3. NO DIRECT CONNECTION BETWEEN TOWN WATER SUPPLY AND THE RAIN WATER SUPPLY
4. AN APPROVED STOP VALVE AND/OR PRESSURE LIMITING VALVE AT THE RAINWATER TANK
5. PROVIDE APPROPRIATE FLOAT VALVES AND/OR SOLENOID VALVES TO CONTROL TOWN WATER SUPPLY INLET TO TANK IN ORDER TO ACHIEVE THE TOP-UP INDICATED ON THE TYPICAL DETAIL
6. ALL PLUMBING WORKS ARE TO BE CARRIED OUT BY LICENSED PLUMBERS IN ACCORDANCE WITH AS/NZS3500.1 NATIONAL PLUMBING AND DRAINAGE CODE
7. PRESSURE PUMP ELECTRICAL CONNECTION TO BE CARRIED OUT BY A LICENSED ELECTRICIAN
8. ONLY ROOF RUN-OFF IS TO BE DIRECTED TO THE RAINWATER TANK . SURFACE WATER INLETS ARE NOT TO BE CONNECTED
9. PIPE MATERIALS FOR RAINWATER SUPPLY PLUMBING ARE TO BE APPROVED MATERIALS TO AS/NZS3500 PART 1 SECTION 2 AND TO BE CLEARLY AND PERMANENTLY IDENTIFIED AS 'RAINWATER'. THIS MAY BE ACHIEVED FOR BELOW GROUND PIPES USING IDENTIFICATION TAPE (MADE IN ACCORDANCE WITH AS2648) OR FOR ABOVE GROUND PIPES BY USING ADHESIVE PIPE MARKERS (MADE IN ACCORDANCE WITH AS1345)
10. EVERY RAINWATER SUPPLY OUTLET POINT AND THE RAINWATER TANK ARE TO BE LABELED 'RAINWATER' ON A METALLIC SIGN IN ACCORDANCE WITH AS1319
11. ALL INLETS AND OUTLETS TO THE RAINWATER TANK ARE TO HAVE SUITABLE MEASURES PROVIDED TO PREVENT MOSQUITO AND VERMIN ENTRY

SHEET INDEX

COVER SHEET & NOTES	SHEET C1
PRE & POST DEVELOPMENT IMPERVIOUS AREA SUMMARY	SHEET C2
STORMWATER MANAGEMENT PLAN	SHEET C3
STORMWATER MANAGEMENT DETAILS SHEET No.1	SHEET C3
STORMWATER MANAGEMENT DETAILS SHEET No.2	SHEET C4

KU-RING-GAI DCP PART 24 REQUIREMENTS

SITE AREA . . . . . 1830 m²
PRE DEVELOPED IMPERVIOUS AREA 320m² (17.5%)
POST DEVELOPED IMPERVIOUS AREA. 352m² (19.2%)
INCREASE IN IMPERVIOUS AREA (POST DEVELOPED). . . . . 32 m²

DESIGN SUMMARY IN RESPONSE TO THE KU-RING-GAI DCP PART 24 - WATER MANAGEMENT:

- STORMWATER DISCHARGE (24B.2)
  RAINWATER TANK OVERFLOW AND SURFACE STORMWATER TO DISCHARGE TO INFILTRATION TRENCH AT REAR OF SITE.
  TOTAL AREA DRAINING TO INFILTRATION TRENCH = 32m² (1.7%)
- RAINWATER TANK REQUIREMENTS (24C.4)
  RAINWATER TANK SIZED IN ACCORDANCE WITH TABLE 24C.4-1
  NOTE: 2000 LITRE MINIMUM RAINWATER TANK REQUIRED FOR REUSE TO GARDEN AND TOILETS.

DESIGNED IN ACCORDANCE WITH KU-RING-GAI DCP PART 24 - WATER MANAGEMENT, AS/NZS 3500.3 AND AR&R.

LOCALITY PLAN
NOT TO SCALE



DEVELOPMENT APPLICATION ISSUE
NOT FOR CONSTRUCTION

DRAWINGS MUST BE PRINTED IN COLOUR

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Issue	Description	Date	Drawn	Approved
A	ISSUED FOR DEVELOPMENT APPROVAL	26.06.25	RH	BK

1cm at full size 10cm

North

Client: LUCAS STAPLETON JOHNSON
HERITAGE PLANNING & ARCHITECTURE

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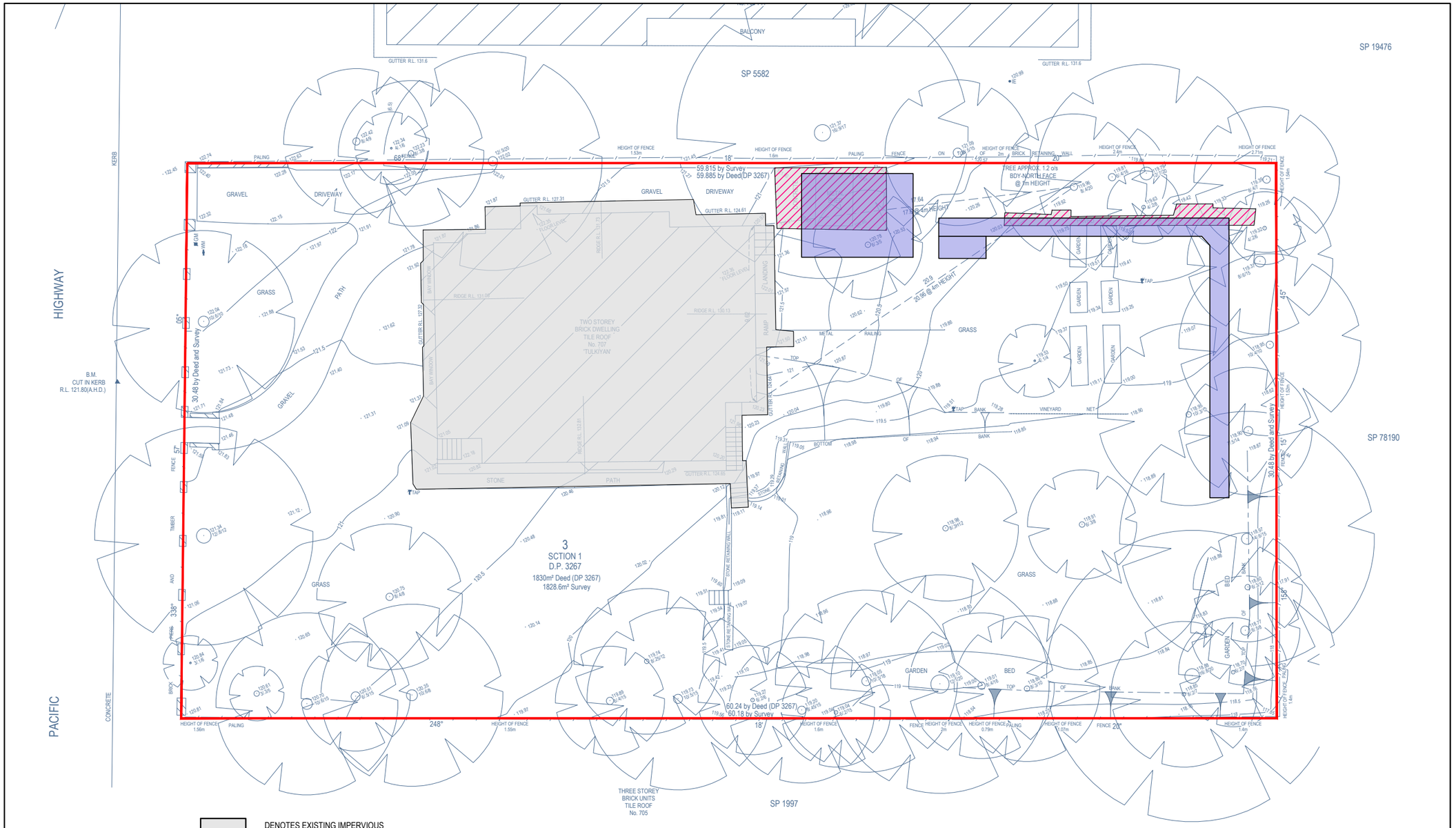
Project: PROPOSED DEVELOPMENT
(No. 707)
PACIFIC HIGHWAY
GORDON

Drawing Title: COVER SHEET & NOTES

Drawn	Date	Scale	Q.A. Check	Date
LW	MAY 2025	AS SHOWN A1	BAK	26.06.25

Designed	Project No.	Dwg. No.	Issue
BK	CC250084	C1	A



DENOTES EXISTING IMPERVIOUS AREA = 320m²

DENOTES EXISTING IMPERVIOUS AREA TO BE DEMOLISHED = 31m²

DENOTES PROPOSED IMPERVIOUS AREA = 62.4m²

PRE & POST DEVELOPED IMPERVIOUS AREA PLAN

SCALE - 1:100/A1, 1:200/A3

0 1 2 4 6 8 10m

SUMMARY

SITE AREA = 1830m²

PRE - DEVELOPED IMPERVIOUS AREA	= 320m²
POST - DEVELOPED IMPERVIOUS AREA	= 352m²
INCREASE IN IMPERVIOUS AREA	= 32m²

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0 from at full size 10cm

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GORDON

Drawing Title: PRE & POST DEVELOPMENT IMPERVIOUS AREA SUMMARY

Drawn	Date	Scale	Q.A. Check	Date
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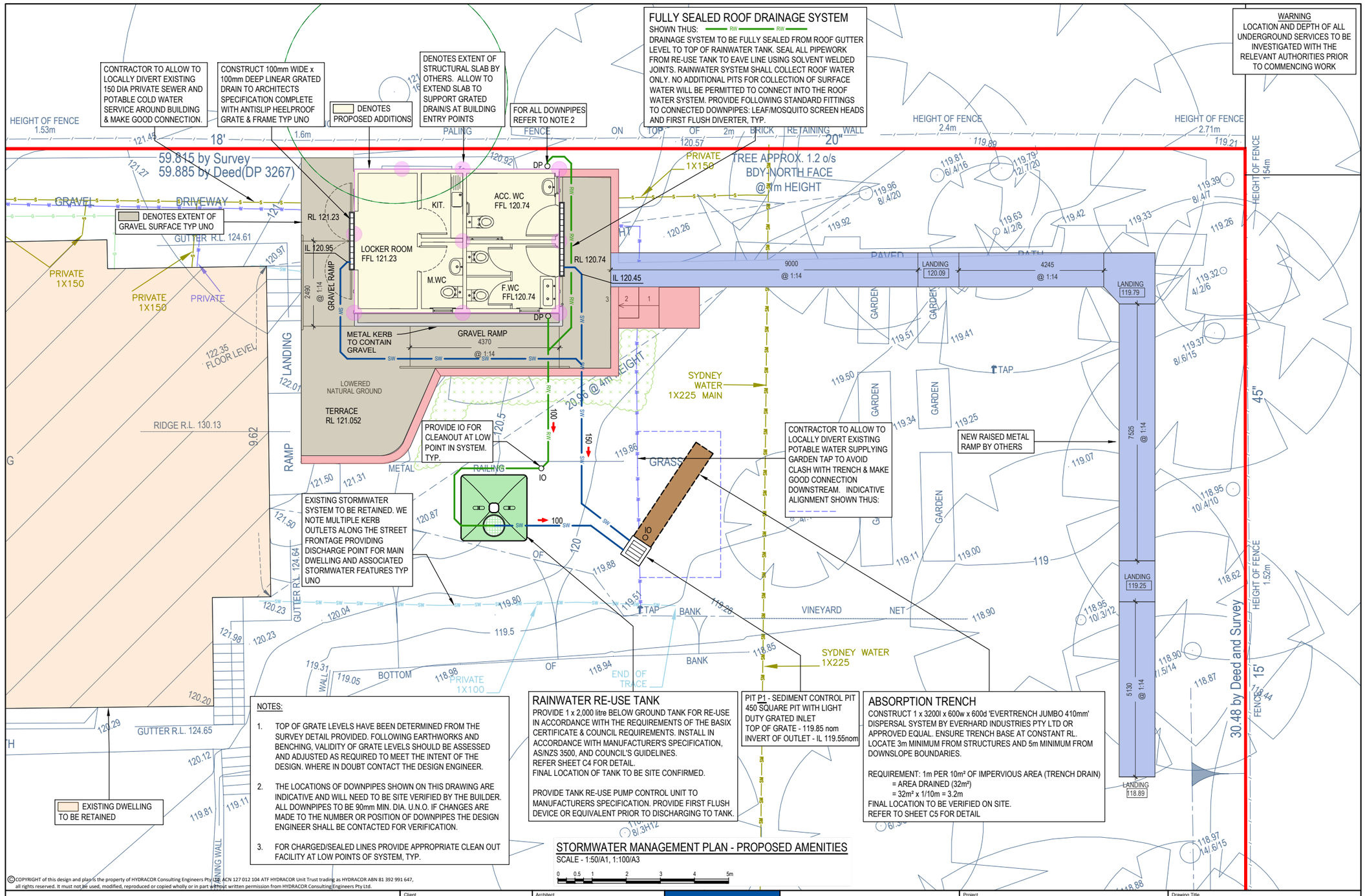
Designed	Project No.	Dwg. No.	Issue
BK	CC250084	C2	A



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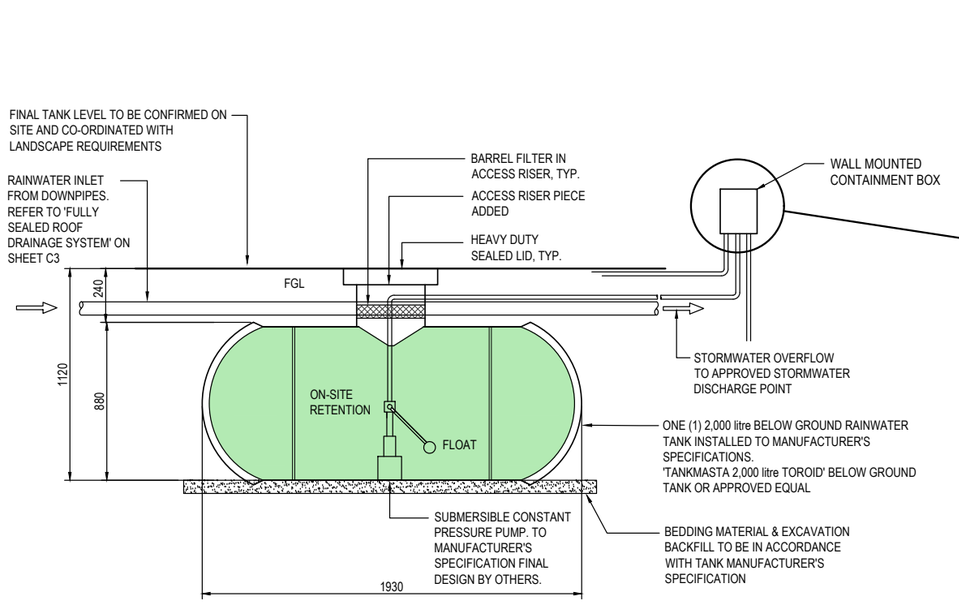
Project: PROPOSED DEVELOPMENT
(No. 707)
PACIFIC HIGHWAY
GORDON

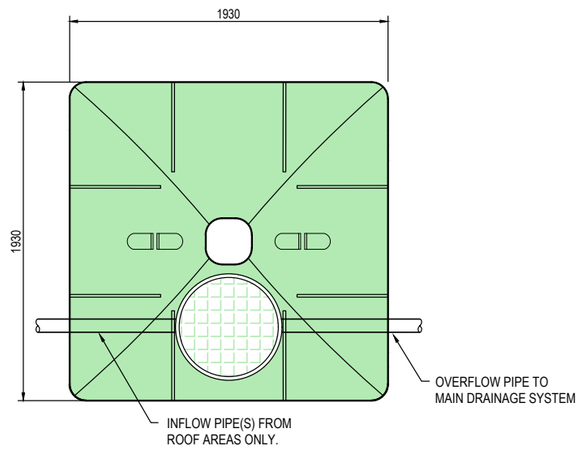
Drawing Title: STORMWATER MANAGEMENT PLAN

Drawn	Date	Scale	Q.A. Check	Date
LW	MAY 2025	AS SHOWN A1	BAK	26.06.25
Designed	Project No.	Dwg. No.	Issue
BK	CC250084	C3	A

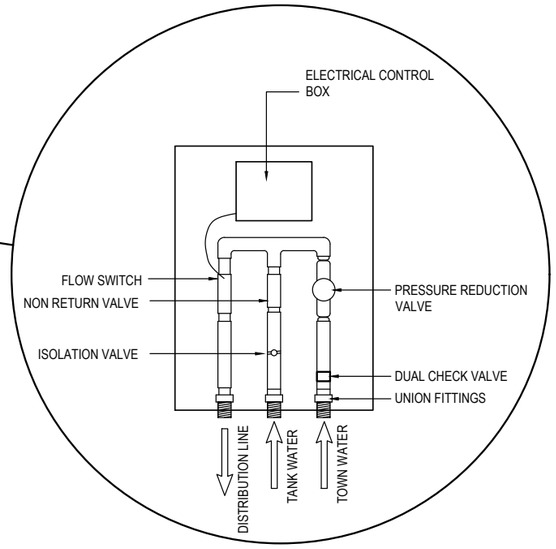


DETAIL 1 - BELOW GROUND RAINWATER RE-USE TANK ELEVATION
NOT TO SCALE

* DIMENSIONS TO BE CONFIRMED WITH MANUFACTURER, VARIATION TO BE REFERRED TO THE DESIGN ENGINEER FOR VALIDATION

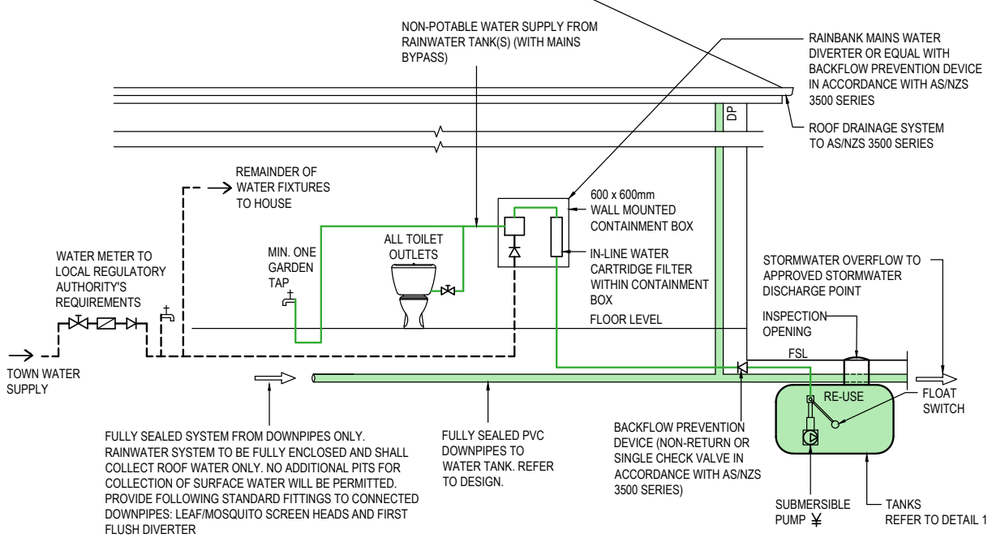


RAINWATER RE-USE TANK PLAN
NOT TO SCALE





TYPICAL WARNING SIGN
SCALE N.T.S
* EVERY EXTERNAL SUPPLY OUTLET FROM RAINWATER RE-USE TANK TO BE LABELED WITH METALLIC WARNING SIGN



BELOW GROUND RAINWATER TANK - SCHEMATIC LAYOUT
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Issue	Description	Date	Drawn	Approved
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North

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Project: PROPOSED DEVELOPMENT
(No. 707)
PACIFIC HIGHWAY
GORDON

Drawing Title: STORMWATER MANAGEMENT DETAILS - SHEET No.1

Drawn	Date	Scale A1	Q.A. Check	Date
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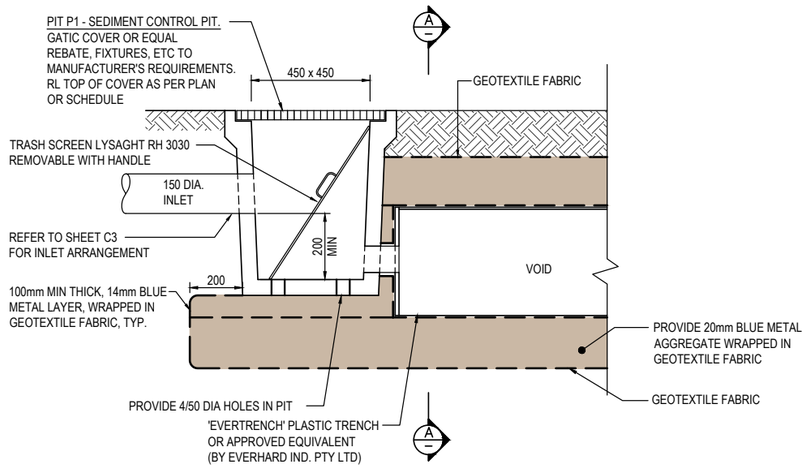
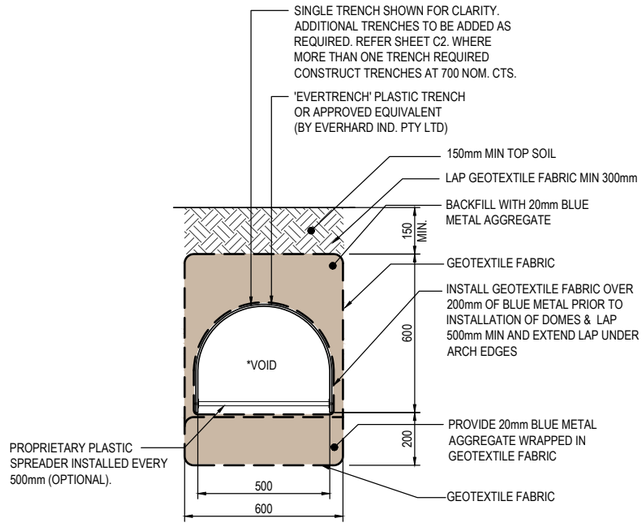
Designed	Project No.		Dwg. No.	Issue
BK	CC250084		C4	A



TYPICAL SECTION THROUGH ABSORPTION TRENCH
SCALE - 1:10/A1, 1:20/A3



SECTION A-A
TYPICAL SECTION THROUGH ABSORPTION TRENCH
SCALE - 1:10/A1, 1:20/A3

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Issue	Description	Date	Drawn	Approved
A	ISSUED FOR DEVELOPMENT APPROVAL	26.06.25	RH	BK

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Project: PROPOSED DEVELOPMENT
(No. 707)
PACIFIC HIGHWAY
GORDON

Drawing Title: STORMWATER MANAGEMENT DETAILS - SHEET No.2

Drawn	Date	Scale	A1	Q.A. Check	Date
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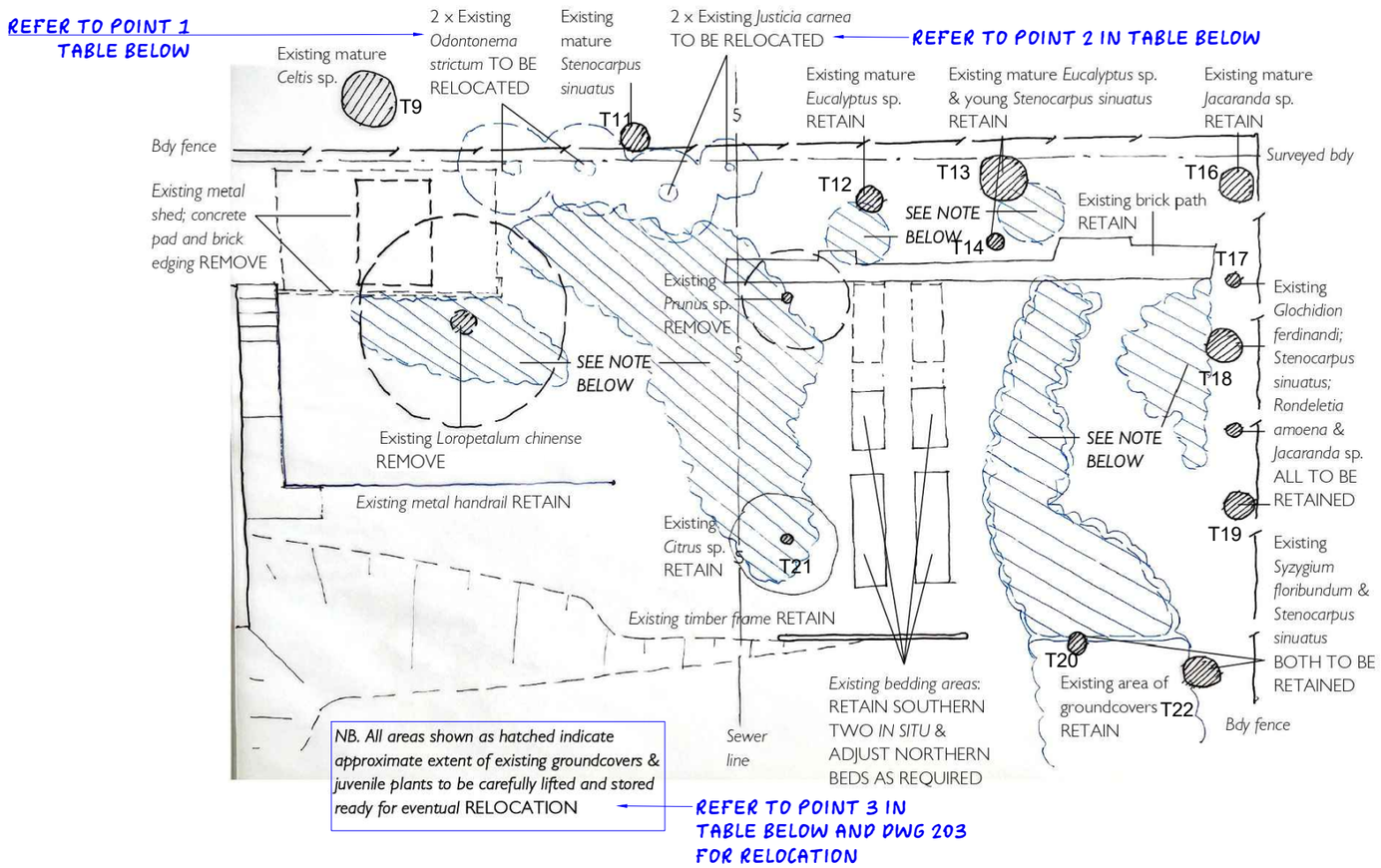
Designed	Project No.			Dwg. No.	Issue
BK	CC250084			C5	A



1 -- REAR SITE PLAN
Scale 1:1150 GEOFFREY BRITTON

PLANT RELOCATION SCHEDULE

Odontonema strictum POINT 1	Firespike	Prepare as required and relocate two mature plants from the northern boundary fence, near the existing garden shed, to a temporary holding area on-site away from direct sun. Mulch over rootball. Maintain and monitor for duration of temporary relocation period. When site construction (new ramp, amenities building, shed and paving) is complete, move plants to new locations in the spaces between the new ramp and the northern boundary, behind the new garden shed. Carry out this work under the direct supervision of an experienced and qualified horticulturist (at least AQF Level 5).
Justicia carnea POINT 2	Brazilian Plume	Prepare as required and relocate two mature plants from the northern boundary fence, near the existing garden shed, to a temporary holding area on-site away from direct sun. Mulch over rootball. Maintain and monitor for duration of temporary relocation period. When site construction (new ramp, amenities building, shed and paving) is complete, move plants to new locations in the spaces between the new ramp and the northern boundary, behind the new garden shed. Carry out this work under the direct supervision of an experienced and qualified horticulturist (at least AQF Level 5).
Various groundcovers etc POINT 3	*Clivia* sp. etc	Throughout the rear grounds there are numerous areas of existing mixed groundcovers and smalls shrubs. Those within the areas shown as hatched on this drawing DWG 201 are to be carefully lifted and moved to a temporary holding area on-site away from direct sun. Maintain and monitor for duration of temporary relocation period. When site construction (new ramp, amenities building, shed and paving) is complete, move plants to new locations shown along the new ramp etc on DWG 203 . Excess plants are to be relocated to the northern or eastern sides of the ramp as required in otherwise bare spaces. Carry out this work under the direct supervision of an experienced and qualified horticulturist (at least AQF Level 5).

NOTE:

THIS DRAWING INCLUDE THE DOCUMENTATION PROVIDED BY GEOFFREY BRITTON LANDSCAPE ARCHITECT DATED NOVEMBER 2024.

07/08/25 Date | A No. | AMENDED Amend.

LUCAS STAPLETON JOHNSON
LSJ Heritage Planning & Architecture

Lucas Stapleton Johnson & Partners Pty Ltd
Suite 303,155 King Street Sydney, NSW, 2000
Tel.: (02) 9357 4811
ACN 002 584 189 ABN 60 763 960 154
Nominated Architect: Sean Johnson (Reg. 4728)
Email: mailbox@lsjarchitects.com
Websites: www.lsjarchitects.com
www.traditionalaustralianhouses.com

© Lucas Stapleton Johnson & Partners Pty Ltd
Check all dimensions. Figured dimensions to be taken in preference to scale.

Job **TULKIYAN** ACCESS IMPROVEMENTS
707 PACIFIC HIGHWAY, GORDON

Dwg. REAR SITE SHOWING EXISTING LANDSCAPE TO BE RETAINED

Date	Scale (at A3)	Drawn	Dwg. No.
08/01/2025	1:200	EC	110430/201/A

Operational Plan of Management

Tulkiyan

Site Description

The property known as *Tulkiyan* situated at 707 Pacific Highway Gordon NSW being the whole of the land in Certificate of Title Folio Identifier 3/1/3267.

On the land is a brick, timber and terra cotta shingled house, a garden with large trees and a small gardener's shed. It is also proposed to construct an amenities block.

Operational Details

There is no parking on site. There is limited parking on the Pacific Highway and in neighbouring local streets. There is car parking in the local Council's Wade Lane carpark. This is approximately 5 minutes walk to *Tukiyan*.

Visitors to *Tulkiyan* will be encouraged to access the site by means other than private vehicle. Information on public transport will be provided on the HHA web site. The site is serviced by a rail station at Gordon (4 minutes walk) or by bus routes 196 and 197 travelling along the Pacific Highway (with a 5 minute walk from a bus stop on the route from the City).

Site Management

The site is managed under an Agreement to Operate *Tulkiyan* House between the Ki-ring-gai Council (Council) as the owner of the site and the Historic Houses Association of Australia Limited (HHA) as the service provider. That agreement sets out the maintenance obligations of both Council and the HHA and includes as an attachment a Management Act Plan 2024-25 for maintenance by the HHA.

Apart from maintenance under the Maintenance Action Plan the Agreement to Operate does contemplate the possibility of events and public access to *Tulkiyan* arranged by the HHA consistently with the Agreement to Operate and the respective Development Approval.

The HHA would operate *Tulkiyan* for events (unless there is a separate event organiser for the gardens only) and public access:

Events – no more than 12 times a year for no more than 4 hours public access per event. Where there is a separate event organiser for an event in the gardens only then that organiser will be subject to direction of the HHA, comply with the Agreement to Operate, Management Action Plan and this Operational Plan.

Public Access – supervised public access to the gardens and house would occur on no more than 14 times a year and only within the hours for entry of 10.00am to 4.00pm. Advertised access would only occur on days when the weather permitted foot traffic through the house and gardens as determined by the HHA.

Apart from events and public access staff and volunteers of the HHA will access the property in accordance with the Management Action Plan.

Departure from *Tulkiyan* – will occur no later than one hour after the specified time of access of staff, volunteers, invitees and public.

External Lighting – all external lighting will be turned off at the time of departure from *Tulkiyan*.

Noise Management – all maintenance by the HHA, events and public access will be conducted in a manner that does not result in unreasonable or unacceptable noise impacts on surrounding residents, Advice will be provided to all users of *Tulkiyan* that they are to conduct themselves in an orderly manner at all times and to limit excessive noise.

Site deliveries – all deliveries associated with *Tulkiyan* will occur during, one hour before and after the hours when *Tulkiyan* is open to the Council, the HHA staff and volunteers and events and public access.

Waste management – separate general waste and recycling bins will be provided in the gardens. All waste arising from operations must be placed within the bins provided. The HHA will arrange, when necessary, for waste bins to be available for Council collection as if *Tulkiyan* was a residential property.

Safety and security – the house and gardens will be locked outside of operating hours.

Ticketing – Where events and public access require ticketing then this will occur on-line by pre-booking with the HHA and will not take place at *Tulkiyan*.

Emergency Procedures and Access.

Prior to the operation of public access to the site, the HHA will prepare a Fire and Emergency Procedures Manual and provide training to staff and volunteers in responding to emergencies, including allocation of the role of Head/Chief Warden. The Fire & Emergency Procedures Manual will contain an Emergency Telephone Tree – who to call when – that will include Emergency Services (000) and contact numbers for appropriate HHA and Council managers. It will also identify an emergency assembly point (e.g. front lawn close to entrance gates) as well as a listing of significant objects to be removed from the house, depending on the nature of the emergency, if time allows and if it is safe to do so.

Also, a site familiarisation visit will be arranged for the local Fire Brigade prior to the operation of public access so that Brigade members are familiar with the house, its nature and contents.

Complaint Management

Objective - The purpose of this section is for grievances and/or complaints to be dealt with in a prompt and equitable manner.

Policy - HHA recognises that:

- People have a right to have grievances receive careful consideration through established processes that are supplied to them and that address the grievances with fairness and in a timely manner.
- The best resolution is one that is, where possible, reached cooperatively and informally and preferably even before lodged formally in writing.
- A person making a complaint or airing a grievance is not disadvantaged as a result of exercising this right

- A formal complaint of grievance will be considered by the HHA in a timely and confidential manner.

Procedure - Complaints and grievances should in the first instance be directed to a staff member of the HHA present at *Tulkiyan* or to a staff member at the HHA office. This communication can be in person, in writing (including by email) or by telephone. Contact telephone numbers and email addresses will be posted on notices in the grounds of *Tulkiyan*.

All complaints and grievances received will be treated as serious and assessed on the basis of the principles of open discussion, confidentiality, fairness, respect and timeliness.

The HHA will:

- Clarify the details and supply a written copy of the complaint or grievance as understood to the supplier once the details have been confirmed
- Gather information about relevant matters raised and raise possible solutions.
- Speak with the Finance and Risk Committee of the Board of the HHA about possible solutions
- Discuss possible solutions, following the deliberations and advice of the Finance and Risk Committee, with the supplier of the complaint or grievance.

Where an issue cannot be resolved to the satisfaction of the complaint or grievant then:

- The matter will be referred to the Chair of the Board of the HHA (unless the complaint directly concerns the Chair) for consideration and action
- The complainant or grievant will be advised of progress within 7 business days of receipt by the Chair.
- If the Chair cannot resolve the matter to the satisfaction of the complainant or grievant then the matter will proceed to a Special Meeting of the Board and the complainant/grievant will see any papers provided to the Board and have the right to address the Board.
- The complainant/grievant will be informed by the decision of the Board in writing within seven days of the Board decision being made. That letter will also include the contact details of an office in the Council if the grievant/complainant is unsatisfied with the decision.

Protocol for breach of this Operational Plan of Management - Action taken will depend on the nature and severity of the breach but can include:

- Short or long term termination of a hiring agreement
- Requiring a person or persons to vacate *Tulkiyan*
- Closure of *Tulkiyan* for a specified period

Review/revision of this Operational Plan of Management

This Operational Plan of Management will be reviewed/revised:

- After twelve months of operation and then every second year thereafter
- If a shortcoming is identified
- If required to respond to development consents
- Following a relevant incident or complaint
- Relevant changes to legislation

A review/revision will be the responsibility of the Board of the HHA and will only take place with the consent of the Council.

Changes to the Operational Management Plan will be placed on the website of the HHA and advised to HHA staff and volunteers at *Tulkiyan*.

Version 2.0: July 2024

Tulkiyan
707 Pacific Highway, Gordon
STATEMENT OF HERITAGE IMPACT



Prepared for:
Ku-ring-gai Council

Prepared by:
Lucas, Stapleton, Johnson and Partners Pty. Ltd.
The Trust Building, Suite 303/ 151 King Street
Sydney NSW 2000
Telephone: (02) 9357 4811

August 2025

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Executive Summary

This Heritage Impact Statement (HIS) provides an analysis of a proposal for a change of use and associated works at Tulkiyan, 707 Pacific Highway, Gordon.

Tulkiyan (c1913) is a fine Arts & Crafts style suburban villa, designed by architect B.J. Waterhouse of the architectural firm Waterhouse and Lake. The place is listed as a heritage item on the NSW State Heritage Register (SHR no. 01733). The place is also listed as a heritage item on Schedule 5 of the *Ku-ring-gai Local Environmental Plan (LEP) 2015* (Item no. I11).

A conservation management plan for Tulkiyan was prepared by NBRS in 1998. An updated draft CMP was prepared by Robert Griffin Heritage and Conservation in September 2021.

Tulkiyan is owned by Ku-ring-gai Council and managed by Historic Houses Association of Australia.

The proposal involves a change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, the addition of an amenities building, stormwater management upgrades, and associated works.

These works will support the ongoing use and maintenance of the place and further promote the cultural significance of the place to the local community.

Potential impacts as a result of the proposed alterations and additions have been minimised as per the following:

- All new works are reversible.
- The new entry ramp is freestanding and will not result in any physical changes to the original fabric of the entry porch.
- Locating the new entry ramp to provide access into the house via the front door ensures that all original external doors are to be retained.
- Changes to ground levels to accommodate the new amenities building, including the new terrace, are minimal and reversible and are utilising the same materials palette already in use throughout the grounds (gravel surfaces and brick edging).
- The new amenities building and rear ramp have been located to avoid those areas of the site that contain elements of higher significance and to ensure the retention of established trees and principal landscape features in the rear garden. The method of construction for these new structures have been developed to avoid adverse impacts on trees and the landscape character of the place.
- The new amenities building has been designed to interpret the former garage in form, style, materials and detailing.
- Equitable access into the house is limited to ground floor level only and will require only minor alterations to the hinges of two doors and the addition of a portable step ramp.

The proposal meets the requirements of the conservation policies of the *Tulkiyan Draft Conservation Management Plan* (Robert Griffin Heritage & Conservation, 2021) and have been proposed to support the terms of the Donaldson Bequest which stated that the house was to be used ‘in the best interests of the residents of Ku-ring-gai municipality as a worthwhile community enterprise’.

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Appendix 1: Discussion of Alternative Solutions and Resolutions

1. Introduction

This Statement of Heritage Impact (SoHI) has been prepared in support of an Integrated Development Application via Ku-ring-gai Municipal Council (KRG Council) for Tulkiyan, 707 Pacific Highway, Gordon.

The proposal involves a change of use from a dwelling house to an Information and Education Facility (house museum), access upgrades, the addition of an amenities building, stormwater management upgrades, and associated works.

Tulkiyan (c1913) is a fine Arts & Crafts style suburban villa, designed by architect B.J. Waterhouse of the architectural firm Waterhouse and Lake. The place is listed as a heritage item on the NSW State Heritage Register (SHR no. 01733). The place is also listed as a heritage item on Schedule 5 of the *Ku-ring-gai Local Environmental Plan (LEP) 2015* (Item no. I11).

The property is in the ownership of Ku-ring-gai Municipal Council and is managed by the Historic Houses Association of Australia Inc. as a house museum. However, since c2021, the place has been closed to the public.

1.1. Report Authors

This report was prepared by Kate Denny and Sean Johnson (see attached CVs). The site has been inspected numerous times by Sean Johnson in 2022 to 2025. Unless otherwise stated, photographs are by the authors.

1.2. Methodology

This report follows generally the methodology recommended by the NSW Heritage Office in *Guidelines for Preparing a Statement of Heritage Impact* (2023) and is in accordance with the *Australian ICOMOS Charter for Places of Cultural Significance (The Burra Charter*).

Two conservation management plans exist for Tulkiyan: *Tulkiyan Conservation Management Plan* prepared by NBRS, dated June 1998 and *Tulkiyan Draft Conservation Management Plan*, prepared by Robert Griffin Heritage and Conservation, dated September 2021.

A copy of both CMPs accompany this application, as the *Plan of Management* (2001) for the place refers to the earlier document, whereas this SoHI refers primarily to the latest Draft CMP.

1.3. Property Description

Tulkiyan, 707 Pacific Highway, Gordon is located on the eastern side of the Pacific Highway, within the local government area of Ku-ring-gai Municipal Council.

The subject property is a large rectangular allotment orientated east-west, that fronts the Pacific Highway (to the west), a wide, heavily trafficked road.

Development to either side of the road generally comprises large, one to two storey brick dwellings primarily dating from the Federation period, interspersed by some later development. The neighbouring properties to the north and south of Tulkiyan comprise three storey brick residential flat buildings dating from the late 20th century. Vehicular access to the property is available only from Pacific Highway.

The site contains the main building, being a two storey face brick dwelling, a gravel driveway along the northern side boundary, and a metal shed immediately to the rear of the dwelling. The front garden comprises a curved gravel path, garden beds and a grassed area which continues along the southern side of the house. The southern side of the rear garden comprises a flat grassed area that was formerly a tennis court, while the northern side of the rear garden includes a brick path, six vegetable garden beds, compost bins and incinerator. The boundary of the rear garden is lined with garden beds of primarily Clivias, and a number of established trees.

The real property definition of Tulkiyan, 707 Pacific Highway is Lot 3, Section 1 DP3267.

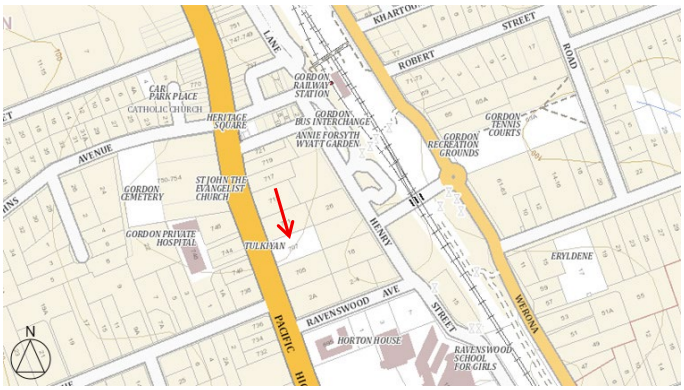

Figure 1: Map of the locality showing the location of the subject property (indicated with an arrow). Source: SIXMaps Spatial Viewer



Figure 2: Aerial view of the subject property, showing the legal allotment boundaries in red. The real property definition of Tulkiyan, 707 Pacific Highway, Gordon is Lot 3, Section 1, DP 3267. Source: SIXMaps Spatial Viewer

2. Historical Development

The following history has been drawn from the inventory sheet for the State listing for the place and the Draft CMP prepared in 2021 by Robert Griffin Heritage and Conservation. It has been edited and condensed for the purposes of this report. For the full history of the place, refer to the inventory sheet (attached), or the history contained within the CMP for the place.

Tulkiyan is located on part of the 40 acres of land granted to Michael Ansell on 30 June 1823. In 1824, the 40 acres was sold to William Fowler, who then leased it to Messrs. Giles and Ritchie. It was further mortgaged to Samuel Lyons, an auctioneer, who, in 1843, finally disposed of the property to Robert McIntosh II who was already a landowner and occupier of other substantial properties in the area.

In 1895, 30 acres of the land was offered for subdivision as the McIntosh Estate (Deposited Plan 3267). Lavinia McIntosh obtained the title to Lot 3 of Section 1 in 1906, selling it to George Chapman in 1912. In 1913, Lot 3 Section 1 of the McIntosh estate was purchased by Mrs Mary Donaldson (along with three other properties located opposite Tulkiyan, between the present Bushlands Avenue and St. John's Church), wife of merchant William Donaldson, who ran the City Free Stores in Kent Street, Sydney. The land was one rood, 32 perches in area.

Shortly afterwards the Donaldsons commissioned the firm Waterhouse & Lake to design their new home. Waterhouse and Lake was formed by Bertrand James Waterhouse and John Hamilton William Lake in 1908. Together they established a substantial practice, particularly in the area of Cremorne and Neutral Bay between 1908 and 1920. The majority of works understand by the pair were large domestic residences, often in the Arts and Crafts style.

Construction began in July 1913, with Rudolph Ochs of Alfred Street, North Sydney, as builder. At this time Ochs was also building Eryldene (Wilson, Neave & Berry, architects) nearby and, Waterhouse & Lake's largest commission to date, Brent Knowle, Neutral Bay. This period was the busiest for the firm, their commissions reaching a peak of sixty in 1914. Given that the cost of Tulkiyan was £2,420 when the cost of Brent Knowle, being built at the same time, was over £10,000, Tulkiyan was one of Waterhouse & Lake's more modest commissions.[1]

The design of Tulkiyan is in the Arts & Crafts style characteristic of the firm's work in this period, with steeply sloping terracotta shingled roofs, tall brick chimneys, large roof gables half-timbered with bracketed eaves or hung with terracotta shingles.[2]

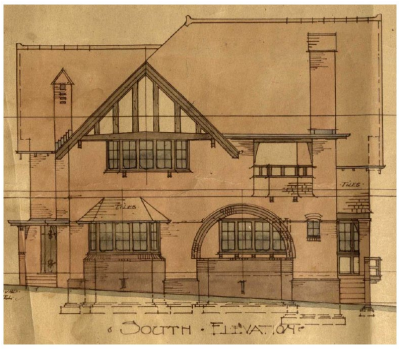

Figure 3: Front Elevation of Tulkiyan. Waterhouse and Lake, 1913. Source: Tulkiyan Collection, Ku-ring-gai Council

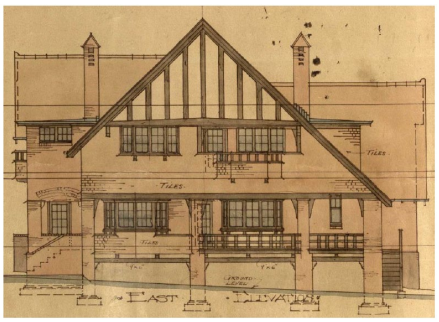

Figure 4: Side (south) elevation of Tulkiyan. Waterhouse and Lake, 1913. Source: Tulkiyan Collection, Ku-ring-gai Council

[1] Conservation management plan, Robert Griffin, 2021
[2] Conservation management plan, Robert Griffin, 2021

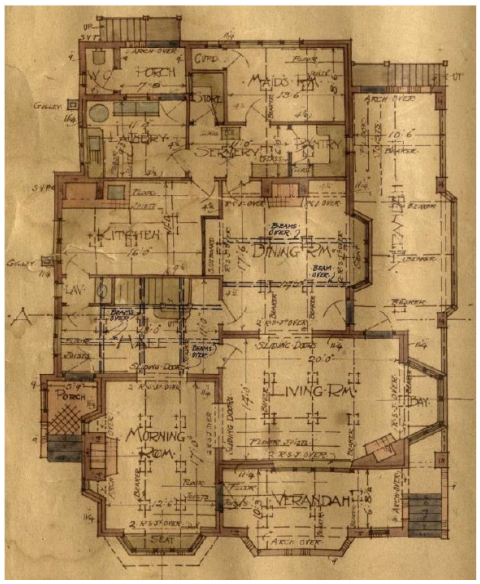

Figure 5: Ground floor plan of Tulkiyan. Waterhouse and Lake, 1913. Source: Tulkiyan Collection, Ku ring-gai Council

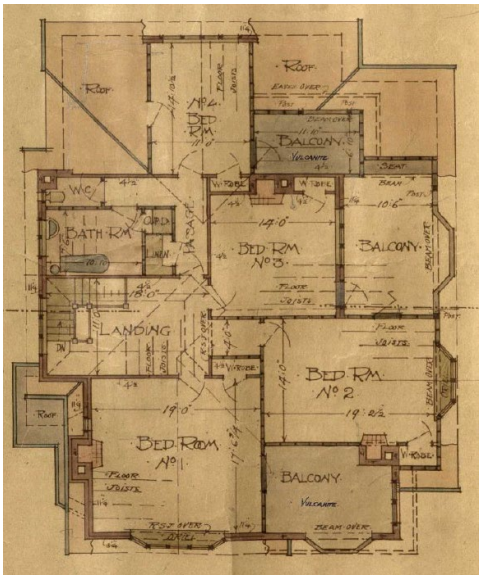

Figure 6: First floor plan of Tulkiyan. Waterhouse and Lake, 1913. Source: Tulkiyan Collection, Ku-ring-gai Council

By 1916[3] a timber framed garage was built near the north-west corner of the house, to accommodate Mr Donaldson's first car, a Studebaker. The garage was not designed by Waterhouse & Lake but 'put up' by one 'Teddy'.[4] This was subsequently demolished because of termite activity.



Figure 7 (left): Front garden of Tulkiyan, c1915. Source: Source: Tulkiyan Collection, Ku-ring-gai Council



Figure 8: Rear garden of Tulkiyan, showing the garage (where a later shed is now located), c1995. Source: Ku-ring-gai Historical Society.

[3] NBRS, 1998, 12
[4] NBRS, 1998

Mary Donaldson's three children inherited the property in 1950. Margaret Helen Scott Donaldson obtained the title in 1975, on the death of her sister, Mary Isabella (Maisie), and retained it until July 1985 when ownership of the property was transferred to Ku-ring-gai Council for the use of the community[5] with a provision for life tenancy.[6] Margaret continued to live at the property until her death in 1994.

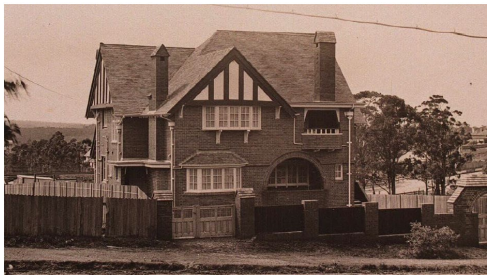

Figure 9: View of Tulkiyan from the Pacific Highway. "Another beautiful Gordon home," *The Sydney Mail*, Jun 1914. Note that the garage had not been constructed at this time, although the skillion roof of a shed is visible within the rear garden on the north side of the house.



Figure 10: Dining Room of Tulkiyan. *The Sydney Mail*, June 1914.

The Garden of Tulkiyan

Available 1914 photographs of the house and setting show a site devoid of significant vegetation. B.J. Waterhouse appears to have designed the front fence and garden incorporating, it is believed, the design of the front path to the (brick, arched) lych gate, the planting of lily pilly (*Acmena/Syzygium smithii*) on either side of the gate and the driveway entrance to an, at that time, non-existent garage (built a year after occupation).[7]

The location of the vegetable gardens, planted to the rear of the property, and the tennis court, towards the south, were also planned by the architect.



Figure 11: Tulkiyan from the southwest, 1914. Tulkiyan Collection, Ku-ring-gai Council

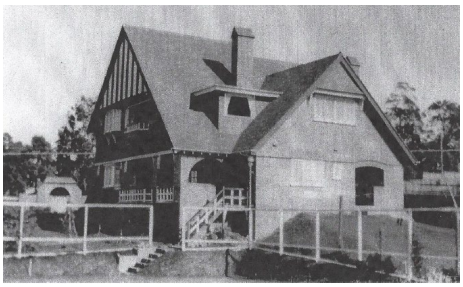

Figure 12: Tulkiyan from the south east showing tennis courts and fencing, 1914.

[5] Noel Bell Ridley Smith, 1998
[6] NBRS, 1998, 10-14
[7] Wyatt, 2007, 114).

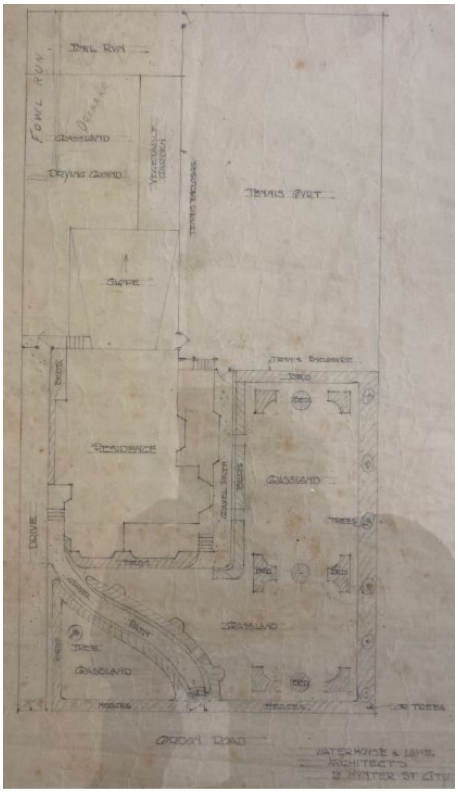

Figure 13: Plan of the garden, Waterhouse and Lake, 1914. Tulkiyan Collection, Ku-ring-gai Council

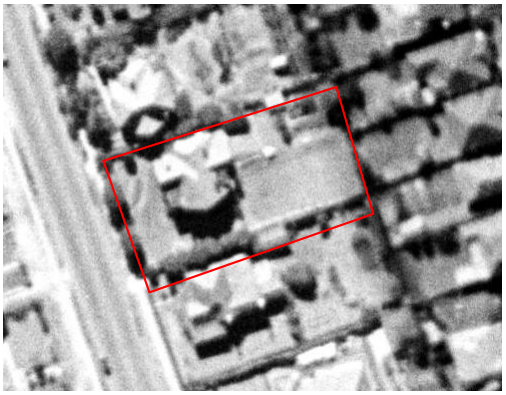

Figure 14: Aerial photo of Tulkiyan (outlined in red), showing garden configuration in 1943. Source: SIXMaps

Tulkiyan as a House Museum

Following the bequest of Tulkiyan to Ku-ring-gai Municipal Council, in May 1986 a 'Historic Buildings and Sites Advisory Committee' was formed by Council to assist in formulating a Management Plan for the place.

A detailed summary report on the property was prepared in 1987, a detailed inventory in 1994, a valuation of important artefacts in 1996, a conservation management plan in 1998, and a plan of management in 2001. Council agreed to form a committee to assist with management of the property in June 2002 and the Tulkiyan Management Advisory Committee has been active since, assisting with management issues, overseeing works associated with grant funding and the process of placing a custodian/caretaker in the house. The property was opened for public inspection on a casual basis.

Over the last decade a consensus emerged that the property was being under-used as a public asset. A number of tentative steps were attempted to overcome this situation, including recruitment of a caretaker (discontinued after a short period) and preparation of a discussion paper on the future use of the property.[8]

A detailed electronic inventory of all material held at Tulkiyan was prepared in 2002 (536 individual records) and an Interpretation Plan for the property in 2002-3.[9]

[8] Meredith Walker, 1995
[9] Museum Services Australia, 2003, 1

In 2004 Tulkiyan was opened to the public by Ku-ring-gai Council as a house museum. Public access was provided by a volunteer group, The Friends of Tulkiyan, a group that included members of the Ku-ring-gai Historical Society. The house was opened on weekends, for booked groups and school groups, and for special events such as Heritage Week.[10]

It was later closed to the public in 2012 because of public safety concerns. The Historic Houses Association of Australia (HHA) announced in late 2016 that they had entered into an agreement with Ku-ring-gai Council to manage Tulkiyan.[11]

In 2016 both the house and the collections were badly affected by a burst hot water service pipe, which caused hot water to leak throughout the ground floor over a two-week period. A major program of remediation and conservation work was undertaken in 2019 largely completed by late 2019. The house was re-opened for a special viewing by invited guests of the HHA and Ku-ring-gai Council in December 2019. During 2020 the HHA and Ku-ring-gai Council completed the remaining conservation works related to steam/water and mould damage.

Following completion of the works, Tulkiyan re-opened as a house museum and was subsequently closed due to COVID-19 restrictions. Ku-ring-gai Council is now aiming to re-open the house to the public as a house museum, hence the proposed access improvements that are the subject of this application.

3. Description of the Place

The following provides an overview of the configuration of Tulkiyan, focusing on those areas of the site proposed to be changed as a result of this proposal; that is, the driveway, the entry porch, the Servery, Kitchen and Southern Verandah doors, the rear shed, and the rear garden.

3.1. Generally

Tulkiyan is a two-storey brick residence in the Federation Arts and Crafts style, set within a suburban garden and designed in 1913 by architect B.J. Waterhouse of the architectural firm Waterhouse and Lake. The house is highly intact, both externally and internally, and retains much of its original features, finishes and furnishings.

The site falls from the northwestern corner to the southeastern corner, with a dramatic drop in level at the rear of the house.

The property is bounded by timber paling fencing along its northern, southern and eastern boundaries (of various dates) and an original face brick boundary wall with timber infill panels, with face brick lych gate and decorative timber pedestrian gate and timber driveway gates on its western boundary.

The garden also remains substantially intact to its original and early configuration, with planned garden beds bordering the front fence, the entrance path, both sides of the driveway and to the western and southern sides of the house. There are areas of lawn within the front (west), southern side and rear (east) garden areas, with the south-eastern area being the former lawn tennis court. Other features of note include sandstone retaining walls, path and steps leading to the tennis court, rows of vegetable garden beds and numerous mature trees located around the boundaries of the property and ornamental plantings scattered throughout the southern portion of the site. Ad hoc brick pathways are also located in the rear garden area.

[10] Conservation Management Plan, Robert Griffin, 2021
[11] HHA Summer 2016-17 Newsletter, 1

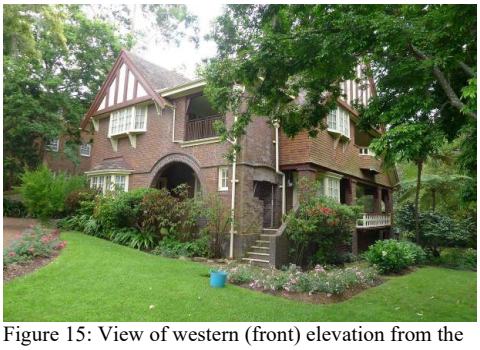

Figure 15: View of western (front) elevation from the front garden.

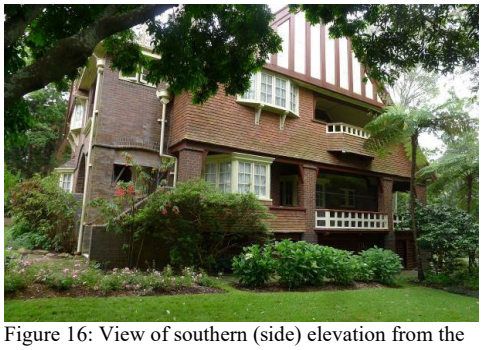

Figure 16: View of southern (side) elevation from the side garden.



Figure 17: Side (southern) garden, looking east.



Figure 18: Former tennis court area, now with plantings in its centre.

3.2. The Main Entry

The main entry to Tulkiyan is located on the northern side of the house and is recessed behind the front building line. It is accessed via two steps leading to a covered porch. The floor of the porch is red clay tiles, and the stair treads are white marble with bull nose edges. The front door to the house is located off centre to the porch landing and is accessed via a white marble threshold step.



Figure 19: Driveway along northern boundary of the property, and front entry to house.

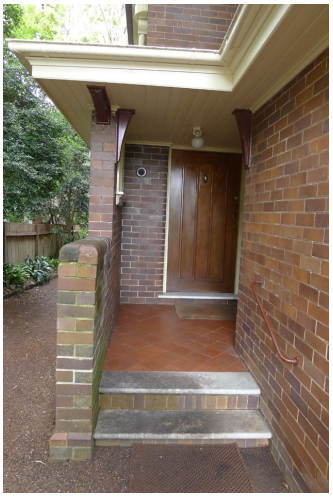

Figure 20: Front entry to house, along northern elevation of the house.

3.3. Front Garden and Driveway

The original curved front garden layout with driveway and pedestrian path survive, along with remnants of original garden features and early plantings. The pedestrian pea gravel path with brick edges is bordered by garden beds and leads from the pedestrian gate on the western boundary under a face brick lych gate, to curve diagonally to the north to connect to the driveway along the northern boundary of the site.

The driveway, also finished with red pea gravel with brick edging, runs along the northern boundary of the property, terminating at a metal shed, recently constructed in place of the former garage, immediately at the rear of the main house. The driveway is accessed through a pair of timber gates matching the pedestrian gate.



Figure 21: Existing front driveway, looking west towards the vehicular gates on the western (front) boundary.



Figure 22: View of the existing front garden from the first floor, showing existing pedestrian and vehicular access.

3.4. Rear Garden

The rear garden of Tulkiyan retains its original and early configuration in part, with evidence of a lawn tennis court (now overgrown) occupying the south-western corner of the site. The area behind the house is more utilitarian in character, with rows of vegetable garden beds, the metal shed and brick pathways, although it is less structured than it would have originally been, and ornamental plantings and trees are now dominating this area of the site.

From the back door of the house is a steep grassed area leading down to the southeast to the tennis court area. This slope is part of the original garden layout designed by Waterhouse and Lake and forms part of the land adjustments to accommodate the tennis court. A metal pipe handrail has been introduced leading from the rear entry steps onto the lawn area immediately to the rear of the house.



Figure 23: Eastern (rear) elevation of house.



Figure 24: Rear garden and rear of house, looking north.



Figure 25: View of existing shed and rear garden, looking west



Figure 26: Northeastern corner of the existing rear garden. The garden beds can be seen to the left.



Figure 27: Existing brick path



Figure 28: Existing brick path and vegetable garden beds (to be marginally relocated. The small, young tree at the centre of the photo will be removed.

3.5. The Rear Shed

Located adjacent to the northern boundary, behind the north-east corner of the main house, is a metal shed set on a concrete slab. The slab was introduced shortly after the construction of the main building to accommodate a timber framed garage, which was removed in c1995. An aluminium shed is now located on the slab.



Figure 29: Existing shed located behind the main house, near the northern boundary. The remnant concrete slab can also be seen.



Figure 30: Existing shed and rear garden beyond.

3.6. Internal Configuration of the House

The house remains intact to its original layout and retains almost all of its original finishes, furnishings and fittings throughout.

The house is divided over two floors. The ground floor comprises the principal living areas and service areas of the house, while the upper level contains three bedrooms and a bathroom. The entry to the house leads to a stair hall, from which one can access the three principal rooms: the morning, living and dining rooms. These three rooms are internally linked by double sliding doors, providing easy access between the three rooms and allow the spaces to form a larger entertaining space. Verandahs can be accessed from the living room and dining room.

There is a clear demarcation between the principal ground floor rooms and the service areas of the house, which comprise a kitchen, laundry, pantry, servery and maid's room, and which can only be accessed through the dining room or rear entry.

The upper level can be accessed via stairs in the main hall, to an upper landing which provides access to each of the bedrooms and bathroom.



Figure 31:Entry hall and stairs on ground floor



Figure 32: Living room. The morning room can be seen beyond the sliding doors.

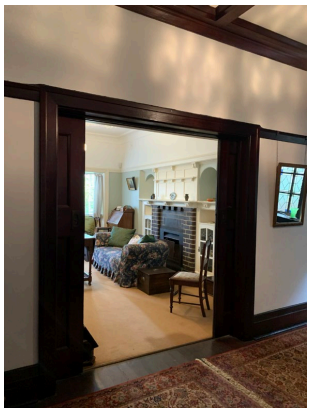

Figure 33: View into the morning room from the entry hall.

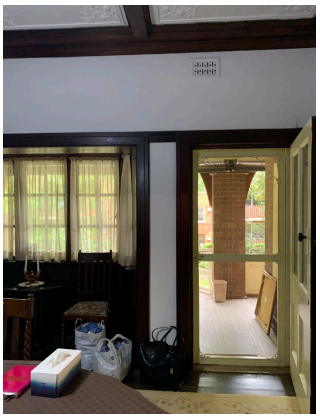

Figure 34: Dining room, and door to southern verandah.



Figure 35: Laundry

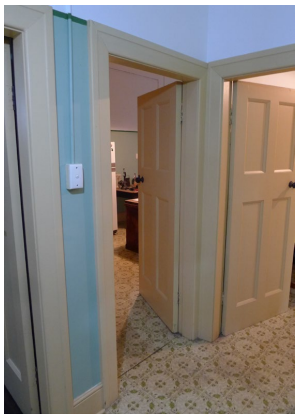

Figure 36: Servery, with doors leading to the dining room, kitchen, and laundry.

4. Significance of the Place

4.1. Existing Heritage Status

Tulkiyan is listed as a heritage item on the State Heritage Register (SHR no. 01733). The place is also listed as a heritage item on Schedule 5 of the *Ku-ring-gai Local Environmental Plan* (LEP) 2015 (Item no. I11).

4.2. Significance Assessment

The inventory sheet for the State Heritage listing for the place cites the following statement of significance:

Tulkiyan is of State significance as an important, intact example of a fine Arts & Crafts suburban villa, designed by eminent Edwardian architect B.J. Waterhouse of the architectural firm of Waterhouse and Lake, for a prominent local family. The design of the house, together with their contents, represent the taste and lifestyle of the upper middle class in Sydney prior to World War 1, and document the building's ownership and occupation by the Donaldson Family for 80 years with a minimum of alteration from the original 1913 house. The ownership has remained in the one family from the commissioning of the architect to its bequest to Ku-ring-gai Council by Miss Margaret Donaldson in 1985. The largely intact interior is furnished with most of the original contents of the house. There is comprehensive documentary evidence relating to the house, family, contents and garden. The house and its garden setting also represent the suburban expansion of Gordon during the early twentieth century.

The Draft CMP for the place prepared by Robert Griffin Heritage & Conservation, dated September 2021 includes the following Statement of Significance:

Tulkiyan is of State significance as an important, intact example of a fine Arts and Crafts suburban villa, designed by the eminent architectural firm of Waterhouse & Lake, for a prominent local family. The design of the house, together with the contents, reflect the taste and lifestyle of an upper middle class family in Sydney from 1913 to 1994 and document the building's ownership and occupation by the Donaldson family for 80 years with a minimum of alteration from the original 1913 house.

The ownership has remained in the one family from the commissioning of the architect to its bequest to Ku-ring-gai Council by Miss Margaret Donaldson in 1985. The largely intact interior is furnished with most of the original contents of the house as well as an overlay of furnishings, decorative arts and objects that reflect changing tastes and fashions during eighty years of the twentieth century. The garden, which retains much of its original layout, contains similar evidence of layering, including some of the original 1914 plantings; a collection of shrubs and plants that reflect Interwar horticultural tastes; and an extraordinary collection of Australian rainforest tree species planted from c.1950, well ahead of the later twentieth century horticultural fashion for Australian native species.

There is comprehensive documentary evidence relating to the house, family, contents and garden, including detailed purchase invoices relating to furniture, furnishings, appliances, garden plantings and rare documentation of the original 1914 suburban garden. The house and its garden setting also represent the suburban expansion of the north shore of Sydney, and specifically Gordon, during the early twentieth century.

4.2.1. Gradings of Significance

The Draft CMP (2021) for the place does not provide overall significance gradings for the various spaces. It does however provide significance gradings for the 'volumes' of individual rooms as well individual features and fabric within each room and within the grounds. The significance gradings for the volume and element relevant to this proposal have been identified and reproduced below:

Area / Space	Element	Significance
Front entrance porch	Volume	Exceptional
	Earthenware tiled floor	Exceptional
	Brick stairs	Exceptional
	Painted metal handrail	Exceptional
Interior – general elements	Interior doors	Exceptional
Grounds	Overall form, with paths, driveway, garden beds and lawn areas	Exceptional
	Pedestrian path and driveway	Exceptional
	Garden beds	Exceptional
Rear (east) garden	Overall form, with tennis court, garage area, garden beds and lawn areas	Exceptional
	Brick paths, compost bins and incinerator	Exceptional
	Garage footing and base	Exceptional
	Garden shed	Intrusive
	Garden beds	Exceptional
	Plantings – tree species along southern eastern and northern boundaries c1950-1970	Exceptional

5. The Proposal

5.1. Documents Describing the Proposal

The proposed works are described in the following documents:

- Architectural drawings by Lucas Stapleton Johnson and Partners, dwg. nos. 1104030/200 to 208
- Survey plan, prepared by Craig and Rhodes, dwg. no. 17610T01 (00)
- Services plan, prepared by Locators Utility Surveys, dwg. no. 240603/A
- *Accessibility Assessment*, prepared by Accessibility Solutions
- *Traffic and Parking Impact Assessment,* prepared by Express Traffic Engineering Solutions
- *Root Mapping Report*, prepared by Glenyss Laws Consulting Arborist
- *Arboricultural Impact Assessment Report*, prepared by Glenyss Laws Consulting Arborist
- *Baseline Archaeological Assessment*, prepared by Curio Projects
- *Stormwater Management Plans,* prepared by Hydracor Consulting Engineers
- *Tulkiyan: Museum Operational Requirements*, prepared by Historic Houses Association of Australia

5.2. Summary of Proposal

The current proposal involves the following:

Proposed Scope of Works	
Change of Use	
1.	Change of use from a dwelling to a house museum (Information and Education Facility)
Access improvements	
The Grounds	
2.	Adjust ground level of driveway at eastern end to meet floor level of new amenities building and relay existing gravel over.
3.	Adjust ground levels at rear (east) of house to form new terrace with low brick retaining wall, with gravel surface to match, to provide level access to proposed rear ramp and small gathering space.
4.	Construct new brick landing to eastern side of new terrace leading to east garden.
5.	Construct new lightweight metal ramp with GRP flooring on metal posts and concrete piers with handrail leading from new terrace to the east and then south to connect to former tennis court. Retain existing brick path under.
The House	
6.	Construct new lightweight metal ramp with GRP flooring and metal handrail on northern side leading from driveway to entry porch over existing entry steps and landing.
7.	Provide offset hinges to servery and kitchen doors to increase the width of the existing door openings.
8.	Provide portable step ramp to door between dining room and SE verandah.
New amenities building	
9.	Remove existing concrete slab (former garage).
10.	Introduce new stepped, suspended concrete slab supported on concrete piles.
11.	Construct new single storey amenities building, containing locker room, kitchenette, and toilets on new terrace to rear of house with fully sealed roof drainage system.
12.	Remove existing metal shed.
Landscaping	
13.	Remove one Chinese fringe flower *Loropetalum Sinense* tree (Tree T10) to accommodate new amenities building.
14.	Remove existing *Prunus* sp. (Tree T15).
15.	Relocate two Firespike shrubs (*Odontonema strictum*), two Brazilian plume shrubs (*Justicia carnea*) and existing ground cover (*Clivia* sp.) to base of brick retaining wall to new gravel terrace and along new rear ramp.
Stormwater management upgrades	
16.	Provide one (1) 2,000 litre below ground rainwater re-use tank within rear garden.
17.	Construction one (1) absorption trench within rear garden.

5.2.1. Opportunities and Constraints

The purpose of these works is to provide equitable access to the ground floor level of the house and grounds to ensure that, as part of the use of the place as a house museum, Tulkiyan is accessible to all visitors and that appropriate amenities are provided. The following briefly outlines the key opportunities and constraints of the site that have been considered as part of the development of the current proposal. For a full discussion, including alternative solutions that were considered, and proposed design resolutions, refer to Appendix 1.

Key opportunities:

- Relatively flat access along the driveway leading to the front entry steps and to the location of the former garage immediately at the rear of the house.
- Driveway gates are wide enough to allow for wheelchair access.
- The main body of the house (Entrance Hall, Morning Room, Dining Room and Living Room) can support equitable access and wheelchair access without any change due to the double door openings between these principal rooms.
- The width of the front door and the external doors to the Living Room and Morning Room (via the western and southern verandahs) are wide enough to allow for wheelchair access.
- Only minor changes to the doors to the Servery and Kitchen are required to accommodate the majority of wheelchair users.
- A garage was previously located within the rear yard on the northern side of the house.
- The relatively flat area of the former tennis court within the rear and side (southern) garden areas.

Key constraints:

- The high level of intactness of the building internally and externally.
- The house is elevated above ground level requiring access into the building via a short flight of steps to the entry porch.
- All entry doors are located one step (200mm) above the adjacent verandahs or porch landings.
- The front door is offset from the steps up to the porch.
- The width of the rear door prohibits wheelchair access.
- The steep slope of the topography from the rear of the house and the eastern end of the driveway down to the southeast of the garden.
- The number of existing trees on the site and on the adjacent property to the north.
- Existing services located along the northern boundary of the site.

6. Assessment of Heritage Impacts

The form and methodology of this report follows the general guidelines for statements of heritage impact outlined in the publication *Guidelines for Preparing a Statement of Heritage Impact*, Heritage NSW, 2023.

6.1. Assessment Methodologies

An appropriate assessment methodology is to consider the details of the proposal against the Statement of Significance included in the State Heritage Register inventory sheet for the place (Assessment 1).

In addition, the proposal will also be considered against the policies contained within the Draft CMP for the place, dated 2021 and prepared by Robert Griffin Heritage and Conservation (Assessment 2).

In this case, the publication *Guidelines for Preparing a Statement of Heritage Impact* (2023), identifies a number of questions that should be considered in a Statement of Heritage Impact (Assessment 3).

The detailed provisions of the *Ku-ring-gai Development Control Plan* 2023 in relation to heritage and other planning considerations are addressed in the *Statement of Environmental Effects* accompanying this submission.

6.1.1. Assessment 1: Statement of Significance

Significance Criteria	Comment
Criteria a) Historical Significance Tulkiyan is of State and local significance as the house and its contents form a unique representative collection that demonstrate the lifestyle and taste of the upper middle class in suburban Sydney during the early decades of the twentieth century. Tulkiyan is of local significance as the house represents the early phase of residential subdivision in the suburb of Gordon early in the twentieth century. It is associated with the Donaldson family, in particular Mrs Margaret Donaldson, nee Scott, and her children.	The proposed works involve the formal change of use of Tulkiyan to a house museum. In this way, the State significance of the house, its garden setting and contents is able to be appreciated by the public. Minor works are required to facilitate the use of the place as a museum, including the provision of equitable access via a ramp to the front door, ramp access through the rear garden and the addition of an amenities building for visitors. Minimal works are being undertaken to the interior of the house involving only the replacement of hinges of two doors to adjust the direction of their swing to facilitate wheelchair access. All proposed works are reversible and will make only minor impacts on the exterior presentation of the place and on the significant fabric of the house and grounds. The place will continue to demonstrate the lifestyle and tastes of the upper middle class in suburban Sydney during the early decades of the 20th century and the historical significance of the place will be retained and conserved. No changes are proposed to the existing allotment boundaries of the place and the place will continue to represent the early phase of residential subdivision in Gordon. Associations with the Donaldson family will be retained and are conserved by way of the contents of the place, which will be maintained for future generations and able to be appreciated by the public.

Significance Criteria	Comment
Criteria b) Historical Association Significance Tulkiyan is of State and local significance for its ability to demonstrate through physical and documentary evidence the eighty year ownership and occupation of the Donaldson family, who originally commissioned Tulkiyan. Tulkiyan is of State significance as an important and intact example of the work of the eminent architect Bertrand James Waterhouse, OBE, FRIBA, LFRAIA (1876 - 1965). Waterhouse is regarded as the most significant domestic architect to emerge in NSW in the decade immediately before the First World War……. Tulkiyan is of local significance for its association with the Donaldson family, in particular Mrs Mary Donaldson nee Scott and her children, Mary, William and Margaret. Margaret Donaldson (1903 - 1994) who bequeathed the house and its contents to the community resided in the house for eighty years.	The proposal involves minor alterations to the exterior and minimal works to the interior of the house to facilitate equitable public access and provide amenities for use of the place as a house museum. External works involve the addition of a lightweight metal ramp leading to the front door, an amenities building in the location of the former garage and a rear ramp providing access into the garden. None of the proposed works will be visually distracting in views of the place from the Pacific Highway. The overall form, scale, detailing and materials of the house will be retained and conserved and Tulkiyan will continue to be recognised as a distinctive Arts and Crafts style house and an important and intact example of the work of B.J. Waterhouse, architect. All new works are reversible and able to be removed in the future if required. The association of the place with the Donaldson family will be maintained enhanced by the formalised use of the place as a house museum. The use as a house museum, open to the public, is in keeping with Margaret Donaldson's bequest, which required that the house be used as a "worthwhile community enterprise" (see CMP p.169). Facilitating increased public access to the place will also allow for increased opportunities for the interpretation, commemoration and celebration of the significant historical associations at the place, as per Article 24 of the *Burra Charter*.
Criteria c) Aesthetic/Technical Significance Tulkiyan is of State and local significance as an excellent and highly intact example of the domestic work of the architect Bertrand James Waterhouse from the early years of the architectural practice of Waterhouse and Lake. It is an outstanding example of Arts and Crafts period design, arranging forms in a picturesque manner, utilising high quality materials and detail. The house and its contents form a unique representative collection of the middle class preoccupation with the later manifestations of the English Arts and Crafts movement. The house in its garden setting is visually pleasing and is a well known landmark on the Pacific Highway within the Gordon area.	The overall external appearance of the place, including its form, scale, detailing, materials and configuration will be retained as existing, and will continue to demonstrate the key characteristics of an Arts and Crafts residence designed by the notable Sydney architect, B.J. Waterhouse. The proposed works involve the introduction of new features allowing access into the ground floor level of the house and the rear garden and the introduction of a new, separate amenities building, as well as landscaping and stormwater management works. These works will not detract from or diminish the ability to appreciate the house as an excellent example of an Arts & Crafts style house, that remains located in a sympathetic garden setting. All new works are reversible and are able to be removed if so desired. The contents of the house are to be retained and maintained as per existing. Tulkiyan will continue to be appreciated as a landmark feature on the Pacific Highway and within the suburb of Gordon. The majority of the proposed works are located at the rear of the house and will not be visible from the Pacific Highway. The new access ramp leading to the entry porch is located on the northern side elevation of the house, setback from the front (west) elevation facing the Pacific

Significance Criteria	Comment
	Highway. Views of the ramp will be available when looking down the driveway into the property, however, as a lightweight metal ramp in a recessive dark colour, it will not obscure views of the house.
Criteria d) Social/Cultural Significance Tulkiyan is of local heritage significance to the community of Ku-ring-gai and the Ku-ring-gai Historical Society for its ability to reflect the tastes, values and ways of life of a single upper middle class family between 1913 - 1993. It is of social value for its place in the affections of the local community and those who knew Miss Margaret Donaldson. It is also important as a property gifted to the community by Miss Donaldson, an active member of the Ku-ring-gai community and Ku-ring-gai Historical Society.	The use of the place as a house museum will highlight the social significance of the place, as a property gifted to the community by the Donaldsons. By allowing the public to visit the place and facilitating increased public access by way of providing equitable access into the house and through the garden, the social values of the place will be reinforced and enhanced by allowing a greater number of the community to visit. The proposal supports the ongoing use of the place by the community as envisaged by Miss Donaldson. As per Article 12 of the *Burra Charter,* the conservation, interpretation and management of a place should provide for the participation of people for whom the place has significant *associations* and *meanings*, or who have social, spiritual or other cultural responsibilities for the place. The current proposal supports the ongoing participation by the local community.
Criteria e) Research Potential Tulkiyan is of State and local significance as its contents provide an excellent source of information on the lifestyle and taste of an upper middle class family in suburban Sydney between the First and Second World Wars. The house is a rare and intact work of B. J. Waterhouse and survives with its full documentation, including documentary evidence of the interior decorations and furnishings, thus allowing considerable research and education opportunities into the methods of design, construction, as well as the lifestyle of the occupants.	The proposal involves only minor changes to the place via the introduction of new elements to facilitate equitable access into the house and through the rear garden and to support the use of the place as a house museum. All new works are reversible and could be removed in the future if that was desired. The house, collection and garden setting of Tulkiyan will be retained and conserved and the considerable research and educational opportunities available at the place will be enhanced by allowing greater access to the place by the public.
Criteria f) Rarity Tulkiyan is of State and local significance as its setting and contents combine to form a rare example of an intact Arts and Crafts style residence, reflecting the tastes and lifestyle of an upper middle-class family during the inter-war period in Sydney. The architectural style and materials of the house, its well known architect, the common use provenance of the furniture, chattels and documents, and the original and uninterrupted occupation and use by a single family make Tulkiyan unique.	The rarity of the place as an intact Arts and Crafts style residence, including its setting and contents will be maintained as a result of the proposal. The house will continue to be understood as a highly intact Arts and Crafts style house, designed by a well-known architect, that together with its garden setting and contents is rare on a State level. The proposed works will not diminish or detract from the rarity values of the place and as the proposed works will facilitate and support increased public access to the place, the rarity values of Tulkiyan will be able to be appreciated by the wider community.

Significance Criteria	Comment
Criteria g) Representative Tulkiyan is of State and local significance as an excellent and intact example of the early domestic work of J. B. Waterhouse designed in the Arts and Crafts style. It is outstanding because of the integrity and condition of the house and its contents which demonstrate the lifestyle and tastes of the upper middle class in suburban Sydney during the early decades of the twentieth century. It is widely acknowledged and esteemed by the community of Ku-ring-gai and the architectural profession.	The proposed works involve the introduction of ramped access to the front door of the house, ramped access through the rear garden and the addition of a separate, discreet amenities building in the location of a former garage. All new work is reversible and is able to be removed in the future if so desired, with negligible impacts on original and early fabric or the configuration of the place. The integrity and condition of the house, its contents and garden setting will be retained and conserved and by allowing increased public access onto the site and into the house, the history, aesthetic values, social values and rarity of the place will be able to be appreciated and understood by the wider community. Tulkiyan will continue to be a representative example of the early domestic work of B.J. Waterhouse, architect and continue to be widely esteemed by the local community and the architectural profession.
Integrity/Intactness The house (and its contents) is highly intact. The garden has been compromised but physical evidence of the original path system and driveway survives. The surviving physical and documentary evidence would provide information to allow the reinstatement of the original layout and plantings.	The proposed works have been designed to be reversible and can be removed in the future. Introducing the new features to the place (ramp entry to the house, ramp access to the rear garden, stormwater management system, and separate amenities building) will result in negligible impacts on the original fabric of the house itself and no impacts on the contents of the house. The house and its contents will remain highly intact and of high integrity as a result of this proposal. As the rear garden has already undergone change, the introduction of the amenities building, ramp access and stormwater management system (including a below ground rainwater tank and absorption trench) in this area is appropriate and will not prohibit the reinstatement of the original layout and plantings of the garden in the future if so desired.

6.1.2. Assessment 2: CMP Policies

In 2021, a Draft CMP was prepared by Robert Griffin Heritage and Conservation, which been relied upon in preparing this report (a copy accompanies this application). The Draft CMP provides significance gradings for the 'volumes' of individual rooms as well as individual features. Based on the intactness of Tulkiyan, generally the fabric at the place that has been discussed in the Draft CMP has been identified as being of Exceptional significance (see Section 6.2 of the CMP which identifies gradings of significance for each element).

The individual components of the proposal have been compared against the relevant policies contained within the Draft CMP for the place, as follows:

Item	Proposal
Change of Use	
1.	***Formal change of use from a single residence to a House Museum with supervised public access to the gardens and house no more than 14 times a year, between the hours of 10.00am and 4.00pm and a limit of 12 additional events per year for no more than 4 hours per event.***

Item	Proposal
	Comment: The proposal includes the official change of use of the place to a house museum, **in keeping with Policy 10,** which states that the preferred use of the property is for museum purposes in order to: • be consistent with the terms of Margaret Donaldson's bequest • maintain the identified heritage significance of the place, including the retention of its contents *in situ* • maximise the conservation of the place as a State Heritage listed property. The works as a whole are being undertaken as an integrated approach to improving the amenity and access of Tulkiyan in support of this use, **in keeping with Policy 20,** which states that any proposed changes or developments must be considered within the context of a site as a whole.
Access improvements	
The Grounds	
2.	***Adjust ground level of driveway at eastern end of driveway to meet floor level of new amenities building and relay existing gravel over.***
	Comment: Minimal adjustments to the ground level of the driveway at its eastern end adjacent to the proposed amenities building are required to provide level access into the western entry of the new building. As the amenities building is to be constructed on suspended slabs in order to minimise impacts on existing tree roots and underground services in this area, the floor level of the amenities building will be slightly higher than the existing level of the driveway. The driveway will be raised by salvaging the top layer of gravel, re-grading the driveway and the salvaged gravel will then be re-laid over. The gravel is identified as being of moderate significance and will be retained in accordance with the cyclical maintenance plan included in Appendix 8 of the Draft CMP. The form of the driveway is identified as being of exceptional significance in the Draft CMP. Policy 11 of the Draft CMP requires any work to fabric graded as Exceptional, High or Moderate significance must be of a minor nature with little or no adverse impact on the fabric and heritage significance of the place. The minor adjustments to the levels of the driveway at its eastern end will not alter the configuration of the driveway and as the land slopes steeply down from the western (front) boundary, this area of the driveway is not visible in views from the front garden or the street owing to the changes in ground level. As such, the overall visual impact will be negligible. The adjustments to the driveway are of a minor nature and will result in no adverse impacts on the heritage significance of the place. The works are **in keeping with Policy 11.** A detailed survey of the site has been undertaken, and the original levels of the driveway could be reinstated in the future if desired. The regrading of this section of the driveway will require the first two risers of the rear steps to the back door landing to be covered over by the driveway fill and gravel surface. These rear steps are not included in the Schedule of Significance of Components in the Draft CMP. However, according to the previous CMP (NBRS, 1998), the original landing and stairs adjacent to the back door were removed. As such the existing brick steps and concrete ramp are not original. Based on this history, the rear steps are considered to be of "neutral" significance. Under **Policy 15** of the Draft CMP, change is acceptable provided that fabric and values of higher significance are not adversely affected. Obscuring these steps will not impact fabric and values of higher significance and the works are **in keeping with Policy 15.** The raised level of the driveway in this area could easily be removed in the future to reveal the first two risers of the rear steps if required.

Item	Proposal
3.	***Adjust ground levels at rear (east) of house to form new terrace with low brick retaining wall, with gravel surface to match, to provide level access to proposed rear ramp and a small gathering space.***

Comment:

The terrace is being proposed in order to provide an accessible pathway around the new amenities building to allow access into the female WC and accessible WC on the eastern side of the building, together with a viewing platform to the rear garden and former tennis courts. The terrace will also provide level access to the new ramp connected to the eastern edge of the terrace.

The terrace forms part of the necessary works to provide equitable access to the grounds of Tulkiyan and to facilitate equitable access to the new amenities building, in support of the use of the place as a house museum. This aspect of the proposal has been developed **in keeping with Policy 32 – Equitable access** of the Draft CMP.

The new terrace will require minor regrading of the ground immediately at the rear of the house and will extend to the existing metal handrail connecting to the later addition rear steps, which will be retained and integrated into the terrace.

The terrace is to have a gravel surface similar to the gravel of the driveway to integrate this new element with the existing landscaping of the grounds. A brick edging will be provided to contain the gravel. Two metal handrails will be located on the southern side of the amenities building as part of the accessible pathway leading to the WCs on the eastern side of the building. The handrails are simple in detail and will match the existing metal handrail already located further to the south.

The rear (east) garden area including the overall form, garage area, garden beds and lawn areas are graded as Exceptional significance under the Draft CMP.

Policy 11 of the Draft CMP requires any work to fabric graded as Exceptional significance must be of a minor nature with little or no adverse impact on the fabric and heritage significance of the place.

The proposed works are of a minor nature involving minimal adjustments to the existing ground levels at the rear of the house and introducing gravel in place of lawn to an area surrounding the proposed new amenities building. This work will have no adverse impacts on fabric as all works are reversible and the heritage significance of the place will be retained. This area of the garden is not considered to be a principal, significant landscaped area, rather it is an area that forms part of the access route from the house to the tennis court and former service areas of the garden (location of former vegetable beds and chicken shed etc.). The proposed level adjustments and changes to the fabric of this area of the garden are considered to minor in nature and are **in keeping with Policy 11**.

The proposed new terrace is also **in keeping with Policy 3** which states that some adaptation may be necessary to meet the needs for future use of the house however this should be restricted to the rear yard area [and includes] informal use of the grounds for interpretation or other activities.

4.	***Construct new brick landing to eastern side of new terrace leading to east garden.***

Comment:

As per the discussion above, the rear (east) garden area including the overall form, garage area, garden beds and lawn areas are graded as Exceptional significance under the Draft CMP.

Policy 11 of the Draft CMP requires any work to fabric graded as Exceptional significance must be of a minor nature with little or no adverse impact on the fabric and heritage significance of the place.

The proposal includes the addition of a flight of two steps leading to a landing, to be constructed of recycled bricks. This work is required to provide direct access from the new terrace into the rear (east) garden.

The new brick landing with steps is minor in nature and will not result in adverse impacts on the significance of the place and is **in keeping with Policy 11**. All works are reversible, and the use of recycled bricks means that this new feature will blend into the existing landscape character of the place, as brick paths and edging are already a feature of the garden.

Item	Proposal
The new brick landing is **in keeping with Policy 3** which states that some adaptation may be necessary to meet the needs for future use of the house however this should be restricted to the rear yard area [and includes] informal use of the grounds for interpretation or other activities	
5.	***Construct new lightweight metal ramp with GRP flooring on metal posts and concrete piers with handrail leading from new terrace to the east and then south to connect to former tennis court. Retain existing brick path under***.

Comment:

It is understood that the former tennis court lawn area will potentially be used as an outdoor event space, and so providing access for people with disabilities to this area of the garden was considered necessary. In addition, the garden of Tulkiyan forms part of the significance of the place, and it is desirable that visitors be able to enjoy the gardens together with the house, in an equitable way.

Consequently, a new ramped path is proposed along the northern and part of the eastern boundary, in order to provide access to the rear garden and remnant tennis court.

This aspect of the proposal has been developed **in keeping with Policy 32 – Equitable access** of the Draft CMP.

The rear garden is graded as being of Exceptional significance and Policy 11 of the Draft CMP requires any work to fabric graded as Exceptional significance must be of a minor nature with little or no adverse impact on the fabric and heritage significance of the place.

The new ramp will result in little impacts on the significance of the place and all works are reversible.

Locating the proposed new path along the northern boundary was considered the most appropriate location for a number of reasons:

- There is an existing brick path along a portion of the northern boundary. The new path will align with this path and interpret it. The existing brick path will be retained.
- The new path links the existing driveway, proposed new amenities building, and rear garden in the shortest possible distance, reducing the need for additional paths and ramps.
- The southern side of the garden retains evidence of its original formal layout. Locating a path along the northern side was preferable to altering the southern section of the garden, which would result in a greater level of alteration to the garden.
- The new path will largely follow the natural slope.

Upon the advice of Heritage NSW, the configuration of the rear path has been redesigned to be strictly rectilinear to reflect the early order and character for this utilitarian portion of the garden.

The ramp will be constructed of lightweight metal framing with GRP moulded grating flooring, on metal posts, and concrete piles which are to be positioned to avoid tree roots. A simple metal handrail will be located on the outer perimeter of the path only. All trees and shrubs located around the new ramp are to be retained and the footings of the ramp will be obscured by the planting of relocated *Clivia* gen. from throughout the eastern garden area.

As part of the design development of the new ramp, consideration was given to terminating the ramp to run along the northern boundary of the former tennis court, as a way of interpreting the alignment of this original garden feature. However, on investigation it was found that the number of tree roots prohibited locating the footings of the ramp in this area.

A portion of the new ramp will be located over a brick path at the northeast corner of the site. The brick path dates from 1950-1970, and while it demonstrates the continued occupation of the place by the Donaldson family, does not form part of the original configuration of the garden. Regardless, this path is to be retained with the new ramp located over. The footings of the new path may marginally intrude into the southern edge of the brick path. Where this occurs, the impacted bricks will be salvaged and reused for the new brick landing to the amenities building.

Item	Proposal
The introduction of the new ramp will require the existing garden beds within the east garden to be slightly adjusted. Although the Draft CMP grades the garden beds as being of Exceptional significance, this is for their interpretive value as the Draft CMP also notes that the vegetable garden was reinstated in 2004. The configuration and dimensions of the garden beds will be maintained as a result of the new path. Their relocation will not diminish or obscure the significance of this element of the garden or the setting of the place and will continue to interpret the historic use of the place as a private residence by the Donaldson family. The proposed new access ramp in the rear garden is **in keeping with Policy 3** which states that some adaptation may be necessary to meet the needs for future use of the house however this should be restricted to the rear yard area [and includes] informal use of the grounds for interpretation or other activities.	
The House	
6.	***Construct new lightweight metal ramp with GRP flooring and metal handrail on northern side leading from driveway to entry porch over existing entry steps and landing.***
Comment: The introduction of a new access ramp leading to the main front entry of Tulkiyan is a key component of the proposal to provide equitable access to the main house in support of its use as a house museum. The *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards) is legislated under the *Disability Discrimination Act 1992* and its purpose is to make sure that people with disability (and their family members, carers and friends) have equal access to public buildings. The current proposal to provide equitable access to Tulkiyan, via the front door has been developed to meet the obligations and requirements of the DDA and the Premises Standards and allows for dignified access to the ground floor level of the house. This aspect of the proposal has been developed **in keeping with Policy 32 – Equitable access** of the Draft CMP. The proposal involves the construction of a lightweight metal ramp with GRP moulded grating flooring for a length of approximately 5.5 metres extending past the front elevation of the house by approximately 1.6 metres. A single handrail will be provided on the northern side of the ramp which will extend a further 300mm beyond the western end of the ramp. The ramp will meet a raised landing of lightweight metal with GRP moulded grating flooring that is level with the marble threshold leading into the front door of Tulkiyan. The entry porch, steps and landing are identified in the Draft CMP as being of Exceptional significance. **Policy 12** states that changes to elements of Exceptional significance must be avoided, must not be obstructed by any new works, structures or services and they must remain clearly visible. The proposed solution has been selected as it provides the best balance between providing equitable access to the house and conserving the significant aspects of the place. It is also important to maintain the front door as the principal entry to the house for all visitors. The ramp has been designed to satisfy the performance requirements D1P1 and D1P2 of the BCA (2022), in consultation with an accessibility consultant (refer to the Accessibility Assessment report accompanying this application). The ramp is to be located over the existing brick steps with marble treads and terracotta tiled landing of the entry porch to Tulkiyan. The ramp is free standing being supported on concrete piles located in the driveway under the ramp and supported on a timber structure to be placed on the landing. The supports have been designed to spread the weight evenly and are located to avoid the marble stairs entirely. No penetrations into the original fabric of the house are required to support the new ramp and all work is reversible.	

Item	Proposal
	The ramp is proposed to be setback from the northern wall of the porch by approximately 160mm in order to allow views of the original terracotta tiles and marble treads to be visible whilst accessing the ramp. The use of GRP moulded grating flooring will also allow for some views of the treads and tiles under to be perceived by users. The configuration of the ramp with raised landing is required to provide access through the front door, which is set off-centre to the entry steps (refer to Appendix 1 and Access Report for further discussion). The metal ramp is a clearly modern, lightweight structure that will sit over the existing steps and rest on the existing landing. The existing handrail will be retained to provide evidence of the steps under the ramp, and a new handrail will be located on one side only, minimising visual intrusion. This handrail will be attached to the new ramp only and will not be fixed to the house or porch. As such, the proposal **meets the requirements of Policy 12** as the steps will not be changed with no original fabric to be removed or altered; nor will they be obstructed as access to the entry porch will remain achievable, the form and materials of the steps will be retained and conserved and will remain visible whilst utilising the ramp. The approach taken for the front ramp means that removal of significant fabric is not required, **in keeping with Policy 2**, which states that there must be no removal of fabric as existing at the time of Margaret Donaldson's death (1994).
7.	***Provide offset hinges to servery and kitchen doors to increase the width of the existing door openings.***
	Comment: The use of the place as a house museum requires the provision of a greater level of equitable access to the place. However, given the high integrity of the place, the whole of the building could not be made accessible without diminishing the significance of the place by making substantial changes to the interiors of the building (i.e. installation of a lift). Instead, a compromised solution has been found that allows for access throughout the majority of the interiors of the ground floor level of Tulkiyan. Equitable access is already achievable throughout most of the ground floor level due to the existing width of the front door, and the double doors leading into the morning room, living room and dining room. Rooms that are currently not accessible are the kitchen , servery, maid's room, pantries, scullery, rear porch and ground floor WC. The current proposal allows for the servery and kitchen to be made accessible to the majority of wheelchair users, which in turn allows for the pantries, scullery and maid's room to be inspected through the door openings. This is to be achieved by providing offset door hinges to the servery and kitchen allowing for a greater door clearance without having to widen the existing openings or remove the existing doors. The proposed works are reversible and will allow for the existing doors to be reused. The existing door hinges are able to be stored on site and restored in the future if required. This aspect of the proposal has been developed **in keeping with Policy 32 – Equitable access** of the Draft CMP. The proposal results in very minor changes to original fabric and will not result in adverse impacts on the significance of the place. The potential impacts are offset by the positive outcome of supporting equitable use of Tulkiyan and increasing the accessibility of the ground floor level interiors. The proposal is **in keeping with Policy 5** which requires a cautious approach of changing as much as necessary but as little as possible.
8.	***Provide portable step ramp to door between dining room and SE verandah.***
	Comment: A portable step ramp is proposed to provide access to the SE verandah, which is accessible through the existing dining room. The step ramp is a small, foldable ramp that will only be deployed when needed and otherwise stored out of sight. It will not require the removal of any original fabric, nor obscure the significant elements of the place

Item	Proposal
and is **in keeping with Policy 12** which requires that change to elements of Exceptional significance must be avoided. The proposal has been developed **in keeping with Policy 32 – Equitable access** of the Draft CMP.	
New Amenities Building	
9.	***Remove existing concrete slab (former garage).***
Comment: Located at the eastern end of the driveway, immediately at the rear of the house, is a concrete slab that currently supports a metal shed. The slab was constructed as part of the early addition of a garage at Tulkiyan. The garage was removed in the 1990s. This location of the former garage has been selected as being the most appropriate site for the new amenities building (see discussion below), however, the new building is to have a larger footprint than the existing slab. It is therefore proposed to remove this concrete slab. The concrete slab is identified in the 2021 Draft CMP as being of Exceptional significance. The existing slab is in poor condition, being weathered with cracking, is structurally unsound and does not meet current standards to support a new amenities building. The existing slab is also not of an adequate size to support an amenities building that provides for equitable WCs. The 1998 NBRS CMP for the place identified the concrete slab as being of "considerable" significance (i.e. moderate), being compromised by later modifications. The removal of this slab will be mitigated by the design of the new amenities building, which has been located and detailed to interpret the early garage (refer below for discussion). Services are currently located under the existing slab and the amenities building is to be connected to services including water and sewer. Therefore, the existing degraded concrete slab is required to be removed and replaced with new suspended concrete slabs as part of the construction of the new amenities building in much the same location (see discussion below). **Policy 12** of the CMP notes that elements of Exceptional significance are rare or outstanding elements directly contributing to the overall significance of the place. The concrete slab is neither rare nor outstanding and makes only a minor contribution to the significance of the place as a whole. In our opinion, the concrete slab should be considered to be of Moderate significance as a modified element, as the garage which the slab originally supported was demolished, and it has little heritage value. As per **Policy 13**, minor changes to elements of Moderate significance are allowed so long as it does not adversely affect fabric and values of higher significance. The removal of the concrete slab will not result in adverse effects on fabric of higher significance, and is required to introduce a new, serviced amenities building to support the use of the place as a house museum. Its removal will be mitigated by the design of the new amenities building, which has been located and detailed to interpret the early garage, as per **Policy 48**, which notes that some adaptation (e.g. the use of the site of the former garage) also provides interpretative opportunities (see below).	
10.	***Introduce new stepped, suspended concrete slab supported on concrete piles.***
Comment: To support the proposed new amenities building, a new stepped suspended slab is to be introduced in the area of the former garage. The stepped suspended slab is required to accommodate the difference in ground levels in this location. The slab is to be set back from the northern boundary fence by approximately 600mm as requested by Council. A services diagram (Locators Utility Surveys, dwg. no. 240603/A) indicates the location of sewer, water and drainage below ground in this area and root mapping and trenching in the area has revealed the location of a number of tree roots associated with trees located on the adjacent property to the	

Item	Proposal
	north (trees T9 and T11) (refer to Root Mapping Report). The stepped slab is to be suspended to avoid impacting on tree roots and underground services in this area and the design and location of the concrete piles have been carefully located and designed by a structural engineer (refer to Footing Plan, dwg. no. S02). These works form part of the introduction of a new amenities building, which has been designed and detailed to interpret the former garage and is **in keeping with Policy 48** which notes that some adaptation (e.g. use of the site of the former garage) also provides interpretative opportunities.
11.	***Construct new single storey amenities building of FC sheeting with timber battening and corrugated metal roof, containing locker room, kitchenette, and toilets on new terrace to rear of house with fully sealed roof drainage system.***
	Comment: The current proposal includes the introduction of a new amenities building to support the use of the place as a house museum. The new amenities building is required to provide additional facilities for operators of the museum, to avoid having to use the facilities located within the house. These facilities include a locker room, kitchenette and WCs. The WCs and locker room are also being provided for use by visitors to the place and include an accessible toilet. The proposal has been developed **in keeping with Policy 32 – Equitable access** of the Draft CMP. The construction of an amenities building on the site of the former garage is **in keeping with Policy 3** of the Draft CMP which notes that some adaptation may be necessary to meet the needs for future use of the house however this should be restricted to the rear yard area. This includes construction of an amenities block, on the site of the former garage. The amenities building has been designed to interpret the form, scale, appearance and materials of the original garage (based on historic photographs) and it is desirable and appropriate that the new building be located in the same or similar location as the original garage, to strengthen this interpretation and lessen any confusion. A timber framed garage was constructed to the northeast of the house in 1916 (see Figure 2.27 in Draft CMP and Figure 8 above). It was removed in the 1990s. The new amenities building has been detailed to interpret the 1916 garage, utilising battened walls clad in fibre cement sheeting and a metal roof. The double doors interpret the original garage doors. The amenities building is a small, single storey structure located behind the existing house and will not obscure views of the existing house or its significant elements as seen from the Pacific Highway. The amenities building comprises a lightweight steel stud framed structure supported on concrete piers. The piers have been located so as to avoid existing roots and subsurface services (notably, the northwestern corner is cantilevered to avoid roots in this location, as revealed by root mapping undertaken). The works are **in keeping with Policy 48,** which states that some adaptation (e.g., use of the site of the former garage) provides interpretive opportunities and is therefore appropriate.
12.	***Remove existing metal shed.***
	Comment: A portable metal shed is currently located on the concrete slab that original held the garage. This metal shed is a later addition to the place and is graded as being Intrusive in the Draft CMP. As per Policy 16 Intrusive elements detract from the overall significance of the place. They should be removed when possible. The metal shed is to be removed as part of this proposal and is **in keeping with Policy 16**.

Item	Proposal
Landscaping	
13.	***Remove one Chinese fringe flower Loropetalum Sinense tree (Tree T10) to accommodate new amenities building.***
Comment: One *Loropetalum Sinense* tree will need to be removed in order to accommodate the new amenities building. This tree has not been identified within the CMP as being of significance (note that only plantings of Exceptional significance were identified) and has been identified as being "less critical for retention" in the Aboricultural Impact Assessment Report (Feb 2025). The tree was planted after 1987 as it does not appear in a site plan of the place prepared at that time. As such it does not form part of the original configuration of the rear garden. It's removal will not diminish the landscape character of the rear garden or result in adverse impacts on the significance of the place.	
14.	***Remove existing Prunus sp. (Tree T15).***
Comment: The Prunus (Tree 15- Flowering Cherry) is identified as a young self-sown specimen that falls within the footprint of the proposal to move the raised garden beds to accommodate the new rear ramp. This tree has not been identified within the Draft CMP as being of significance and has been identified as being "unsuitable for retention" in the Aboricultural Impact Assessment Report (Feb 2025). The removal of this tree will have no impact on the landscape character of the rear garden or result in adverse impacts on the significance of the place.	
15.	**Relocate two Firespike shrubs (*Odontonema strictum*), two Brazilian plume shrubs (*Justicia carnea*) and existing ground cover (*Clivia* sp.) to base of brick retaining wall to new gravel terrace and along new rear ramp.**
Comment: Some plantings will be required to be relocated to accommodate the ramp and will be replanted along perimeter of the ramp to minimise the visual impacts of the ramp and obscure views of its footings. Plantings identified in the Draft CMP as being of Exceptional significance are those that were planted 1950s to 1970s. Other plants around the northern and eastern boundary of the site are considered to be of Neutral significance. The *Clivia* and other groundcover and shrubs identified to be relocated are later additions (post 1985) to the place and are considered to be of Neutral significance. Policy 15 notes that change to fabric of Neutral significance is acceptable provided that fabric and values of higher significance are not adversely affected. The relocation of the nominated shrubs and groundcover will have no impact on fabric of higher significance and their relocation will maintain the existing landscape character of the rear garden.	
Stormwater management upgrades	
16.	**Provide one (1) 2,000 litre below ground rainwater re-use tank within rear garden.**
Comment: As required by KRG Council a stormwater design has been prepared in accordance with Part 24 of the KDCP 2024 which includes the provision of a below ground rainwater re-use tank. The tank is to be located immediately south of the new amenities building and only the access hatch will be visible, laying flush in the lawn. The Draft CMP identifies the overall form and lawn areas of the rear garden of Tulkiyan as being of Exceptional significance. **Policy 3** states that the existing physical form and layout of the [rear] grounds – paths, driveway, garden beds, former tennis court - is to be preserved.	

Item	Proposal
	The rear garden is to be conserved to maintain the evidence of its use during the Donaldson's occupancy, including preservation of the Donaldson's plantings and their adaptations such as the concrete path with metal handrail, brick path and incinerator/compost bins. Some adaptation may be necessary to meet the needs for future use of the house however this should be restricted to the rear yard area. This includes construction of an amenities block, on the site of the former garage; or informal use of the grounds for interpretation or other activities. The proposed below ground rainwater tank is necessary to meet the needs for the future use of the house and to support the introduction of a new amenities building. As it will be located below the ground level, the form of the rear garden is able to be reinstated following excavation and construction. As such the proposed works will have negligible impact on the form and lawn areas of the rear garden and complies with Policy 3 of the Draft CMP. As excavation will be involved, **Policy 46** also applies which requires the involvement of an archaeologist if excavation of 300mm of deeper is to be undertaken. A *Baseline Archaeological Assessment* (Curio Projects) accompanies this application and concludes that the likelihood of disturbing relics as a result of the proposed excavation is very low, as the areas to be excavated have nil to low archaeological potential. Regardless, as the property is a State heritage item, the provisions of the *Heritage Act* 1977 and the requirements around uncovering historical relics apply and an Unexpected Finds Procedure is included in the report for implementation during construction.
17.	**Construction one (1) absorption trench within rear garden.**
	Comment: As per the above discussion, and as required by KRG Council, a stormwater design has been prepared in accordance with Part 24 of the KDCP 2024 which includes the provision of an absorption trench within the rear garden. The trench is to be located to the southeast of the new amenities building within the lawn area, 150mm below the level of the lawn. The Draft CMP identifies the overall form and lawn areas of the rear garden of Tulkiyan as being of Exceptional significance. **Policy 3** states that the existing physical form and layout of the [rear] grounds – paths, driveway, garden beds, former tennis court - is to be preserved. Some adaptation may be necessary to meet the needs for future use of the house however this should be restricted to the rear yard area. The proposed absorption trench is proposed to meet the requirements of Part 24 of the KDCP 2024 and will assist in capturing stormwater over land flow and maintaining the garden. As it will be located below ground the ground level, the form of the rear garden is able to be reinstated following excavation and construction. As such the proposed works will have negligible impact on the form and lawn areas of the rear garden and complies with Policy 3 of the Draft CMP. As excavation will be involved, **Policy 46** also applies which requires the involvement of an archaeologist if excavation of 300mm of deeper is to be undertaken. A *Baseline Archaeological Assessment* (Curio Projects) accompanies this application and concludes that the likelihood of disturbing relics as a result of the proposed excavation is very low, as the areas to be excavated have nil to low archaeological potential. Regardless, as the property is a State heritage item, the provisions of the *Heritage Act* 1977 and the requirements around uncovering historical relics apply and an Unexpected Finds Procedure is included in the report for implementation during construction.

6.1.3. Assessment 3: Questions to be Considered

The document *Guidelines for Preparing a Statement of Heritage Impact* (Dept. of Planning & Environment, 2023) puts forward a number of questions to be considered in a Statement of Heritage Impact. Relevant questions have been addressed below:

Heritage NSW Question	Comment
Alterations and Additions	
Do the proposed works comply with Article 22 of The Burra Charter, specifically Practice note article 22 — new work (Australia ICOMOS 2013b)?	Article 22 of the Burra Charter states: *22.1 New work such as additions or other changes to the place may be acceptable where it respects and does not distort or obscure the cultural significance of the place, or detract from its interpretation and appreciation.* The cultural significance of Tulkiyan is that it is a highly intact and fine example of an Arts & Crafts style house designed by noted architect B.J. Waterhouse that remains located in its garden setting. The significance of the place is enhanced by the contents, which together with the design of the house, represent the taste and lifestyle of the upper middle class in Sydney prior to World War 1. The proposed works involving the addition of access ramps and an amenities building respects the cultural significance of the place and does not distort or detract from its interpretation. The alterations and additions are being proposed to facilitate equitable access into the ground floor of the house and into the garden in order to allow for the community to continue to appreciate the historical, aesthetic and associational significance of the place. *22.2 New work should be readily identifiable as such, but must respect and have minimal impact on the cultural significance of the place.* All new work will be readily identifiable, and all new work is removable in the future if that was so desired. The introduction of the access ramps and amenities building will not adversely affect the setting of the place, as the amenities building is to be located on the site of a former garage and the ramps are lightweight structures that will not be visually overt in views of the property. Similarly the proposed stormwater management system will involve the introduction of a below ground rainwater tank and an absorption trench. The access hatch for the tank and a grate for the trench will be visible laying flush with the lawn and will be clearly new work. The visible changes are a minor change to the rear garden area and will not detract from the appreciation of the place. Following excavation, the existing ground levels of this area of the garden will be reinstated, respecting the cultural significance and historic form and configuration of the rear garden.
Are the proposed works part of a broader scope of works? Does this proposal relate to any previous or future works? If so, what cumulative impact (positive and/or adverse) will	The current proposal is a stand-alone proposal developed to support the use of the place as a house museum with guided public access and to facilitate equitable access throughout the grounds and ground floor level of the house. Previous works to the place involved remediation and conservation work undertaken in 2019 as a result of water

Heritage NSW Question	Comment
these works have on the heritage significance of the item?	damage following a burst hot water pipe. No further works are proposed to Tulkiyan in the future at this stage. As such, there is no cumulative impact to be considered as a result of this proposal.
Are the proposed alterations/additions sympathetic to the heritage item? In what way (e.g. form, proportion, scale, design, materials)?	The proposed alterations and additions to Tulkiyan are considered to be sympathetic in the following ways: The two ramps are lightweight metal structures that will not be visually overt or distracting in views of the place and will not compete with the aesthetic values and architectural style of the house. The materials for the ramps have been requested by Heritage NSW and Council's Heritage Office, that GRP moulded grating flooring in black-grey and metal frames and handrails in a dull bronze finish. These colours are recessive and will minimise any potential visual impacts these new features may have on the significance of the place. The new amenities building has been designed to interpret the former garage which was constructed in the early 20th century (removed in the 1990s). The form and detailing of the new building has been based on historic photographs of the former garage and will utilise FC sheeting with timber battening, double timber boarded doors and a gabled corrugated metal roof. Other changes including ground level adjustments and the formation of the new terrace will utilise the same or similar gravel surface and recycled bricks, to blend in with the existing landscape character of the grounds of Tulkiyan.
Do the proposed works trigger a change of use classification under the National Construction Code that may result in prescriptive building requirements? If so, have options that avoid impact on the heritage values been investigated?	The proposal includes the formal change of use of the place to a house museum, which is classified as a Class 9b building under the National Construction Code (Building Code of Australia). The use of the place as a house museum is in keeping with the Draft CMP for the place and involves minor changes only to facilitate this use, including facilitating equitable access into the ground floor of house and the grounds and the introduction of a separate amenities building. However, there are no prescriptive building requirements under the NCC (BCA). The discussion contained within Appendix 1 outlines the various options considered to minimise impacts on the heritage significance of the place, while still providing equitable access.
Will the proposed works impact on the significant fabric, design or layout, significant garden setting, landscape and trees or on the heritage item's setting or any significant views?	As per the assessments undertaken above, the proposal to introduce two access ramps and a new amenities building, minor landscaping works, stormwater management works, and minor internal works will result in minimal impacts on the significance of the place. The proposed new features and changes are being proposed in order to support the continued use of the place as a house museum and to facilitate equitable access through the site. All new features are able to be removed and proposed changes are reversible, resulting in negligible impacts on the significant fabric of the house. The design and layout of the garden will be retained, and no significant garden features are to be impacted

Heritage NSW Question	Comment
	on as a result of the proposal. Views of the place as seen from the Pacific Highway will be retained and the new front entry access ramp has been designed to be visually recessive and will not detract from views of the main house.
How has the impact of the alterations/additions on the heritage item been minimised?	Impacts as a result of the proposal alterations and additions have been minimised as per the following: • All new works are reversible. • The new entry ramp is freestanding and will not result in any physical changes to the original fabric of the entry porch. • Locating the new entry ramp to provide access into the house via the front door ensures that all original external doors are to be retained. • Changes to ground levels to accommodate the new amenities building, including the new terrace, are minimal and reversible and are utilising the same materials palette already in use throughout the grounds (gravel surfaces and brick edging). • The new entry ramp and rear access ramp are to be of a dull bronze metal with black-grey GRP moulded grating floor to be visually recessive. • The below ground rainwater tank and absorption trench are able to be installed in a way that allows the existing ground levels, form and configuration of the rear garden to be retained. • The new amenities building and rear ramp have been located to avoid those areas of the site that contain elements of higher significance and to ensure the retention of established trees and principal landscape features in the rear garden. The method of construction for these new structures have been developed to avoid adverse impacts on trees and the landscape character of the place. • The new amenities building has been designed to interpret the former garage in form, style, materials and detailing. • Equitable access into the house is limited to ground floor level only and will require only minor alterations to the hinges of two doors and the addition of a portable step ramp.
Change of Use	
Does the existing use contribute to the significance of the heritage item? Why is the change of use proposed?	The proposal involves the formal change of use of Tulkiyan to a house museum, in keeping with the previous use of the place. In 2004, when KRG Council was bequeathed the property, Council opened Tulkiyan as a house museum with public access provided under the guidance of a volunteer group. In 2012, the place was closed to the public and following repair, maintenance and conservation works was reopened for special viewing only by invited guests of the Historic Houses Association of Australia and KRG Council in December 2019.

Heritage NSW Question	Comment
Cont.	The place re-opened to the public as a house museum in c2021 and shortly thereafter was closed again as a result of the Covid-19 restrictions and has remained closed since. Tulkiyan was bequeathed to KRG Council by the Donaldson family, on the basis that the place be use 'in the best interests of the residents of Ku-ring-gai municipality as a worthwhile community enterprise'. The use of the place as a house museum meets this obligation in way that ensures the significance of the place is conserved and is able to be appreciated by the wider community.
Will the change of use have an impact on the significance of the heritage item?	No. The proposed change of use to a house museum is in keeping with the compatible uses for the place identified in the Draft CMP (2021) and Plan of Management (2003) for the place, which nominates a house museum use as appropriate to conserve the significant elements of the place. The change of use of Tulkiyan to a house museum requires only minor changes to the place, and will allow for the significance of the place to be conserved and promoted.
Will the change of use require changes to the fabric or significant elements? How does that impact significance of the heritage item?	The new amenities building and improved access provisions have been proposed to support the use of Tulkiyan as a publicly accessible house museum. These new elements have been designed to minimise intrusion into the significant fabric and elements of the place and will have minimal impact on the significance of the heritage item.
New landscape works and features	
How has the impact on the heritage significance of the existing landscape been minimised?	The landscape setting and garden of Tulkiyan has been largely maintained as existing. The new paths are located around the northern and rear (eastern) boundaries of the property to minimise change to the principal garden areas. The proposed garden paths will be constructed of lightweight metal framing with concrete piers to minimise any excavation required. Two non-significant trees are to be removed, and some minor shrubs and ground cover is to be relocated to accommodate the new path, terrace, access ramp and amenities building. Only minor regrading to a portion of the eastern end of the driveway is proposed to be undertaken in order to make the proposed amenities building accessible and also ensure equitable access to the rear garden. The below ground rainwater tank and absorption trench are able to be installed in a way that allows the existing ground levels, form and configuration of the rear garden to be retained. Changes within the garden are concentrated on those areas of the garden that have already undergone change and are considered to be the 'service' areas of the gardens, with the principal recreation and landscaped areas of the grounds being retained as existing.
Are works to the landscape or pathways necessary to comply with the access requirements of the Disability Discrimination	Yes. New garden paths and ramps are proposed to the northern side and a portion of the eastern side of the garden in order to facilitate equitable access to the rear of the site and new amenities building.

Heritage NSW Question	Comment
Act 1992?	Although access throughout much of the grounds can be achieved by wheelchair users and less mobile visitors, there are some areas of the grounds that are not currently accessible and therefore an access ramp and terrace area is required. As a public asset proposed for use as a house museum, the provision of equitable access to the property is required under the *Disability Discrimination Act 1992*.
Access	
Will the heritage item be accessed by the public? If so, has the advice of an access consultant been sought to investigate options of Disability Discrimination Act compliant access that may have least impact on the heritage item?	Yes. An Accessibility Assessment report prepared by Accessibility Solutions (Jan 2025) accompanies this application. Some concessions have been supported in the design to minimise the impact of the works on the significance of the place including the provision of one handrail only to the access ramps and supporting partial access to the interiors of the house, i.e. ground floor level only.

6.2. Conclusion

Based on the above detailed assessment of the current proposal for Tulkiyan, the works will generally result in minimal negative impacts on the significance of the place.

The works are being proposed to facilitate the change of use of the place to a house museum, by providing equitable access to the place and improving the amenities at the place (including accessible bathrooms). These works will support the ongoing use and maintenance of the place and enhance it visibility and appreciation by the local community.

Potential impacts as a result of the proposed alterations and additions have been minimised as per the following:

- All new works are reversible.
- The new entry ramp is freestanding and will not result in any physical changes to the original fabric of the entry porch.
- Locating the new entry ramp to provide access into the house via the front door ensures that all original external doors are to be retained.
- Changes to ground levels to accommodate the new amenities building, including the new terrace, are minimal and reversible and are utilising the same materials palette already in use throughout the grounds (gravel surfaces and brick edging).
- The new amenities building and rear ramp have been located to avoid those areas of the site that contain elements of higher significance and to ensure the retention of established trees and principal landscape features in the rear garden. The method of construction for these new structures have been developed to avoid adverse impacts on trees and the landscape character of the place.
- The new amenities building has been designed to interpret the former garage in form, style, materials and detailing.
- Equitable access into the house is limited to ground floor level only and will require only minor alterations to the hinges of two doors and the addition of a portable step ramp.

The proposal meets the requirements of the conservation policies of the *Tulkiyan Draft Conservation Management Plan* (Robert Griffin Heritage & Conservation, 2021) and have been proposed to support the terms of the Donaldson Bequest which stated that the house was to be used ‘in the best interests of the residents of Ku-ring-gai municipality as a worthwhile community enterprise’.

Consequently, in the view of this firm the proposal **should be** approved, in relation to Heritage considerations by the consent authority.



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APPENDIX 1:
Discussion of Alternative Solutions and Resolutions

1. Background to the Proposal

The proposed works include a formal change in use from a residence to a house museum. According to the Tulkiyan Draft CMP (2021), and as discussed above, the property has been in use as a house museum since 2004, although it has been closed to the public since c2022.

As a public building, equitable access to and use of the property is required under Section 23 of the *Disability Discrimination Act* 1992. In order to adapt the place for use as a community building, upgrades to access and public facilities are required. This includes providing facilities for school groups and other larger groups, increasing overall capacity to cater for additional visitors to the place and providing equitable access to the place.

A *Management Plan* for the place was prepared by Ku-ring-gai Council in 2001. The plan noted that access to the site was an issue in relation to a number of considerations, including pedestrian access and equitable access.

The *Management Plan* identified a number of performance targets that were of high, ongoing priority and subsequently identified a number of strategies to meet these targets:

Issue	Performance Targets	Strategy
Compatible Uses	To find a compatible use for Tulkiyan which is consistent with the management guidelines and objectives in this Plan and the principles and recommendations of the Conservation Management plan	Investigate and identify compatible uses for Tulkiyan consistent with this Plan of Management. Compatible uses must enable the contents of the house to remain, in situ with the house.
Access	To maximise access to Tulkiyan within constraints of approved uses in a manner that is compatible with the retention of its heritage significance	Identify constraints and opportunities to maximise access. Development and implement an Access Action Plan in accordance with council's Access Policy and consistent with the principles and recommendations of the Conservation Management Plan to maximise access to and within Tulkiyan.

The proposed works seek to address these issues by formally changing the use of the place to a house museum and improving equitable access to the place without compromising the heritage significance of the place.

2. Discussion of Alternative Options Considered

The purpose of these works is to provide equitable access to the house and grounds to ensure that, as part of the use of the place as a house museum, the place would be accessible to all visitors and that appropriate amenities are provided.

The publication *Guidelines for Preparing a Statement of Heritage Impact* (Dept of Planning & Environment, 2023) notes: "It is important to demonstrate that alternative options were considered, and that the preferred option (the proposed works) sufficiently reduces or mitigates potential heritage

impacts. Clearly describe all alternative options that were considered and any heritage issues relating to the proposed works. Include a justification of why the proposed works are the preferred option."

The following discussions outline the constraints and opportunities, and alternative solutions considered in developing the current proposal.

2.1. Alternative Solutions for Access to the House

The National Construction Code (NCC) requires access to be provided "through the principal pedestrian entrance", i.e. the front door.

Regardless, consideration was given as to whether access could be provided into the house from the various existing entries into the building, including the rear and side doors. It was not considered appropriate to create a new entry into the building, considering the overall high level of intactness of the building.

2.1.1. Rear Door Access

The rear door to Tulkiyan is located on the eastern elevation of the house and is recessed into the building under a covered porch and is accessed via a flight of stairs leading from the driveway or via a ramp leading from the grassed slope of land abutting the rear elevation of the building. The existing ramp is not compliant with the relevant Australian Standards (AS1428.1) and there is no accessible route to the ramp itself. A metal pipe handrail has been erected in the grass slope to facilitate access into the rear garden area from the ramp. Either a long ramp, or alterations to the landform would be required in order to provide access to the rear porch.

In addition, there is a step up from the stair/ramp landing to the rear porch, and again to the back door. There is not enough clearance to install a step ramp onto the porch and the rear door is too narrow to allow wheelchair access. Further, even if access could be provided via the rear door, the internal scullery door is also too narrow to allow wheelchair access into the main body of the house and would also require widening.



Figure 37: Rear porch and door. The existing ramp is too steep and can only be accessed via a steep embankment.

In order to make the rear entry accessible, the rear stair/ramp and landing would need to be widened and extended, the landform altered, the rear porch floor level altered, and the rear door and scullery door widened. As such, the level of change required to make the rear entry accessible could not be justified. The work would be intrusive, result in the removal or alterations to significant original fabric and would not be readily reversible.

Consequently, providing equitable access via the rear door was considered unfeasible.

2.1.2. Southeastern Verandah

Another option considered was to provide access via the side verandah located on the southern side of the house.

As existing, the southeastern verandah can be accessed from the rear garden via a flight of timber stairs on its eastern end. There is a brick landing and brick steps which provide access to the timber stairs from the lower level of the former tennis court.

The timber stairs can also be accessed from the front garden via a crazy paved sandstone pathway leading along the southern side of the building. However, the path terminates at the southwestern corner of the house and does not connect to the front garden pea gravel paths.

A ramp in the location of the existing timber stairs would not be possible, as it would project into the tennis court and not be accessible. An alternative would be a lift in lieu of the timber stairs.

However, in order to access a lift in this location, the sandstone paved pathway would need to be regraded and widened, the brick steps leading down onto the tennis court would need to be reconfigured or relocated and sandstone retaining walls and garden beds reconfigured or relocated. The brick edging and front garden beds would also need to be modified in order to allow for access from the gravel path to the sandstone paved pathway.

This would also require substantial landscaping works that would have removed or impacted on original garden features of significance. Not only would this approach result in an unacceptable level of change to the place, but it would also require users of Tulkiyan to bypass the front door and enter via a secondary entry point into the house. This is not a desirable outcome in providing equitable access and goes against best practice.



Figure 38: View of the side (southern) elevation, showing existing stairs to ground level verandah, which is elevated over the ground level.



Figure 39: Stairs to side door at southeast corner of the house.



Figure 40: Crazy paving path alongside the southern elevation of the building.



Figure 41: Crazy paving path (far left) and pea gravel path with brick edging to the front garden (right). A connection would need to be created between the two paths to facilitate equitable access.

2.1.3. Southwestern Verandah

Access to the southwestern verandah was also considered, which is accessed from the front garden and provides direct access into the Morning Room. However, due to the raised level of the house, entry onto the verandah is via a flight of steps on its southern side and requires a 90 degree turn from the stair landing into the verandah. In order to provide an accessible ramp, the ramp would need to be inserted into the front garden, which would intrude into the gravel pedestrian pathway in the front garden, would be visually disruptive to the overall presentation of the place, and would be highly visible from the street.

The existing stair landing is also not wide enough to accommodate a turning wheelchair and would similarly need to be enlarged, necessitating further alteration to the fabric of the place.



Figure 42: Front elevation to the house. The stairs leading to the southwestern verandah can be seen to the right.



Figure 43: Existing stairs leading up to the southwestern verandah.

2.1.4. Front Door

Generally, best practice in providing equitable access is to provide the same mode of access to a place for all users, as per the *Disability (Access to Premises – Buildings) Standard* 2010:

> *(a) to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with a disability.*

According to the BCA, access "must be provided to the principal pedestrian entrance." (Vol. 1 D3.2)

As such, providing equitable access via the front door was considered necessary, both in regard to minimising any impact on significant fabric, as well as providing a dignified, equitable and cost-effective means of accessing the building. Using the front entry for equitable access ensures that all users are treated the same.

It was also considered the most appropriate location for the following reasons:

- The change in level from the driveway to the landing is only approximately 350mm. As such, a ramp could be provided that is not excessive in length.
- The original front door is wide enough to accommodate wheelchairs without alteration.
- The front door and porch are located on the northern elevation and set back from the front elevation and so changes to this area would not be as visually intrusive.
- The front door is immediately adjacent to the driveway, which could be utilised by people with disabilities to minimise travel distance.

- The driveway and pedestrian path from the street to the front door are both already relatively level, allowing easy access from the street to an accessible ramp.
- A ramp leading to the front door located along the driveway could be designed and detailed to be visually recessive, further reducing any visual impacts.
- Locating a ramp along the driveway ensures that the garden beds and brick edging can be retained.
- A ramp over the entry steps and to the porch would involve minimal physical alterations and would be reversible.



Figure 44: Front and side (north) elevation of the house. The entry porch can be seen to the left.

2.1.5. Use of a Portable Ramp

A portable ramp was not considered practical or appropriate given the constraints informed by the existing configuration of the front stairs and porch that limited the range of solutions available and meant that a permanent ramp was the preferred option.

In addition, the length and height of a ramp to provide access to the porch landing would be a large, cumbersome structure that would require more than one person to move into position. Using a portable ramp also means that a less mobile visitor is reliant on available volunteers to move the ramp into position before entering the house, which is undignified and does not meet the principles of the *Disability Discrimination Act 1992.*

Further, the front door is located off centre to the porch landing and stairs and is one step above the level of the porch landing. A step ramp was considered for providing access from the porch through the front door, however the configuration of the porch makes this unfeasible. Specifically, the step up from the porch to front door is 200mm. A step ramp has a maximum slope of 1:8 and this would require a 1.6m long step ramp, however, the section of the porch where a 1m wide ramp can fit is only 0.8m long, and as such cannot accommodate the required length of step ramp.

Refer also to the *Accessibility Assessment Report* which notes that "it is not practical or safe to use a portable ramp in such a restricted area."

2.2. Proposed Design of the Front Ramp

2.2.1. Length of Ramp

The initial DA proposed a ramp 4.7m in length, where the base would terminate in line with the front building line. This involved some regrading of the existing driveway to increase the height of the ground level and minimise the required length of the ramp, thereby reducing its overall visual impact. However, Ku-ring-gai Council and Heritage NSW have advised a preference for maintaining the existing levels of the driveway.

As a result, a longer ramp is needed to clear the difference in levels. The current proposal involves a ramp with a length of 5.5m which means that the ramp extends beyond the front building line, projecting into the pedestrian pathway that meets with the driveway at this point.

2.2.2. Driveway Regrading

As a result of Council's and Heritage NSW's preference for the ramp to extend beyond the building, no changes are proposed to this section of the driveway to accommodate the ramp.

Refer also to section 2.4.3 below.

2.2.3. Design of Ramp

The ramp will be of a lightweight metal construction, with a GRP moulded grating flooring and a simple metal handrail to the northern side only.

The portion of the ramp over the driveway will be supported on metal posts and concealed concrete piers, while a portion of the ramp will rest over the existing stairs and porch. In this area, the ramp will rest on timber supports that will not be fixed into the stairs or porch. These supports have been designed to spread the weight evenly across the tiles using a resilient material (timber) and have been located to avoid the marble stairs entirely. As such, the ramp will be able to be removed and will not result in intrusions into the fabric of the building.

The ramp will be of a simple, clearly contemporary design, that will distinguish it from the Arts and Crafts character of the house, while remaining visually recessive.

A handrail is proposed only to the north side of the ramp to minimise visual impact and will only be fixed to the ramp itself, while the existing step handrail attached to the house will be retained as evidence of the steps below. The provision of a handrail only on one side of the ramp has been supported by the accessibility consultant.

2.2.4. Mitigation Measures

Overall, the provision of a permanent ramp will have some physical and visual impact on the significance of the place. The level of impact is considered acceptable in light of the benefit of providing equitable access to the building. Regardless, mitigation measures to minimise the overall impacts have been implemented, as follows:

- The proposed ramp does not abut the adjacent north wall and allows for air flow around and under the ramp. Any existing damp issues will not be exacerbated as a result of the ramp.
- The ramp has only one handrail to the northern side to minimise visual intrusion. This is not strictly in accordance with AS1428 but is considered an acceptable compromise by our access consultant.
- The front entry is located along the northern side of the building, recessed behind the front building line. As such, it is not a prominent feature in the front elevation. The new ramp will be aligned parallel with the exterior wall and will similarly be somewhat obscured from view from the street and in views of the front elevation.
- The existing marble threshold, steps and tiles will be retained below the GRP moulded grating floor leading to the front door.
- The design of the porch allows for the original red clay tiles of the porch floor and the marble treads of the stairs to be seen around the north edge of the landing and the ramp and through the grated flooring.
- The ramp is reversible.

2.3. Equitable Access within the House

As part of its use as a house museum, it was important for the interiors of the house to be at least partially accessible. Given the level of intactness of the place, its small size, and configuration as a two-storey building, providing access to the whole of the building was not considered to be appropriate as it would require an unacceptable level of change to the place. Instead, it was determined that the principal spaces of the building should be made accessible, while the remainder would be interpreted to visitors. The collection and the first floor will form part of the interpretation of the place (to be developed separately).

The morning room, living room and dining room are already accessible, as they feature double doors wide enough to allow a wheelchair to pass through. Options to make the remainder of the ground floor were investigated. It was considered that access to the services areas of the house was desirable, as these rooms are equally as intact as the front rooms and reveal the working part of the house. At the very least, visual access can be provided where physical access was not practicable.

The doors to the kitchen and servery have a clear width of only 760mm and would need to be enlarged substantially to comply with DDA and BCA requirements. Enlarging these doors would require the removal of original fabric and negatively impact the intactness of the interiors. Rather, it is proposed to install offset hinges on the doors to provide a 795mm-800mm clear opening width. Although not comply with the 850mm clear width required by the BCA, the access consultant advised that it would allow the majority of wheelchair users to pass and therefore was a worthwhile measure. This approach improves accessibility of the doors for the majority of the ground floor without modifying the door openings and also allows visual access to the Maid's Room and Scullery.

The existing hinges will be retained and could be reinstated in the future.

DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE:	26-30 MCINTYRE STREET, GORDON - ALTERATIONS, ADDITIONS AND ASSOCIATED WORKS TO AN APPROVED RESIDENTIAL FLAT BUILDING (AN AMENDING DEVELOPMENT APPLICATION TO DA0038/23) UNDER THE PROVISIONS OF SEPP (HOUSING) 2021
ITEM/AGENDA NO:	GB.2

APPLICATION NO:	eDA0371/25
ADDRESS:	26 - 30 Mcintyre Street, Gordon
WARD:	Gordon
DESCRIPTION OF PROPOSAL:	Alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021
APPLICANT:	Mcintyre Development Pty Ltd
OWNER:	Mcintyre Project Pty Ltd
DATE LODGED:	4 August 2025
SUBMISSIONS:	3
ASSESSMENT OFFICER:	Belinda Newell
RECOMMENDATION:	Refusal

KLPP REFERRAL CRITERION:	Chapter 4 (Design of Residential Apartment Development) of SEPP (Housing) 2021 applies.

PURPOSE OF REPORT

To determine Development Application No eDA0371/25 at 26 - 30 Mcintyre Street Gordon for alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021.

The application is reported to the Ku-ring-gai Local Planning Panel in accordance with the Minister's Section 9.1 Local Planning Panels Direction, as it:

(a) is sensitive development to which Chapter 4 (Design of Residential Apartment Development) of SEPP (Housing) 2021 applies, and

(b) involves departures to a numerical development standard of more than 10%.

RECOMMENDATION

THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refuse development consent to eDA0371/25 for alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021 on land at 26-30 Mcintyre Street, Gordon for the reasons provided in the Development Assessment Report **(Attachment A1).**

Belinda Newell
Executive Assessment Officer

Jonathan Goodwill
Team Leader Development Assessment

Shaun Garland
Manager Development Assessment Services

Attachments:

A1⇩	Assessment Report	2025/346280
A2⇩	Location Sketch	2025/381014
A3⇩	Zoning Sketch	2025/381016
A4⇩	Architectural Plans	2025/225269
A5⇩	Comparison Plans	2025/282436
A6⇩	Landscape Plans	2025/225266
A7⇩	Stormwater Plans	2025/225259
A8⇩	Clause 4.6 Variation Request - Building Height	2025/225252
A9⇩	Statement of Facts and Contentions	2025/384718

DEVELOPMENT APPLICATION

ASSESSMENT REPORT

REPORT TITLE	26-30 McIntyre Street, Gordon - Alterations, additions and associated works to an approved residential flat building

APPLICATION NO	eDA0371/25
PROPERTY DETAILS	26 - 30 Mcintyre Street Gordon Lot C DP 348677 Lot 1 DP 525670 Lot 4 DP 525670 3,360.1m^2 (by survey) R4 High Density Residential
WARD	Gordon
PROPOSAL/PURPOSE	Alterations, additions and associated works to an approved residential flat building (amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021
TYPE OF DEVELOPMENT	Local
APPLICANT	Mcintyre Development Pty Ltd
OWNER	Mcintyre Project Pty Ltd
DATE LODGED	4 August 2025
RECOMMENDATION	Refusal

PURPOSE OF REPORT

To determine development application No. eDA0371/25 for alterations, additions and associated works to an approved residential flat building (amending development application to DA0038/23) under the provisions of SEPP (Housing) 2021

The application is reported to the Ku-ring-gai Local Planning Panel in accordance with the Minister's Section 9.1 Local Planning Panels Direction, as it:

(a) is sensitive development to which Chapter 4 (Design of Residential Apartment Development) of SEPP (Housing) 2021 applies, and

(b) involves departures to a numerical development standard of more than 10%.

INTEGRATED PLANNING AND REPORTING

Places, Spaces & Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai.	Applications are assessed in accordance with state and local plans.	Assessments are of a high quality, accurate and consider all relevant legislative requirements.

EXECUTIVE SUMMARY

Issues

Non-compliant gross floor area

Building height and inadequate Clause 4.6 request

Desired future character

Solar access

Communal open space

Building separation

Privacy

Design of building entry

Amenity of living rooms and balconies

Internalisation of corridors

Façade articulation

Top storey floor area and setbacks

Integration of services

	Non-compliance with design principles Affordable housing Accessibility Site coverage and deep soil BASIX certificate Insufficient ecological assessment Inadequate information
Submissions	3 submissions
Land and Environment Court	Yes – Deemed refusal
Recommendation	Refusal

HISTORY

Site history

The site has a history of low-density residential use.

Previous applications history

A Pre-DA consultation was not undertaken with Council for the proposed development.

Council's records show previous relevant applications as follows:

Type	Application	Description	Decision	Date
DA	DA0038/23	Demolition of existing structures and construction of two residential flat buildings containing 31 units over two levels of basement parking and associated civil and landscaping works	LEC Approval	03/02/2023
eMOD	eMOD0078/24	Modification to Land and Environment Court Consent No. 100715 of 2023 (DA0038/23) proposing layout changes to basement levels, an increase of one apartment from 31 to 32 apartments, layout and design changes to some apartments, changes to the proportions of some communal open space areas, provision of additional rooftop private open space areas and building envelope changes	LEC Approval	22/07/2024

Current Development Application History

Date	Action
7/08/2025	eDA0371/25 was lodged with the Council.
18/08/2025	eDA0371/25 was notified in accordance with the Ku-ring-gai Community Participation Plan. One submission objecting to the proposal was received.
21/08/2025	Applicant was asked to clarify the proposed works because the application was lodged as an amending DA, however the documents submitted with the development application such as the cost of works and plans, were for the whole development, which included the previously approved development (DA0038/23).
29/08/2025	Additional information was received clarifying the proposed development including: • compliance schedule comparing the approved and proposed works. • comparison plans and elevations • amended Estimated Development Cost Report

	• amended portal form
10/09/2025	The application was renotified to neighbouring properties in accordance with the Ku-ring-gai Community Participation Plan. Two further submissions of objection were received.
26/09/2025	The Applicant filed a Class 1 Application with the Land and Environment Court of NSW against the deemed refusal of the DA.

Land and Environment Court appeal history

DA0038/23 - *McIntyre Development Pty Ltd v Ku-ring-gai Council 2023/00100715* was for the demolition of existing structures and construction of two residential flat buildings containing 31 units over two levels of basement parking and associated civil and landscaping works was approved by way of S34 agreement.

eMOD0078/24 - *McIntyre Development Pty Ltd v Ku-ring-gai Council 2024/375019* sought the deletion of basement level 4, layout changes to other basement levels, an increase of one unit from 31 to 32 units, layout and design changes to some apartments, changes to the proportions of some communal open space areas, provision of additional rooftop private open space areas and building envelope changes was approved by way of S34 agreement.

eDA0371/25 - There is a current Class 1 appeal against the deemed refusal of the subject development application, which was filed with the Land and Environment Court (Court) on 19 September 2025. The Statement of Facts and Contentions (SOFAC) was filed with the Court on 14/11/2025 **(Attachment A9)**.

THE SITE

Site description

The site comprises 3 lots, which are described below and shown in **Figure 1**:

26 McIntyre Street (Lot 4, DP 525670)
- This is a battle-axe allotment with a brick dwelling of one to two storeys.
- The site includes an informal garden with a large tree near the western boundary and a sizeable vehicle manoeuvring area in front of the house.

28 McIntyre Street (Lot 1, DP 525670)
- This lot fronts McIntyre Street and contains a brick dwelling of one to two storeys.
- It also includes a single-car garage.

30 McIntyre Street (Lot C, DP 348677)
- This lot fronts McIntyre Street and contains a brick dwelling of one to two storeys.
- A single-car garage is located within the western side setback.

The site is 'L' shaped with a northern frontage of 37.295 metres to McIntyre Street, a site depth along the western boundary of 68.360 metres, a rear boundary length of 73.84 metres,

an eastern boundary length towards the rear of 22.185 metres, a return boundary length parallel to the street frontage of 36.575 metres, and an eastern boundary length towards the street frontage of 46.205 metres. The three lots comprise a combined site area of 3,360.1m^2 and has numerous cross falls, with an overall fall from its north-eastern to south-western corner of approximately 10.81 metres (14%).

The rear of the site forms a part of a watercourse which is predominantly located on 23-35, 27 and 29-33 Dumaresq Street. The watercourse flows into Blackbutt Creek to the west adjacent to Vale Street. Refer to Ku-ring-gai Local Environmental Plan 2015 (**KLEP**) Riparian Lands and Watercourse Map at (**Figure 2).**

The native vegetation existing at the rear of the site was determined to be representative of the Blue Gum High Forest (BGHF), which is listed as a Critically Endangered Ecological Community (CEEC) under the *Biodiversity Conservation Act 2016* (BC Act). The existing BGHF within the site has been mapped as an area of "biodiversity significance" under KLEP. The site is vegetated with a variety of endemic and exotic species.



Figure 1: Aerial photograph of the Site and surrounding area.



Figure 2: LEP Riparian lands and watercourse map

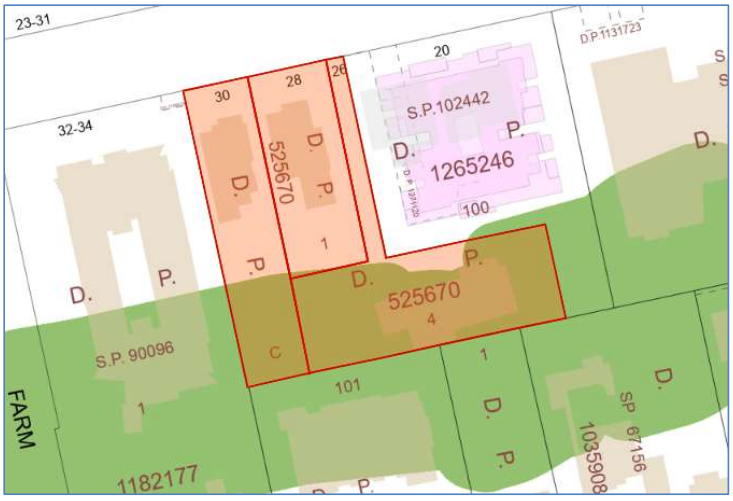


Figure 3: LEP Natural Resources biodiversity

Constraint:	Application:
Visual character study category	Not categorised on map.
Easements/rights of way	No
Heritage Item - Local	No
Heritage Item - State	No
Heritage conservation area	No
Within 100m of a heritage item	No
Bush fire prone land	No
Natural Resources Biodiversity	Yes
Natural Resources Greenweb	Yes
Natural Resources Riparian	Yes

Within 25m of Urban Bushland	No
Contaminated land	No

Surrounding development

The local area in the vicinity of the site is primarily characterised as a high-density residential development. The site is within 140 metres of land mapped as 'Town Centre' and 620 metres from Gordon Railway Station.

Development adjoining the site to the east at 20 McIntyre Street comprises a recently completed residential flat building.

North of the site consists of low-density residential dwellings and a range of residential flat buildings.

To the south and immediately adjacent to the rear portion of the site, is a 5 storeys residential flat building at 29-31 Dumaresq Street, a dwelling house at 27 Dumaresq Street, and a seniors housing development at 23-25 Dumaresq Street.

Development adjoining the site to the west comprises residential flat buildings on land at 32-34 McIntyre Street.

Strategic context:

The site is not located within a Transport Oriented Development (TOD) Area pursuant to Ku-ring-gai Council Local Environmental Plan (Housing) (Map Amendment No. 1) which was made on 11 June 2025.

Council's Alternative TOD Plan was published on the NSW Legislation website on 14/11/2025. The alternate envisages a future character which permits a maximum building height of 29 metres and FSR of 1.8:1.



Figure 4: Zoning (Draft LEP Maps issued by DPHI TOD Alternate)



Figure 5: Building height 29m (Draft LEP Maps issued by DPHI TOD Alternate)



Figure 6: FSR 1.8:1 (Draft LEP Maps issued by DPHI TOD Alternate)



Figure 6: Draft Low and Mid Rise Exclusion Area (Draft LEP Maps issued by DPHI TOD Alternate

THE PROPOSAL

The application seeks consent for alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021 on land at 26-30 McIntyre Street, Gordon.

Specifically, the application seeks to amend the approved development. The following comparison table has been provided by the applicant **(Figure 6).** Council disputes the calculation of GFA/FSR, site coverage and deep soil.

DEVELOPMENT SCHEDULE COMPARISON 26-30 Mcintyre St Gordon			
	Approved S34	**Proposed**	***Difference***
GFA *(including basement car park area)*	4938.26 sqm	9114.10 sqm	*4175.84 sqm*
FSR *(including basement car park area)*	1.47 : 1	2.712 : 1	*1.242*
Total Units	32	53 *inclusive of 8 Affordable Units*	*21 Units*
Unit Mix	1 Bed - 1 2 Bed - 1 3 Bed - 28 4 Bed - 2	1 Bed - 1 2 Bed - 1 3 Bed - 45 4 Bed - 6	*3 Bed - 17* *4 Bed - 4*
Communal Open Space	1841.52 sqm (54.8%)	1767.7 sqm (52.6%)	*- 73.82 sqm*
Site Coverage	1283.2 sqm (38.2%)	1417.7 sqm (42.2%)	*134.5 sqm*
Solar Access	26 out of 32 Units (81%)	37 out of 53 Units (70%)	*-11%*
Cross Ventilation	31 out of 32 Units (96.9%)	52 out of 53 Units (98.1%)	*1.20%*
Deep Soil	1684.7 (50.1%)	1572.7 sqm (46.8%)	*- 112 sqm*
Levels	5 Storey with 4 Level Basement	8 Storey with 4 Level Basement	*3 Storey*
Car Parking	*69 Residential* *6 Visitor* *1 Car Wash Bay* *1 Car share* **TOTAL = 77 Car Spaces**	*92 Residential* *9 Visitor* *1 Car Wash Bay* *1 Car share* **TOTAL = 103 Car Spaces**	*26 spaces*

Figure 6: Development schedule comparison (prepared by applicant)

A summary of the proposed development is detailed below:

- *Basement Levels (B4–B1):*
  - Total of 99 car parking spaces, 1 car-share space, storage cages, bicycle parking, and waste/recycling facilities.
  - Three affordable housing units located on B1 and B2 (1 x 1-bedroom, 1 x 2-bedroom, and 1 x 3-bedroom).
- *Ground Level:*
  - 8 residential units (5 market and 3 affordable), all 3-bedroom.
- *Upper Levels:*
  - Levels 1–7 comprise a mix of market and affordable units, primarily 3-bedroom, with some 4-bedroom units and maisonettes.
  - Communal open space provided on Level 6.
- *Roof Level:*
  - Plant equipment and condensers.
- *Overall Proposal:*
  - 21 additional dwellings, including 8 affordable housing units.

- Increase of 4,175.84 m² GFA, with minor reductions in communal open space (–74 m²) and deep soil planting (–112 m²), and an increase in site coverage (+134.5 m²).
- Building height increases from 5 storeys to 8 storeys.

CONSULTATION

Community

In accordance with Appendix 1 of the Ku-ring-gai Community Participation Plan, owners of surrounding properties were given notice of the application. In response, a submission from the following were received.

1. *A Gorfin, 19/8-18 McIntyre Street, Gordon*

The submission raised the following issues:

Traffic concerns

Concern is raised in relation to increased traffic flows and impacts on the road network from the development in conjunction with existing and future surrounding developments along with traffic delays and safety.

Adequate on-site car parking is provided. According to Transport for NSW's *Guide to Transport Impact Assessment (GTIA) 2024*, high-density residential developments within 800 metres of a railway station generate approximately 0.19 vehicle trips per dwelling during the morning peak hour and 0.15 trips during the evening peak hour.

For the proposed 53 dwellings, this equates to around 8 trips in the morning peak and 6 trips in the evening peak. In practical terms, this represents approximately one additional vehicle movement every 7–10 minutes during peak periods. This level of traffic is considered minor and is expected to have minimal and acceptable impact on the surrounding road network.

Amended Plans received 29/8/2025

The amended plans were also notified. Submissions from the following were received:

1. *M Abdelgadir, 17/32-34 McIntyre Street, Gordon*
2. *J Li, (address not provided)*

The submissions raised the following additional issues:

Impacts to street parking during construction

On-street parking is generally permitted unless specific restrictions apply. While some construction-related impacts are unavoidable, if the development were approved, a Construction Traffic Management Plan will be required to ensure construction traffic is appropriately managed and disruptions are minimised.

Acoustic impacts

Concern was raised regarding the acoustic impacts from this development including during construction.

The application did include an acoustic report, however the report appears to relate to a previous set of plans. This concern forms part of reason for refusal 14.

In relation to acoustic impacts during construction, such impacts are inherent, however in the event of an approval conditions of consent would be included to minimise impacts to an acceptable level.

Dust impacts during construction

Conditions of consent are included in DA0038/23 to minimise dust impacts during construction. A similar condition would be recommended if the application were to be approved.

Impacts to footpath and safety

Concerns have been raised regarding the public's ability to use footpaths during construction. If the application were to be approved, conditions of consent could be included in relation pedestrian safety and access.

Blockages to McIntyre Street during construction

Condition 6 of DA0038/23 requires a construction management plan to be approved by Council prior to the commencement of works. If the application were to be approved, a similar condition could be included.

Increased density

The proposed development lacks clarity regarding its proposed density, particularly the Floor Space Ratio (FSR), which underpins reason for refusal 6. Further concerns relate to the built form, including excessive building height, inadequate building separation, loss of deep soil areas, poor articulation, and insufficient integration of service components. These issues are reflected in reasons for refusal 3, 5, and 8.

Lack of infrastructure to support increased density

The planning controls do not require the provision of off-site supporting infrastructure. If the application was to be approved, development contributions would be applicable, which would assist with the provision of local services and infrastructure.

Internal Referrals

Urban design

Council's Urban Design Consultant has assessed the proposed development and identified several design concerns. These include:

- *Solar Access*: Impacts on neighbouring properties, affordable housing units, and communal open space.
- *Future Development Constraints*: Potential limitations on adjoining sites.
- *Amenity and Design Issues*: Inequitable access to communal spaces, inadequate building separation, insufficient window screening, internalised and narrow circulation corridors, excessive site coverage, and inadequate deep soil landscaping.
- *Architectural and Functional Concerns*: Poor façade articulation, non-compliant top storey gross floor area and setbacks for Building A, balcony screening, street frontage definition, undersized primary balconies, and inappropriate location of external clothes drying areas.
- *Specific Non-Compliances*: Corridor width for Unit A601, central entry ramp width for Building A, and integration of the southern mechanical plant room.

It is agreed that these are unacceptable impacts, consequently these issues form part of the recommended reasons for refusal of the application.

Landscaping

Council's Senior Landscape and Tree Assessment Officer reviewed the proposal and raised concerns with minimum landscape and deep soil provisions and inconsistent BASIX certificate information. It is agreed, that these issues are unacceptable, consequently they form recommended reasons for refusal.

Engineering

Council's Senior Development Engineer reviewed the proposal and has raised no objections to the development, subject to the inclusion of standard conditions to ensure the management of the site and stormwater, dilapidation reporting, traffic management and construction details. Concurrence is given to this assessment subject to conditions if the application were to be approved.

Ecology

The Council's Ecological Assessment Officer has reviewed the proposal.

The application proposes the removal of T28 a hybrid *Eucalyptus saligna x botryoides* which corresponds with Blue Gum High Forest, a Critically Endangered Ecological Community (CEEC) under the Biodiversity Conservation Act (BC Act). Two key issues have been identified: an ecological impact assessment (commonly referred to as the five-part test) and biodiversity assessment report (BAR) have not been provided.

Further, the submitted landscape plan does not comply with Part 17.4 – Category 3 Bed and Bank Stability of the Development Control Plan (DCP).

It is agreed that these issues are significant and consequently form part of the recommended reasons for refusal.

Health

Council's Environmental Health Officer has reviewed the proposed development and raised concerns with inadequate information in relation to acoustic impacts. It is agreed there is insufficient information in this regard, consequently it forms a reason for refusal 14.

Building

Council's Building Surveyor reviewed the proposal who was supportive subject to conditions. It is agreed that standard conditions addressing fire safety and compliance with the National Construction Code (NCC) are appropriate should the application be approved.

External Referrals

External referrals were not required.

STATUTORY PROVISIONS

State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 Remediation of land

The provisions of Chapter 4 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and as such, it is unlikely to contain any contamination, and further investigation is not warranted in this case.

Draft State Environmental Planning Policy (Remediation of Land)

The draft SEPP is a relevant matter for consideration as it is an Environmental Planning Instrument that has been placed on exhibition. New provisions will be added in the SEPP to:

- *require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant*
- *categorise remediation work based on the scale, risk and complexity of the work*
- *require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to Council*

The site is unlikely to contain contamination, and further investigation is not warranted in this case.

State Environmental Planning Policy (Sustainable Buildings) 2022 – Chapter 2 Standards for residential development – BASIX

A valid BASIX certificate has been submitted. The proposal is inconsistent with commitments identified in the certificate and form part of the recommended reasons for refusal 9.

State Environmental Planning Policy (Housing) 2021

SEPP Housing contains several principles including the promotion of the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services.

The subject application seeks development consent for a residential flat building on land that is zoned R4 High Density Residential. The site is within the 'low and mid rise inner area', as mapped under this policy because it is within 400 metres of a Town Centre on the Town Centre Map, as defined in Chapter 6. The subject application seeks to provide in-fill affordable housing under Chapter 2 of the SEPP Housing.

The relevant sections of Chapters 2, 4 and 6 of SEPP Housing are considered below:

Chapter 2 – Affordable housing

The subject application proposes a residential flat building. Residential flat buildings are permitted on the site under Schedule 1 of KLEP and Chapter 6 of SEPP Housing. The affordable housing component of the development is 10% of the overall proposed units, which satisfies Section 15C of SEPP Housing. Although, as required in Section 21, the applicant has not committed to ensuring the affordable housing component will be managed by a registered community housing provider. This issue forms recommended reason for refusal 13.

The affordable housing requirements for additional FSR and building height as well other non-discretionary development standards and design requirements are discussed in the table below:

Development standard	Proposed	Complies
S 16 (1) - Affordable housing requirements for additional floor space ratio **Maximum permissible floor space -** 2.2:1 plus additional 30% (based on minimum affordable housing component) $\text{affordable housing component} = \frac{\text{additional floor space ratio (as a percentage)}}{2}$	The proposal is subject to a maximum FSR of 2.2:1 and the proposed FSR is 2.71:1.	**NO**
S 16 (3) – Maximum permissible building height Maximum permissible building height (RFB_ - 22 metres plus same % as the additional	The proposal is subject to a maximum building height of 22 metres	**NO**

Development standard	Proposed	Complies
floor space permitted under (1)	and the proposed height is 30.48 metres.	
S 19 - Non-discretionary development standards—the Act, s 4.15		
Site area – 450m^2 (minimum)	Site area is 3,360.1m^2.	**YES**
Minimum landscape area, the lesser of – (i) 35m^2 per dwelling, or (ii) 30% of the site area, The lesser requirement is: 30% landscape area = 1008.3m^2	The proposal provides a landscaped area of 1,572m^2.	**YES**
Car parking		
Number of parking spaces for dwellings <u>used for affordable housing</u>— (i) for each dwelling containing 1 bedroom—at least 0.4 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, (iii) for each dwelling containing at least 3 bedrooms— at least 1 parking space, **(6.9 spaces)** **Number of parking spaces for dwellings <u>not used for affordable housing</u> –** (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces, **(67.5 spaces)**	98 residential car parking spaces comprising: - 90 residential spaces and - 8 affordable housing spaces. The development also proposes: - 9 visitor spaces - 1 car share bay - 1 shared removalist / car wash / visitors and - 1 garbage truck bay, which is acceptable. 1 visitor parking space is provided as an accessible parking space.	**YES**
Minimum internal area – as per ADG	See ADG table.	**YES**
S 20 – Design requirements The design of the residential development is compatible with –	The design of the development is not compatible with the character of the	**NO**

Development standard	Proposed	Complies
(a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.	local character or desired local character.	
S 21 - Must be used for affordable housing for at least 15 years If providing affordable housing component under sections 16, or 18 it must be demonstrated that the affordable housing component will be managed by a registered community housing provider	Refer to Chapter 2, Sections 16-18 above. Details of a registered housing provider have been provided, however, there is no commitment that the affordable housing component will be managed by this provider.	**NO**

Floor space ratio

The site has a FSR of 2.2:1 (7,392 m² GFA), with potential uplift under Sections 16 and 18 of the SEPP Housing. Under Section 16(1), an additional 30% GFA may be permitted, allowing a maximum FSR of 2.86:1 (9,609.88 m² GFA), provided 15% (1,441.48 m²) of the total GFA is dedicated to affordable housing.

The application claims:

- Total GFA: 9,114.1 m² (FSR 2.71:1), representing a 23.29% increase above the FSR.
- Affordable Housing GFA – conflicting information:
    - 872.9 m² (as detailed in the compliance schedule and Clause 4.6 request)
    - 887 m² (as detailed in the Statement of Environmental Effects)

The figures equate to either 9.5 or 9.7% of total GFA, which is below the minimum 10% required under Section 16(2). The error appears to stem from referencing residential GFA instead of total GFA in the applicant's calculations.

In addition to the above, further clarification is required as internal walls and walls enclosing stairs and lifts appear not to have been included in the GFA calculation, which may affect the affordable housing requirement.

The proposal does not comply with the FSR development standard, and no Clause 4.6 variation request has been provided to justify the non-compliance.

Building height

Under the provisions of Section 16(3) an additional building height of up to 30% (6.6 metres), resulting in a maximum building height of 28.6 metres could be sought if at least 15% of the total GFA was affordable housing. The proposal is not subject to the uplift provisions as, contrary to Section 16(2), the affordable housing component is less than 10% of the total GFA.

The Clause 4.6 Exceptions to development standards states the building has a maximum height of 30.48 metres, being a breach of 4.08 metres. It further notes that the maximum building height permitted is 26.4 metres (which includes the additional 20%). The height plane diagram suggests the maximum breach as 3.03 metres.

A Clause 4.6 Exceptions to development standards has been provided to support the variation, which has been considered below.

Chapter 4 – Design of residential apartment development

The proposed development does not achieve the aims of this chapter because of the unsatisfactory built form, the building's aesthetics and consequential detrimental streetscape impacts.

Consideration is given below to the quality of the design of the residential apartment development when evaluated in accordance with the design principles set out in Schedule 9 of SEPP Housing –

1 Context and neighbourhood character

The proposed development does not appropriately respond to context, as detailed by Council's Urban Design Consultant and outlined in reason for refusal 3.

2 Built form and scale

The proposed development does not provide adequate building separation, which compromises the ability to achieve equitable separation with the adjoining sites. Furthermore, the built form lacks sufficient articulation. The proposal increases both height and gross floor area while removing key articulation design elements particularly to the façade of Building B, which presents an unbroken 33 metres wall height extending from ground level to Level 6. The proposed height is non-compliant, which creates amenity impacts and is not supported by a well-founded Clause 4.6 Exceptions to development standards request.

5 Landscape

The Apartment Design Guide (ADG) specifies on large sites 15% of the site should be provided as deep soil. The application is compliant with the ADG deep soil requirements.

The DCP specifies the site should accommodate 50% deep soil. It is noted that the previously approved modification eMOD0078/24 was approved at 48% (1612.6m^2).

The deep soil plan indicates 1,572.8 m² (46.8% of the site area). However, several areas totalling 54.3m² should be excluded, reducing the actual deep soil provision to approximately 1,540.5 m² (45.8%). The reduction in deep soil landscaping is partly result of the ground floor level units AG01 to AG03 to the east, extending beyond the basement into deep soil area within the 6 metres setback line and the fire stairs to Building B also extending past basement.

As a result of the reduction, there is insufficient landscaped area and deep soil zone to provide consolidated deep soil zones which restricts growth of vegetation. Given the increase in height and bulk of the building adequate deep soil area is required to assist in integrating the built form into the landscaped character of the area and maintaining the amenity of properties adjoining the site.

6 Amenity

The proposed development fails to provide adequate separation between Buildings A and B, compromising residential amenity. Access to communal open space for Building B is inequitable, and solar access to this space is insufficient. The placement of windows adjoining the communal open space further detracts from its usability.

The development also does not comply with minimum building separation requirements, a deficiency compounded by inadequate deep soil landscaping. Privacy impacts on adjoining developments remain unresolved.

Additionally, the proposal significantly reduces solar access to neighbouring properties at No. 29–33 Dumaresq Street, solar access decreases to 19 of 35 units (54%), and at No. 35–39 Dumaresq Street, it drops to 24 of 40 units (60%). These reductions are inconsistent with ADG 3B.2 objectives (1), (2), (4), and (5).

Insufficient information has been provided to determine the acoustic impacts.

7 Safety

The proposed development is considered to meet the criteria of Principle 7.

8 Housing diversity and social interaction

The proposed development includes a mix of apartment types and a suitable area of communal open space which will facilitate social interaction.

9 Aesthetics

The eastern, western and southern elevations include areas of blank walls which impact negatively on the streetscape and on visual residential amenity. Further, the development

relies on the use of louvred screens on the edges of the building to obscure services which are not integrated into the design, which is a poor design response.

Apartment Design Guide

Pursuant to Section 147 of SEPP Housing in determining a development application for a residential flat building the consent authority is to take into consideration the Apartment Design Guide (ADG). The following table is an assessment of the proposal against the guidelines provided in the ADG.

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Objective 3A-1 Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	**NO**
Objective 3B-1 Building types and layouts respond to the streetscape and site while optimising solar access within the development.	**NO**
Objective 3B-2 Overshadowing of neighbouring properties is minimised during mid-winter.	**NO**
Objective 3C-1 Transition between private and public domain is achieved without compromising safety and security.	**YES**
Objective 3C-2 Amenity of the public domain is retained and enhanced.	**NO**
Objective 3D-1 An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.	**NO**
Design criteria	
1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.1) Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should: • provide communal spaces elsewhere such as a landscaped roof top terrace or a common room • provide larger balconies or increased private open space for apartments • demonstrate good proximity to public open space and facilities and/or provide contributions to public open space. 2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter).	**YES**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Objective 3D-2 Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.	**YES**
Objective 3D-3 Communal open space is designed to maximise safety.	**YES**
Objective 3D-4 Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood.	**YES**
Objective 3E-1 Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.	**NO**
Design criteria	
Deep soil zones are to meet the following minimum requirements: **Site area** / **Minimum dimensions** / **Deep soil zone (% of site area)** greater than 1,500m^2 with significant existing tree cover / 6m / 15%	**YES**
Objective 3F-1 Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.	**NO**

<table>
<tr><th colspan="2">ADG COMPLIANCE TABLE</th></tr>
<tr><th>Guideline</th><th>Compliance</th></tr>
<tr><td colspan="2">Design criteria</td></tr>
<tr><td>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:

<table>
<tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr>
<tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr>
<tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr>
<tr><td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr>
</table>
Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2)
Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties.</td><td>NO</td></tr>
<tr><td>Objective 3F-2
Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space.</td><td>NO</td></tr>
<tr><td>Objective 3G-1
Building entries and pedestrian access connects to and addresses the public domain.</td><td>NO</td></tr>
<tr><td>Objective 3G-2
Access, entries and pathways are accessible and easy to identify.</td><td>NO</td></tr>
<tr><td>Objective 3H-1
Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</td><td>YES</td></tr>
</table>

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Design guidance	
Car park access should be integrated with the building's overall facade. Design solutions may include: • the materials and colour palette to minimise visibility from the street • security doors or gates at entries that minimise voids in the facade • where doors are not provided, the visible interior reflects the facade design and the building services, pipes and ducts are concealed	**YES**
Objective 3J-1 1. Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.	**YES**
Design criteria	
1. For development on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.	**YES**
Objective 3J-2 Parking and facilities are provided for other modes of transport.	**YES**
Objective 3J-3 Car park design and access is safe and secure.	**YES**
Objective 3J-4 Visual and environmental impacts of underground car parking are minimised.	**YES**
Objective 4A-1 To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.	**YES**
Design criteria	
1 Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas. 2 In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter. 3 A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	**YES**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Objective 4A-2 Daylight access is maximised where sunlight is limited.	**YES**
Objective 4A-3 Design incorporates shading and glare control, particularly for warmer months.	**YES**
Objective 4B-1 All habitable rooms are naturally ventilated.	**YES**
Objective 4B-2 The layout and design of single aspect apartments maximises natural ventilation.	**YES**
Objective 4B-3 The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.	**YES**
Design criteria	
1 At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed. 2 Overall depth of a cross-over or cross-through apartment does not exceed 18 metres, measured glass line to glass line.	**YES**
Objective 4C-1 Ceiling height achieves sufficient natural ventilation and daylight access.	**YES**
Design criteria	
Measured from finished floor level to finished ceiling level, minimum ceiling heights are: **Minimum ceiling height for apartment and mixed use buildings** Habitable rooms — 2.7 metres Non-habitable — 2.4 metres For 2 storey apartments — 2.7 metres for main living area floor; 2.4 metres for second floor, where its area does not exceed 50% of the apartment area Attic spaces — 1.8 metres at edge of room with a 30 degrees minimum ceiling slope If located in mixed used areas — 3.3 metres for ground and first floor to promote future flexibility of use	**YES**
Objective 4C-2 Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms.	**YES**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Objective 4C-3 Ceiling heights contribute to the flexibility of building use over the life of the building.	**YES**
Objective 4D-1 The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.	**YES**
Design criteria	
Apartments are required to have the following minimum internal areas: **Apartment type** — **Minimum internal area** Studio — 35m^2 1 bedroom — 50m^2 2 bedroom — 70m^2 3 bedroom — 90m^2 The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m^2 each. A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m^2 each. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	**YES**
Objective 4D-2 Environmental performance of the apartment is maximised.	**YES**
Design criteria	
1 Habitable room depths are limited to a maximum of 2.5 x the ceiling height. 2 In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	**YES** **NO**
Objective 4D-3 Apartment layouts are designed to accommodate a variety of household activities and needs.	**YES**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Design criteria	
1 Master bedrooms have a minimum area of 10m^2 and other bedrooms 9m^2 (excluding wardrobe space). 2 Bedrooms have a minimum dimension of 3m (excluding wardrobe space). 3 Living rooms or combined living/dining rooms have a minimum width of: • 3.6 metres for studio and 1 bedroom apartments • 4 metres for 2 and 3 bedrooms apartments 4 The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	**YES**
Objective 4E-1 Apartments provide appropriately sized private open space and balconies to enhance residential amenity.	**NO**
Design criteria	
All apartments are required to have primary balconies as follows: **Dwelling type** / **Minimum area** / **Minimum depth** Studio apartments / 4m^2 / - 1 bedroom apartments / 8m^2 / 2 metres 2 bedrooms apartments / 10m^2 / 2 metres 3+ bedrooms apartments / 12m^2 / 2.4 metres The minimum balcony depth to be counted as contributing to the balcony area is 1m / / Balconies width 2 metres For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m^2 and a minimum depth of 3 metres.	**NO**
Objective 4E-2 Primary private open space and balconies are appropriately located to enhance liveability for residents.	**NO**
Objective 4E-3 Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.	**NO**
Objective 4E-4 Private open space and balcony design maximises safety.	**YES**
Objective 4F-1 Common circulation spaces achieve good amenity and properly service the number of apartments.	**NO**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Design criteria	
1. The maximum number of apartments off a circulation core on a single level is eight. 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	**YES**
Objective 4F-2 Common circulation spaces promote safety and provide for social interaction between residents.	**NO**
Objective 4G-1 Adequate, well-designed storage is provided in each apartment.	**YES**
Design criteria	
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: **Dwelling type** — **Storage size volume** Studio apartments — $4m^3$ 1 bedroom apartments — $6m^3$ 2 bedroom apartments — $8m^3$ 3+ bedroom apartments — $10m^3$ At least 50% of the required storage is to be located within the apartment.	**YES**
Objective 4G-2 Additional storage is conveniently located, accessible and nominated for individual apartments.	**YES**
Objective 4H-1 Noise transfer is minimised through the siting of buildings and building layout.	**YES**
Objective 4H-2 Noise impacts are mitigated within apartments through layout and acoustic treatments.	**YES**
Objective 4J-1 In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.	**YES**
Objective 4J-2 Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.	**YES**
Objective 4K-1 A range of apartment types and sizes is provided to cater for different household types now and into the future.	**YES**
Objective 4K-2 The apartment mix is distributed to suitable locations within the building.	**YES**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Objective 4L-1 Street frontage activity is maximised where ground floor apartments are located.	**YES**
Objective 4L-2 Design of ground floor apartments delivers amenity and safety for residents.	**YES**
Objective 4M-1 Building facades provide visual interest along the street while respecting the character of the local area.	**NO**
Objective 4M-2 Building functions are expressed by the façade.	**NO**
Objective 4N-1 Roof treatments are integrated into the building design and positively respond to the street.	**NO**
Objective 4N-2 Opportunities to use roof space for residential accommodation and open space are maximised.	**YES**
Objective 4N-3 Roof design incorporates sustainability features.	**YES**
Objective 4O-1 Landscape design is viable and sustainable.	**YES**
Objective 4O-2 Landscape design contributes to the streetscape and amenity.	**YES**
Objective 4P-1 Appropriate soil profiles are provided.	**YES**
Objective 4P-2 Plant growth is optimised with appropriate selection and maintenance.	**YES**
Objective 4P-3 Planting on structures contributes to the quality and amenity of communal and public open spaces.	**YES**
Objective 4Q-1 Universal design features are included in apartment design to promote flexible housing for all community members.	**YES**
Objective 4Q-2 A variety of apartments with adaptable designs are provided.	**YES**
Objective 4Q-3 Apartment layouts are flexible and accommodate a range of lifestyle needs.	**YES**
Objective 4U-1 Development incorporates passive environmental design.	**YES**
Objective 4U-2 Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.	**YES**

ADG COMPLIANCE TABLE	
Guideline	**Compliance**
Objective 4U-3 Adequate natural ventilation minimises the need for mechanical ventilation.	**YES**
Objective 4V-1 Potable water use is minimised.	**YES**
Objective 4V-2 Urban stormwater is treated on site before being discharged to receiving waters.	**YES**
Objective 4W-1 Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	**YES**
Objective 4W-2 Domestic waste is minimised by providing safe and convenient source separation and recycling.	**YES**
Objective 4X-1 Building design detail provides protection from weathering.	**YES**
Objective 4X-2 Systems and access enable ease of maintenance.	**YES**
Objective 4X-3 Material selection reduces ongoing maintenance costs.	**YES**

Where there is a non-compliance with the ADG, as noted above, fails to meet the underlying objectives of the control, the issue forms a recommended reason for refusal.

Chapter 6 – Low and mid-rise housing

Development standard	Proposed	Complies
Consideration		
S 177 Landscaping – residential flat building or shop top housing Consent authority is to consider the Tree Canopy Guide for Low and Mid Rise Housing.	The proposal is consistent with Table 7 of the SEPP (Housing) 2021	**YES**
S 178 Minimum lot size for residential flat buildings or shop top housing A requirement specifies in another Environmental Planning Instrument or development control plan does not apply to development that meets the standards in Section 180(2) or (3) – (a) maximum Floor Space Ratio of 2.2:1 (b) maximum building height of 22 metres (for residential flat buildings)	Clause 6.6 of KLEP is applicable as the proposal does not comply with the FSR and maximum building height requirements.	**NO**

Development standard	Proposed	Complies
S 180 Section 180(2) or (3) – (a) maximum Floor Space Ratio of 2.2:1 (b) maximum building height of 22 metres (for residential flat buildings)	The proposal has a maximum building height of 30.48 metres and FSR of 2.71:1. Refer to the provisions of Chapter 2 above.	**NO**

Any inconsistencies with other Environmental Planning Instruments

The development standards referred to in the above Apartment Design Guide (ADG) table prevail to the extent of any inconsistency with another Environmental Planning Instrument including KLEP 2015.

The following controls under KLEP 2015 are not inconsistent with the above-mentioned SEPP Housing provisions and as such they continue to apply to the assessment of the subject application.

Ku-ring-gai Local Environmental Plan 2015

Clause 1.2 Aims of the Plan

The proposal has been assessed against the relevant Aims of the Plan. The proposal is inconsistent with these Aims for the reasons given within the assessment report.

Zoning and permissibility:

The site is zoned R4 High Density Residential. The proposed development is defined as a residential flat building and is permissible form of development with consent.

Zone objectives:

The objectives of this zone are:

- *To provide for the housing needs of the community within a high-density residential environment.*
- *To provide a variety of housing types within a high-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for high density residential housing close to public transport, services and employment opportunities.*

The proposed development provides housing for people within a high-density residential environment which is close to transport, services and employment. In this regard, the proposal is not inconsistent with the objectives of the zone.

Ku-ring-gai Local Environmental Plan 2015

Development standard	Proposed	Complies
Cl 6.6 - Requirements for multi dwelling housing and residential flat buildings: Minimum site area of 1,200m^2 and minimum dimensions (width and depth) of 30 metres if the area of the land is greater than 1,800m^2	The site provides a suitable area of 30 metres x 30 metres.	**YES**

Clause 4.3 and 4.4 of KLEP are not applicable. Refer to SEPP Housing Chapter 2 discussion above.

Clause 4.6 Exceptions to development standards

Clause 4.6 provides flexibility in applying certain development standards. An assessment of the requests to vary the development standards, as noted earlier, is provided below:

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

I. the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

II. the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director-General has been obtained.

Whether compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

In *Wehbe v Pittwater Council* [2007] NSWLEC 827, the Court established five ways to demonstrate that compliance with a development standard is unreasonable or unnecessary. The applicant has adopted all 5 ways, as stated in their Clause 4.6 submission, to demonstrate that compliance with the building height development standard is unreasonable and unnecessary, which is summarised below:

- *The objectives of the development standard are achieved notwithstanding non-compliance with the standard.*

*i. The proposal complies with the aims of the Chapter 6 of SEPP Housing as the proposed development involves the construction of a mid-rise residential flat building in that it is about 139m walking distance west from the Gordon Town Centre (as identified on the Town Centres Map in the Housing SEPP) and about 697m walking distance west of the Gordon Train Station. The site is located within the **inner area** which applies to land located in an R4 High Density Residential zone and allows for additional height in these accessible areas. As such, the proposal complies with the aims of Chapter 6 of the Housing SEPP which relate to LMR provisions.*

ii. The proposal is compliant with Clause 15a, being the objectives of Division 1 infill affordable housing of SEPP Housing as the proposal responds to this objective by providing 8 affordable housing units to meet the needs of very low, low and moderate income households. These affordable housing units provide a range of housing types and sizes (1 x 1 bedroom unit, 1 x 2 bedrooms unit and 6 x 3 bedrooms units) through the proposed residential flat buildings that will directly address the demand for affordable housing. The larger apartments will also cater for demand for family-sized apartments in close proximity to local services and facilities and public transport options.

iii. An assessment of Clause 3, being the principles of the Housing SEPP as (summarised):

a. *Although the proposal does not provide purpose built rental housing it does provide family sized units for in an accessible location in both a market and affordable housing capacity, meeting the requirements of Cluse 3(a)*
b. *This proposal includes the provision of 8 affordable housing units which will respond to the needs of the more vulnerable members of the community in providing more affordable houses consistent with Clause 3(b).*
c. *The new apartments have been designed to align with the Chapter 4 Design of residential apartment development and Schedule 9 Design principles for residential apartment development of the Housing SEPP. This design approach ensures that the maximum number of apartments in the development meet minimum amenity requirements and provides a reasonable level of amenity consistent with Clause 3(c).*
d. *The future residents of the site will be able to take advantage of being close to services, facilities and public transport opportunities being 139 metres walking distance to Gordon Town Centre and 697 metres to Gordon Train Station consistent with Clause 3(d)*
e. *The proposal is consistent minimising adverse climate and environmental impacts of new housing by:*
    i. *Satisfactory bulk and scale being compliant with permitted FSR and is located within an R4 zone, in an area undergoing change close to the Gordon Town Centre and station, consistent with the built form of the neighbourhood and existing use and that a large portion of the building form that exceeds the maximum building height permitted under Chapter 2 of the Housing SEPP will not be discernible from the public domain as it results in a consistent and regular building.*
    ii. *Is a result of the steeply sloping site, maximising the number of affordable housing units, providing roof level communal open space and from encroachment of roof level services and plant.*
    iii. *The variation results in the units having internal amenity having maximised internal solar access and cross-ventilation.*
    iv. *Privacy from roof level communal open space is well setback with privacy screens to the northern, western and eastern sides reducing overlooking.*
    v. *Does not impact on significant views*
    vi. *The increase in overshadowing of the southern neighbouring properties from the height variation is not considered to be excessive, when compared to the shadowing resulting from a compliant scheme. The increase in the overshadowing is reasonable considering the existing steeply sloping topography and the addition of building bulk within the southern part of the site.*
f. *The proposed buildings are compatible with the existing and future character as the built form and appearance is consistent with the newer residential flat buildings along McIntrye Street, in particular to the west of the site along McIntyre Street.*

The applicant's arguments that compliance with the development standard is unreasonable and unnecessary is not supported for the following reasons:

- The KLEP sets a maximum building height of 22 metres. The application seeks an additional 4.2 metres, resulting in a total height of 26.4 metres - an increase of 15.45% based on the uplift provisions in the SEPP Housing policy, which apply only when at least 10% of dwellings are provided as affordable housing under Section 16(2). The proposal provides less than 10% affordable housing, as detailed elsewhere in this report, therefore the application is not entitled to benefit from the height uplift under the SEPP Housing. This means the development actually exceeds the standard by 8.48 metres, representing a 38.5% breach. Such a variation is substantial and cannot reasonably be considered 'minor,' as suggested in Part 7 of the Clause 4.6 request. Nevertheless, a minor breach alone does not justify varying a development standard.
- It is acknowledged that SEPP Housing does not include specific objectives for building height. However, it is prudent for the Clause 4.6 variation request considers objectives relevant to building height, as contained in Clause 4.3 of the KLEP, however the applicant has failed to do so. In this regard, the Clause 4.6 is unacceptable because it has not adequately addressed relevant objectives of the development standard.
- The applicant states that:

  > *a large portion of the built form that exceeds the maximum building height permitted under Chapter 2 of the Housing SEPP will not be discernible from the public domain as it results in a consistent and regular building*.

  It is unclear what is meant by 'consistent and regular building', nevertheless, the built form is not regular (assuming it means reflective of a typical RFB within the area) or consistent with the existing built form in the area.
- The applicant relies upon maximising internal solar access and amenity. Whilst this is disputed, the achievement of good amenity is not solely relatable to the additional GFA. A building with a compliant height could also achieve the same outcome with apartments of equal or better internal amenity. The previous approval under DA0038/23 demonstrates that a building with a lower building height can achieve good amenity consistent with the ADG and DCP requirements.
- The lack of amenity impacts is not a sufficient reason to justify the contravention of a development standard. Nevertheless, it is not agreed there is a lack of amenity impacts. The proposed development adversely impacts on the amenity of adjoining properties, as detailed within reasons for refusal 4 and 5.
- The screening structures that have been added to building A to 'hide' the services exceed the height limit and are not well integrated into the design and built form resulting in additional and unacceptable bulk and scale.

Whether there are sufficient environmental planning grounds to justify contravening the development standard.

The applicant states that the following environmental planning grounds justify the contravention of the development standard:

- *Despite the numerical non-compliance with the additional height for in-fill affordable housing development standard, the development provides a scale and form of development that is compatible with surrounding existing and approved developments and one that is expected under the Housing SEPP provisions, in particular those relating to LMR and in-fill affordable housing provisions. The overall development will be compatible with the existing and emerging character of Gordon Town Centre, noting the current provisions of the Housing SEPP together with the alternative TOD provisions being pursued by Council. Consequently, the proposed development will not be out of character with this scale.*
- *Despite the proposed development causing additional overshadowing on the properties to the immediate south, in the context of Council's preferred scenario for TOD development, significant overshadowing will likely result from the scale of development envisaged for the area surrounding Gordon Station. This would include additional shadow falling directly on the site from the preferred planning controls enabling 50-80m buildings immediately to the east of the site, at the top of McIntyre Street. As such, any additional overshadowing caused by the proposed development, including any resultant shadow impacts from the height variation, will be negligible compared to the resultant shadow of 50-80m high buildings. Consequently, given the desired future context of this area, the additional overshadowing is considered to be acceptable.*
- *The proposed height variation maximises the future amenity of the residential dwellings proposed in response to the current housing crisis with no unacceptable, additional, adverse environmental impacts. The proposed height exceedance enables the delivery of a high quality communal open space at roof level and generous floor to floor heights. In this regard, the height variation is directly consistent with the aims of the development standards provided within the Housing SEPP.*
- *The height variation is in part a direct consequence of the slope of the site, the orientation of the site and the introduction of building form in the southern part of the site. The site is one of the last sites to be redeveloped along McIntyre Street within the R4 High Density Residential zone*
- *The additional height enables the provision of a high-quality residential development that also provides for additional affordable housing units. There is an inherent public benefit in providing additional residential dwellings including affordable housing on the site, particularly given the proximity of the site to the Gordon Town Centre and Gordon Train Station.*
- *The proposed development responds to the NSW Government's strategic and statutory planning initiatives to encourage private developers to boost diversity of housing choice and deliver more market housing. Namely, the breach reflects the objectives and development standards provided in the Housing SEPP for infill affordable housing and LMR housing.*
- *The proposed development will contribute to the viability and attractiveness of the Gordon Town Centre. The proposed development achieves the objects in Section 1.3 of the EP&A Act, specifically:*
  - *The development will deliver affordable housing, with more than 872.9sqm of gross floor area of the development being provided as affordable housing for the wider Gordon community. The development is well placed to maximise the*

benefits of this type of housing, being near the Gordon Town Centre and Gordon Train Station, providing access to the wider Sydney region.

- *The proposal promotes the orderly and economic use and development of land through the redevelopment of underutilised sites for an appropriate residential development.*
- *The proposed development promotes the construction of a building which exhibits good design and amenity of the built environment. Giles Tribe Architects have designed the buildings with consideration of the context and have incorporated various architectural elements to create a high-quality design outcome.*

The applicant's environmental planning grounds are not accepted for the following reasons:

- The environmental planning grounds provided are generic and do not address site specific elements causing the breach. No supporting evidence, such as a detailed solar analysis demonstrating that upslope development would render the additional height inconsequential. Justification must cover all building components exceeding 22 metres, as the proposal is not eligible for affordable housing uplift.
- The inclusion of affordable housing does not in itself justify exceeding the building height development standard.
- It is not accepted that the variation will not result environmental impacts. The proposal includes excessive and non-compliant site coverage, reduced solar access to neighbouring properties, and there are urban design issues relating to unacceptable bulk and scale.
- References to TOD SEPP, under-utilisation, and good design are generic and fail to demonstrate site-specific environmental planning grounds.
- While overshadowing from other developments may occur, insufficient information has been provided to assess these impacts.

The site's topography may present a reasonable environmental planning ground, however the Clause 4.6 variation request does not demonstrate how the site's unique circumstances justify the departure from the development standard, as required under *Wehbe v Pittwater Council*. The proposed height variation cannot be supported due to the lack of adequate justification. As a result, this forms the basis for recommended refusal reason 2..

Authority to determine variation

Any variation to a numerical standard that exceeds 10% or relates to a non-numerical standard must be considered by the Ku-ring-gai Local Planning Panel or the Sydney North Planning Panel. As the variation to the numerical building height standard is more than 10%, the application is required to be referred to the Ku-ring-gai Local Planning Panel.

Development standards that cannot be varied.

The variation to the development standard is not contrary to the requirements in subclauses (6) or (8) of Clause 4.6.

Part 5 Miscellaneous provisions

Clause 5.10 – Heritage conservation

The subject site does not contain a heritage item, is not located within 100m of an Item, and is not within a heritage conservation area. The proposed works do not affect any known archaeological or Aboriginal objects or Aboriginal places of heritage significance.

Part 6 Additional local provisions

Clause 6.1 – Acid sulphate soils

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The land is mapped as Class 5 Acid sulfate soils. Development consent is required for works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. The proposal is not subject to this clause as the works are more than 500m of adjacent Class 1, 2, 3 or 4 land.

Clause 6.2 - Earthworks

In relation to earthworks, the proposed development will not restrict the existing or future use of the site, adversely impact on neighbouring amenity, the quality of the water table or disturb any known relics. Additionally, the fill to be removed will be disposed of appropriately.

Clause 6.3 - Biodiversity protection

The site is partially mapped as containing biodiversity significance. The application fails to provide adequate information, specifically the required 5-part test to assess the extent of potential impacts. This information is necessary to demonstrate that the development has been designed to minimise impacts on the diversity and condition of native vegetation, fauna, and habitat, in accordance with Clause 6.3 of the LEP.

Further, a consent authority cannot lawfully approve the application without the required 5-part test because the Environmental Planning and Assessment Act, (EPA Act) and Biodiversity Conservation Act because it is a prerequisite to its determination.

Clause 6.4 – Riparian land and waterways

The site is mapped as riparian land and waterways. Council's Ecological Assessment Officer has reviewed the application and is not satisfied that the proposal has been designed to minimise impacts on riparian land and waterways, as per the requirements of the LEP. It is agreed that the proposed landscaping does not adequately address Part 17.4 – Category 3: Bed and Bank Stability of the DCP, as detailed in reason for refusal 12.

Clause 6.5- Stormwater and water sensitive urban design

Council's Development Engineer has reviewed the application and is satisfied that the proposal meets the objectives of this clause.

It is agreed that the proposal seeks to minimise the adverse impacts of urban water on the site and within the catchment and that the stormwater design adequately manages water quality and controls discharge volumes and frequency.

Policy Provisions (DCPs, Council policies, strategies and management plans)

Ku-ring-gai Development Control

Part 1A.5 General aims of the DCP

The proposed development has been assessed against the general aims of this DCP and is found to be unacceptable in all relevant respects for the reasons given throughout this report.

Part 2: Site analysis

A site analysis plan which identifies the existing characteristics of the site and surrounding area has been provided as part of the development application. The site analysis is considered to satisfy the objectives of this part of the DCP.

Part 3: Land consolidation and subdivision

The proposed development requires the consolidation of the existing allotments. This aspect of the development was approved under DA0038/23.

Part 7: Residential Flat Buildings

COMPLIANCE TABLE		
Development Control	**Proposed**	**Complies**
Part 7 Residential Flat Buildings		
7A.1 – Local character and streetscape		
All Residential Flat Buildings are to be designed by an architect registered with the NSW Architects Registration Board.	The development has been designed by a registered architect per the Design Statement.	**YES**
All residential flat buildings are to demonstrate how they provide a garden setting with buildings surrounded by landscaped gardens, including tall trees, on all sides.	A garden setting is not provided due to insufficient deep soil area.	**NO**

Design components of new development are to be based on the existing predominant and high quality characteristics of the local neighbourhood.	Design components do not reflect high quality characteristics of the neighbourhood.	**NO**
The appearance of the development is to maintain the local visual character by considering the following elements: i) visibility of on-site development when viewed from the street, public reserves and adjacent properties; and ii) relationship to the scale, layout and character of the tree dominated streetscape of Ku-ring-gai.	The development does not have an appropriate relationship to the scale, layout and character of the streetscape.	**NO**
The predominant and high quality characteristics of the local neighbourhood are to be identified and considered as part of the site analysis.	The submitted site analysis is acceptable.	**YES**
Development is to integrate with surrounding sites by: i. being of an appropriate scale retaining consistency with the surrounds when viewed from the street, public domain or adjoining development; ii. minimising overshadowing; and iii. integrating built form and soft landscaping (gardens and trees) within the tree canopy that links the public and private domain throughout Ku-ring-gai.	The proposed development is not of an appropriate scale, does not minimise overshadowing and is not integrated with soft landscaping and surrounding built form.	**NO**
Colours of materials used in sites adjoining or in close proximity to bushland areas and Heritage Conservation Areas are to be in harmony with the built and natural landscape elements of the area.	The colours and finishes are acceptable.	**YES**
7A.2 – Site layout		
The site layout is to demonstrate a clear and appropriate design strategy and arrangement of building mass in response to the Site Analysis in Part 2 Site Analysis of this DCP. Demonstration of design strategies to address opportunities and constraints based on Site Analysis are to include:	The proposed development does not appropriately respond to the context.	**NO**

i. building location and orientation on the site optimising northern aspect; relationship with neighbouring developments; building setbacks; geographical aspect; views; access etc; ii. response of building development in maintaining site characteristics within the subject site, such as topography, vegetation, significant trees, any special features, etc. iii. building separation and internal layouts of buildings that respond to (i) above and be consistent with the requirements of the DCP. iv. limited apartments with no direct sunlight.		
Drawings and supporting written information is to demonstrate how the building and its layout has applied and responded to the site analysis required by Part 2 of the DCP.	The proposal does not respond to the site analysis.	**NO**
Any building with a frontage to the street is to address that street.	Building entry not visible from the street.	**NO**
Soft landscaping, including tall trees, is to be provided between onsite buildings, fences and courtyard walls.	Insufficient deep soil area is provided.	**NO**
Hard landscaping is to be minimised and to maximise opportunities for landscape planting	Opportunities for soft landscape plantings are not maximised.	**NO**
Long straight driveways are not permitted, except where necessary for battle-axe sites. Driveways are to be designed to be of minimal visual impact.	A long straight driveway is not proposed.	**YES**
Provide a single pedestrian entry point into the development from the street. Other entries may be permitted where several buildings address the street along an extended street or where there are dual frontage sites.	Single pedestrian entry point provided.	**YES**
Three hours of direct sunlight between 9am and 3pm on 21st June is to be maintained to the living rooms, primary private open spaces and any communal open spaces within i. existing residential flat buildings and multi-dwelling housing on adjoining lots, and	3 hours of solar access is not achieved to adjoining properties.	**NO**

ii. residential development in adjoining lower density zones. Note: Where an adjoining property does not currently receive the required hours of solar access, the proposed building is to ensure that solar access to neighbours is not reduced by more than 20%.		
Overshadowing should not compromise the development potential of the adjoining yet to be redeveloped sites.	It has not been demonstrated that overshadowing will not compromise the development of adjoining properties.	**NO**
Developments are to allow the retention of a minimum of 4 hours direct sunlight between 9am to 3pm on 21st June to all existing solar collectors and solar hot water services on neighbouring buildings.	The proposed development does not overshadow adjoining solar collectors.	**YES**
7A.3 – Building setbacks		
Residential flat buildings are to meet the following street setback requirements: i.10 metres from the street boundary; ii.on corner sites and sites with multiple street frontages at 10 metres setback is to be provided on all street frontages.	10 metres	**YES**
Residential flat buildings are to provide a 2 metres articulation zone behind the street setback, and no more than 40% of this zone (in plan) is to be occupied by the building.	Further articulation would increase deep soil.	**NO**
The building line to any street is to be parallel to the prevailing building line in the streetscape. For angled sites, a stepped façade may be appropriate.	The building lines are parallel to the street frontages.	**YES**

Residential flat buildings are to meet the following side and rear setback requirements to ensure deep soil, landscaping and tall trees are accommodated to all sides of the building: i) a minimum of 6 metres from the side boundary for all levels up to the fourth storey. ii) a minimum of 9 metres to the fifth storey and above.	Non-compliant along the: Northern elevation: Building B GF – L7: 4.25 metres Eastern elevation: Building B L4-L7: minimum: 6 metres Western elevation: Building A L4-L7: minimum: 6.95 metres	**NO**
Side setback areas behind the building line are not to be used for driveways or for vehicular access into the building.	Side setbacks behind the building line are not proposed for driveways/vehicular access.	**YES**
Driveways are to be set back a minimum of 6m from the side boundary within the street setback to allow for deep soil planting.	No change to approved driveway DA0038/23.	**As approved**
Setbacks are to respond to the attributes identified in the site analysis, conducted as required by Section A Part 2 Site Analysis of the DCP, including consideration of the location of adjoining buildings and views of the site.	Adequate consideration has not been undertaken.	**NO**
Encroachments i. Basements do not encroach into any setback areas ii. Ground floor terrace/courtyard walls min 8 metres to street boundary / 4 metres to rear & side boundaries / 7 metres adjacent to lower density residential zone iii. No encroachments where site area is < 1800m^2	Courtyard encroachments reduce deep soil.	**NO**

iv.No encroachments are permitted where minimum side setbacks have not been achieved. v.A maximum of 15% of the street setback area occupied by private terraces/courtyards		
Eaves, open pergolas, blades, fins and columns may encroach into the setback areas where they do not increase the apparent bulk of the building or create visual clutter:	Satisfactory.	**YES**
7A.4 – Building Separation		
Residential flat buildings on the same development site are to include areas of deep soil in between the buildings that are capable of housing substantial vegetation and tall trees.	The approved basement extends between the two buildings and therefore deep soil is not reduced in this location.	**YES**
The minimum separation between residential buildings on the development site is to comply with the following controls: Up to 4th storey: • 12 metres between habitable rooms/balconies • 9 metres between habitable rooms/balconies and non-habitable rooms • 6 metres between non-habitable rooms 5th storey & above: • 18 metres between habitable rooms/balconies • 13.5 metres between habitable rooms/balconies and non-habitable rooms • 9 metres between non-habitable rooms	3.5 metres (min between Building A and Building B up to level 6).	**NO**
Buildings are to be located so that apartments benefit from views into and through onsite landscaped gardens.	Apartments have views to on-site gardens.	**YES**

7A.5 – Site coverage		
The site coverage may be up to a maximum of 30% of the site area, provided that the deep soil landscaping requirements in Section A Part 7A.6 Deep Soil Landscaping are met.	The applicant states site coverage is 42.2%, however the calculation plan appears to be incorrect.	**NO**
7A.6 – Deep soil landscaping		
A minimum deep soil landscaping area of 50% for a site area of 1800m^2 or more.	45.8%	**NO**
Deep soil zones are to be configured to retain healthy and significant trees on the site and adjoining sites, where possible.	Satisfactory	**YES**
Deep soil zones are to be configured to allow for required tree planting including tall tree planting and garden and screen planting at front, side and rear boundaries.	Satisfactory	**YES**
Deep soil landscaping is to be provided in the common areas as a buffer between buildings that softens the bulk and scale of the buildings.	The reduction in landscape area between buildings is unsatisfactory.	**NO**
Driveways are not to dominate the street setback area. Deep soil landscaping areas in the street setback are to be maximised.	Satisfactory	**YES**
Lots with the following sizes are to support a minimum number of tall trees capable of attaining a mature height of at least 18m on shale, transitional soils and 15m on sandstone derived soils. i. 1200m^2 or less – 1 tall tree per 400m^2 or part thereof ii. 1201m^2 – 1800m^2 – 1 tall tree per 350m^2 or part thereof iii. 1801m^2 + - 1 tall tree per 300m^2 or part thereof **(11 trees required)**	20 trees provided.	**YES**
In addition to the tall trees, a range of medium trees, small trees and shrubs are to be selected to ensure that vegetation softens the building form and creates a garden setting. At least 50% of all tree plantings are to be locally occurring trees and spread around the site.	Satisfactory	**YES**
Trees are to be planted within all setback areas. At least 30% of the required number of tall trees are to be planted within the front	Satisfactory	**YES**

setback.		
7B – Access and parking		
7B.1 – Car parking provision		
All residential flat developments are to provide on-site car parking within basements**.**	The approved development has basement car parking.	**As approved**
Basement car park areas are to be consolidated under building footprints.	The basement is as approved as per DA0038/23.	**As approved**
The basement car park is not to project more than 1 metre above existing ground level.	The basement approved under DA0038/23 includes some areas >1 metre above natural ground level.	**As approved.**
Single lane aisles, straight ramps and tunnels max 12 metres in length.	Satisfactory.	**YES**
Direct and continuous internal pedestrian access from basement car park is provided to each level of the building	Lifts and fire stairs are proposed from the basement to each level of the building.	**YES**
Car park entry is to be integrated within the building and located behind the building line.	Car parking entry is located behind the building line and integrated.	**YES**
Car parking design is to be in accordance with requirements for Silver and Platinum Level dwellings as required in this DCP and by the *Livable Housing Guidelines*. Circulation areas, roadways and ramps are to comply with AS2890.1. Where a conflict occurs, the *Livable Housing Guidelines 2012* is to take precedence.	Complies.	**YES**

<table>
<tr>
<td>Car parking rates for residential flat developments on sites within 800 metres walking distance of a railway station entry:

<table>
<tr><th>Type</th><th>Minimum</th><th>Maximum</th></tr>
<tr><td>Studio</td><td>0 spaces</td><td>0.5 spaces</td></tr>
<tr><td>One bedroom</td><td>0.6 spaces</td><td>1 space</td></tr>
<tr><td>Two bedrooms</td><td>0.9 space</td><td>1.25 spaces</td></tr>
<tr><td>Three or more bedrooms</td><td>1.4 space</td><td>2 spaces</td></tr>
</table>
Visitors: 1 per 6 units (at least one is accessible

Min 1 visitor parking space complies with the requirements of AS2890.6

Note: Any spaces provided which exceed the upper range in Control 9 above will be included as gross floor area.</td>
<td>SEPP Housing requires 74.4 parking spaces and takes prevails over the DCP, which requires 92 spaces including 9 visitor spaces.

98 spaces are provided.</td>
<td>YES</td>
</tr>
<tr>
<td>At least one visitor car space is to be accessible and be provided within the site for every 6 apartments or part thereof and is to comply with the dimensional and locational requirements of AS2890.6.</td>
<td>1 accessible visitor space provided.</td>
<td>YES</td>
</tr>
<tr>
<td>A clearly signposted parking bay for temporary parking of service and removalist vehicles is to be provided. The space is to have the
following standards:
i) a minimum dimension of 3.5 metres x 6 metres;
ii) a minimum manoeuvring area 7 metres wide.</td>
<td>Satisfactory.</td>
<td>YES</td>
</tr>
<tr>
<td>One visitor parking bay is to be provided with a tap, to make provision for on-site car washing.</td>
<td>Satisfactory.</td>
<td>YES</td>
</tr>
<tr>
<td>At least one car share space is to be provided in the basement per 90 dwellings, or part thereof.</td>
<td>1 car share space provided.</td>
<td>YES</td>
</tr>
</table>

Parking areas are to be designed and constructed so that electric vehicle charging points can be installed.	A condition would be recommended to ensure compliance if the application was recommended for approval.	**YES**
7B.2 – Bicycle parking and support facilities provision		
Provide on-site, secure bicycle parking spaces and storage at the following rates: i) 1 bicycle parking space per 5 units or part thereof for residents within the residential car park area; and ii) 1 bicycle parking space (in the form of a bicycle rail) per 10 units for visitors in the visitor car park area.	17 spaces	**YES**
All on-site bicycle parking spaces and storage are to be designed to AS2890.3.	Satisfactory	**YES**
7C – Building design and sustainability		
Part 7C.1 - SEPP 65 and Apartment Design Guide requirements		
All residential flat buildings are to comply with the objectives, Design Criteria and Design Guidance of the following *Apartment Design Guide* sections: 3F Visual Privacy 4A Solar and Daylight Access 4B Natural Ventilation 4C Ceiling Heights 4D Apartment Size and Layout 4E Private Open Space and Balconies 4F Common Circulation and Spaces 4G Storage	Refer to the ADG compliance table.	**NO**
7C.2 – Communal open space		
At least 10% of the site area must be provided as communal open space. Each parcel of communal open space is to have a minimum dimension of 5 metres.	Primary communal open space of 190.5 m^2. Secondary communal open space within the front setback is approximately 140 m^2.	**YES**

At least one single parcel of Primary communal open space with a minimum area of 80m^2 and a minimum dimension of 8 metres is to be provided.	>80m^2 >8 metres	**YES**
The Primary communal open space is to be directly accessible from the internal common circulation areas.	The proposed principal usable part of the communal open space located on Level 6 of Building A cannot be directly or equitably accessed from the units in Building B.	**NO**
The Primary communal open space is to be located at or above finished ground level behind the building line. Roof top Primary communal open space may be provided where the ground level cannot meet performance requirements or is undesirable.	Roof top terrace provided.	**YES**
Secondary communal open spaces are to have a minimum dimension of 5 metres and may be provided on roof tops.	>5 metres	**YES**
Access to and within the Primary communal open space is to be provided for people with a disability Part 2 Section 7 of AS1428.	Complies.	**YES**
The location and design of the Primary communal open space is to optimise opportunities for active and passive social and recreation activities, solar access and orientation, summer shade, outlook, and maintain the privacy of residents on adjoining sites zoned differently for lower density residential development sites.	Satisfactory	**YES**
At least 50% of the area of the Primary communal open space and any Secondary communal open space are to receive direct sunlight for at least two hours between 9am and 3pm on 21st June.	The communal open space located on Level 6 of Building A does not receive direct sunlight to a minimum 50% of its area between 9am and 3pm on 21 June.	**NO**

Communal open space is to be integrated with any significant natural feature(s) of the site and soft landscaping areas.	Satisfactory	**YES**
The communal open space is to have surveillance from at least two onsite apartments for safety reasons.	The principal communal open space complies.	**YES**
Communal open space design is to avoid creation of concealment or entrapment areas.	No entrapment areas are proposed.	**YES**
Shared facilities such as barbecue facilities, shade structures, play equipment and seating, are to be provided within the Primary communal open space.	Communal open space includes areas for passive recreation.	**YES**
Garden maintenance storage areas, drainage and connections to water taps are to be provided with the Primary communal open space. Secondary communal open spaces are to have adequate connections to water for maintenance purposes.	No garden maintenance storage area proposed.	**NO**
7C.3 – Ground floor apartments		
Ground floor apartments are to be separated from noise sources such as common areas, communal open space and the public domain.	Suitably separated.	**YES**
Ground and podium level apartments are to have private outdoor areas differentiated from communal areas by at least one of the following: i) a change in level; ii) walls to deflect noise; iii) planting, such as hedges and low shrubs; iv) a fence/wall to a maximum height of 1.8 metres. Any solid wall component is to be a maximum height of 1.2 metres with at least 30% transparent component above.	Ground floor units separated by planting / balustrading.	**YES**
A gate is to be provided from each ground floor apartment private open space into common areas where practical.	Gates not proposed.	**NO**
No subterranean rooms to any part of any apartment	LG03 approved as per DA0038/23	**As approved**
No ground floor apartments created as a result of excessive excavation.	Excavation of the lower ground was considered to have satisfactory	**YES**

	amenity as per DA0038/23.	
No part of any wall used to accommodate any residential apartment uses, including storage areas outside the apartment, is to be in direct contact with soil or rely on any form of tanking including spaces that act as tanking.	Storage is not directly attached to basement which was approved in DA0038/23. A condition is included within DA0038/23 requiring a fully tanked structure.	**YES**
Tanking may only be provided to basement parking levels. Where basement storage is located adjacent to external walls, they are to be separated from the tanked wall by an accessible maintenance passage.	Storage is not directly attached to basement which was approved in DA0038/23. A condition is included within DA0038/23 requiring a fully tanked structure.	**YES**
The internal finished floor level of any part of a ground floor apartment and/or private open space is not to be more than 0.9m below existing ground level at the building line.	LG03 approved as per DA0038/23	**As approved**
Where the internal finished floor level of a ground floor apartment and/or private open space is not more than 0.9m below the existing ground level at the building line, the ground level adjacent to the building is to be levelled to the finished floor level for a distance of 3.0m from the building line.	LG03 approved per DA0038/23.	**As approved**
All obstructions, such as retaining walls or fences, are to be located below a 45˚ control plane, drawn from the finished ground level at the building line. Landscaping plants may project beyond the 45˚control plane.	LG03 approved as per DA00338/23.	**As approved**
7C.4 – Apartment mix and accessibility		
Range of apartment sizes (one, two, three bedroom) included within the development	A range of apartment sizes proposed.	**YES**
Mix of 1, 2 & 3 bedrooms apartments located on the ground level.	A mix of 1, 2, 3 and 4 bedrooms	**YES**

	apartments proposed.	
All apartments are to be designed to Silver Level under the Livable Housing Design Guidelines	All units are designed to Silver level.	**YES**
At least 15% of the dwellings (or part thereof) are to be designed to Platinum Level under the Livable Housing Design Guidelines.	15%	**YES**
At least 70% of all dwellings are visitable.	All units appear to be visitable.	**YES**
7C.5 – Building entries		
The residential flat building entry is to be clearly expressed using appropriate architectural elements.	Building entry not visible from the street.	**NO**
Buildings are to address the street by providing visible entry points with the following: i) main building entrances that are level and directly accessible from the street; or, ii) where site configuration is conducive to having a side entry, the path to the building entrance is readily visible from the street, and the building entrance is signalled with appropriate architectural elements.	Building entry not visible from the street.	**NO**
Entry foyers are to be no more than 1 metre above ground level. Any ramped access required is to be integrated into the design of the building or landscape. Mechanical chairlifts and the like will not be accepted.	Satisfactory	**YES**
Buildings are to have a clearly visible building entry for each vertical circulation core with clear way-finding signs integrated into the external circulation pathway system.	Front building entry not clearly visible from street.	**NO**
The building entry is to be legible and integrated with horizontal and vertical building facade architectural elements. At street level, the entry is to be articulated with awnings, porticos, recesses or projecting bays for clear identification.	Front building entry not clearly visible from street.	**NO**
All entry areas are to be well lit and designed to avoid any concealment or entrapment	Entry does not include spaces for entrapment and is	**YES**

areas and avoid dog leg entry foyers. All light spill is prohibited.	capable of being well lit.	
Lifts are to be directly visible from the building entry doorway.	Lifts are visible from entry doorway.	**YES**
Lockable mailboxes are to be: - provided close to the street; and - be at 90 degrees to the street and to Australia Post standards; and - integrated with front fences or building entries.	Letter boxes indicated at front entry.	**YES**
On large development sites comprising multiple separate buildings, each building is to have its own clear entry with good sightlines. Way-finding signs are to be provided.	Each building has its own entry.	**YES**
All entries are to be integrated into the external circulation pattern of the development.	Satisfactory.	**YES**
Building entry paths are to be minimum 1.2 metres wide and located within the common area with a minimum dimension of 1.2 metres on either side for landscape planting. Paths are to provide extra width at building entries to allow easy passing between pedestrians and to allow effective turning.	Satisfactory.	**YES**
All common circulation corridors are to be at least 1.5 metres wide, and the area outside lifts is to be at least 1.8 metres wide.	Satisfactory.	**YES**
7C.6 – Building Form and Facades		
All building facades at ground level are to be designed to avoid the creation of entrapment areas.	Entrapment areas are not proposed.	**YES**
No single wall plane is to exceed 81m^2 in area.	Approx: Building B: southern elevation: 806m^2, eastern elevation: 240m^2 and western	**NO**

	and northern 180m^2. Building A: southern elevation: 230m^2, eastern elevation up to 140m^2, western elevation: 160m^2, northern elevation: 115m^2	
The following are to be avoided on all building elevations: i) large flat walls; ii) undifferentiated window openings; iii) applied treatments; iv) one single predominant finish or material.	There are several flat unarticulated walls, as per the above consideration.	**NO**
All facades are to place entries, habitable room windows, and balconies so that they maximise outlook and passive surveillance of the street and to common areas surrounding the building.	Balconies are located to maximise passive surveillance of the street.	**YES**
All building elements including shading devices, signage, drainage pipes awnings/colonnades and communication devices are to be coordinated and integrated into the overall facade design.	Southern mechanical plant room on Level 6 of Building A is not considered to be integrated within the development.	**NO**
Air conditioning condensers are to be located within the basement or within the roof structure of the upper most roof. Air conditioning condensers are not to be located on: i) the building façade: ii) the top of a flat roof: iii) terraces; iv) private or communal open spaces; or v) balconies.	Air conditioning condensers are located within the basement and roof top.	**YES**
Screening between adjacent apartments is to be integrated into the overall building design.	Concern has been raised in relation to screens on windows.	**NO**

Notches, slots or indentations in the perimeter of the building are to be at least as wide as they are deep.	Indent on eastern side of Building A does not comply. The indent is a minor variation and acceptable.	**NO**
Facade elements that result in poor architectural design outcomes for internal spaces, such as snorkel windows, are not permitted.	Snorkel windows are not proposed.	**YES**
All facades are to be designed to minimise on-going maintenance and weathering through measures such as: i) selecting appropriate robust materials/finishes; and ii) including appropriate building edge, balcony edge, sill, head and parapet detailing that demonstrates protection from prevailing weather and harsh solar aspects.	Finishes and materials are acceptable.	**YES**
Facade Articulation		
All building facades are to be articulated with wall planes varying in depth by not less than 0.6 metre, and supplemented with architectural elements.	The proposed facades of Building B, particularly the southern rear facade which will be visible from Dumaresq Street, is large, flat and minimally articulated.	**NO**
Facade articulation is to be well composed with attractive proportions and coherent rhythms and integrated into the building form and structure.	The proposed facades of Building B, particularly the southern rear facade which will be visible from Dumaresq Street, are large and flat and relatively unarticulated.	**NO**
Blade walls are not to be the sole element used to provide articulation.	Inadequate articulation is provided. Facades of Building B, particularly the	**NO**

	southern rear facade which will be visible from Dumaresq Street, are large and flat and relatively unarticulated.	
All developments are to utilise shading/glare control devices to articulate the facade and contribute to the streetscape. Design solutions can include: i) providing external horizontal shading to north-facing windows, such as eaves, overhangs, pergolas, awnings, colonnades, upper floor balconies, and/or deciduous vegetation; ii) providing vertical shading to east and west windows, such as sliding screens, adjustable louvres, blinds and/or shutters; iii) providing shading to glazed and transparent roofs; iv) integration of shading devices with solar energy collection technology.	Shading devices proposed.	**YES**
Building Length		
The continuous length of a single building on any elevation is not to exceed 36 metres.	The proposed building length of Building A is 52.3 metres, which is 600 millimetres longer than the approved building length per DA0038/23. The increase in building length is not acceptable given the loss of deep soil and increase in building height. (Refer to reason for refusal 2 and 8).	**NO**

The length of a single building elevation facing the side or rear boundary may exceed 36m provided that: i) the façade is recessed in depth and width to appear as distinctive and separate building bays or wings; and ii) the recess is retained as common area with landscaping which includes at least one medium tree (at least 8m canopy diameter at maturity).	The proposed length of Building A is 52.3 metres, which is 600 millimetres longer than the approved building length per DA0038/23. The increase in building length is not acceptable given the loss of deep soil and increase in building height. (Refer to reason for refusal 2 and 8).	**NO**
Balconies		
Balcony or terrace design may incorporate building elements such as pergolas, sun screens, shutters, operable walls and the like to respond to the street context, building orientation and residential amenity. The use of such building elements are not to enable the balcony or terrace to be used as a habitable room.	Satisfactory	**YES**
Balconies that run the full length of the building facade are not permitted.	Building A has balconies that run the full length of the façade and are acceptable as partially solid-balustrades are provided which are integrated into the overall building facade.	**YES**
Continuous transparent or translucent balustrades are not permitted to balconies or terraces.	Continuous transparent balustrading not proposed.	**N/A**
Balconies are not to project more than 1.5 metres from the outermost wall of the building facade.	Balconies do not project more than 1.5 metres from the outermost walls.	**YES**

7C.8 – Top storey design and roof forms		
The top storey of a building is to be designed so that: i) the GFA of the top storey of a residential flat building does not exceed 60% of the GFA of the storey immediately below it; and ii) for the purposes of this section, the top storey applies to the building as a whole and does not apply to the top level of each part of a stepped building.	The top storey of Building A has 103.3% of the GFA of the storey below and is not acceptable.	**NO**
The top storey of a building is to be set back a minimum of 2.4 metres from the outer face of the floors below on all sides (roof projection is allowed beyond the outer face of the top storey).	The proposed top storey of Building A and the top storey of Building B are not set back a minimum of 2.4 metres from the outer face of the floors below on all sides and is not acceptable.	**NO**
The upper storeys of residential buildings are to be articulated with differentiated roof forms, maisonettes or mezzanine penthouses and the like.	The upper level of building A is not adequately articulated and is not acceptable.	**NO**
Service elements are to be integrated into the overall design of the roof and not be visible from the public domain or any surrounding development. These elements include lift overruns, plant equipment, air conditioning units, chimneys, vent stacks, water storage, communication devices and signage.	The southern mechanical plant room of Building A is not integrated and will be visible from surrounding developments and is not acceptable.	**NO**
Roof design is to respond to solar access and prevailing weather with the use of eaves, skillion roofs, awnings and the like with a minimum overhang of 0.6m	Roof overhangs have been provided.	**YES**
Lightweight pergolas, sun-screens, privacy screens and planters are permitted on the roof or podium, provided they are integrated with the building and facade design and do not increase the bulk of the building, create visual clutter or impact on significant views	Privacy screens are not integrated in relation to the mechanical plant areas and is not acceptable.	**NO**

from adjoining properties.		
Roof top gardens for private or communal use are encouraged.	Roof top gardens provided.	**YES**
7C.9 – Laundry and air clothes drying facilities		
Each apartment is required to have access to an external air clothes drying area, such as a screened balcony, a terrace or clothes lines within the common area. All external air clothes drying areas are to be screened and not be visible from any public domain area.	External clothes drying areas not indicated, which is not acceptable.	**NO**
Storage volume calculation within laundries is to exclude the space required to accommodate a washing tub, washing machine and dryer.	Adequate storage provided.	**YES**
Where clothes drying is provided within private open space within a communal open space, its area is to be additional to that required for the private open space or communal open space.	Clothes drying areas are not proposed, which is not acceptable.	**NO**
7C.11 – Acoustic Privacy		
Noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, other mechanical ventilation systems and other plant are to comply with the requirements in Part 23.8 of the DCP.	Inadequate information provided.	**Unclear**

Ku-ring-gai Development Control Plan

Section B

Part 15 – Land Contamination

The site is not mapped as being contaminated and has a history of residential use and as such, it is unlikely to contain contamination, and further investigation is warranted in this case.

Part 17 – Riparian Lands

The site is mapped as riparian land. Council's Ecological Assessment Officer has raised concern regarding the design of landscaping around the riparian area. It is agreed that the landscape plan is inadequate, as referenced in reason for refusal 12.

Part 18 – Biodiversity

The site is mapped as land comprising biodiversity significance.

Council's Ecological Assessment Officer has reviewed the application. Insufficient information has been received to determine impacts. As such further information is required to determine if the proposed development will not result in a significant detrimental impact contrary to the objectives of these provisions in relation to the diversity and condition of native vegetation, fauna and habitat. It is agreed that insufficient information has been provided and reason for refusal 11 is included within the recommendation.

Part 19 – Heritage and Conservation Areas

The subject site does not contain a heritage item, is not located within 100m of an Item, and is not within a heritage conservation area. The proposed works do not affect any known archaeological or Aboriginal objects or Aboriginal places of heritage significance.

Ku-ring-gai Development Control Plan

Section C

Part 24 – Water management

The proposed development has been designed to manage urban stormwater as per the requirements of the KDCP. Refer to engineering comments.

Development Control	Proposed	Complies
Part 21 General Site Design		
21.1 – Earthworks and slope		
Development considers site topography, drainage, soli landscapes, flora, fauna and bushfire hazard by: • Stepping buildings down the site • Locate finished ground level as close to the natural ground level as practicable • Level changes to occur primarily within building footprint • Minimum 0.6 metres width between retaining walls	The proposal is acceptable as approved by DA0038/23.	**As approved**

• Maintain existing ground level within 2 metres from any boundary • Limit slope for embankments to 1:6 (grassed) and 1:3 (soil stabilising vegetation) • No fill and excavation within sensitive environments • Minimise altered groundwater flows		
21.2 – Landscape Design		
Appropriate and sensitive site planning and design Existing appropriate screen planting is retained	Inappropriate landscape design.	**NO**
Part 22 - General access and parking		
22.1 – Equitable Access		
Compliance with DDA demonstrated Entry access ramps located within the site and does not dominate the front façade Access ways for pedestrians and for vehicles are separated.	Satisfactory	**YES**
Residential only Multi Dwelling Housing, Residential Flat Buildings and Shop Top Housing within Mixed Use developments provide access to, and between, dwellings and parking in accordance with the Livable Housing Guidelines as stipulated in Part 6 Multi Dwelling Housing, Part 7 Residential Flat Buildings and Part 8 Mixed Use Development.	Complies.	**YES**
22.2 – General vehicle access		
• Minimise width and number of vehicle access points • Access driveways set back at least 10 metres from street intersections and 3 metres from pedestrian entrances • Vehicle and pedestrian access to buildings clearly distinguished and separated. Vehicle access is to be located a minimum of 3 metres from pedestrian entrances.	Satisfactory.	**YES**

• Vehicle crossing width is acceptable for intensity of use proposed • Vehicles must exit in a forward direction • Vehicle entries are integrated into the external façade and are finished in a high-quality material • Retaining walls associated with driveways maximum height of 1.2 metres • No driveways are longer than 30 metres unless a passing bay is provided		
22.3 – Basement car parking		
Logical and efficient basement design AS2890.1	Complies	**YES**
Appropriate ceiling floor to ceiling heights and ventilation provided: • 2.5 metres for parking area for people with a disability; • 2.6 metres for residential waste collection and manoeuvring area • 4.5 metres for commercial waste collection and manoeuvring area	Complies.	**YES**
Basement is fully tanked.	Basement is not tanked. Condition 23 of DA0038/23 requires the basement to be fully tanked unless ongoing dewatering will be less than 3ML/year and the proposal is approved by NSW DPI Office of Water.	**NO (per existing approval)**
Unimpeded access to visitor parking and waste recycling rooms.	Complies.	**YES**
Ventilation grilles and screening devices are integrated into the landscape design.	Complies.	**YES**

Vehicles access ways are not in close proximity to doors and windows of habitable rooms	Satisfactory.	**YES**
Safe and accessible intercom access provided.	Can be conditioned if the application is to be approved.	**YES**
22.4 – Visitor parking		
Visitor parking located behind a security grille with an intercom system to gain entry. At least one visitor space is accessible and designed in accordance with AS2890.6	Complies.	**YES**
22.5 – Parking for people with a disability		
Accessible spaces are signposted and have a continuous path of travel to the principal entrance or a lift.	Complies.	**YES**
22.6 – Pedestrian Movement within Car Parks		
Pathways designed in accordance with AS1428.1	Complies.	**YES**
Marked pedestrian pathways have clear sightlines, appropriate lighting, are visible, conveniently located and constructed of non-slip material.	Complies.	**YES**
22.7 – Bicycle Parking and facilities		
Bicycle parking and storage facilities satisfy AS2890.3	Satisfactory.	**YES**
Bicycle access paths have a minimum width of 1.5 metres.	Satisfactory.	**YES**
Part 23 – Building Design and Sustainability		
23.3 – Sustainability of Building Materials and 23.4 – Materials and Finishes		
External walls constructed of high quality and durable materials.	Satisfactory	**YES**
Use of materials and colours creates well-proportioned facades and minimises visual bulk.	Satisfactory	**YES**

23.5 – Roof Terraces and Podiums		
Podiums and roof terraces are trafficable and support landscaping.	Satisfactory	**YES**
23.6 – Building Services		
Services and related structures are appropriately located to minimise streetscape impact.	Services are not adequately integrated.	**NO**
Air-conditioning units are well screened and do not create adverse noise impacts.	Satisfactory	**YES**
23.7 – Acoustic Privacy		
Design minimises impact of internal and external noise sources.	Insufficient information.	**NO**
Noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination shall not be audible within any habitable room in any residential premises before 7am and after 10pm. Outside of these restricted hours noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination shall not emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the boundary of the nearest potentially affected neighbouring properties. The background (LA90, 15 min) level is to be determined without the source noise present.	Insufficient information.	**NO**
23.8 – Visual Privacy		
Visual privacy maintained for occupants and for neighbouring dwellings.	Visual privacy not maintained.	**NO**
23.9 – Construction, Demolition and Disposal		
Satisfactory Environmental Site Management Plan.	Provided.	**YES**

Ku-ring-gai Contributions Plan 2010

If the application were recommended for approval contributions would be payable per the requirements of this plan.

Housing and Productivity Contribution

A condition requiring payment of these contributions would be required, were the application to be approved.

The HPC cannot be determined as the allocation of 2% in perpetuity of affordable housing has not been specified in the application documentation.

REGULATION

If the application were recommended for approval a condition requiring that demolition works be in accordance with *Australian Standard AS 2601-2001: The demolition of structures* would be recommended.

LIKELY IMPACTS

The likely impacts of the development have been considered within this report and are deemed to be unacceptable.

SUITABILITY OF THE SITE

The site is not suitable for the proposed development.

PUBLIC INTEREST

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by the Panel ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the relevant environmental planning instruments and is deemed to be unacceptable as detailed throughout the report and recommended reasons for refusal.

CONCLUSION

Having regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory for the reasons advanced in the recommendations of this report.

RECOMMENDATION

PURSUANT TO SECTION 4.16(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refuse development consent to eDA0371/25 for alterations, additions and associated works to an approved residential flat building (amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021 on land at 26-30 McIntyre Street Gordon, for the following reasons:

1. The gross floor area of the development does not comply.

The proposed gross floor area (GFA) does not comply and the maximum floor space ratio (FSR) for the proposal has not been calculated in accordance with Section 16 of SEPP (Housing) 2021.

Particulars:

a) The SEE states that the maximum floor space ratio is 2.64:1 applying a GFA uplift of 20% based on a 10% affordable housing component.
b) The maximum GFA / FSR is shown on DA400, issue A, as 9114.1m^2 / 2.712:1.
c) DA000, issue A nominates the affordable housing GFA as 872.8sqm. The affordable housing GFA of 872.8sqm is less than 10% (911.4sqm of the total GFA).
d) The proposal is not subject to an uplift in FSR under Section 16(2) of SEPP (Housing) 2021 as the affordable housing component is less than 10% of the total GFA.
   16 (2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—
e) The GFA calculation diagrams are incorrect in the following ways:
   a. the thickness of walls to common vertical circulation such as lifts and stairs (where not external) and the thickness of walls to risers, which should be included in the calculation of GFA. i.e. this has been excluded on basement levels 1 and 2, building B fire stair
   b. level 2 northern foyer what appears to be voids for services have been included as GFA.
   c. 'shaded' areas of GFA do not follow wall alignments, i.e. level 6 plan
f) Development consent cannot be granted as the proposal does not comply with the maximum floor space ratio development standard. A request to vary the development standard pursuant to clause 4.6 'Exceptions to development' standards of Ku-ring-gai LEP 2015 has not been provided.

2. Non-Compliant Building Height, Insufficient Information to Demonstrate the Extent of Non-Compliance, and Unsatisfactory Clause 4.6 Variation Request

The proposed building height is unclear. The non-compliant building height is not supported by a well-founded Clause 4.6 Variation Request to Section 18(2) of SEPP Housing.

Particulars:

a) In accordance with Section 175 (2) of SEPP Housing the site is subject to a maximum building height of 22 metres. Section 16(3) permits additional building height of up to 30% (6.6 metres) only if affordable housing is at least 15% of the overall gross floor area, this results in a maximum building height of 28.6 metres.
b) In this case the extent of GFA and proposed affordable housing is unclear and therefore the permitted maximum building height in accordance with Section 18(2) of SEPP housing is unclear.
c) The Clause 4.6 variation has stated that the building has a maximum height of 30.48 metres with a breach of (at least) 4.08m. It further states that the maximum building height permitted is 26.4 metres (which includes an additional 20%). This is inconsistent with the height plane diagram DA402 Issue A which identifies a maximum breach of 3.03 metres.
d) The building height diagram does not include RL's to all elements such as privacy screens and ground level RL's to demonstrate the proposed building height. Accordingly, the full extent of non-compliance cannot be determined.

e) Absent detailed plans demonstrating the proposed building height from existing ground levels, the full extent of impact arising from the non-compliance cannot be determined.

(f) The Clause 4.6 written request submitted in support of the variation is unsatisfactory as it fails to demonstrate that strict compliance with the height control is unreasonable or unnecessary, or that sufficient environmental planning grounds exist to justify the contravention of the standard.

(g) The written variation request seeks to demonstrate that the proposal is consistent with the overarching aims of SEPP Housing and the aim of chapter 6. These aims do not expressly relate to building height. Clause 4.3 (1) in KLEP, contains specific building height objectives. In this regard, the Clause 4.6 variation request is unacceptable as it has not considered the relevant objectives of the development standard.

3. Desired future character

The proposal is inconsistent with the desired future character, contrary to Section 20(3) of SEPP Housing.

Particulars:

a) Section 20(3) of SEPP Housing provides that 'development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with:

   i. … for precincts undergoing transition, the desired future character of the area'.

b) Council's draft alternative planning controls, which have been adopted by Council and forwarded to the Department of Planning for endorsement (TOD Alternative Scheme), envisage a future character which permits a maximum building height of 29 metres and FSR of 1.8:1. Notwithstanding the TOD Alternative Scheme is in draft form, they should be taken into consideration in the assessment of the Development Application.

c) The proposal is not compatible with the desired future character of the precinct because:

   i. The stated maximum building height is 30.48 metres. This exceeds the maximum building height of 26.4m under SEPP Housing. It also exceeds the future height control under the alternate scheme. The areas that exceed the maximum building height plane contribute towards the overshadowing of neighbouring properties at 29-33 Dumaresq Street, 35-39 Dumaresq Street and 27 Dumaresq Street (on its own, or possibly with redevelopment of 23-25 Dumaresq Street). The proposed 8 storey residential flat building will have an impact on adjoining properties and is not capable of existing in harmony together with the adjoining development.
   ii. 'Compatibility' under SEPP Housing section 20 also requires consideration of physical impacts including overshadowing and constraining development potential.
   iii. Insufficient deep soil landscaping resulting in adverse visual and residential amenity impacts.

4. Solar access

The proposed development does not provide adequate solar access to neighbouring properties or the site inconsistent with Housing SEPP and the objectives and design criteria of the ADG and KDCP.

Particulars:

(a) The ADG controls for solar access requires apartment development to receive solar access over the life cycle of the development.
    a. ADG 3B-2 (1) requires living areas and private open space of neighbouring properties to receive solar access to 70% of dwellings.
    b. ADG 3B-2 (2) requires solar access to living rooms and private open spaces of neighbours to be considered.
    c. ADG 3B-2 (4) requires building separation to be increased beyond minimums if the proposal will significantly reduce the solar access of neighbours, and
    d. ADG 3B-2 (5) requires overshadowing to the south and down-hill to be minimised by increased upper-level setbacks.
    e. 7A.2 (11) of KDCP states overshadowing should not compromise the development potential of the adjoining yet to be redeveloped sites.
(b) The In-fill Affordable Housing Practice Note (p11) states: 'The full extent of the in-fill affordable housing bonuses may not be achieved on all sites, due to site constraints and local impacts. The in-fill affordable housing bonuses should not be treated as an entitlement'.
(c) The proposal reduces existing levels of solar access to 29-33 Dumaresq Street to 19 of 35 (54%) units and reduces existing levels of solar access to 35-39 Dumaresq Street to 24 of 40 (60%) units inconsistent with ADG 3B.2 (1), (2), (4) and (5).
(d) Insufficient consideration has been given to the potential for the proposal to overshadow the redevelopment of the single residence at 27 Dumaresq Street (on its own, or possibly with redevelopment of 23-25 Dumaresq Street) which may constrain its development potential inconsistent with the Practice Note and KDCP 7A.2 (11).
(e) The proposed principal usable part of the communal open space located on Level 6 of Building A does not receive a minimum of 2 hours direct sunlight to a minimum 50% of its area between 9am and 3pm on 21 June. This does not meet the requirements of ADG 3D-1 (1) and KDCP 7C.2 (8).

5. SEPP Housing Design Principles

The proposed development is unsatisfactory when having regard to the Design Principles under the Housing SEPP and the objectives and design criteria of the ADG, as well as related provisions within KDCP.

Particulars:

(a) The proposed principal usable part of the communal open space located on Level 6 of Building A cannot be directly or equitably accessed from the units in Building B which accommodates 14 of 53 (26%) units in the development. This is contrary to 3D-1 (6) of the ADG and 7C.2 (3) of KDCP.
(b) The development does not achieve the minimum building separation distances required by the Design Criteria to Part 3F of the ADG.
    a. The proposal has habitable room windows setback 6m from the southern boundary at the fifth to eighth storeys of Building B (units B401, B402, B501, B502, B601, B602). This is contrary to 3F-1 (1) of the ADG that requires a minimum of 9 metres setback for the fifth to eighth storeys. This may unreasonably constrain the redevelopment of 27 Dumaresq Street to redevelop

to a similar scale on its own, or potentially with 23-25 Dumaresq Street (12 strata dwellings) contrary to objective 3F-1 (1) of the ADG which seeks to equitably share building separation distances between neighbouring sites.

b. The proposal has balconies and habitable room windows set back 6 metres to approximately 7.5 metres from the northern return boundary at the fifth to eighth storeys which is inconsistent with 3F-1 (1) of the ADG which requires a minimum 9 metres setback for the fifth to eighth storeys.

c. The proposal has habitable room windows set back 6 metres from the long eastern boundary at the fifth storey (units A401, A402, A403, A404), and balconies setback 6 metres from the eastern boundary at the sixth storey (units A501, A502, A503). This is inconsistent with 3F-1 (1) of the ADG which requires a minimum 9 metres setback for the fifth and sixth storeys.

d. The proposed building separation between balconies and habitable windows/balconies across the corner between Building A and Building B at Levels 1 to 5 is approximately 4.5 metres and does not meet the requirements of 3F-1 (1) of the ADG which requires a minimum of 12 metres separation for the first four storeys, and 18 metres separation for the fifth and sixth storeys. This also does not meet the requirements of ADG 3F-1 (6) for direct lines of sight to be avoided across corners.

e. The proposed windows to bedroom 1 and bedroom 2 of Unit A602 are not sufficiently separated from the principal usable part of the communal open space on Level 6 of Building A and does not meet the requirements of 3F-2 (1) of the ADG.

(c) Several proposed units do not appear to have screening between balconies (units A501, A502, A503, A601, A603, A701, A702). This does not meet the requirements of 3F-2 (5) of the ADG which requires screening between adjacent balconies.

(d) The proposal does not provide a building entry visible from the public domain and fails to meet the requirements of 3G-1 (1), 3G-1 (2) and 3G-1 (4) of the ADG and Part 7C.5 (2)(ii) of KDCP which requires clear sight lines to the primary street address and pathways to secondary building entries, entries which activate the street edge and relate to the street and subdivision pattern.

(e) The proposed living room balconies to several 3 bedrooms and 4 bedrooms units are less than 12m2 and/or less than 2.4 metres wide (units A301, A302, A303, A304, A305, A401, A402, A403, A404, A405, A502, A503, A601 and A603). This does not meet the requirements of 4E-1 (1) of the ADG for primary balconies of 3+ bedroom apartments to be a minimum area of $12m^2$ and a minimum depth of 2.4 metres wide.

(f) In some instances, primary balconies are not located adjacent to the living room, dining room or kitchen to extend the living space inconsistent with ADG 4E-2 (1).

(g) The proposed bedroom balconies to several units are deeper than they are wide (units A104 (and typicals over), A105 (and typicals over), and A602) inconsistent with the requirements of 4E-2 (3) of the ADG.

(h) Many proposed common circulation corridors are internalised (Building A Level 5 and 7 and Building B Level 1 to 6). This does not meet the requirements of 4F-1 4 of the ADG which requires daylight and natural ventilation to be provided to all common circulation spaces.

(i) The proposed facades of Building B, particularly the southern rear facade which will be visible from Dumaresq Street, are large and flat and relatively unarticulated. This does not meet the requirements of Part 7C.6 (2) of KDCP which requires no single wall plane to exceed $81m^2$ in area, the requirements of KDCP 7C.6 (3)(i) to avoid large flat walls, and the requirements of KDCP 7C.6 (11) for facades to be articulated with wall planes varying in depth by not less than 0.6 metres supplemented with architectural elements.

(j) The proposed top storey of Building A is larger in gross floor area than the storey immediately below. This does not meet the requirements of Part 7C.8 (1) of KDCP for

the top storey to not exceed 60% of the gross floor area of the storey immediately below.

(k) The proposed top storey of Building A and the top storey of Building B are not set back a minimum of 2.4 metres from the outer face of the floors below on all sides. This does not meet the requirements of Part 7C.8 (2) of KDCP.

(l) The proposed southern mechanical plant room / screens on Level 6 of Building A is not considered to be integrated into the building design and will be visible from surrounding development. This is inconsistent with the requirements of 7C.8 (4) of KDCP which requires service elements to be integrated into the overall design of the roof and ADG 4M-1 (2).

(m) When considered cumulatively, the failure to achieve compliance with the ADG demonstrates the inability of the proposal to satisfy the Design Principles under Schedule 9 of SEPP, in particular:

- Principle 1: Context and neighbourhood character
- Principle 2: Built form and scale
- Principle 3: Density
- Principle 4: Sustainability
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 8: Housing diversity and social interaction
- Principle 9: Aesthetics

6. Affordable housing units

The residential amenity to the affordable housing units is unsatisfactory and inequitable.

Particulars:

(a) The In-fill Affordable Housing Practice Note (p15) states, 'Residential amenity is one of the design quality principles under Chapter 4 of the Housing SEPP that must be considered in the assessment of residential apartment development. Good residential amenity (includes)… access to sunlight… It is important that amenity is maximised across a development, and that affordable dwellings are not subject to a lower standard.

(b) Eight proposed units are nominated as being affordable (units LG03, LG01, LG02, AG06, BG01, BG02, B102 and B202). Three of eight affordable units (38%) appear to receive a minimum of 2 hours direct sunlight to both living rooms and private open spaces between 9am and 3pm at mid-winter. Five of eight (62%) affordable units appear to receive no direct sunlight between 9am and 3pm at midwinter.

(c) The solar access of dwellings nominated as being affordable is significantly less than the building overall and do not meet the requirements of 4A-1 (1) and 4A-1 (3) of the ADG in their own right and is considered to be inequitable.

7. Accessibility

The proposed development does not provide suitable access within the building inconsistent with the Livable Housing Design Guide (LHDG), the Apartment Design Guide (AGD) and the National Construction Code (NCC).

Particulars:

(a) The corridor to unit A601 is less than 1 metre wide and is inconsistent with Element 3 of LHDG.

(b) The central entry ramp to Building A is less than 1.2 metres wide and is inconsistent with Element 1 LHDG.
(c) Most proposed common circulation corridors have portions that are less than 1.5 metres wide [DA205A to DA211A]. This does not meet the requirements of 4F-1 (3) 4F-2 (2) of the ADG. This may also not meet the requirements of NCC D4D2(4)(c)(i) for common areas to be accessible to the entrance doorway of each sole-occupancy unit.

8. Site coverage and deep soil landscape area

The proposed development does not comply with the minimum deep soil landscape area or site coverage, resulting in adverse visual and residential amenity impacts.

Particulars:

(a) Control 1 in Part 7A.6 of KDCP requires a minimum deep soil landscape area of 50% of the site area which is to be provided within common areas only. The stated deep soil landscaping area is 1,572.8m2 or 46.8% however the plans do not accurately indicate all the non-compliant areas in accordance with the definitions listed in Part 1B.1 of the DCP, reducing deep soil to approximately 1540.5m2 (45.8%).
(b) The proposed site coverage is stated as being 42.2% This does not meet the requirements of Section 7A.5 (1) of KDCP, requiring a maximum site coverage of 30%. The calculation diagram incorrectly excludes the footprint of enclosed areas of upper-level floor plans.
(c) The development does not provide consolidated deep soil zones inconsistent with objective 2 of Part 7A.6 of KDCP which restricts growth of vegetation.

9. Inadequate BASIX certificate

The BASIX Certificate is not consistent with the plans for the proposed development.

Particulars:

a) The BASIX certificate states that 2.5sqm of garden and lawn is provided to Unit 504, however no garden and lawn for this unit is shown on the plans.
b) The BASIX certificate states that units A304 and A305 have no areas of garden and lawn, however the plans show planter boxes for these units.

10. Section 4.15(1)(b), (c), (d) and (e) of the *Environmental Planning & Assessment Act 1979* and the public interest

The development application should be refused because approval of the proposed development would not be in the public interest.

Particulars:

(a) The public interest is demonstrated by conformity with the applicable planning controls the subject of other contentions hereto.
(b) The public interest also is demonstrated by matters which have been raised by the objectors.
(c) The development application should be refused having regard to the matters listed in section 4.15(1) (a)(iii)(iv), (b), (c), (d) and (e) of the Act as detailed in the objectors' submissions in Part A hereto where they are consistent with the contentions.

11. Insufficient ecological assessment

Particulars:

a) No ecological impact assessment (5-part test) has been provided in accordance with Section 7.3 of the Biodiversity Conservation Act 2016 (BC Act).
   i. Section 7.3 of the BC Act requires a Test of Significance to be undertaken to determine whether a proposed development is likely to significantly affect threatened species, populations, or ecological communities, or their habitats.
   ii. The submitted material does not include this mandatory assessment and therefore fails to demonstrate that the ecological impacts of the proposal have been properly considered under the BC Act.

b) The previously approved Development Application DA0038/23 was supported by a Biodiversity Assessment Report (BAR) prepared by Travers Environmental, which identified the Plant Community Type (PCT 1237) corresponding with Blue Gum High Forest, a Critically Endangered Ecological Community (CEEC) under the BC Act.
   i. The presence of this listed ecological community on the site reinforces the requirement for a BAR to accompany this new application.

c) In the absence of a Test of Significance, the application fails to adequately assess or quantify biodiversity impacts, resulting in non-compliance with Sections 7.2 and 7.3 of the *Biodiversity Conservation Act 2016* and the *Biodiversity Conservation Regulation 2017*.

12. The submitted landscape plan is inadequate

Particulars:

a) The landscape plan is to be amended in accordance with Part 17.4 – Category 3: Bed and Bank Stability of the Development Control Plan (DCP). The following issues are to be addressed:

b) Open space treatment within the riparian corridor is inconsistent with the objectives and controls of Part 17.4 of the DCP.
   i. Open space within the riparian area is to be limited to a soft landscape walking track with seating, ensuring the protection, stability, and ecological function of the riparian zone are maintained in accordance with the bed and bank stability provisions of Part 17.4.

c) Proposed planting within the riparian corridor must comply with the relevant controls under Part 17.4 of the DCP, including:
   i. Control 7, which requires planting within the channel and within two metres of the top of the bank to comprise 100% locally native species representative of the relevant vegetation community, with an appropriate mix of groundcovers, shrubs, and trees; and
   ii. Control 8, which requires planting within Category 3 lands (more than two metres from the top of the bank) to consist of not less than 70% locally native trees and 30% locally native understorey species, with monocultures excluded.

d) The proposed planting must reflect the local riparian plant community type, and species selection is to be certified by a suitably qualified ecologist as being of local provenance and consistent with the vegetation community to be restored within the riparian area.

13. Inadequate information regarding affordable housing

There is insufficient detail to confirm compliance with Section 21 of SEPP Housing.

Particulars:

a) Section 21 of SEPP Housing states that development consent under Part 2, Division 1 of SEPP Housing must not be granted unless the consent authority is satisfied that for a period of 15 years commencing on the day the Occupation Certificate is issued, the development will include the affordable housing component required under Sections 16, 17 or 18 and the affordable housing component will be managed by a registered community housing provider.

b) A statement has not been provided addressing Section 21 of the SEPP.

14. Inadequate information regarding acoustic impacts

The submitted acoustic impact assessment contains errors and inconsistencies.

Particulars:

(a) The acoustic report prepared by Acouras Consultancy dated 8 July 2025 states that air-conditioning condensers will be located in plantrooms on Basement Levels 1–4, as well as within a rooftop plantroom screened by acoustic louvres. The acoustic report also refers to architectural plans dated 17 April 2025.
(b) The architectural plans provided with the application are dated 25 August 2025 and do not identify any plantrooms on Basement Levels 1–4. Instead, the plans show approximately 38 condenser units located on the rooftop, surrounded by 1100 mm high louvres, with no provision for basement plant.
(c) This inconsistency makes it difficult to confirm whether the acoustic engineer assessed the current proposal and satisfactorily was able to conclude compliance with the relevant noise criteria and Council's DCP requirements.

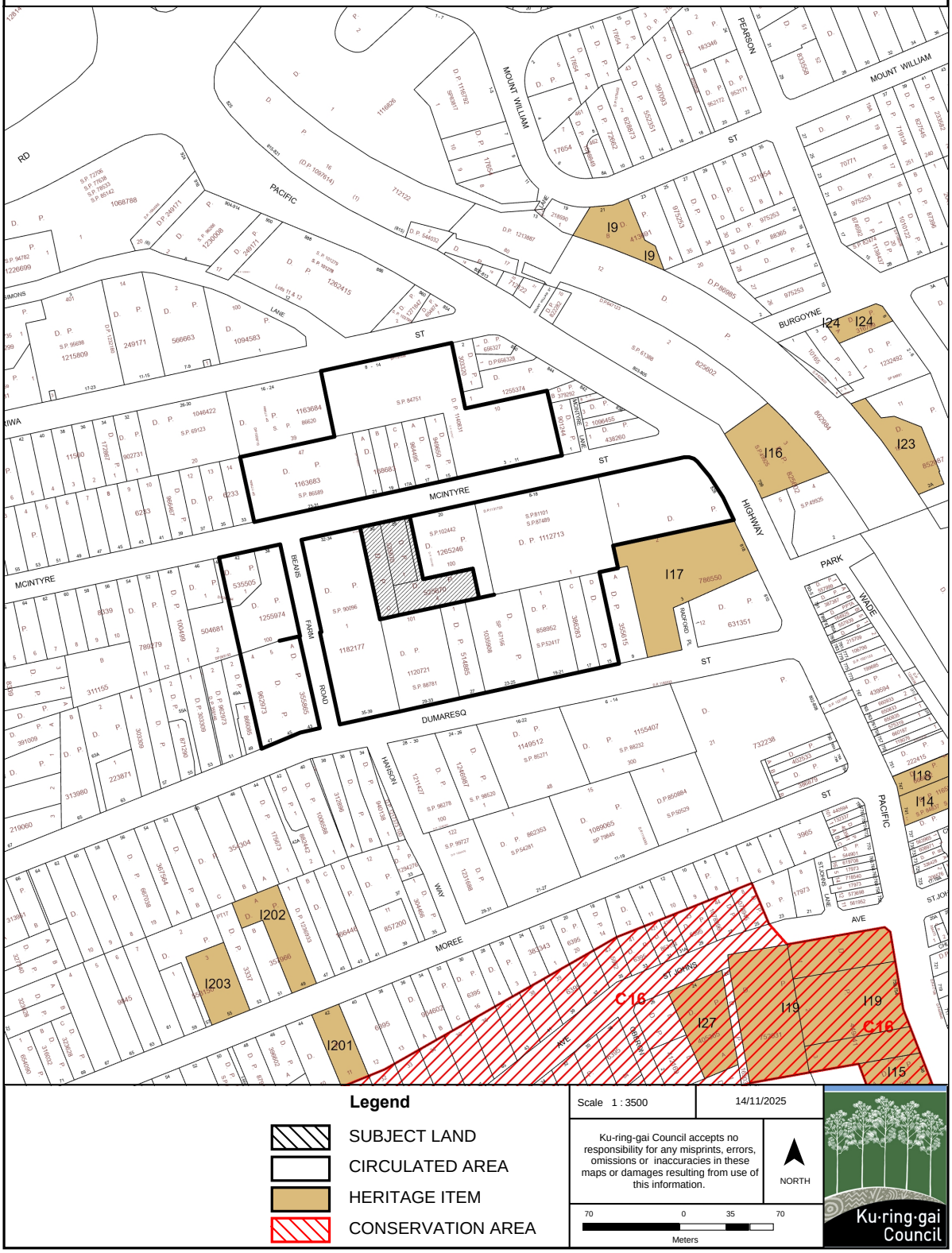
15. Architectural plans, survey and related information

Particulars:

(a) There are no areas identified for clothes drying as required by Part 7C.9 (1) and (2) of KDCP and Part 4U of the ADG.
(b) No information is provided to depict how services are well integrated into the design of the development.
(c) Identify garden maintenance storage is provided in accordance with Part 7C.2 of KDCP.
(d) Apartment LG02 balcony states 'external louvres for fresh air to basement'.
(e) Mechanical certification has not been provided to demonstrate that the nominated area/plantroom will be large enough to accommodate the number of proposed condenser units, that the likely required supply/extraction air flow within the plant room have been sufficiently incorporated into the basement design and that there is sufficient service ducting incorporated into the development so that the systems operate efficiently.
(f) Privacy louvres should be indicated on the floor plans.
(g) Dimensions are not provided to all edges of the building, for example western elevation.

LOCATION SKETCH

26 - 30 Mcintyre Street GORDON NSW 2072
DEVELOPMENT APPLICATION No. eDA0371/25



Legend

- SUBJECT LAND
- CIRCULATED AREA
- HERITAGE ITEM
- CONSERVATION AREA

Scale 1 : 3500

14/11/2025

Ku-ring-gai Council accepts no responsibility for any misprints, errors, omissions or inaccuracies in these maps or damages resulting from use of this information.

NORTH

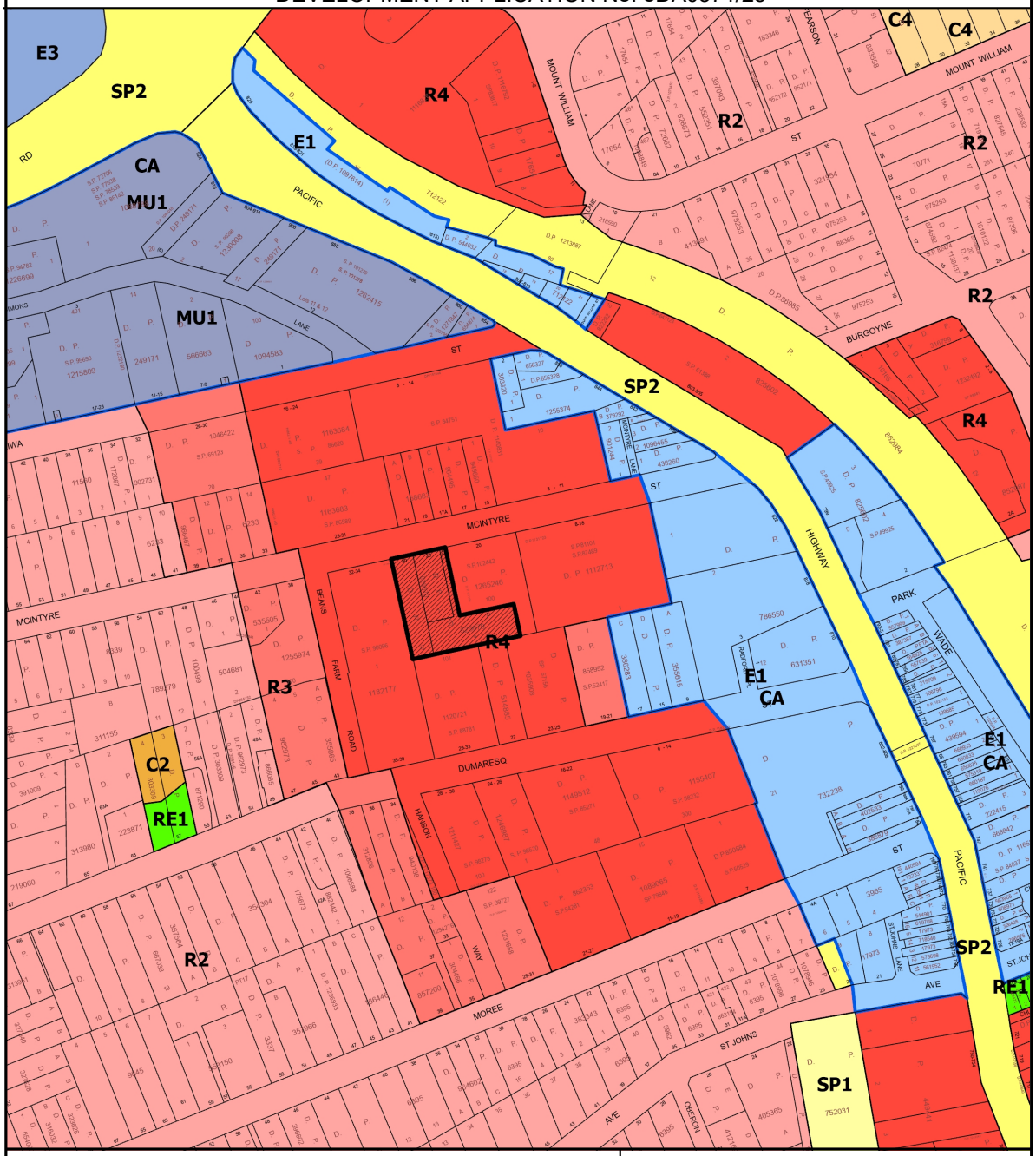
70 0 35 70
Meters

Ku·ring·gai Council

KU-RING-GAI LEP 2015 ZONING EXTRACT

26 - 30 Mcintyre Street GORDON NSW 2072

DEVELOPMENT APPLICATION No. eDA0371/25



Legend

Zoning

E1	Local Centre	C4	Environmental Living	RE1	Public Recreation
E3	Productivity Support	R1	General Residential	RE2	Private Recreation
MU	Mixed Use	R2	Low Density Residential	SP1	Special Activities
C1	National Parks & Reserves	R3	Medium Density Residential	SP2	Infrastructure
C2	Environmental Conservation	R4	High Density Residential	W1	Natural Waterways
C3	Environmental Management	R5	Large Lot Residential		

Subject Land

Scale 1 : 3500

Date: 14/11/2025

Ku-ring-gai Council accepts no responsibility for any misprints, errors, omissions or inaccuracies in these maps or damages resulting from use of this information.

NORTH

0 70 140

Meters

Ku·ring·gai Council

RESIDENTIAL FLAT BUILDING

26-30 MCINTYRE STREET GORDON





SUMMARY

SITE AREA
3360.1 m²

GFA
8633.17 m²

FSR
2.56:1

GFA (WITH BASEMENT)
9109.25 m²

FSR (WITH BASEMENT)
2.71:1

TOTAL UNITS
53

UNIT MIX

1 BED	1
2 BED	1
3 BED	45
4 BED	6

COMMUNAL OPEN SPACE
1767.7m² (52.6% - min 10%)

SITE COVERAGE
1417.70m² (42.2% - max 30%)

CROSS-VENTILATED
52/53 (98.1%)

DEEP SOIL
1572.7m² (46.8%)

PLANNING CONTROLS

ZONE	R4
FSR	1.3:1
FSR (LMR+20%AFFORDABLE)	2.64:1
PERMISSIBLE GFA (LMR+20%AFFORDABLE)	8870.65m
BUILDING HEIGHT	17.5m
BUILDING HEIGHT (LMR+20%AFFORDABLE)	26.4m

AFFORDABLE APARTMENT

UNIT	BEDROOM	AREA
APT LG03	2B (AFF)	80.2 m²
APT LG01	3B (AFF)	113.3 m²
APT LG02	1B (AFF)	62.8 m²
APT AG06	3B (AFF)	134.6 m²
APT BG01	3B (AFF)	130.2 m²
APT BG02	3B (AFF)	110.3 m²
APT B102	3B(AFF)	120.7 m²
APT B202	3B (AFF)	120.7 m²
Grand total: 8		872.9 m²

AREA	SITE AREA	PERCENTAGE
872.9 m²	8633.17 m²	10.11%

UNITS & COMPLIANCE SCHEDULE

ROOM SCHEDULE

UNIT	BEDROOM	TYPE	AREA	POS	SOLAR - LIVING	SOLAR - POS	X-VENT
APT LG03	2B (AFF)	SILVER	80.2 m²	21.1	0.00	1.75	✓
APT LG01	3B (AFF)	SILVER	113.3 m²	16.9	0.00	1.75	✓
APT LG02	1B (AFF)	SILVER	62.8 m²	12.4	2.00	2.00	X
APT AG01	3B	SILVER	146.4 m²	19.9	6.00	6.00	✓
APT AG02	3B	SILVER	153.9 m²	18.0	2.00	2.00	✓
APT AG03	3B	PLATINUM	151.6 m²	18.0	2.50	2.75	✓
APT AG04	3B	PLATINUM	155.1 m²	23.2	2.25	2.25	✓
APT AG05	3B	PLATINUM	155.0 m²	23.2	2.50	2.25	✓
APT AG06	3B (AFF)	SILVER	134.6 m²	16.6	2.50	2.25	✓
APT BG01	3B (AFF)	SILVER	130.2 m²	17.3	2.25	2.00	✓
APT BG02	3B (AFF)	SILVER	110.3 m²	17.2	0.00	0.00	✓
APT A101	3B	SILVER	146.4 m²	20.6	6.00	6.00	✓
APT A102	3B	SILVER	151.9 m²	13.4	2.00	1.75	✓
APT A103	3B	PLATINUM	149.7 m²	13.4	3.00	2.50	✓
APT A104	3B	PLATINUM	155.4 m²	18.6	2.25	1.75	✓
APT A105	3B	PLATINUM	155.0 m²	18.6	3.00	2.50	✓
APT A106	3B	SILVER	132.3 m²	20.6	2.50	2.25	✓
APT B101	3B	SILVER	129.7 m²	12.8	2.50	2.25	✓
APT B102	3B(AFF)	SILVER	120.7 m²	12.2	0.00	0.00	✓
APT A201	3B	SILVER	146.4 m²	19.9	6.00	6.00	✓
APT A202	3B	SILVER	151.9 m²	13.4	2.75	1.75	✓
APT A203	3B	PLATINUM	149.7 m²	13.4	2.75	2.50	✓
APT A204	3B	PLATINUM	155.4 m²	18.6	2.25	1.75	✓
APT A205	4B	SILVER	212.8 m²	112.6	1.25	3.00	✓
APT B201	3B	SILVER	130.2 m²	12.8	3.00	2.50	✓
APT B202	3B (AFF)	SILVER	120.7 m²	12.2	1.50	1.50	✓
APT A301	3B	SILVER	135.3 m²	31.3	6.00	6.00	✓
APT A302	3B	SILVER	140.6 m²	24.6	1.25	2.25	✓

ROOM SCHEDULE

UNIT	BEDROOM	TYPE	AREA	POS	SOLAR - LIVING	SOLAR - POS	X-VENT
APT A303	3B	SILVER	138.6 m²	24.7	1.25	2.25	✓
APT A304	3B	SILVER	144.0 m²	29.8	1.25	2.25	✓
APT A305	4B	SILVER	212.8 m²	35.6	1.25	3.00	✓
APT B301	3B	SILVER	130.2 m²	12.8	3.75	3.25	✓
APT B302	3B	SILVER	120.7 m²	12.2	3.50	3.00	✓
APT A401	3B	SILVER	135.3 m²	18.7	6.00	6.00	✓
APT A402	3B	SILVER	140.6 m²	15.4	1.25	2.25	✓
APT A403	3B	SILVER	138.6 m²	15.5	2.00	2.25	✓
APT A404	3B	SILVER	144.0 m²	20.7	2.00	2.25	✓
APT A405	3B	SILVER	212.8 m²	20.3	2.00	3.00	✓
APT B401	3B	SILVER	130.2 m²	12.8	6.00	6.00	✓
APT B402	3B	SILVER	120.7 m²	12.2	5.50	5.50	✓
APT A501	4B	SILVER	163.9 m²	97.8	6.00	6.00	✓
APT A502	3B	SILVER	158.2 m²	29.0	1.25	1.75	✓
APT A503	3B	SILVER	140.1 m²	31.8	2.00	2.25	✓
APT A504	4B	SILVER	183.0 m²	64.7	2.00	2.00	✓
APT B501	3B	SILVER	130.2 m²	12.8	5.75	5.75	✓
APT B502	3B	SILVER	120.7 m²	12.5	6.00	6.00	✓
APT A601	4B	SILVER	161.2 m²	12.0	6.00	6.00	✓
APT A602	3B	SILVER	112.8 m²	12.0	2.50	3.25	✓
APT A603	3B	SILVER	136.9 m²	20.9	3.00	2.50	✓
APT B601(L)	3B	SILVER	130.2 m²	12.8	6.00	6.00	✓
APT B602(L)	3B	SILVER	118.8 m²	14.0	6.00	6.00	✓
APT A701	4B	SILVER	241.5 m²	34.9	6.00	6.00	✓
APT A702	3B	SILVER	208.7 m²	57.7	4.75	3.75	✓
APT B601(U)	3B		89.6 m²				
APT B602(U)	3B		78.3 m²				

DRAWING LIST

DA000	COVER SHEET	A
DA003	SITE ANALYSIS PLAN - PROPOSED	A
DA100	SITE PLAN	A
DA200	BASEMENT 4 PLAN	A
DA201	BASEMENT 3 PLAN	A
DA202	BASEMENT 2 PLAN	A
DA203	BASEMENT 1 PLAN	A
DA204	GROUND LEVEL PLAN	A
DA205	LEVEL 1 PLAN	A
DA206	LEVEL 2 PLAN	A
DA207	LEVEL 3 PLAN	A
DA208	LEVEL 4 PLAN	A
DA209	LEVEL 5 PLAN	A
DA210	LEVEL 6 PLAN	A
DA211	LEVEL 7 PLAN	A
DA212	ROOF PLAN	A
DA300	ELEVATIONS & SECTIONS	A
DA301	ELEVATIONS & SECTIONS	A
DA302	STREET ELEVATION & SECTIONS	A
DA303	ELEVATIONS & SECTIONS	A
DA304	ELEVATIONS & RAMP SECTION	A
DA305	ELEVATIONS & SECTIONS	A
DA400	FSR CALCULATION	A
DA402	HEIGHT PLANE DIAGRAM	A
DA404	ENVIRONMENTAL SITE MANAGEMENT PLAN	A
DA407	COMMUNAL OPEN SPACE PLAN	A
DA408	HEIGHT PLANE DIAGRAM - OVERLAY	A
DA500	SOLAR ACCESS DIAGRAMS - SUMMARY	A
DA501	SOLAR ACCESS DIAGRAMS - SUMMARY	A
DA503	EXTERNAL SHADOW DIAGRAM - JUNE 21 (PROPOSED)	A
DA504	EXTERNAL SHADOW DIAGRAM - JUNE 21 (PROPOSED)	A
DA505	SOLAR ACCESS DIAGRAM - 29-33 DUMARESQ ST SUMMARY	A
DA506	SOLAR ACCESS DIAGRAM - 32-34 MCINTYRE ST SUMMARY	A
DA507	SOLAR ACCESS DIAGRAMS - 9AM	A
DA508	SOLAR ACCESS DIAGRAMS - 9.15AM	A
DA509	SOLAR ACCESS DIAGRAMS - 9.30AM	A
DA510	SOLAR ACCESS DIAGRAMS - 9.45AM	A
DA511	SOLAR ACCESS DIAGRAMS - 10AM	A
DA512	SOLAR ACCESS DIAGRAMS - 10.15AM	A
DA513	SOLAR ACCESS DIAGRAMS - 10.30AM	A
DA514	SOLAR ACCESS DIAGRAMS - 10.45AM	A
DA515	SOLAR ACCESS DIAGRAMS - 11AM	A
DA516	SOLAR ACCESS DIAGRAMS - 11.15AM	A
DA517	SOLAR ACCESS DIAGRAMS - 11.30AM	A
DA518	SOLAR ACCESS DIAGRAMS - 11.45AM	A
DA519	SOLAR ACCESS DIAGRAMS - 12PM	A
DA520	SOLAR ACCESS DIAGRAMS - 12.15PM	A
DA521	SOLAR ACCESS DIAGRAMS - 12.30PM	A
DA522	SOLAR ACCESS DIAGRAMS - 12.45PM	A
DA523	SOLAR ACCESS DIAGRAMS - 1PM	A
DA524	SOLAR ACCESS DIAGRAMS - 1.15PM	A
DA525	SOLAR ACCESS DIAGRAMS - 1.30PM	A
DA526	SOLAR ACCESS DIAGRAMS - 1.45PM	A
DA527	SOLAR ACCESS DIAGRAMS - 2PM	A
DA528	SOLAR ACCESS DIAGRAMS - 2.15PM	A
DA529	SOLAR ACCESS DIAGRAMS - 2.30PM	A
DA530	SOLAR ACCESS DIAGRAMS - 2.45PM	A
DA531	SOLAR ACCESS DIAGRAMS - 3PM	A
DA600	WINDOW SCHEDULE	A
DA601	WINDOW SCHEDULE	A
DA602	WINDOW SCHEDULE	A
DA701	VISUAL PRIVACY STUDY	A
DA703	VISUAL PRIVACY STUDY	A

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments:

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 007259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COVER SHEET

Status:
FOR APPROVAL

Scale:
Sheet Size: A1
Date: 07/15/22
Drawn: JL
Job No. 21106
Drawing No. DA000
Rev. A
Reviewed SH

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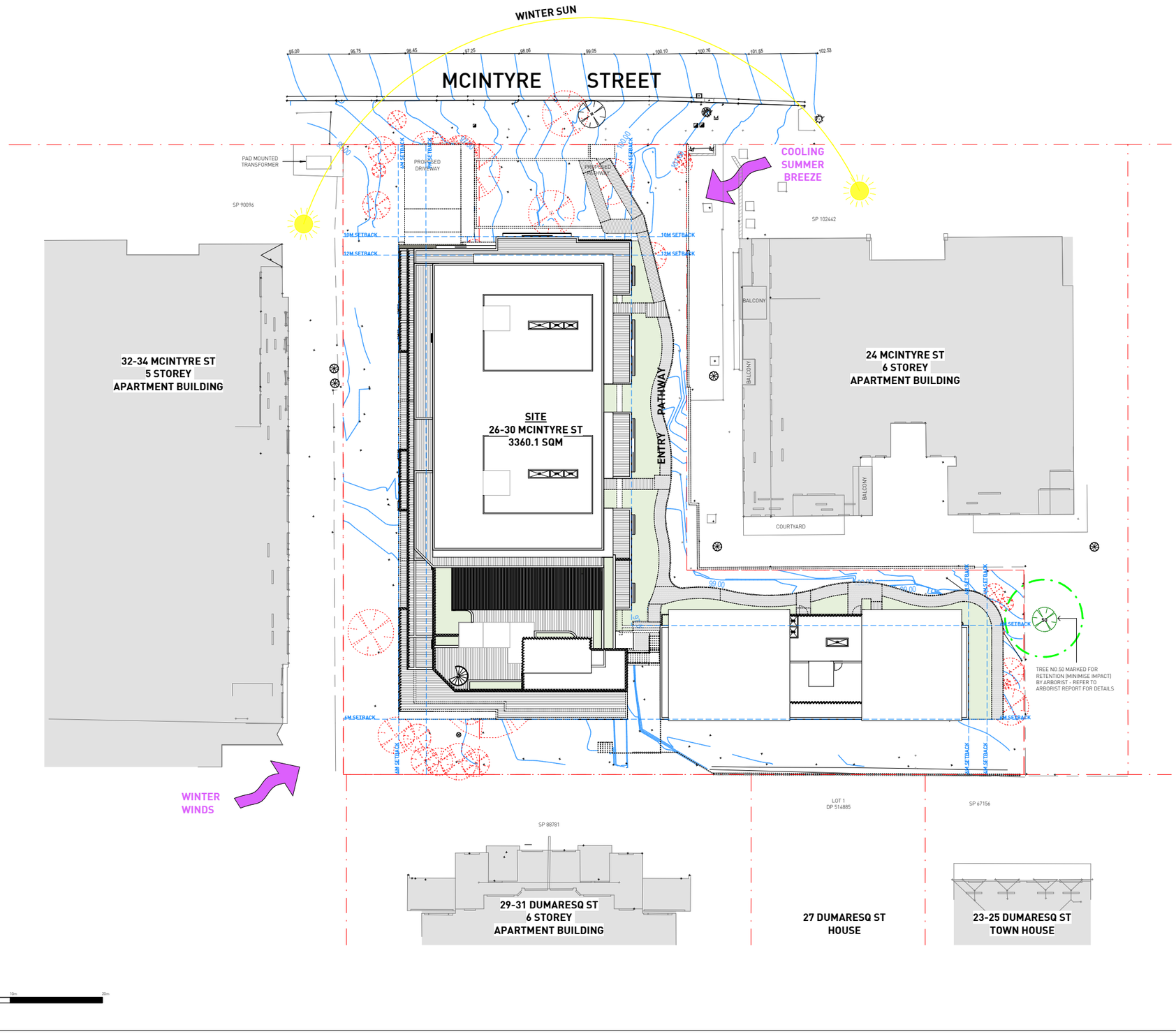

SITE PROXIMITY TO NOISE



TREE TO BE REMOVED/DEMOLISHED

TREE PROTECTION ZONE BOUNDARY (TPZ)

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SITE ANALYSIS PLAN - PROPOSED

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No.	Rev.
Sheet Size:	A1	21106	DA003	A
Date:	10/10/22			
Drawn:	JL	Reviewed:	SH	

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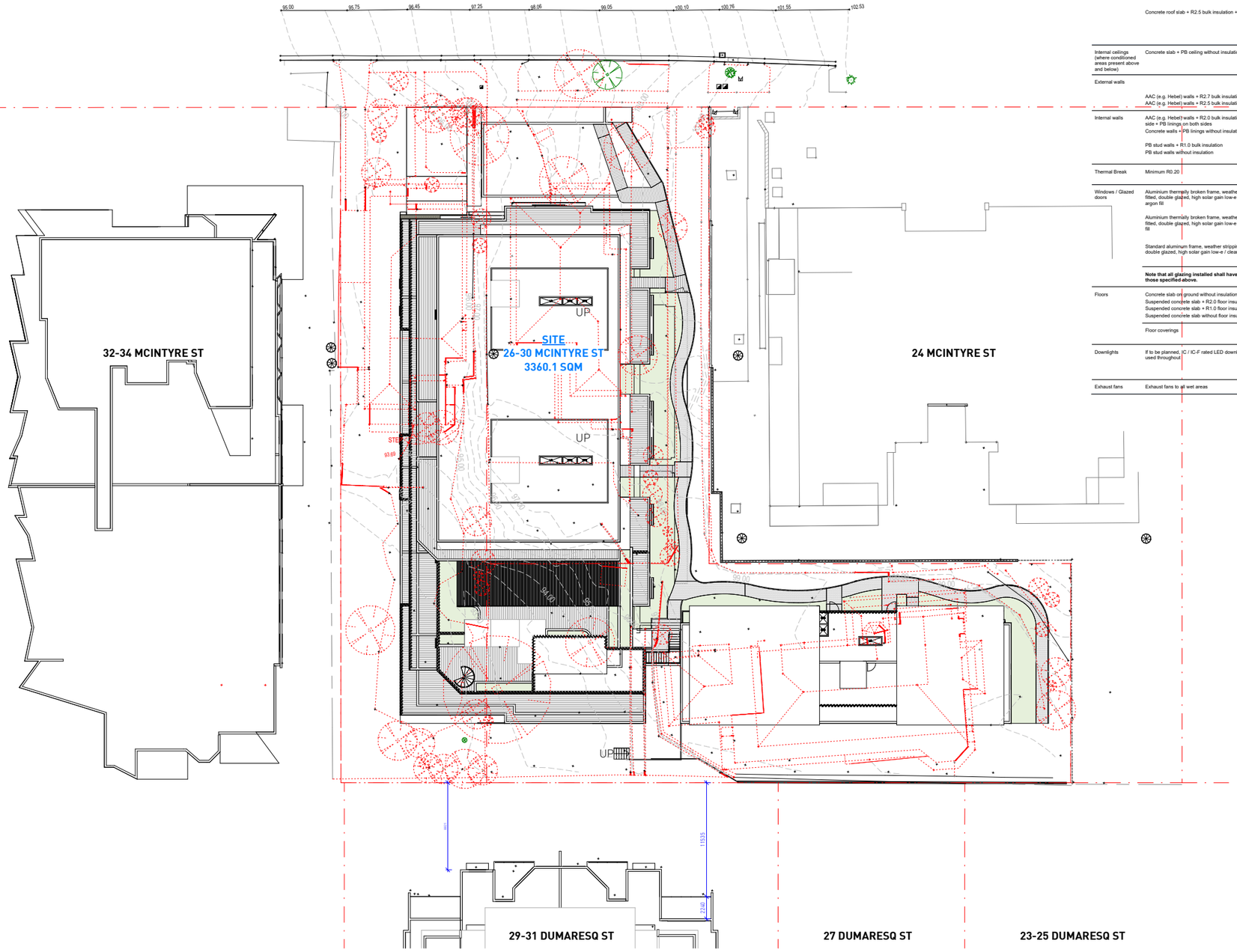

BASIX Thermal Specification – 26 - 30 McIntyre St, Gordon NSW

Element	Construction	Details
Exposed Roof / Ceilings	Concrete roof slab + R3.5 bulk insulation + Plasterboard (PB)	Light colour (Solar Absorptance<0.475) Applicable to all the top floor units on Levels 5 & 7 for Tower A (including Units ~~A505~~, A504, A701 & A702), and the top floor units on Levels 6 (including Units B601 & B602) for Tower B The roofs mentioned above do not include balcony roof slabs, but include mainly non-trafficable roofs over and roof terraces.
	Concrete roof slab + R2.5 bulk insulation + PB	Applicable to all other units except those mentioned above (including balcony roof slabs over conditioned areas) **Note concrete roof slabs may include non-trafficable concrete flat roofs, trafficable concrete flat roofs (e.g. rooftop gardens) and balcony slabs above the habitable areas of individual units**
Internal ceilings (where conditioned areas present above and below)	Concrete slab + PB ceiling without insulation	Applicable to all internal ceilings
External walls		Light colour (Solar Absorptance<0.475) & Dark colour (Solar Absorptance>0.7) as per elevations
	AAC (e.g. Hebel) walls + R2.7 bulk insulation + PB	Applicable to all external walls in Units A702, B601 & B602
	AAC (e.g. Hebel) walls + R2.5 bulk insulation + PB	Applicable to all other external walls, except for those mentioned above
Internal walls	AAC (e.g. Hebel) walls + R2.0 bulk insulation on one side + PB linings on both sides	Applicable to the common walls between the common corridors and each adjacent unit
	Concrete walls + PB linings without insulation	Applicable to the common walls between the units and the adjacent common spaces including fire stairs and lift shafts
	PB stud walls + R1.0 bulk insulation	Applicable to the bathroom (excluding ensuites) internal walls in Unit A702,
	PB stud walls without insulation	Applicable to all other internal walls within units (intra-tenancy walls) except for those mentioned above
Thermal Break	Minimum R0.20	Applicable to all steel framing in conjunction with the bulk insulation where required to be installed
Windows / Glazed doors	Aluminium thermally broken frame, weather stripping fitted, double glazed, high solar gain low-e / clear, argon fill	Applicable to all windows and glazed doors in Units A106, A702, B601 & B602 Group A (awning window type and hinged door type): U = 2.91 and SHGC = 0.44 Group B (fixed and sliding types): U = 2.9 and SHGC = 0.51;
	Aluminium thermally broken frame, weather stripping fitted, double glazed, high solar gain low-e / clear, air-fill	Applicable to all windows and glazed doors in Units A701, B101, B102, B201, B202, B301 & B302 Group A (awning window type and hinged door type): U = 3.1 and SHGC = 0.39; Group B (fixed and sliding types): U = 3.1 and SHGC = 0.49;
	Standard aluminum frame, weather stripping fitted, double glazed, high solar gain low-e / clear, air fill	Applicable to all other windows and glazed doors in other Units of Towers A and B Group A (awning window type and hinged door type): U = 4.3 and SHGC = 0.47; Group B (fixed and sliding types): U = 4.3 and SHGC = 0.53;
	Note that all glazing installed shall have the U values not more than those specified above and the SHGC values within +/- 10% of those specified above.	
Floors	Concrete slab on ground without insulation	Applicable to the part of the floors for Unit BG01, and all floors for Unit BG02 of Tower B
	Suspended concrete slab + R2.0 floor insulation	Applicable to the floors of the units immediately above the basement carpark
	Suspended concrete slab + R1.0 floor insulation	Applicable to all cantilevered floors within units
	Suspended concrete slab without floor insulation	Applicable to all other floors except those mentioned above
	Floor coverings	Kitchen & all wet areas: tile; All bedrooms and living areas: timber.
Downlights	If to be planned, IC / IC-F rated LED downlights to be used throughout	**Rating without downlights due to lighting layout plans / RCPs not available at the current stage.** **Rating with downlights (if planned) shall be required when lighting layout design is completed prior to application of construction certificate.**
Exhaust fans	Exhaust fans to all wet areas	Sealed

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SITE PLAN

Status:
FOR APPROVAL

Scale:	1 : 200	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA100	A
Date:	08/05/22			
Drawn:	JL	Reviewed:	SH	

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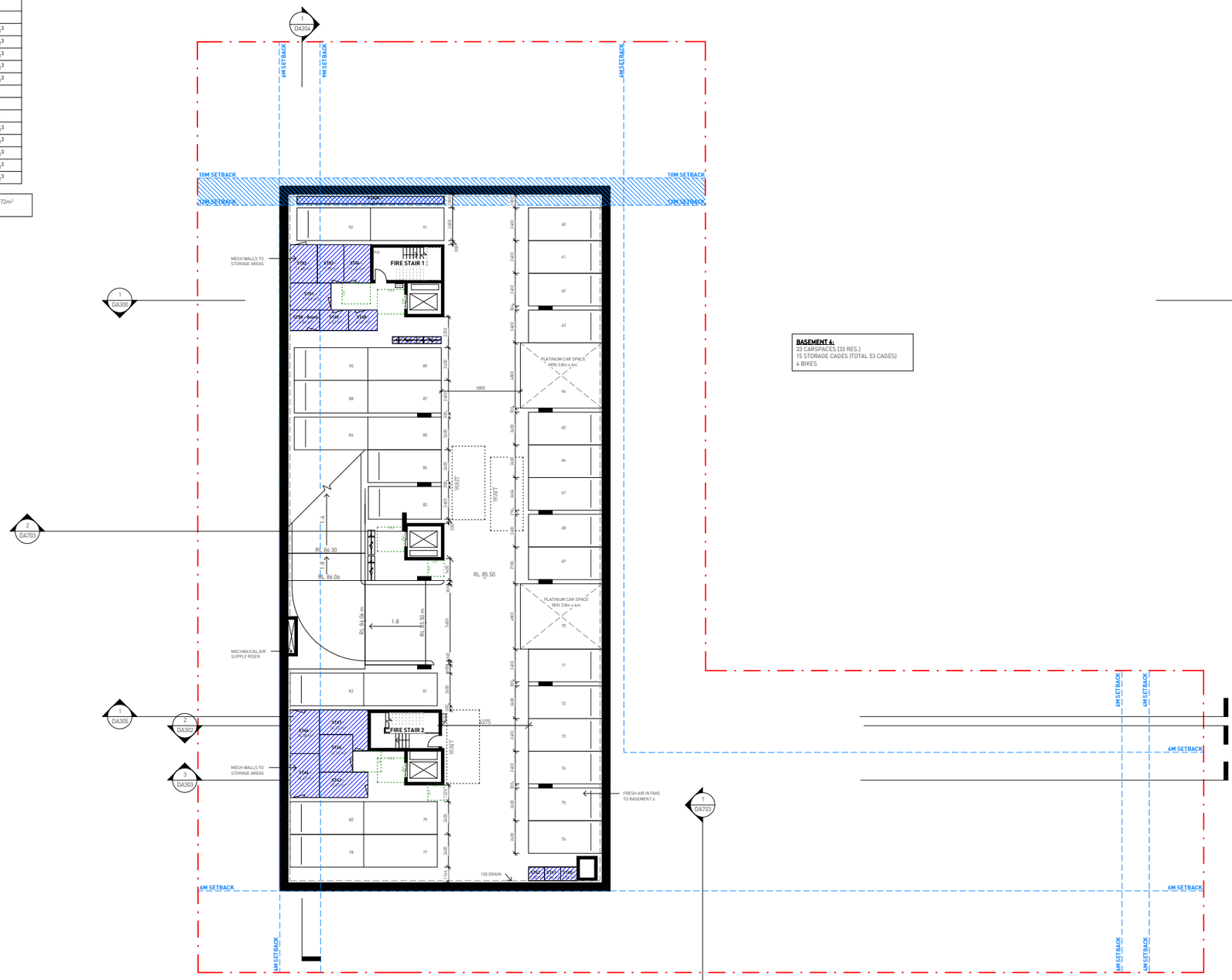
STORAGE SCHEDULE -...	
STORAGE NO.	**AREA**
ST40	2.84 m³
ST41	2.84 m³
ST42	2.80 m³
ST43	13.87 m³
ST44	14.47 m³
ST45	14.10 m³
ST46	14.38 m³
ST47	16.22 m³
ST48	6.62 m³
ST49	6.62 m³
ST50	6.84 m³
ST51	12.44 m³
ST52	11.68 m³
ST52A	14.07 m³
ST53	11.39 m³
ST54	11.44 m³

BASEMENT 4 FLOOR AREA:1148.72m²
STORAGE AREA:78.43m²(6.8%)



BASEMENT 4:
33 CARSPACES (33 RES.)
15 STORAGE CAGES (TOTAL 53 CAGES)
4 BIKES

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
BASEMENT 4 PLAN

Status:
FOR APPROVAL

Scale:	1 : 150	Job No.	Drawing No.	Rev.
Sheet Size:	A1	21106	DA200	A
Date:	06/27/23			
Drawn:	Author	Reviewed:	Checker	

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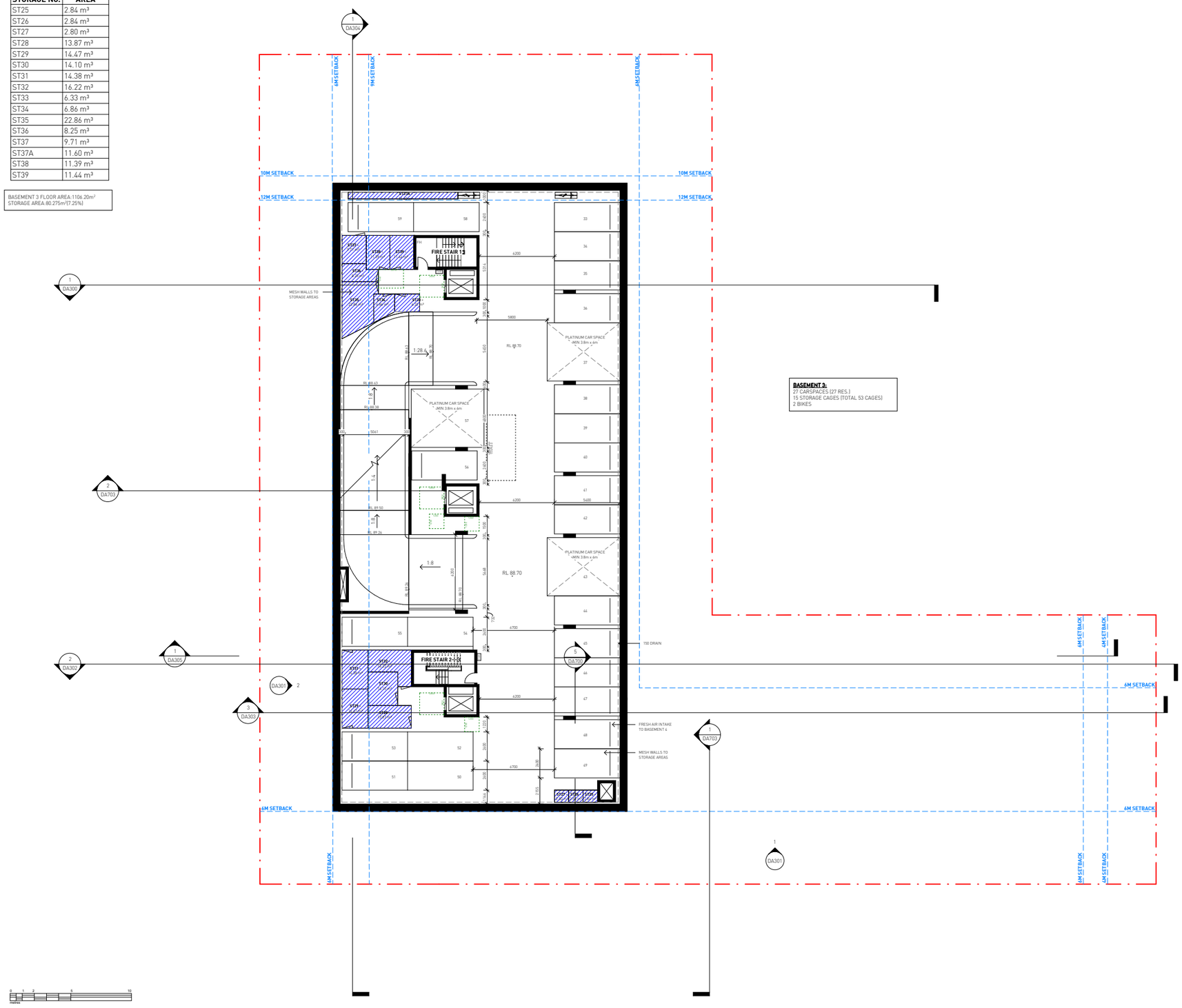
STORAGE SCHEDULE -...	
STORAGE NO.	**AREA**
ST25	2.84 m³
ST26	2.84 m³
ST27	2.80 m³
ST28	13.87 m³
ST29	14.47 m³
ST30	14.10 m³
ST31	14.38 m³
ST32	16.22 m³
ST33	6.33 m³
ST34	6.86 m³
ST35	22.86 m³
ST36	8.25 m³
ST37	9.71 m³
ST37A	11.60 m³
ST38	11.39 m³
ST39	11.44 m³

BASEMENT 3 FLOOR AREA:1104.20m²
STORAGE AREA:80.275m²(7.25%)



BASEMENT 3:
27 CARSPACES (27 RES.)
15 STORAGE CAGES (TOTAL 53 CAGES)
2 BIKES

No.	Date	Description
A.	2025.06.13	FOR APPROVAL

Amendments

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
BASEMENT 3 PLAN

Status:
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Sheet Size:	A1	21106	DA201 A
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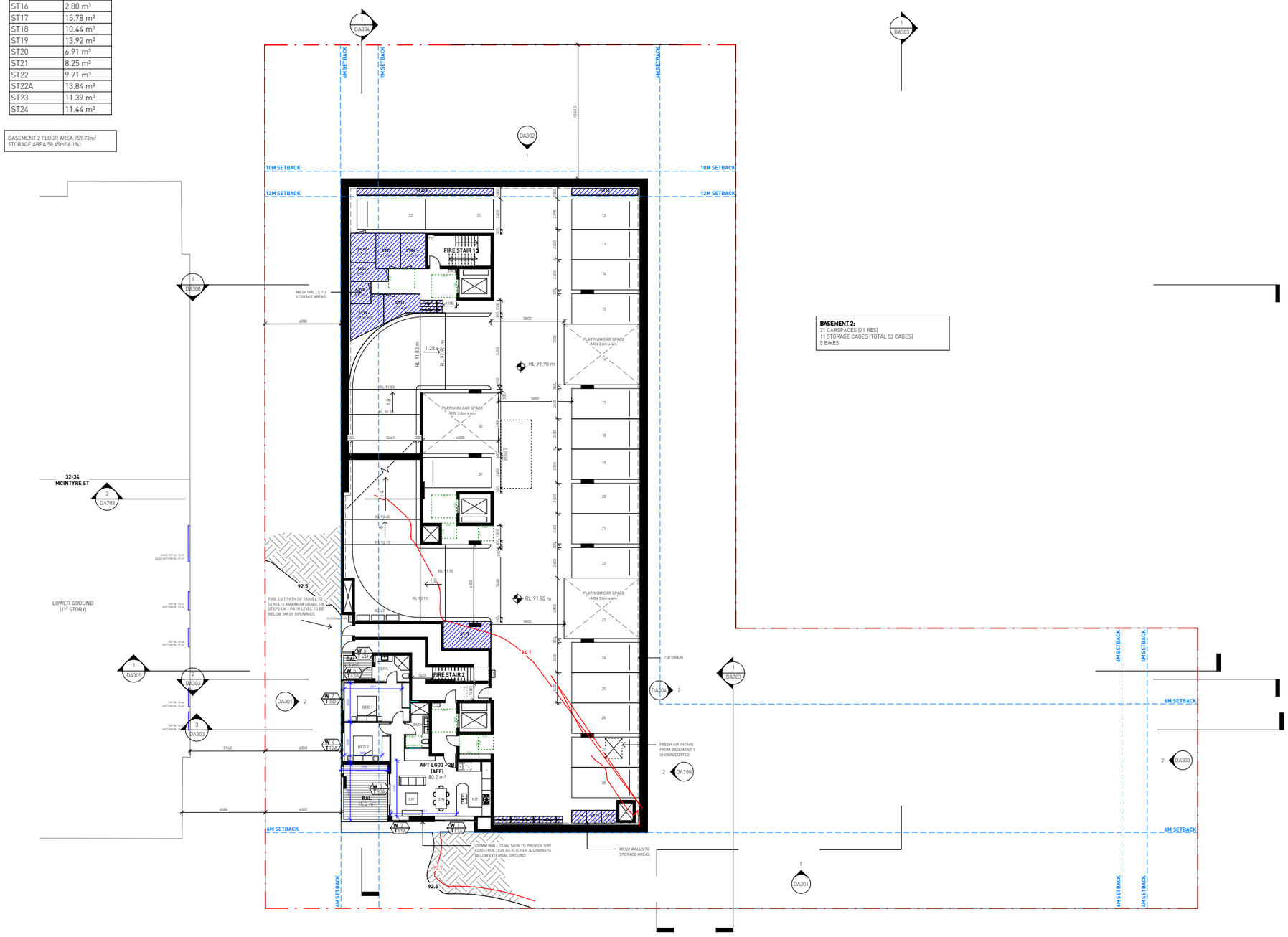
STORAGE SCHEDULE -...	
STORAGE NO.	**AREA**
ST14	2.84 m³
ST15	2.84 m³
ST16	2.80 m³
ST17	15.78 m³
ST18	10.44 m³
ST19	13.92 m³
ST20	6.91 m³
ST21	8.25 m³
ST22	9.71 m³
ST22A	13.84 m³
ST23	11.39 m³
ST24	11.44 m³

BASEMENT 2 FLOOR AREA:959.73m²
STORAGE AREA:58.45m²(6.1%)



BASEMENT 2:
21 CARSPACES (21 RES)
11 STORAGE CAGES (TOTAL 53 CAGES)
5 BIKES

No.	Date	Description
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
BASEMENT 2 PLAN

Status:
FOR APPROVAL

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Drawn:	JL	Reviewed	SH

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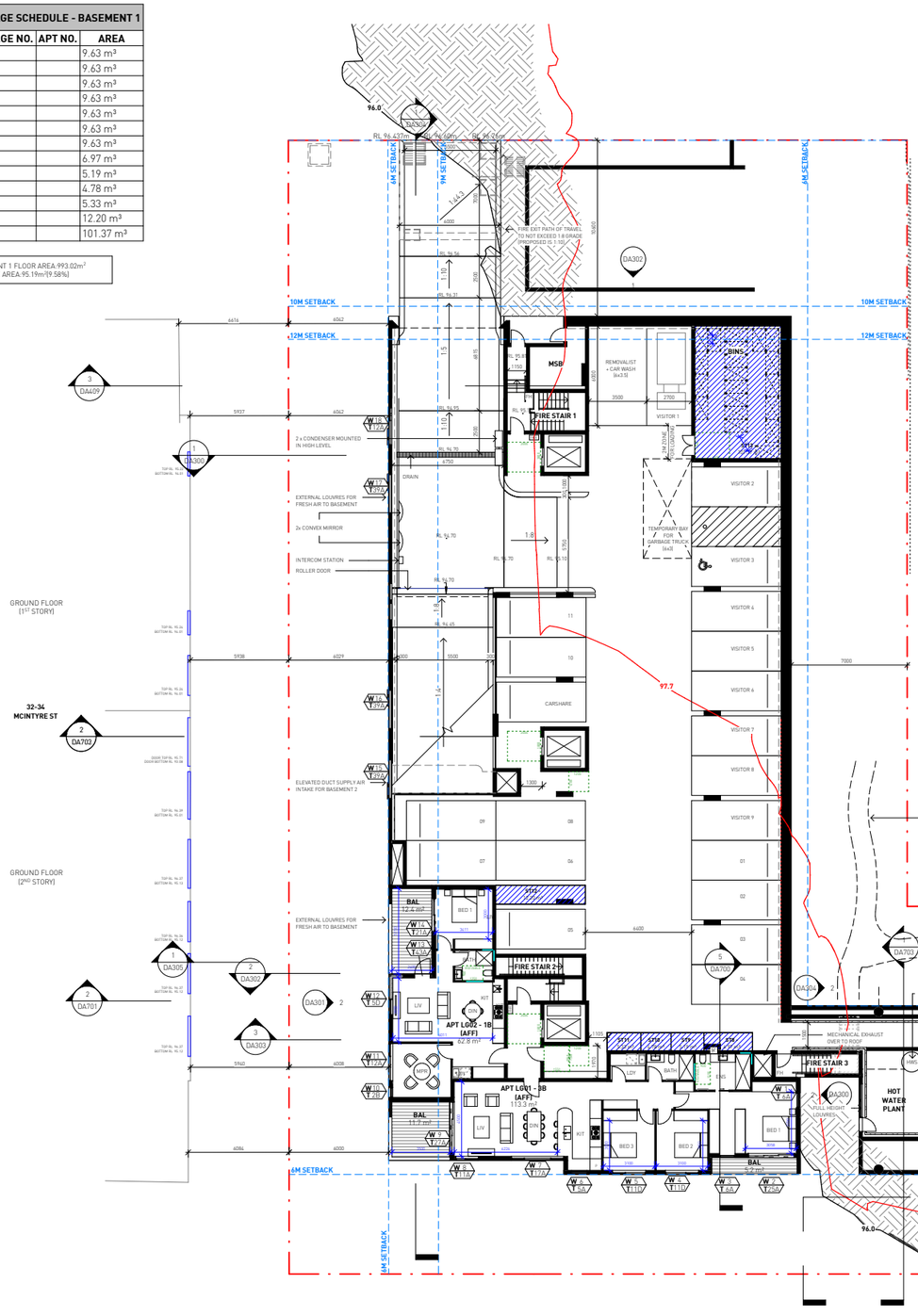
STORAGE SCHEDULE - BASEMENT 1		
STORAGE NO.	**APT NO.**	**AREA**
ST1		9.63 m³
ST2		9.63 m³
ST3		9.63 m³
ST4		9.63 m³
ST5		9.63 m³
ST6		9.63 m³
ST7		9.63 m³
ST8		6.97 m³
ST9		5.19 m³
ST10		4.78 m³
ST11		5.33 m³
ST12		12.20 m³
ST13		101.37 m³

BASEMENT 1 FLOOR AREA:993.02m²
STORAGE AREA:95.19m²(9.58%)



CAR PARKING
DCP SECTION A PART 7B.1 CLAUSE 9 - PARKING RATES TO RESIDENTIAL FLAT DEVELOPMENTS ON SITE WITHIN 800M WALKING DISTANCES OF A RAILWAY STATION ENTRY:

	MINIMUM PARKING	MAXIMUM PARKING
1 BED APARTMENT (1 UNITS)	0.6 SPACE/UNIT = 0.6 SPACE	1 SPACE/UNIT = 1 SPACE
2 BED APARTMENT (1 UNITS)	1.0 SPACE/UNIT = 1 SPACE	1.25 SPACE/UNIT = 1.25 SPACE
3-4 BED APARTMENT(51 UNITS)	1.4 SPACE/UNIT = 71.4 SPACE	2.0 SPACE/UNIT = 102 SPACE
VISITOR PARKING	1 SPACE/6 UNIT = 9 SPACE	

MINIMUM NUMBER OF SPACES: 73 RESIDENTIAL PARKING + 9 VISITOR PARKING
MAXIMUM NUMBER OF SPACES: 104 RESIDENTIAL PARKING + 9 VISITOR PARKING
CURRENT PROVISION: 92 RESIDENTIAL PARKING + 9 VISITOR PARKING (COMPLIED)

BIKE SPACES: 12 PROVIDED

BINS
GARBAGE ROOM PROVISION - 32 APARTMENTS
WASTE 53x120L = 6360/660L BIN = 9.6 = 10 BINS
COMINGLE RECYCLING = 53x60L = 3180/660L BIN = 4.8 = 5 BINS
PAPER RECYCLING = 53x60L = 3180/660L BIN = 4.8 = 5 BINS

NOTE:
SYDNEY WATER PRESSURE TEST RESULTS ARE SUFFICIENT TO NOT REQUIRE A HYDRANT BOOSTER PUMP OR A SPRINKLER PUMP

BASEMENT 1:
18 SPACES (11 RES. + 9 VISITOR)
1 CARSHARE
1 REMOVALIST
12 STORAGE CAGES (TOTAL 53CAGES)
6 BIKES

No.	Date	Description
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
BASEMENT 1 PLAN

Status:
FOR APPROVAL

Scale:	1 : 150	Job No.	Drawing No. Rev.
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Drawn:	JL	Reviewed:	SH

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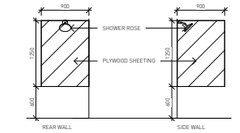
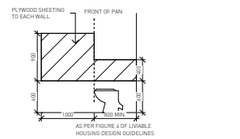
INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
PLYWOOD SHEETING LOCATIONS FOR REINFORCEMENT OF BATHROOM WALLS (AS REQUIRED BY LIVABLE HOUSING DESIGN GUIDELINES)

DIMENSIONING NOTES

DIMENSIONS SHOWN EXACT, BUILDERS TOLERANCE TO NEAREST 5mm.

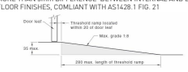
WALL SETOUT DIMENSIONS - DIMENSIONS TAKEN FROM NEAREST GRID LINE.

ALL CLEAR DIMENSIONS ARE TO FACE OF WALL (HEBEL/MASONRY/STUD).

REFER TO WALL TYPE SCHEDULE AND DETAILS TO DETERMINE FINISHES.

GENERAL NOTES

- HEIGHTS OF GPO & OUTLETS TO BE MINIMUM 350H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF ELECTRICAL OUTLET) OR AS NOMINATED
- AC TO BE 1500H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF PANEL). INTERCOM TO BE 900 TO 1250H ABOVE FFL 500MM MIN. FROM A CORNER
- FOR PLATINUM LEVEL APARTMENTS - LIGHT & POWERPOINT SWITCHES SHOULD BE ROCKER ACTION, TOGGLE OR PUSH PAD IN DESIGN WITH A RECOMMENDED WIDTH OF 35MM
- ENSURE ADEQUATE FALLS TO ALL FLOOR WASTES
- ENSURE ALL SHOWERS TO BE HOBLESS AND COMPLY WITH AS3740-3.6
- ENSURE ALL FLOOR COVERINGS TO FEATURE A LEVEL TRANSITION BETWEEN ABUTTING SURFACES (MAX. VERTICAL TOLERANCE OF 5MM BETWEEN ABUTTING SURFACES US ALLOWED PROVIDED THE LIP IS ROUNDED OR BEVELLED)
- ENSURE ALL SILVER SHOWERS HAVE SHOWER SCREEN & TO BE REMOVABLE
- ENSURE TASK LIGHTING TO BE INSTALLED ABOVE KITCHEN AND LAUNDRY WORKSPACES IN ALL PLATINUM UNITS
- ALL FLOOR FINISHES (INTERNAL AND EXTERNAL) TO COMPLY WITH SA HB 198, AS1428.1 & LHA
- ENSURE ALL UNITS ACHIEVE 1M CLEAR BETWEEN SKIRTING TO SKIRTING
- ENSURE FLOOR FINISHES TO EXTEND UNDER KITCHEN+LAUNDRY CABINETRY IN ALL PLATINUM UNITS TO ENABLE CUPBOARDS TO BE REMOVED WITHOUT AFFECTING THE FLOORING
- ENSURE THAT ANY OVERHEAD HAZARDS IN AREAS WITH LESS THAN 2M MIN. VERTICAL CLEARANCE WILL HAVE ACCESS IMPEDED BY SUITABLE PHYSICAL BARRIER OR HAVE HANDRAIL AND KERB RAIL OR WARNING TOGI'S INSTALLED, COMPLIANT WITH AS1428.4.1 FIG. 2.6.
- PROVIDE AT LEAST ONE ACCESSIBLE HANDRAIL AS REQUIRED UNDER BCA PART D2.17 WITHIN ALL FIRE-ISOLATED STAIRS/RAMPS SERVING AREAS REQUIRED TO BE ACCESSIBLE. THE HANDRAIL PROFILE, FIXING & INSTALLATION HEIGHT IS TO BE COMPLIANT WITH AS1428.1 CLAUSE 12. HANDRAIL DIAMETER TO BE 45MM ROUND
- PLATINUM UNITS TO HAVE LEVER STYLE TAP HARDWARE WITH A CENTRAL SPOUT.
- THE LIVING AREA IN PLATINUM APARTMENTS SHOULD ACCOMMODATE A FREE SPACE, MINIMUM 2250MM IN DIAMETER, TO ENABLE EASE OF MOVEMENT CLEAR OF FURNITURE.
- ENSURE THRESHOLD RAMPS ARE INSTALLED TO ALL DOORS WITH MORE THAN 5mm DIFFERENCE BETWEEN INTERNAL AND EXTERNAL FLOOR FINISHES, COMPLIANT WITH AS1428.1 FIG. 21



No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
GROUND LEVEL PLAN

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA204 A
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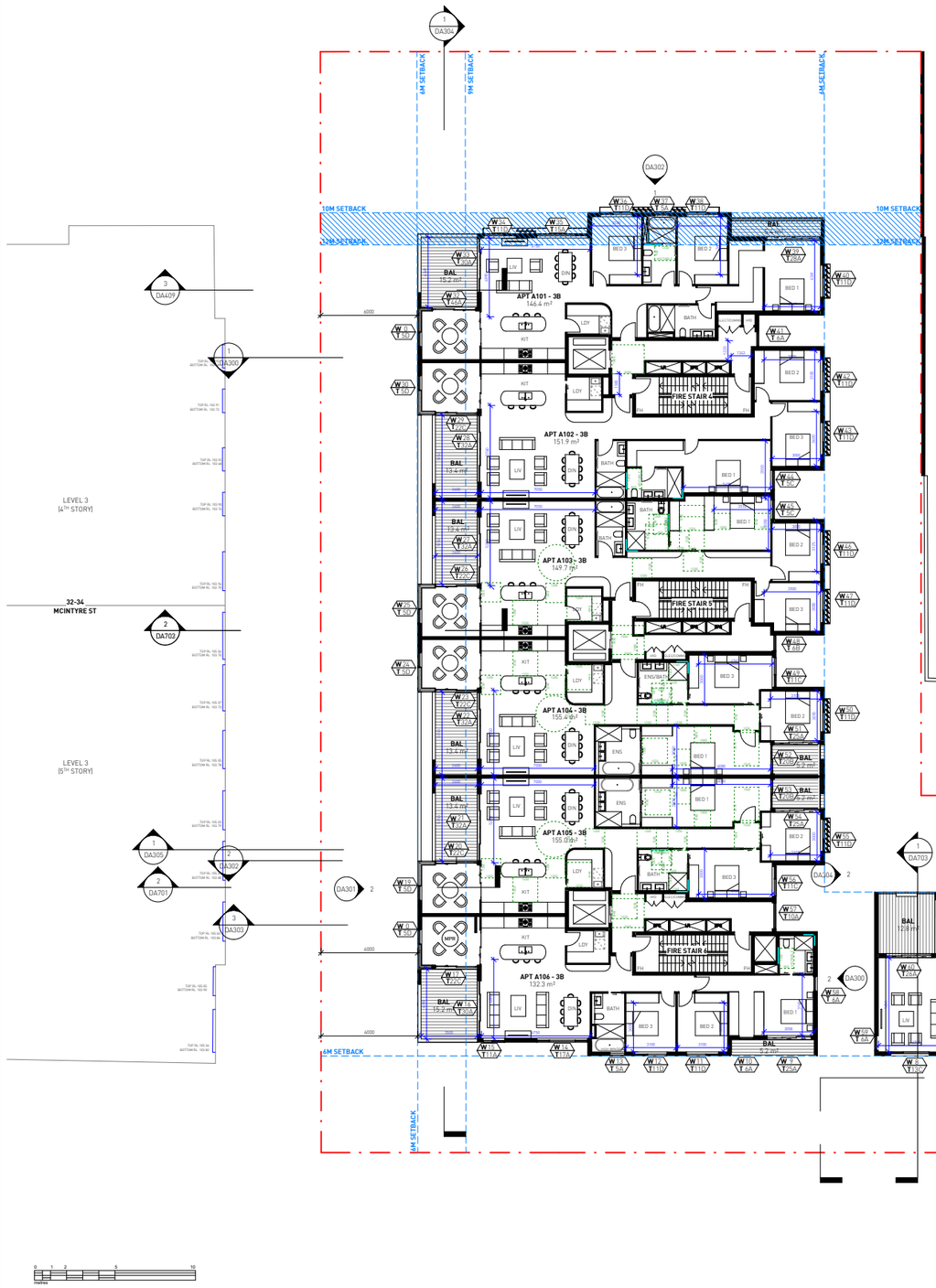
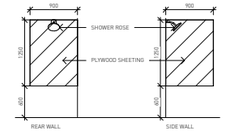
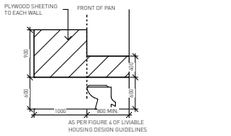


INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
PLYWOOD SHEETING LOCATIONS FOR REINFORCEMENT OF BATHROOM WALLS (AS REQUIRED BY LIVABLE HOUSING DESIGN GUIDELINES)

DIMENSIONING NOTES

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GENERAL NOTES

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- AC TO BE 1500H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF PANEL), INTERCOM TO BE 900 TO 1250H ABOVE FFL 500MM MIN. FROM A CORNER
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- ENSURE ALL SHOWERS TO BE HOBLESS AND COMPLY WITH AS3740-3.6
- ENSURE ALL FLOOR COVERINGS TO FEATURE A LEVEL TRANSITION BETWEEN ABUTTING SURFACES (MAX. VERTICAL TOLERANCE OF 5MM BETWEEN ABUTTING SURFACES US ALLOWED PROVIDED THE LIP IS ROUNDED OR BEVELLED)
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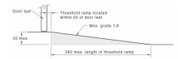
- ENSURE THRESHOLD RAMPS ARE INSTALLED TO ALL DOORS WITH MORE THAN 5mm DIFFERENCE BETWEEN INTERNAL AND EXTERNAL FLOOR FINISHES, COMLIANT WITH AS1428.1 FIG. 21



No.	Date	Description
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Amendments

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Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
LEVEL 1 PLAN

Status:
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Scale:	As indicated	Job No.	Drawing No. Rev.
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Drawn:	JL	Reviewed	SH

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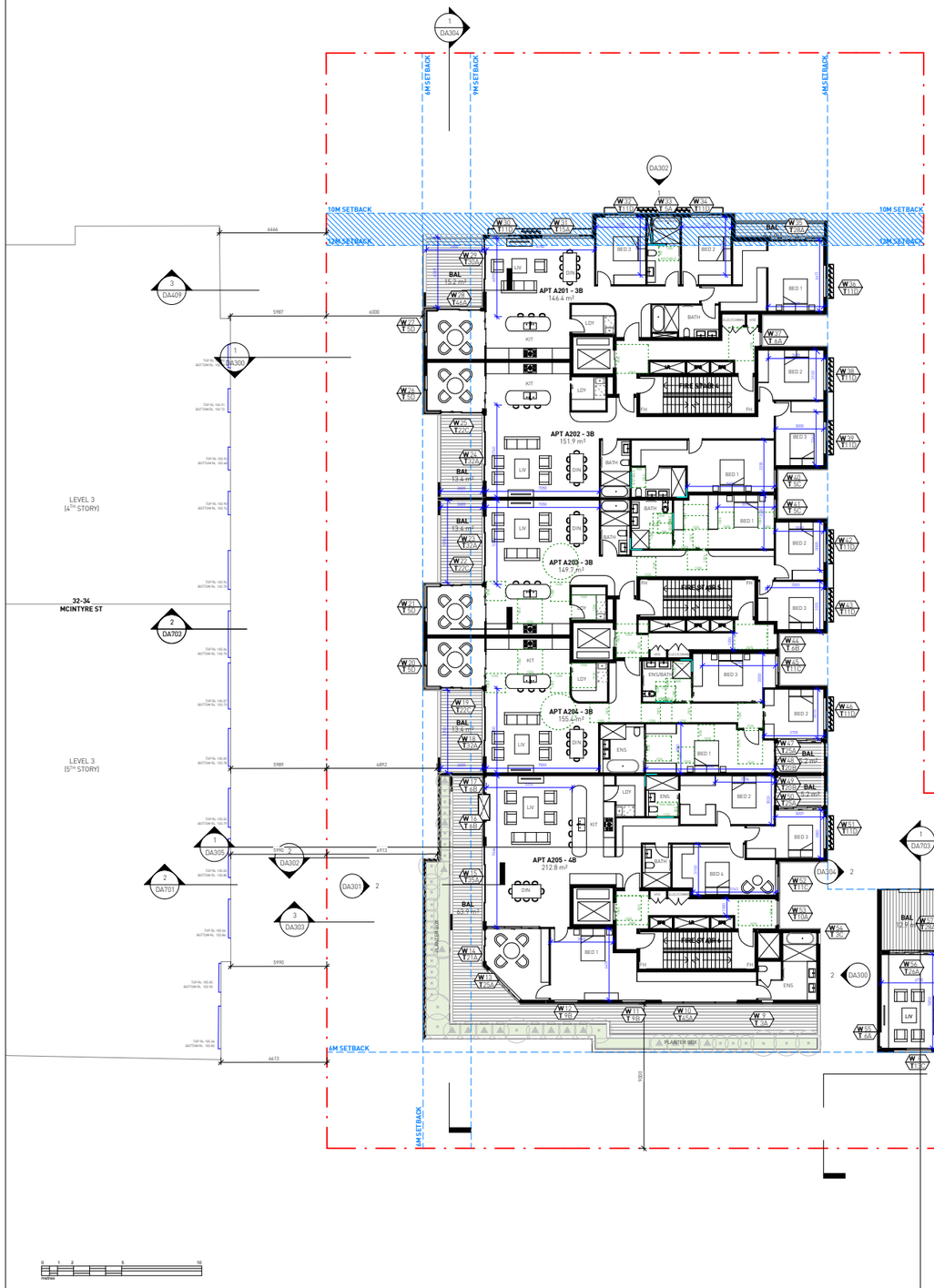
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212.8 m²
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[AFF]
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BAL
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BAL
13.8 m²
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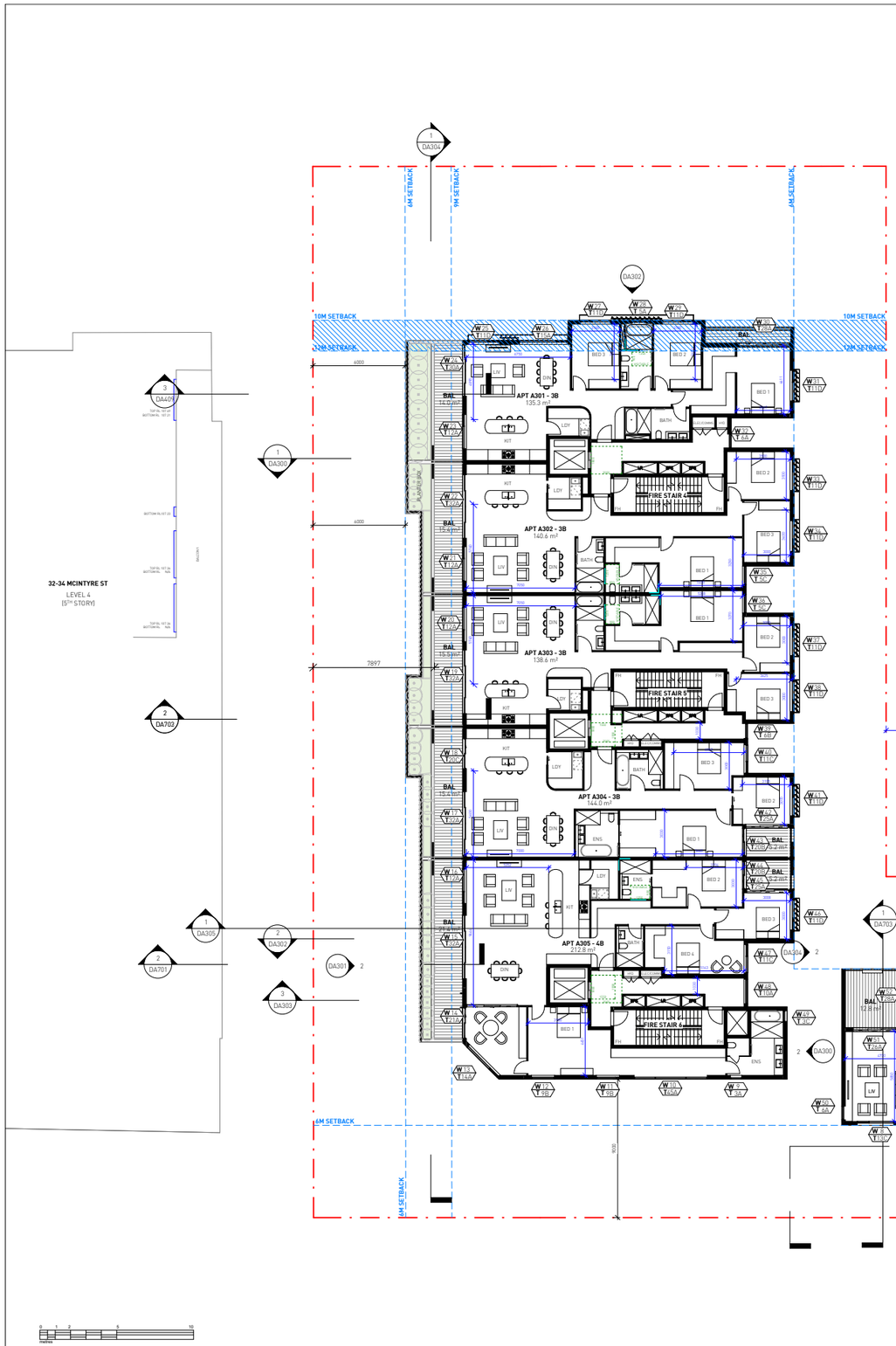
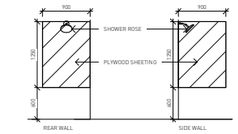
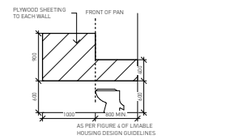


INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
PLYWOOD SHEETING LOCATIONS FOR REINFORCEMENT OF BATHROOM WALLS (AS REQUIRED BY LIVABLE HOUSING DESIGN GUIDELINES)

DIMENSIONING NOTES

DIMENSIONS SHOWN EXACT, BUILDERS TOLERANCE TO NEAREST 5mm.

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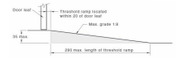
GENERAL NOTES

- HEIGHTS OF GPO & OUTLETS TO BE MINIMUM 350H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF ELECTRICAL OUTLET) OR AS NOMINATED
- AC TO BE 1500H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF PANEL); INTERCOM TO BE 900 TO 1250H ABOVE FFL 500MM MIN. FROM A CORNER
- FOR PLATINUM LEVEL APARTMENTS - LIGHT & POWERPOINT SWITCHES SHOULD BE ROCKER ACTION, TOGGLE OR PUSH PAD IN DESIGN WITH A RECOMMENDED WIDTH OF 35MM
- ENSURE ADEQUATE FALLS TO ALL FLOOR WASTES
- ENSURE ALL SHOWERS TO BE HOBLESS AND COMPLY WITH AS3740-3.6
- ENSURE ALL FLOOR COVERINGS TO FEATURE A LEVEL TRANSITION BETWEEN ABUTTING SURFACES (MAX. VERTICAL TOLERANCE OF 5MM BETWEEN ABUTTING SURFACES US ALLOWED PROVIDED THE LIP IS ROUNDED OR BEVELLED)
- ENSURE ALL SILVER SHOWERS HAVE SHOWER SCREEN & TO BE REMOVABLE
- ENSURE TASK LIGHTING TO BE INSTALLED ABOVE KITCHEN AND LAUNDRY WORKSPACES IN ALL PLATINUM UNITS
- ALL FLOOR FINISHES (INTERNAL AND EXTERNAL) TO COMPLY WITH SA HB 198, AS1428.1 & LHA
- ENSURE ALL UNITS ACHIEVE 1M CLEAR BETWEEN SKIRTING TO SKIRTING
- ENSURE FLOOR FINISHES TO EXTEND UNDER KITCHEN+LAUNDRY CABINETRY IN ALL PLATINUM UNITS TO ENABLE CUPBOARDS TO BE REMOVED WITHOUT AFFECTING THE FLOORING
- ENSURE THAT ANY OVERHEAD HAZARDS IN AREAS WITH LESS THAN 2M MIN. VERTICAL CLEARANCE WILL HAVE ACCESS IMPEDED BY SUITABLE PHYSICAL BARRIER OR HAVE HANDRAIL AND KERB RAIL OR WARNING TGSI'S INSTALLED, COMPLIANT WITH AS1428.4.1 FIG. 2.6.
- PROVIDE AT LEAST ONE ACCESSIBLE HANDRAIL AS REQUIRED UNDER BCA PART D2.17 WITHIN ALL FIRE-ISOLATED STAIRS/RAMPS SERVING AREAS REQUIRED TO BE ACCESSIBLE. THE HANDRAIL PROFILE, FIXING & INSTALLATION HEIGHT IS TO BE COMPLIANT WITH AS1428.1 CLAUSE 12.; HANDRAIL DIAMETER TO BE 65MM ROUND
- PLATINUM UNITS TO HAVE LEVER STYLE TAP HARDWARE WITH A CENTRAL SPOUT.
- THE LIVING AREA IN PLATINUM APARTMENTS SHOULD ACCOMMODATE A FREE SPACE, MINIMUM 2250MM IN DIAMETER, TO ENABLE EASE OF MOVEMENT CLEAR OF FURNITURE.
- ENSURE THRESHOLD RAMPS ARE INSTALLED TO ALL DOORS WITH MORE THAN 5mm DIFFERENCE BETWEEN INTERNAL AND EXTERNAL FLOOR FINISHES, COMLIANT WITH AS1428.1 FIG. 21



No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Project
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing
LEVEL 3 PLAN

Status
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA207 A
Date:	05/25/22		
Drawn:	JL	Reviewed	SH

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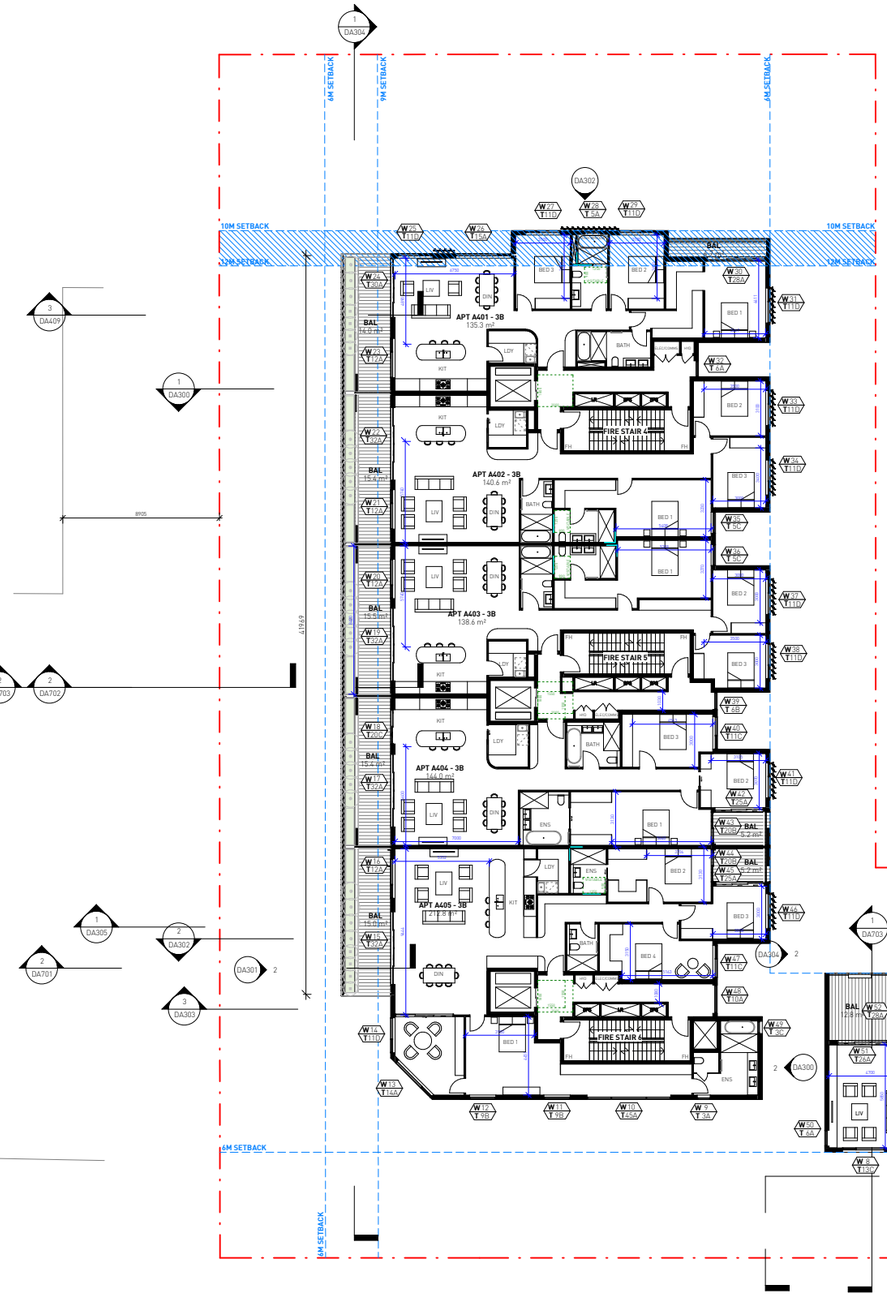
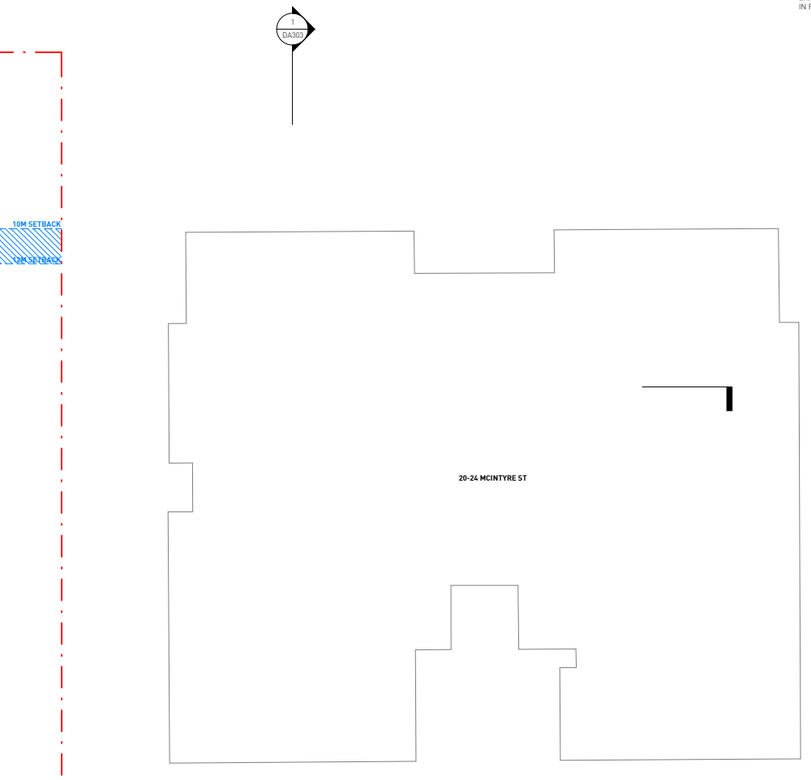
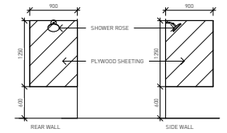
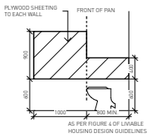




INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
PLYWOOD SHEETING LOCATIONS FOR REINFORCEMENT OF BATHROOM WALLS (AS REQUIRED BY LIVABLE HOUSING DESIGN GUIDELINES)

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- ENSURE ALL UNITS ACHIEVE 1M CLEAR BETWEEN SKIRTING TO SKIRTING
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- PLATINUM UNITS TO HAVE LEVER STYLE TAP HARDWARE WITH A CENTRAL SPOUT.
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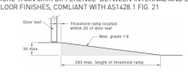

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Nominated Architects: Mark G Broadley [5822] Victor Schneider [11197]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
LEVEL 4 PLAN

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA208 A
Date:	05/25/22		
Drawn:	JL	Reviewed	SH

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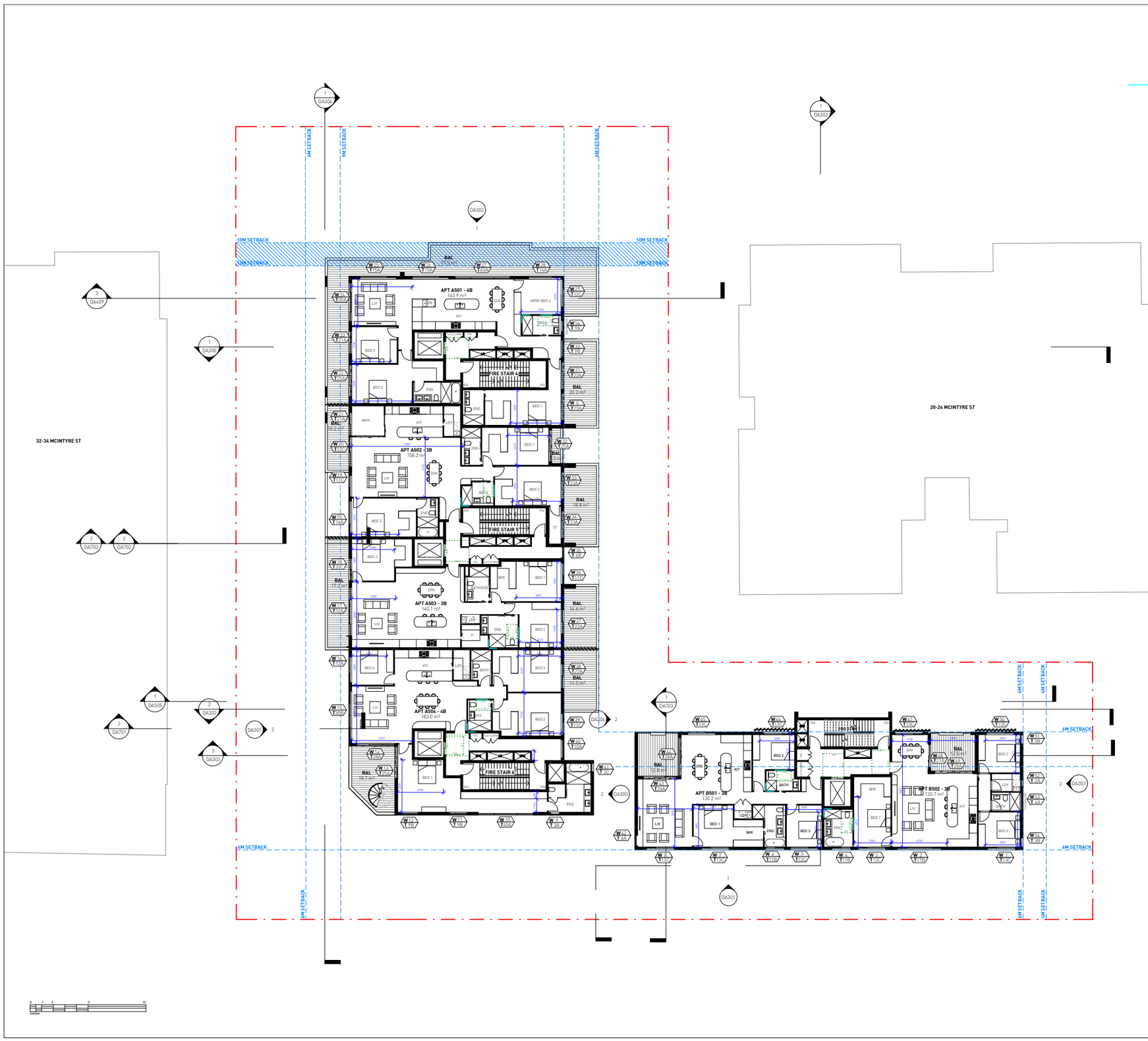
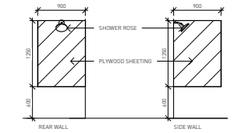
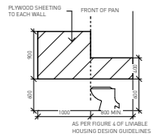


INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
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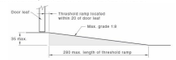

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
LEVEL 5 PLAN

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA209 A
Date:	07/19/22		
Drawn:	JL	Reviewed:	SH

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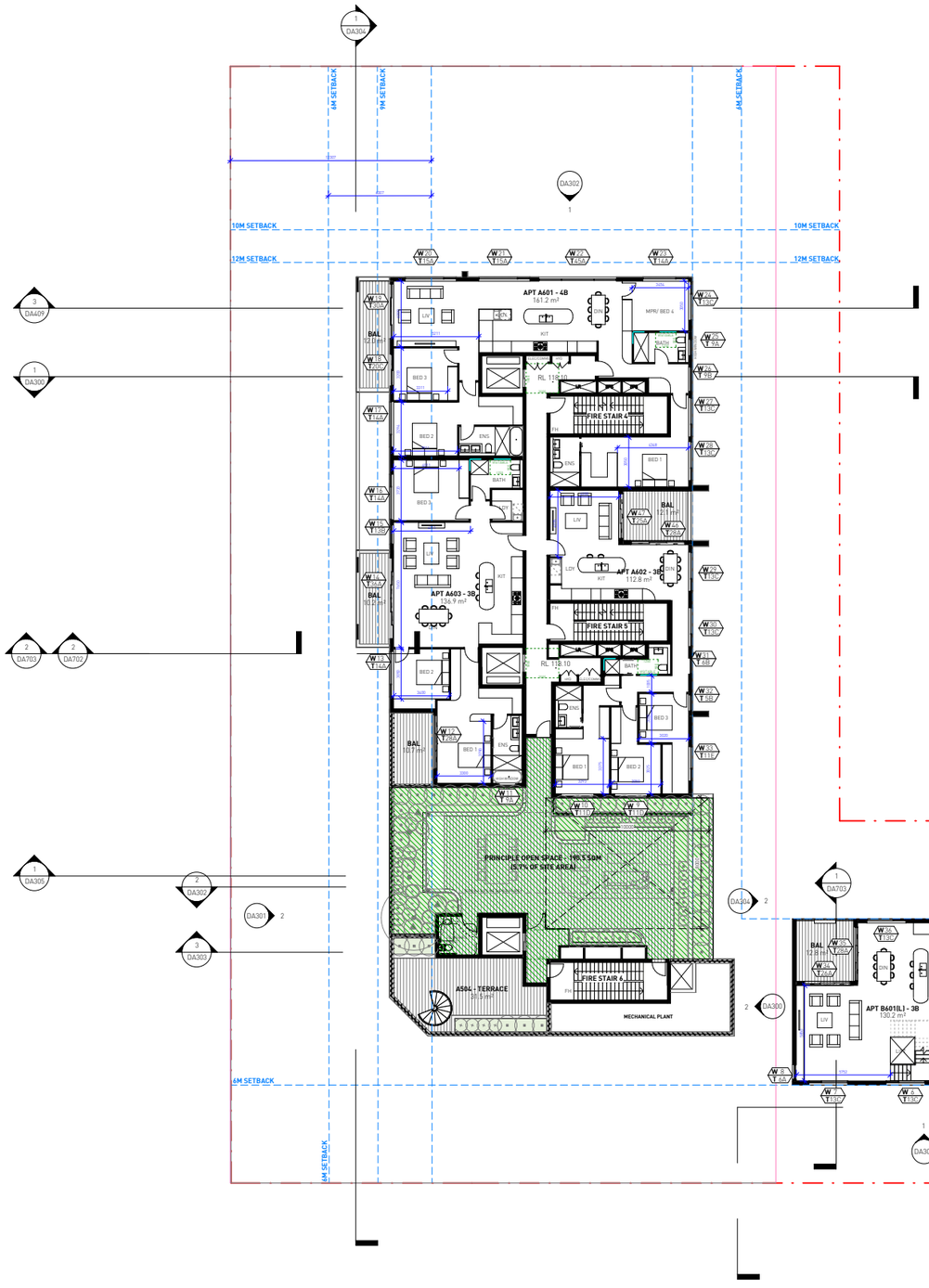

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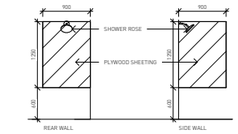
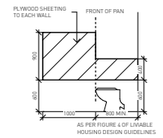


SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

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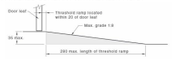

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
LEVEL 6 PLAN

Status:

Scale: As indicated | Job No. 21106 | Drawing No. DA210 | Rev. A
Sheet Size:
Date: 02/26/25
Drawn: Author | Reviewed: Checker

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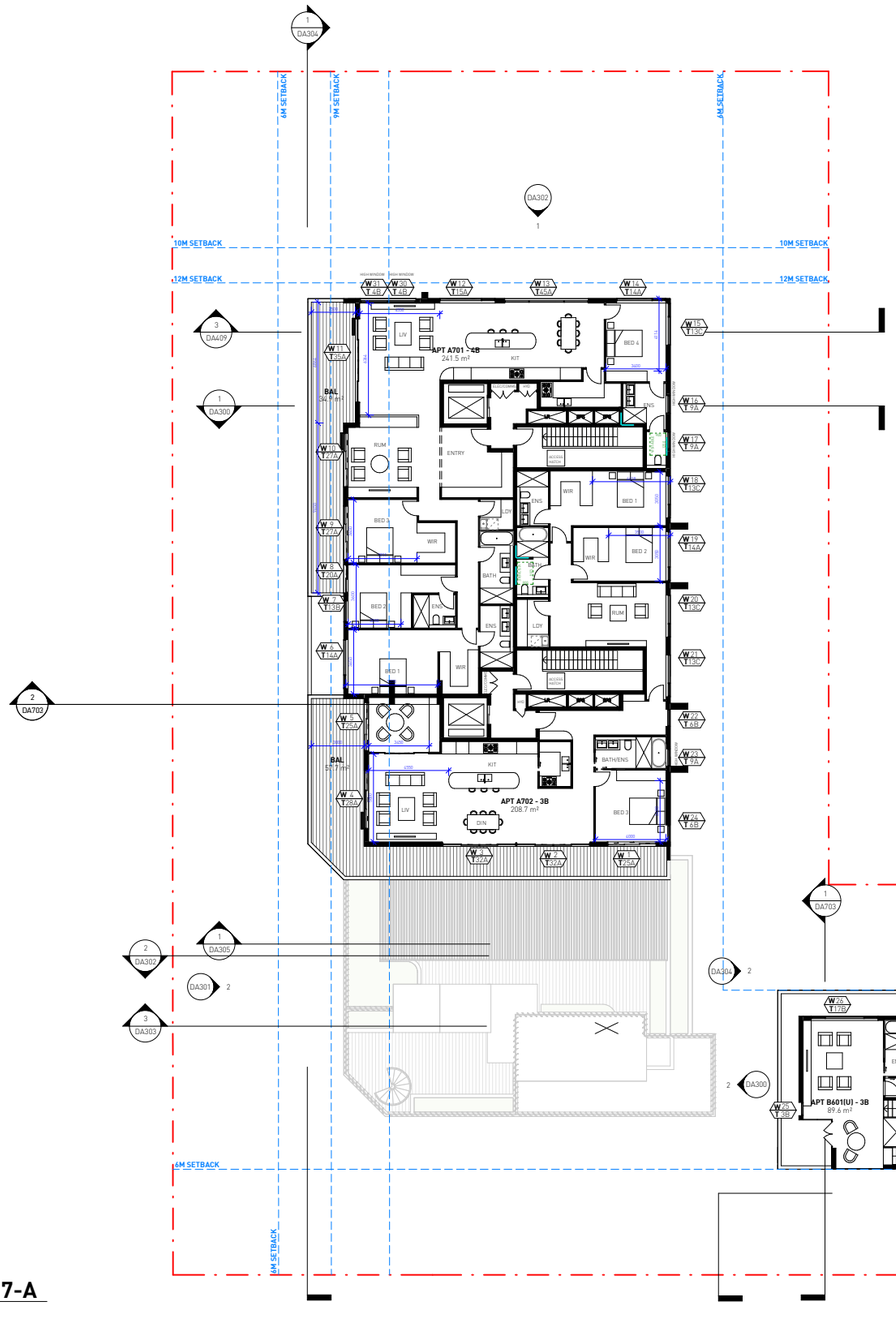
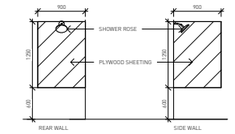


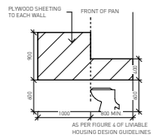
1 DA211 **LEVEL 7-A**
1 : 150

0 1 2 5 10 metres

INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
PLYWOOD SHEETING LOCATIONS FOR REINFORCEMENT OF BATHROOM WALLS (AS REQUIRED BY LIVABLE HOUSING DESIGN GUIDELINES)

DIMENSIONING NOTES

DIMENSIONS SHOWN EXACT, BUILDERS TOLERANCE TO NEAREST 5mm.

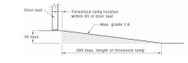
WALL SETOUT DIMENSIONS - DIMENSIONS TAKEN FROM NEAREST GRID LINE.

ALL CLEAR DIMENSIONS ARE TO FACE OF WALL (HEBEL/MASONRY/STUD).

REFER TO WALL TYPE SCHEDULE AND DETAILS TO DETERMINE FINISHES.

GENERAL NOTES

- HEIGHTS OF GPO & OUTLETS TO BE MINIMUM 350H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF ELECTRICAL OUTLET) OR AS NOMINATED
- AC TO BE 1500H (MEASURED FROM FLOOR LEVEL TO CENTRE LINE OF PANEL), INTERCOM TO BE 900 TO 1250H ABOVE FFL 500MM MIN. FROM A CORNER
- FOR PLATINUM LEVEL APARTMENTS - LIGHT & POWERPOINT SWITCHES SHOULD BE ROCKER ACTION, TOGGLE OR PUSH PAD IN DESIGN WITH A RECOMMENDED WIDTH OF 35MM
- ENSURE ADEQUATE FALLS TO ALL FLOOR WASTES
- ENSURE ALL SHOWERS TO BE HOBLESS AND COMPLY WITH AS3740-3.6
- ENSURE ALL FLOOR COVERINGS TO FEATURE A LEVEL TRANSITION BETWEEN ABUTTING SURFACES (MAX. VERTICAL TOLERANCE OF 5MM BETWEEN ABUTTING SURFACES US ALLOWED PROVIDED THE LIP IS ROUNDED OR BEVELLED)
- ENSURE ALL SILVER SHOWERS HAVE SHOWER SCREEN & TO BE REMOVABLE
- ENSURE TASK LIGHTING TO BE INSTALLED ABOVE KITCHEN AND LAUNDRY WORKSPACES IN ALL PLATINUM UNITS
- ALL FLOOR FINISHES (INTERNAL AND EXTERNAL) TO COMPLY WITH 5A HB:198, AS1428.1 & LHA
- ENSURE ALL UNITS ACHIEVE 1M CLEAR BETWEEN SKIRTING TO SKIRTING
- ENSURE FLOOR FINISHES TO EXTEND UNDER KITCHEN+LAUNDRY CABINETRY IN ALL PLATINUM UNITS TO ENABLE CUPBOARDS TO BE REMOVED WITHOUT AFFECTING THE FLOORING
- ENSURE THAT ANY OVERHEAD HAZARDS IN AREAS WITH LESS THAN 2M MIN. VERTICAL CLEARANCE WILL HAVE ACCESS IMPEDED BY SUITABLE PHYSICAL BARRIER OR HAVE HANDRAIL AND KERB RAIL OR WARNING TGSI'S INSTALLED, COMPLIANT WITH AS1428.4.1 FIG. 2.6.
- PROVIDE AT LEAST ONE ACCESSIBLE HANDRAIL AS REQUIRED UNDER BCA PART D2.17 WITHIN ALL FIRE-ISOLATED STAIRS/RAMPS SERVING AREAS REQUIRED TO BE ACCESSIBLE. THE HANDRAIL PROFILE, FIXING & INSTALLATION HEIGHT IS TO BE COMPLIANT WITH AS1428.1 CLAUSE 12.; HANDRAIL DIAMETER TO BE 45MM ROUND
- PLATINUM UNITS TO HAVE LEVER STYLE TAP HARDWARE WITH A CENTRAL SPOUT.
- THE LIVING AREA IN PLATINUM APARTMENTS SHOULD ACCOMMODATE A FREE SPACE, MINIMUM 2250MM IN DIAMETER, TO ENABLE EASE OF MOVEMENT CLEAR OF FURNITURE.
- ENSURE THRESHOLD RAMPS ARE INSTALLED TO ALL DOORS WITH MORE THAN 5mm DIFFERENCE BETWEEN INTERNAL AND EXTERNAL FLOOR FINISHES, COMPLIANT WITH AS1428.1 FIG. 21



No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Giles Tribe Pty Ltd ABN 50 007259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
LEVEL 7 PLAN

Status:

Scale: As indicated
Sheet Size:
Date: 04/03/25
Drawn: Author
Job No. 21106
Drawing No. DA211
Rev. A
Reviewed Checker

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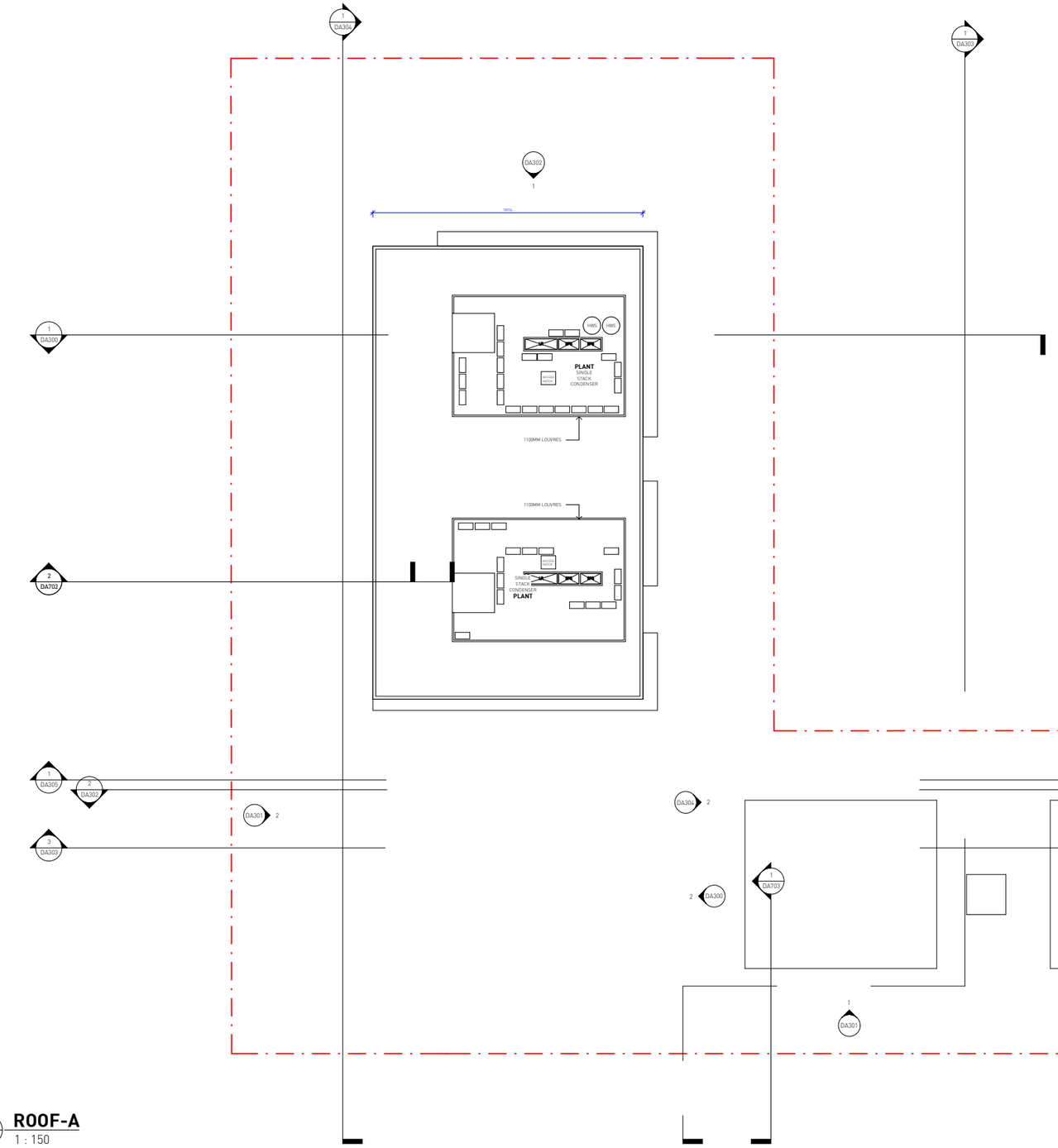
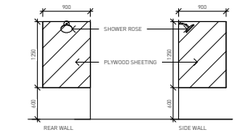


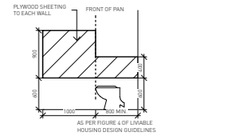
1 DA212 **ROOF-A**
1 : 150

0 1 2 5 10 metres

INDICATES REINFORCED WALLS TO ENABLE INSTALLATION OF GRABRAILS IN FUTURE



SHOWER RECESS - LOCATION OF SHEETING



TOILET - LOCATION OF SHEETING

DETAIL 1
PLYWOOD SHEETING LOCATIONS FOR REINFORCEMENT OF BATHROOM WALLS (AS REQUIRED BY LIVABLE HOUSING DESIGN GUIDELINES)

DIMENSIONING NOTES

DIMENSIONS SHOWN EXACT, BUILDERS TOLERANCE TO NEAREST 5mm.

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GENERAL NOTES

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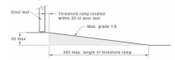
- THE LIVING AREA IN PLATINUM APARTMENTS SHOULD ACCOMMODATE A FREE SPACE, MINIMUM 2250MM IN DIAMETER, TO ENABLE EASE OF MOVEMENT CLEAR OF FURNITURE
- ENSURE THRESHOLD RAMPS ARE INSTALLED TO ALL DOORS WITH MORE THAN 5mm DIFFERENCE BETWEEN INTERNAL AND EXTERNAL FLOOR FINISHES, COMLIANT WITH AS1428.1 FIG. 21



No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
ROOF PLAN

Status:

Scale:	As indicated	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA212	A
Date:	04/16/25			
Drawn:	Author	Reviewed:	Checker	

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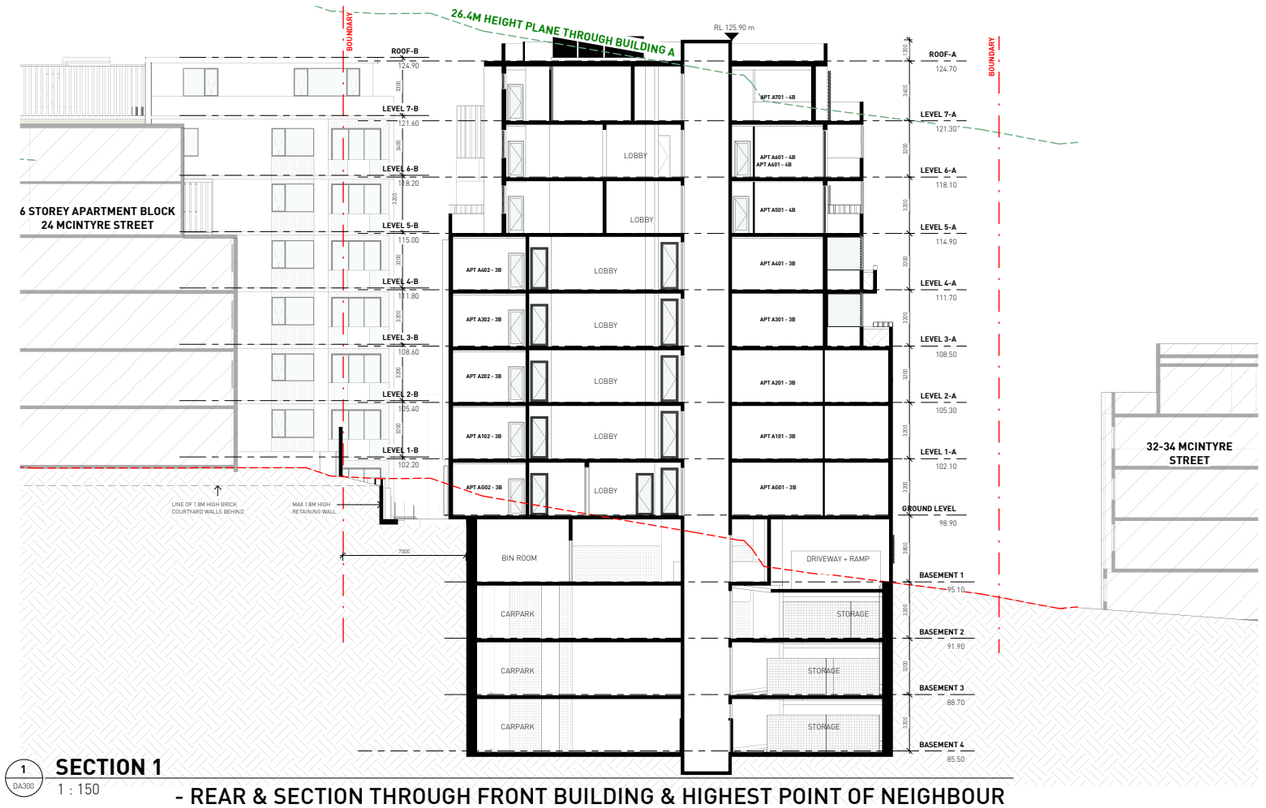
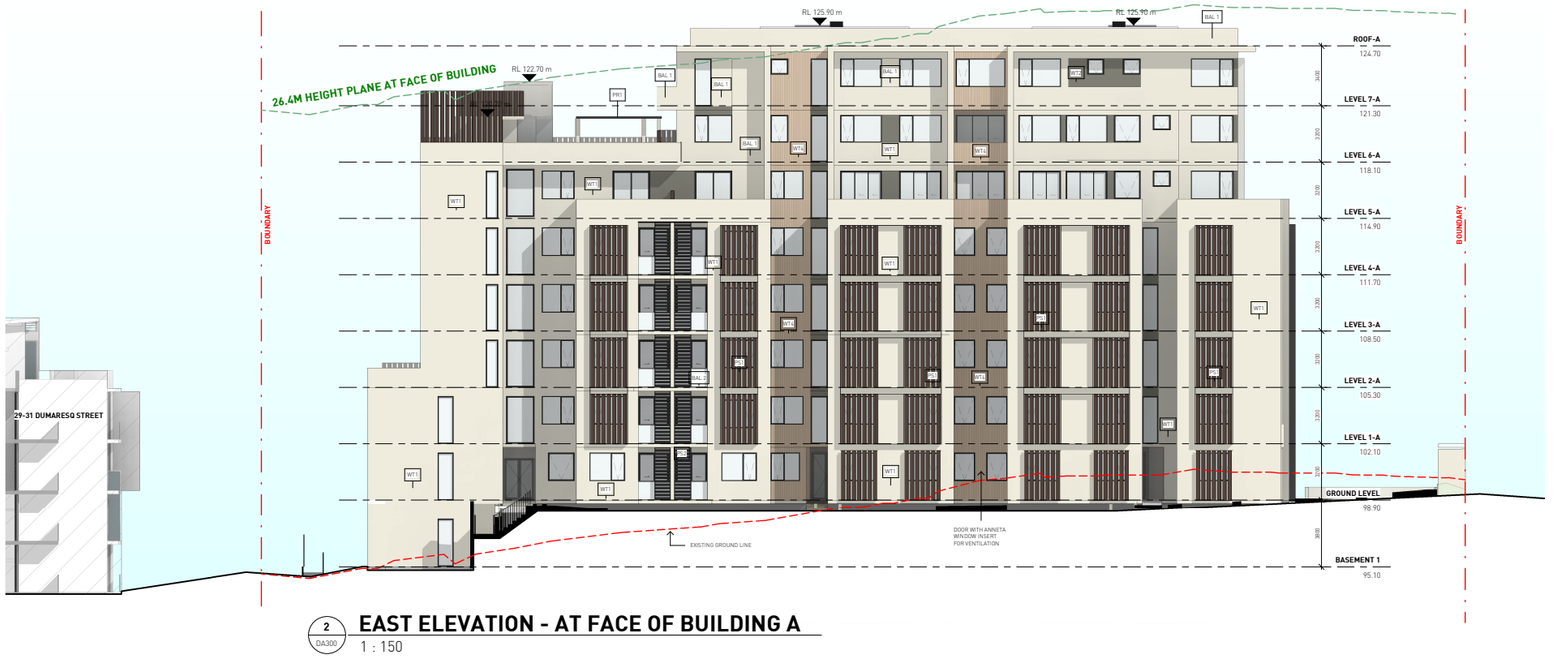


1 DA300 **SECTION 1**
1 : 150

- REAR & SECTION THROUGH FRONT BUILDING & HIGHEST POINT OF NEIGHBOUR



2 DA300 **EAST ELEVATION - AT FACE OF BUILDING A**
1 : 150

0 1 2 5 10 metres

MATERIALS SAMPLE BOARD

BAL 1: BALUSTRADE TYPE 1
INSITU CONCRETE WITH RESENE - RICE CAKE

WT1: WALL TYPE 1 - COLOUR A (LIGHT)
PAINT FINISHED SMOOTH TEXTURE
FIRE RATED ACRYLIC RENDER ON AAC PANELS & CONCRETE STRUCTURE
(RESENE - RICE CAKE)



BAL 2: BALUSTRADE TYPE 2
LOW IRON TOUGHENED FRAMELESS GLASS BALUSTRADING TO 1100H WITH MILL FINISH ALUMINIUM CONTINUOUS BASE BRACKET & 20X20 TOP RAIL (CASA GROUP - BRUSHED GUN METAL)



WT2: WALL TYPE 2 - COLOUR B (DARK)
PAINT FINISHED SMOOTH TEXTURE
FIRE RATED ACRYLIC RENDER ON AAC PANELS & CONCRETE STRUCTURE
(DULUX - CONCRETE GREY)



WT3: WALL TYPE 3 - PATTERN B
FACE BRICKWORK
PGH BRICKS NATURAL FROST OR SIMILAR



WT4: WALL TYPE 4 - CLADDING
ALUM. TIMBER LOOK CLADDING
MODULEX ALU SELEKTA "DARK CEDDAR" OR SIMILAR



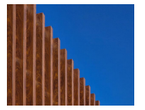
GC1
GLASS CLEAR (WINDOWS & DOOR SYSTEMS) IN POWDERCOAT FINISH FRAME, FINISH TO MATCH INTERPON - SABLE BASS



PS1: PRIVACY SCREEN - TYPE 1
POWDERCOATED 100x25 VERTICAL TIMBER LOOK ALUMINIUM BATTEN IN COVET - BURAUN EBONI WOOD STENCIL FINISH ON MASONRY (50% OPEN)



PR1: PERGOLA
POWDERCOAT FINISH FRAME
FINISH TO MATCH DULUX DURALLOY - MONUMENT



PS2: PRIVACY SCREEN - TYPE 2
POWDERCOATED 50x20 VERTICAL TIMBER LOOK ALUMINIUM FENCE

GENERAL NOTES
SLIDING SUN SHADING TO NORTH, EAST, AND WEST ELEVATIONS PROVIDED

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
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t: 61 2 9266 5005
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Giles Tribe Pty Ltd ABN 50 001259 507
Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
ELEVATIONS & SECTIONS

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA300 A
Date:	05/25/22		
Drawn:	JL	Reviewed	SH

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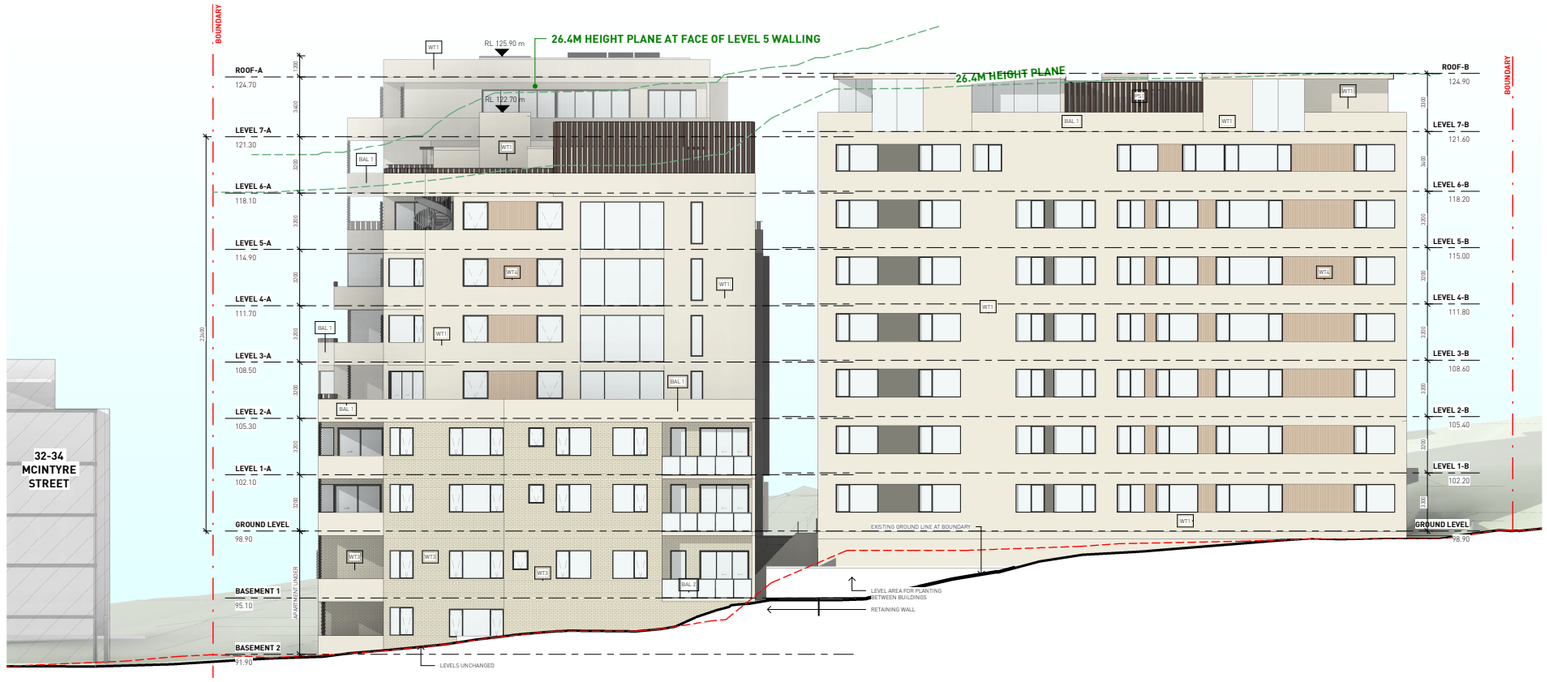
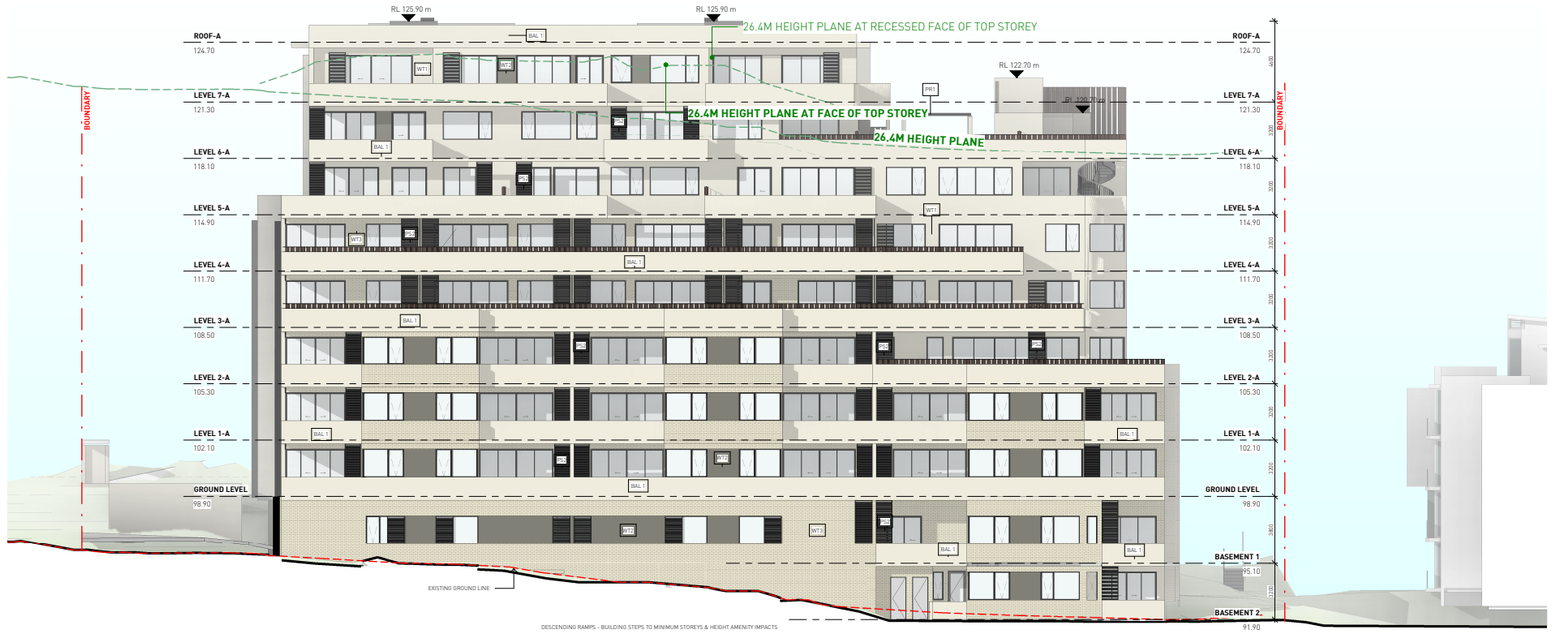


1 DA301 **SOUTH ELEVATION**
1 : 150



2 DA301 **WEST ELEVATION**
1 : 150

0 1 2 5 10
metres

MATERIALS SAMPLE BOARD

BAL 1: BALUSTRADE TYPE 1
INSITU CONCRETE WITH RESENE - RICE CAKE

WT1: WALL TYPE 1 - COLOUR A (LIGHT)
PAINT FINISHED SMOOTH TEXTURE
FIRE RATED ACRYLIC RENDER ON AAC PANELS & CONCRETE STRUCTURE
(RESENE - RICE CAKE)



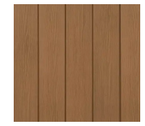
BAL 2: BALUSTRADE TYPE 2
LOW IRON TOUGHENED FRAMELESS GLASS BALUSTRADING TO 1100H WITH MILL FINISH ALUMINIUM CONTINUOUS BASE BRACKET & 20X20 TOP RAIL (CASA GROUP - BRUSHED GUN METAL)



WT2: WALL TYPE 2 - COLOUR B (DARK)
PAINT FINISHED SMOOTH TEXTURE
FIRE RATED ACRYLIC RENDER ON AAC PANELS & CONCRETE STRUCTURE
(DULUX - CONCRETE GREY)



WT3: WALL TYPE 3 - PATTERN B
FACE BRICKWORK
PGH BRICKS NATURAL FROST OR SIMILAR



WT4: WALL TYPE 4 - CLADDING
ALUM. TIMBER LOOK CLADDING
MODULEX ALU SELEKTA "DARK CEDDAR" OR SIMILAR



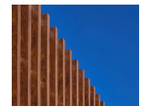
GC1
GLASS CLEAR (WINDOWS & DOOR SYSTEMS) IN POWDERCOAT FINISH FRAME, FINISH TO MATCH INTERPON - SABLE BASS



PS1: PRIVACY SCREEN - TYPE 1
POWDERCOATED 100x25 VERTICAL TIMBER LOOK ALUMINIUM BATTEN IN COVET - BURAUN EBONI WOOD STENCIL FINISH ON MASONRY (50% OPEN)



PR1: PERGOLA
POWDERCOAT FINISH FRAME
FINISH TO MATCH DULUX DURALLOY - MONUMENT



PS2: PRIVACY SCREEN - TYPE 2
POWDERCOATED 50x20 VERTICAL TIMBER LOOK ALUMINIUM FENCE

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
ELEVATIONS & SECTIONS

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA301 A
Date:	05/25/22		
Drawn:	JL	Reviewed	SH

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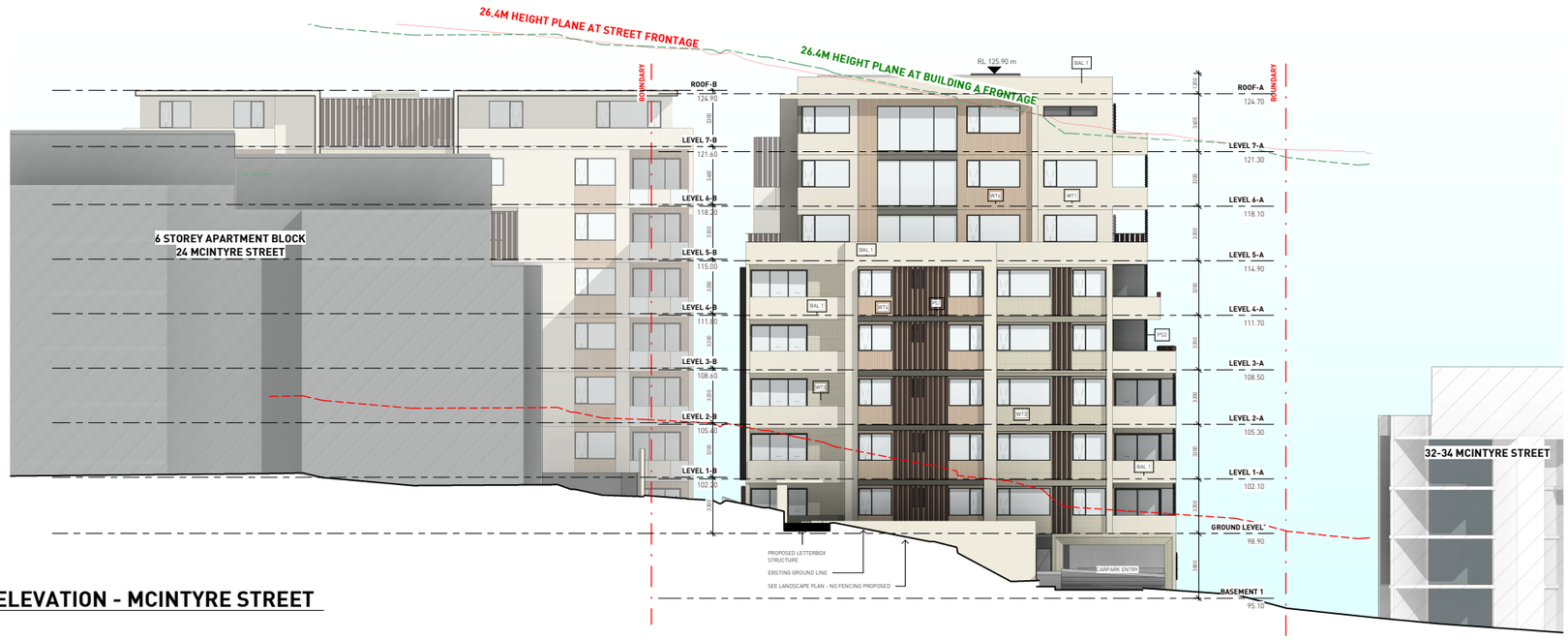


1 DA302 **NORTH ELEVATION - MCINTYRE STREET**
1 : 150



2 DA302 **SECTION 2**
1 : 150

0 1 2 5 10
metres

MATERIALS SAMPLE BOARD

BAL 1: BALUSTRADE TYPE 1
INSITU CONCRETE WITH RESENE - RICE CAKE

WT1: WALL TYPE 1 - COLOUR A (LIGHT)
PAINT FINISHED SMOOTH TEXTURE
FIRE RATED ACRYLIC RENDER ON AAC PANELS & CONCRETE STRUCTURE
(RESENE - RICE CAKE)



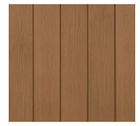
BAL 2: BALUSTRADE TYPE 2
LOW IRON TOUGHENED FRAMELESS GLASS BALUSTRADING TO 1100H WITH MILL FINISH ALUMINIUM CONTINUOUS BASE BRACKET & 20X20 TOP RAIL (CASA GROUP - BRUSHED GUN METAL)



WT2: WALL TYPE 2 - COLOUR B (DARK)
PAINT FINISHED SMOOTH TEXTURE
FIRE RATED ACRYLIC RENDER ON AAC PANELS & CONCRETE STRUCTURE
(DULUX - CONCRETE GREY)



WT3: WALL TYPE 3 - PATTERN B
FACE BRICKWORK
PGH BRICKS NATURAL FROST OR SIMILAR



WT4: WALL TYPE 4 - CLADDING
ALUM. TIMBER LOOK CLADDING
MODULEX ALU SELEKTA "DARK CEDDAR" OR SIMILAR



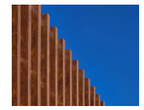
GC1
GLASS CLEAR (WINDOWS & DOOR SYSTEMS) IN POWDERCOAT FINISH FRAME, FINISH TO MATCH INTERPON - SABLE BASS



PS1: PRIVACY SCREEN - TYPE 1
POWDERCOATED 100x25 VERTICAL TIMBER LOOK ALUMINIUM BATTEN IN COVET - BURAUN EBONI WOOD STENCIL FINISH ON MASONRY
(50% OPEN)



PR1: PERGOLA
POWDERCOAT FINISH FRAME
FINISH TO MATCH DULUX DURALLOY - MONUMENT



PS2: PRIVACY SCREEN - TYPE 2
POWDERCOATED 50x20 VERTICAL TIMBER LOOK ALUMINIUM FENCE

GENERAL NOTES
SLIDING SUN SHADING TO NORTH, EAST, AND WEST ELEVATIONS PROVIDED

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
STREET ELEVATION & SECTIONS

Status:
FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA302 A
Date:	07/15/22		
Drawn:	JL	Reviewed	SH

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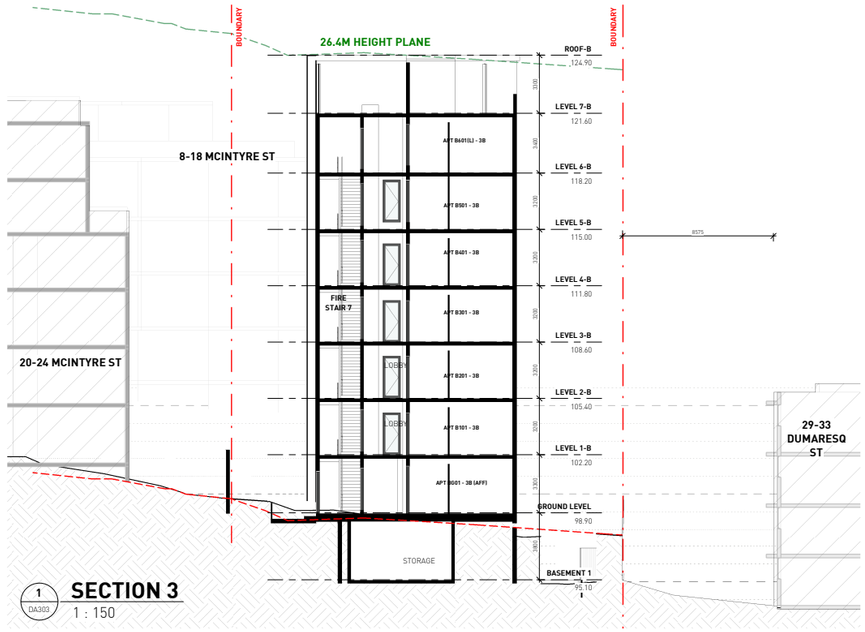
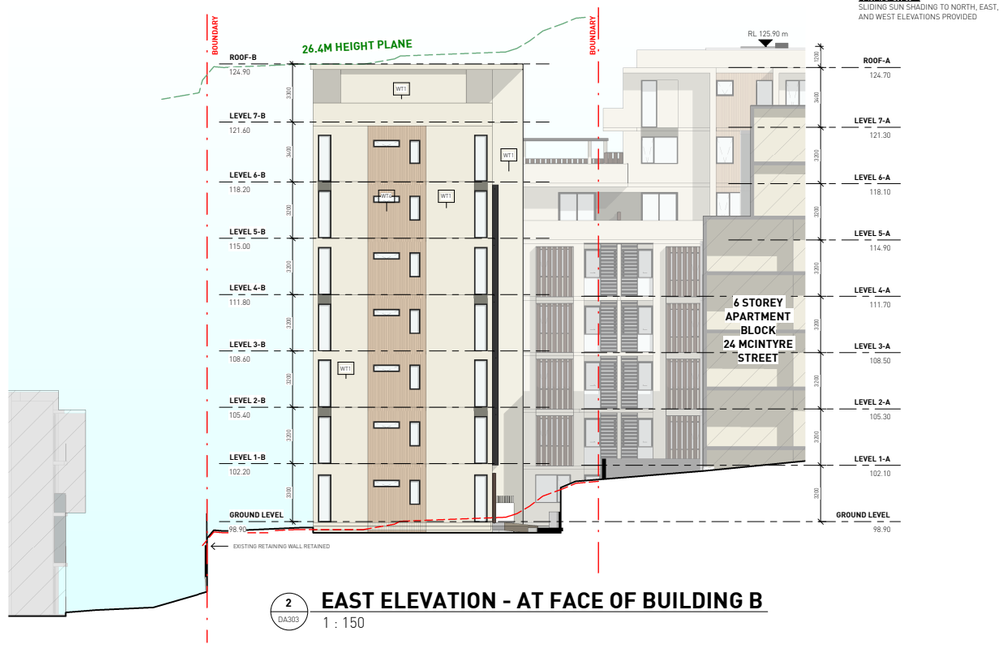
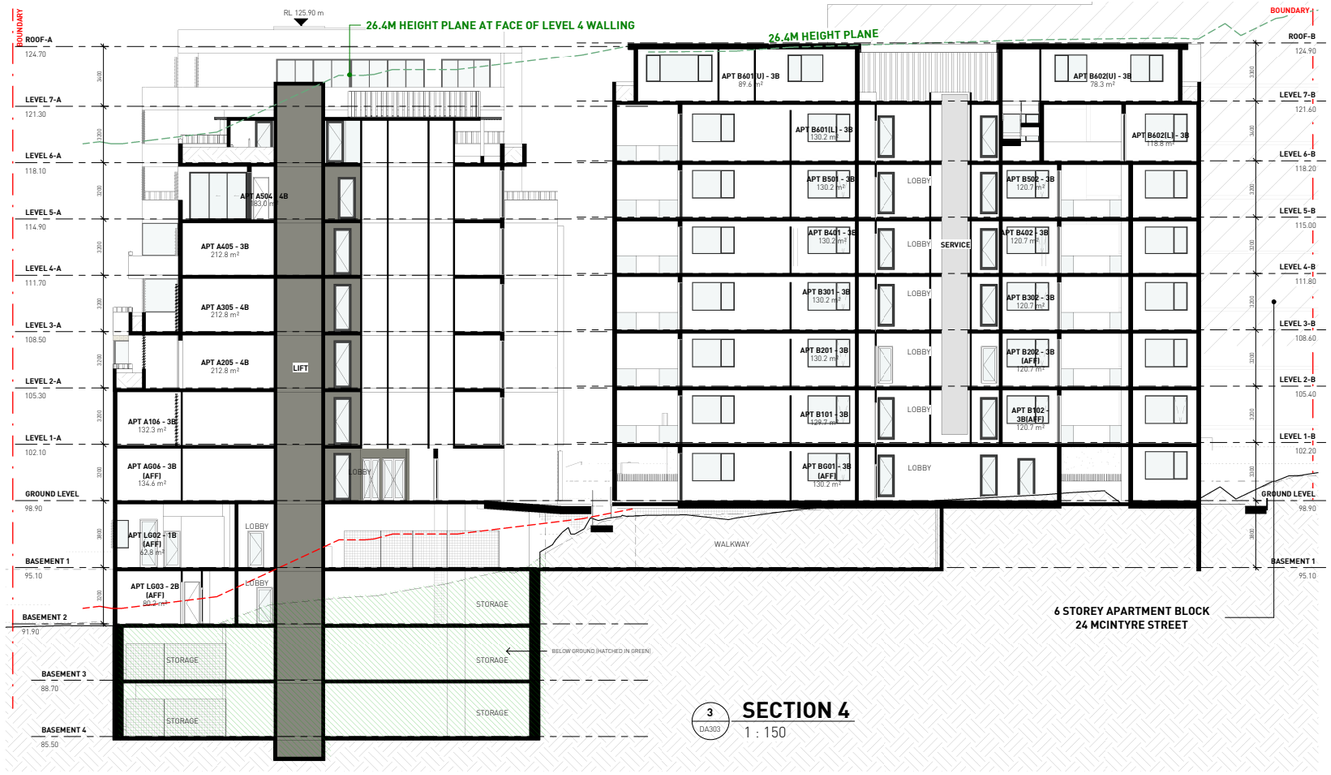


1 DA303 **SECTION 3**
1 : 150



GENERAL NOTES
SLIDING SUN SHADING TO NORTH, EAST, AND WEST ELEVATIONS PROVIDED

2 DA303 **EAST ELEVATION - AT FACE OF BUILDING B**
1 : 150



3 DA303 **SECTION 4**
1 : 150

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 7, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9246 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
ELEVATIONS & SECTIONS

Status: **FOR APPROVAL**

Scale:	1 : 150	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA303 A
Date:	06/30/22		
Drawn:	JL	Reviewed:	SH

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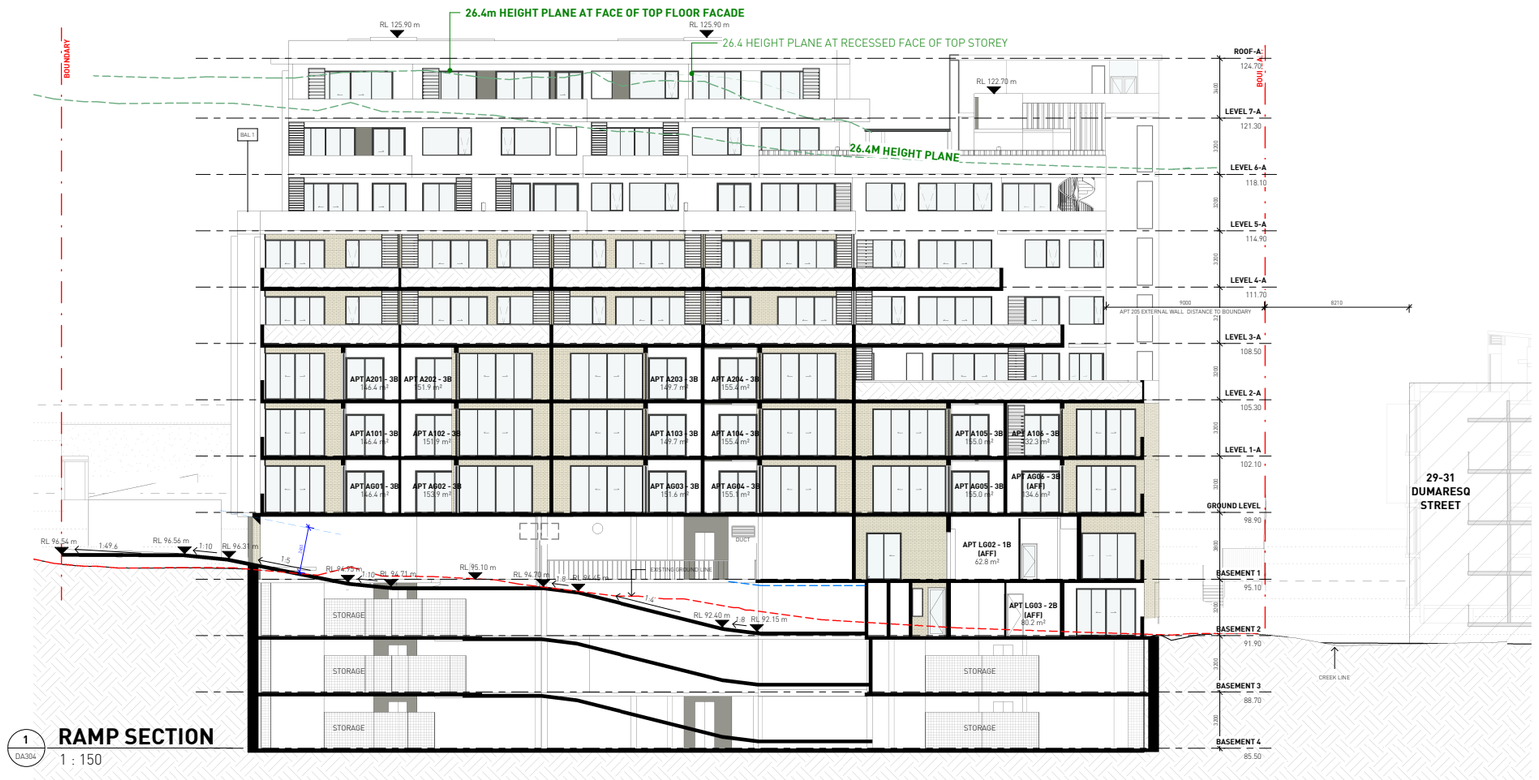
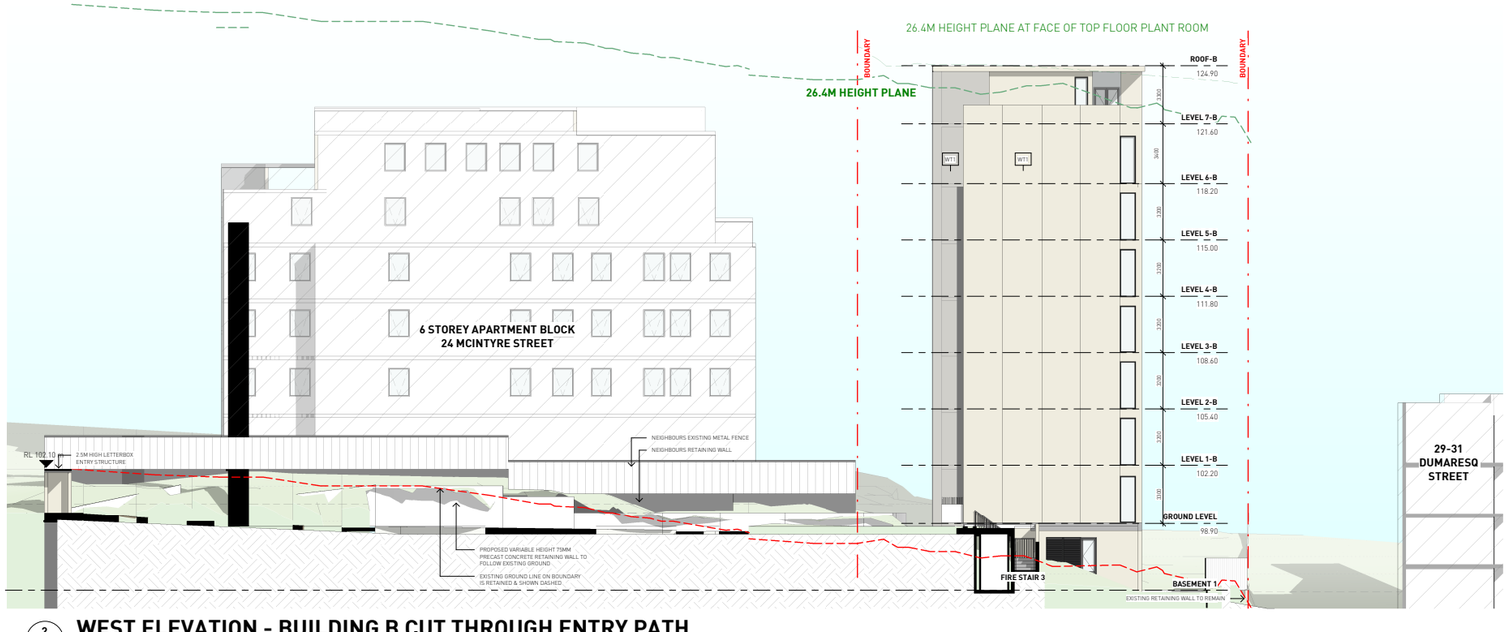


1 DA304 **RAMP SECTION**
1 : 150



2 DA304 **WEST ELEVATION - BUILDING B CUT THROUGH ENTRY PATH**
1 : 150

GENERAL NOTES
SLIDING SUN SHADING TO NORTH, EAST, AND WEST ELEVATIONS PROVIDED

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gila@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [3823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

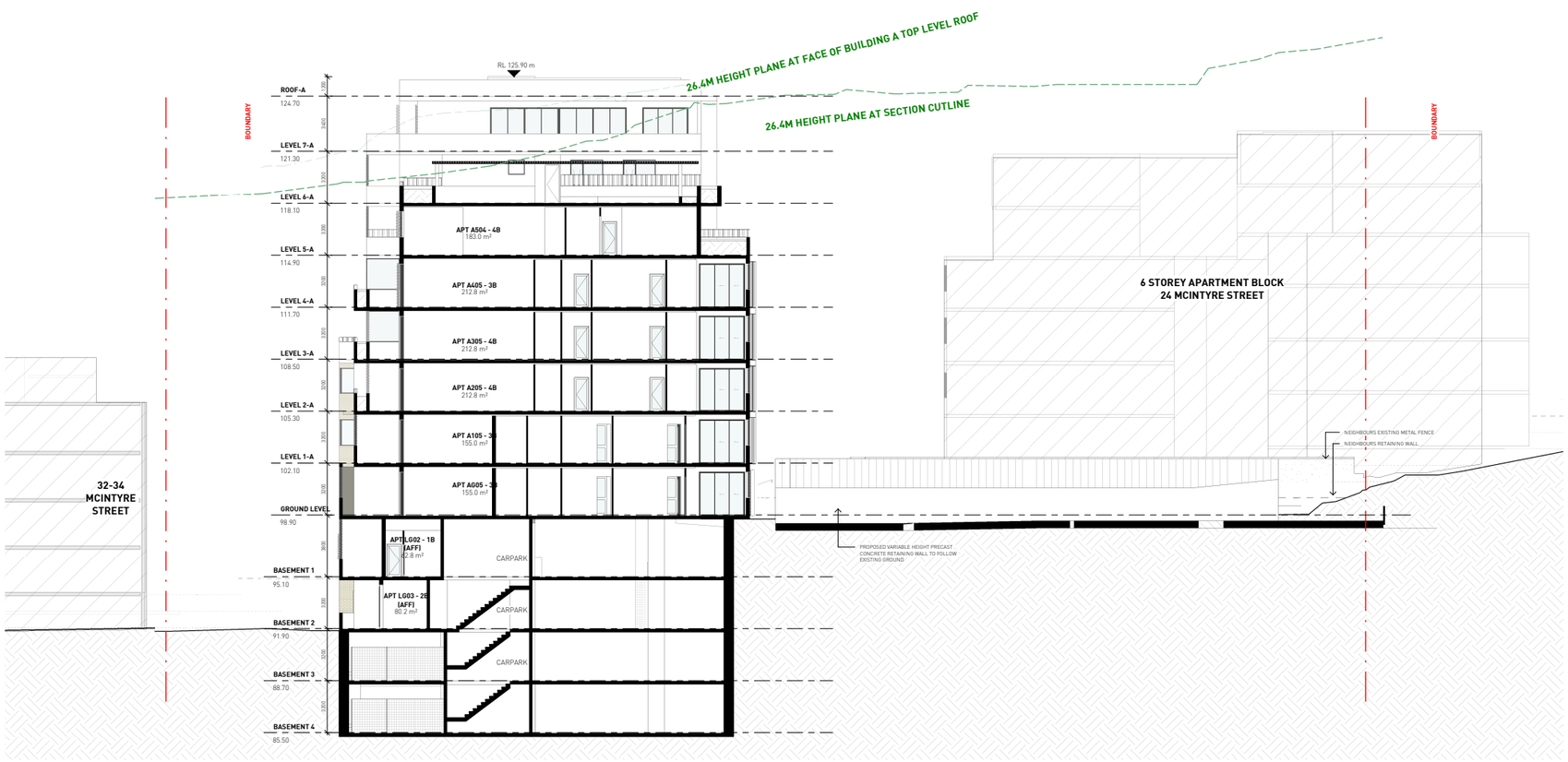
GORDON

Drawing:
ELEVATIONS & RAMP SECTION

Status:
FOR APPROVAL

Scale: 1 : 150
Sheet Size: A1
Date: 07/25/22
Drawn: JL
Job No. 21106
Drawing No. DA304
Rev. A
Reviewed SH

GENERAL NOTES
SLIDING SUN SHADING TO NORTH, EAST, AND WEST ELEVATIONS PROVIDED



1 / DA305 **SECTION 7**
1 : 150

0 1 2 5 10
metres

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507
Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
ELEVATIONS & SECTIONS

Status:
FOR APPROVAL

Scale:	1 : 150	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA305 A
Date:	06/24/23		
Drawn:	JL	Reviewed:	SH

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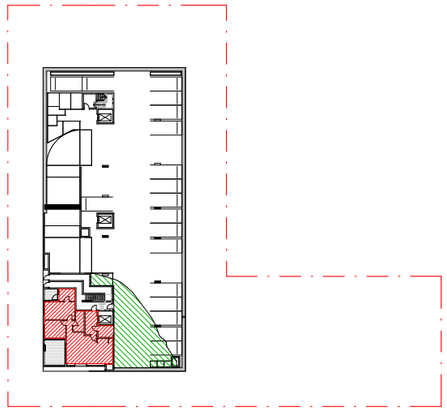
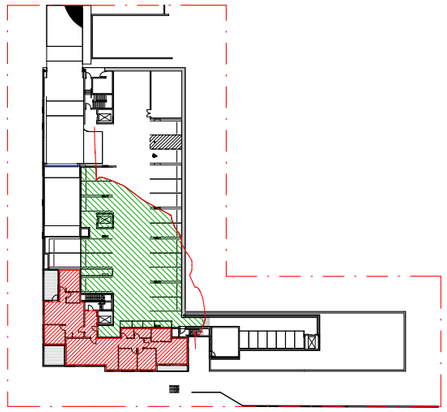
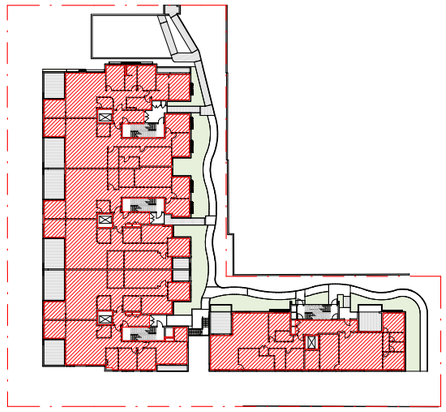


BASEMENT 2 - GFA 96.42 SQM
1 : 450 105.9 SQM



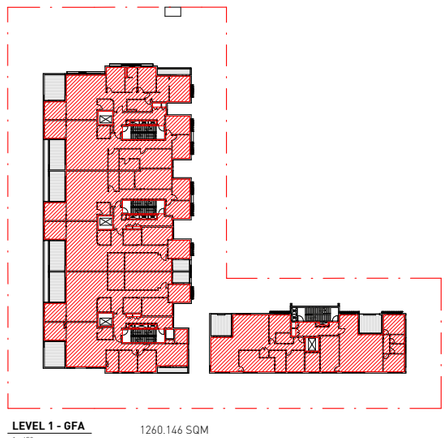
BASEMENT 1 - GFA 187.87 SQM
1 : 450 370.18 SQM



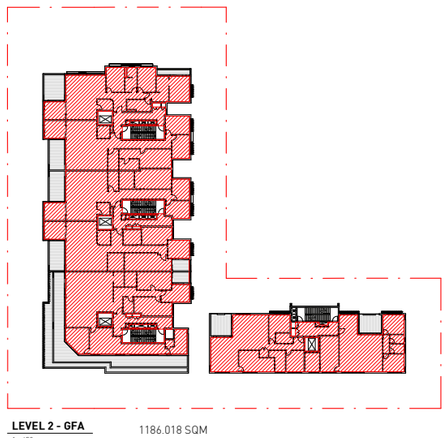
GROUND LEVEL - GFA 1242.496 SQM
1 : 450

GFA	
LEVEL	AREA
BASEMENT 1	187.9 m²
BASEMENT 2	96.4 m²
GROUND	1242.5 m²
LEVEL 1	1260.1 m²
LEVEL 2	1186.0 m²
LEVEL 3	1140.1 m²
LEVEL 4	1140.1 m²
LEVEL 5	994.3 m²
LEVEL 6	746.1 m²
LEVEL 7	644.4 m²
Total GFA	8638.0 m²

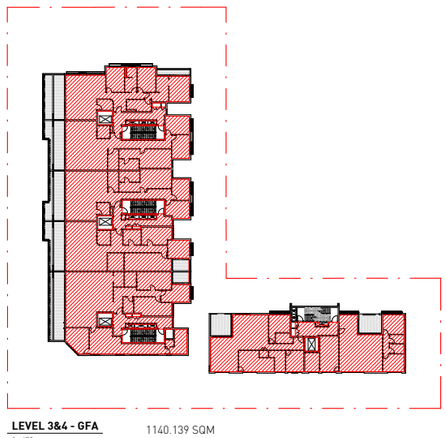
TOTAL GFA	SITE AREA	FSR
8638.0 m²	3360.1 m²	2.571



LEVEL 1 - GFA 1260.146 SQM
1 : 450



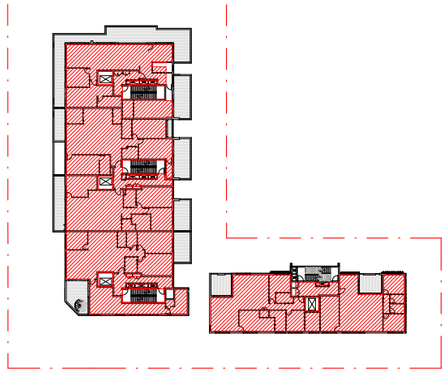
LEVEL 2 - GFA 1186.018 SQM
1 : 450



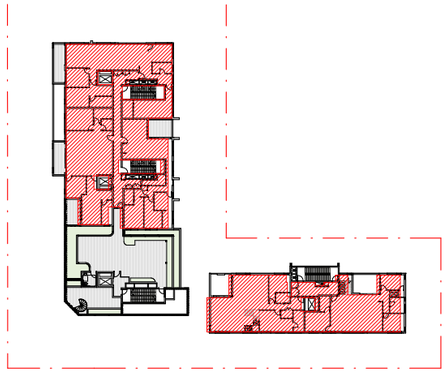
LEVEL 3&4 - GFA 1140.139 SQM
1 : 450

GFA+BASEMENT	
LEVEL	AREA
BASEMENT 1	187.9 m²
BASEMENT 2	96.4 m²
CARPARK BASEMENT 1	370.2 m²
CARPARK BASEMENT 2	105.9 m²
GROUND	1242.5 m²
LEVEL 1	1260.1 m²
LEVEL 2	1186.0 m²
LEVEL 3	1140.1 m²
LEVEL 4	1140.1 m²
LEVEL 5	994.3 m²
LEVEL 6	746.1 m²
LEVEL 7	644.4 m²
Total GFA	9114.1 m²

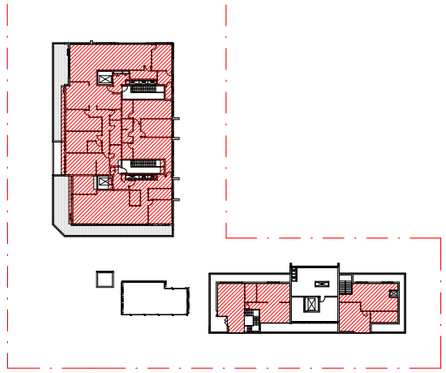
TOTAL GFA	SITE AREA	FSR
9114.1 m²	3360.1 m²	2.712



LEVEL 5- GFA 994.267 SQM
1 : 450



LEVEL 6-GFA 746.09 SQM
1 : 450



LEVEL 7-GFA 644.37 SQM
1 : 450

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9246 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 007259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
FSR CALCULATION

Status:
FOR APPROVAL

Scale:	1 : 450	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA400 A
Date:	06/03/22		
Drawn:	JL	Reviewed	SH

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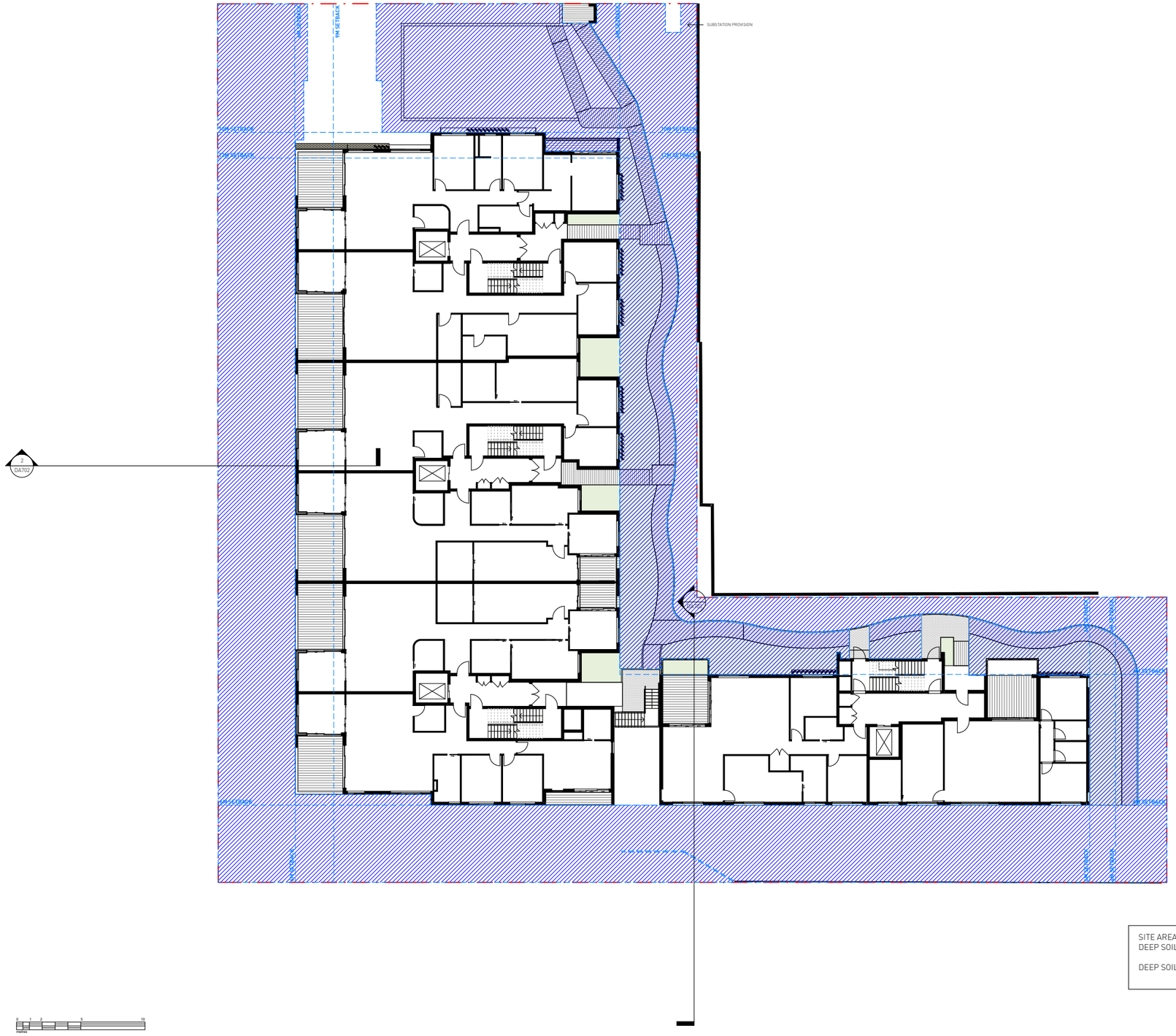

SITE AREA = 3360.1 SQM
DEEP SOIL AREA= 1572.8SQM

DEEP SOIL = 1572.8 / 3360.1
= 46.8%

No.	Date	Description

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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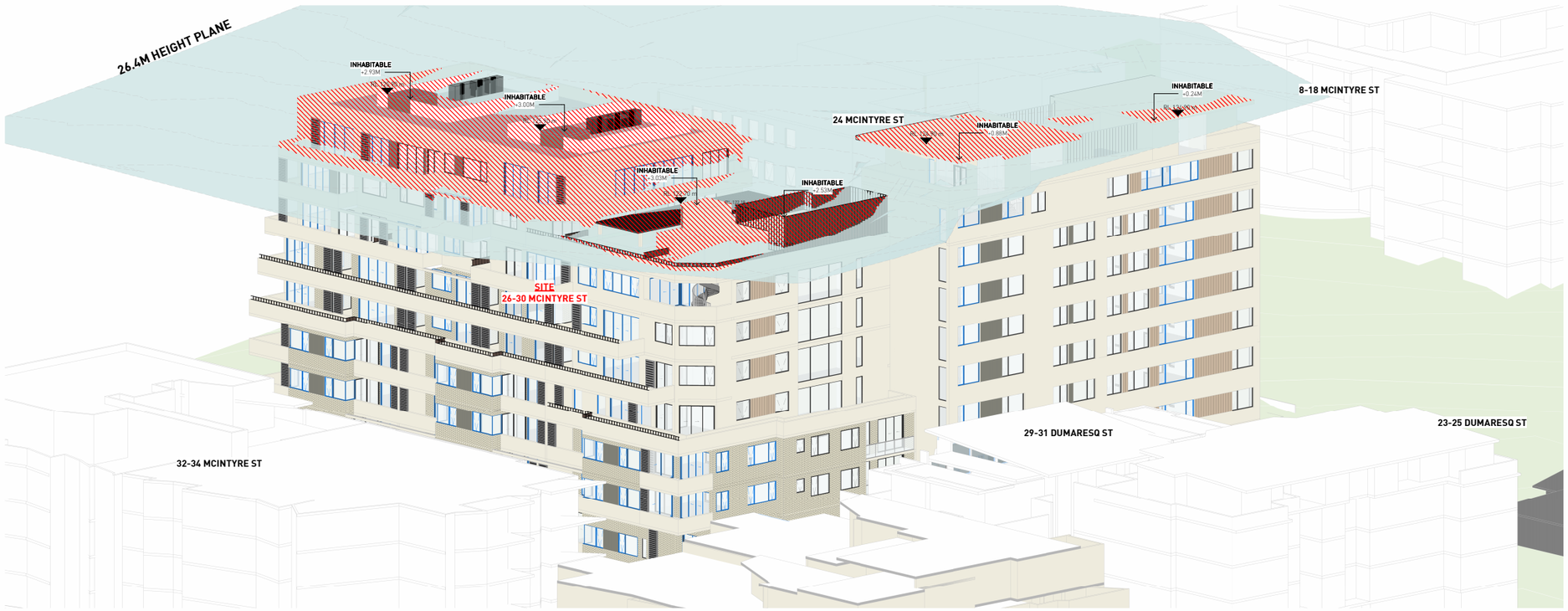
Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
DEEP SOIL PLAN

Status:
FOR APPROVAL

Scale: 1 : 150
Sheet Size: A1
Date: 06/20/22
Job No. 21106
Drawing No. DA401
Rev.
Drawn: JL
Reviewed: SH



No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9264 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
HEIGHT PLANE DIAGRAM

Status:
FOR APPROVAL

Scale:
Sheet Size: A1
Date: 07/19/22
Drawn: JL
Job No. 21106
Drawing No. DA402
Rev. A
Reviewed SH

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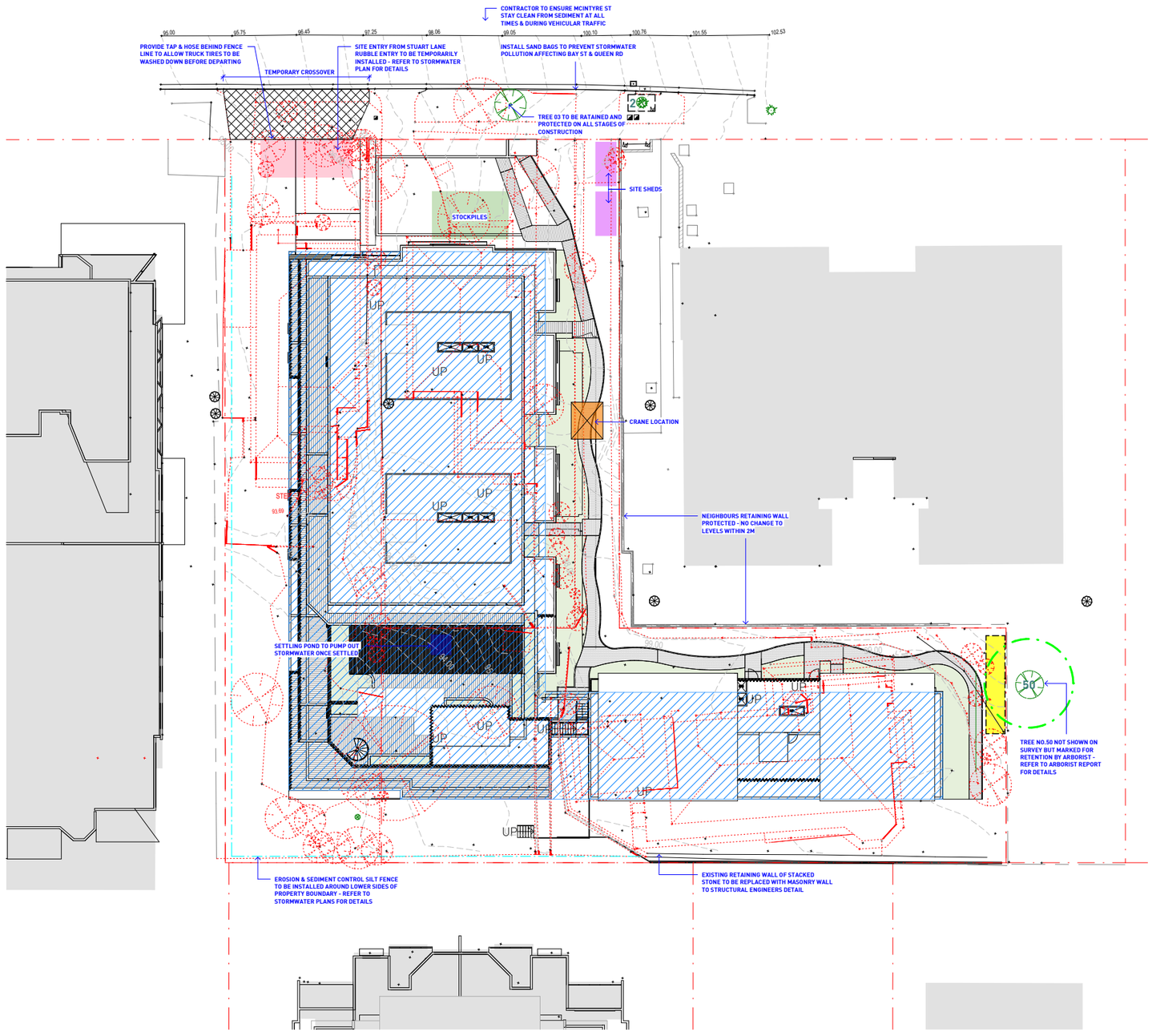
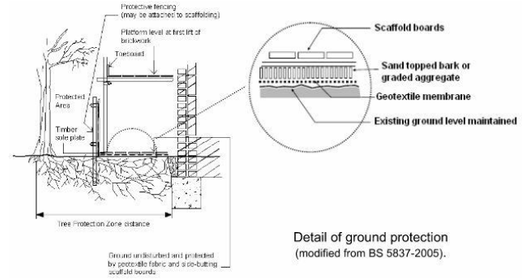




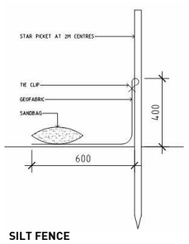
Detail of ground protection
(modified from BS 5837-2005).



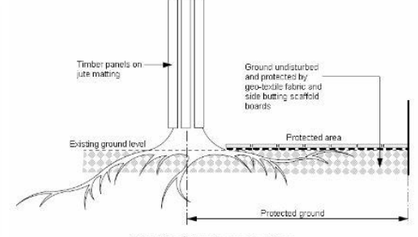
Signage example:

Legend
1. Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
2. Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
3. Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
4. Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

(Naturally Trees- reproduced under copyright Licence number 1009-c095)



SILT FENCE



Detail of trunk protection.

TPZ GROUND PROTECTION

PROPOSED BUILDING AREA

TO BE REMOVED/DEMOLISHED

TREE PROTECTION ZONE BOUNDARY (TPZ)

PROTECTIVE FENCING & TPZ AREA WITHIN

SILT FENCE

5 TREE TO BE RETAINED

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
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Giles Tribe Pty Ltd ABN 50 001259 507
Nominated Architects: Mark G Broadley [5823] Victor Schneider [11151]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
ENVIRONMENTAL SITE MANAGEMENT PLAN

Status: FOR APPROVAL

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA404 A
Date:	07/25/22		
Drawn:	JL	Reviewed:	SH

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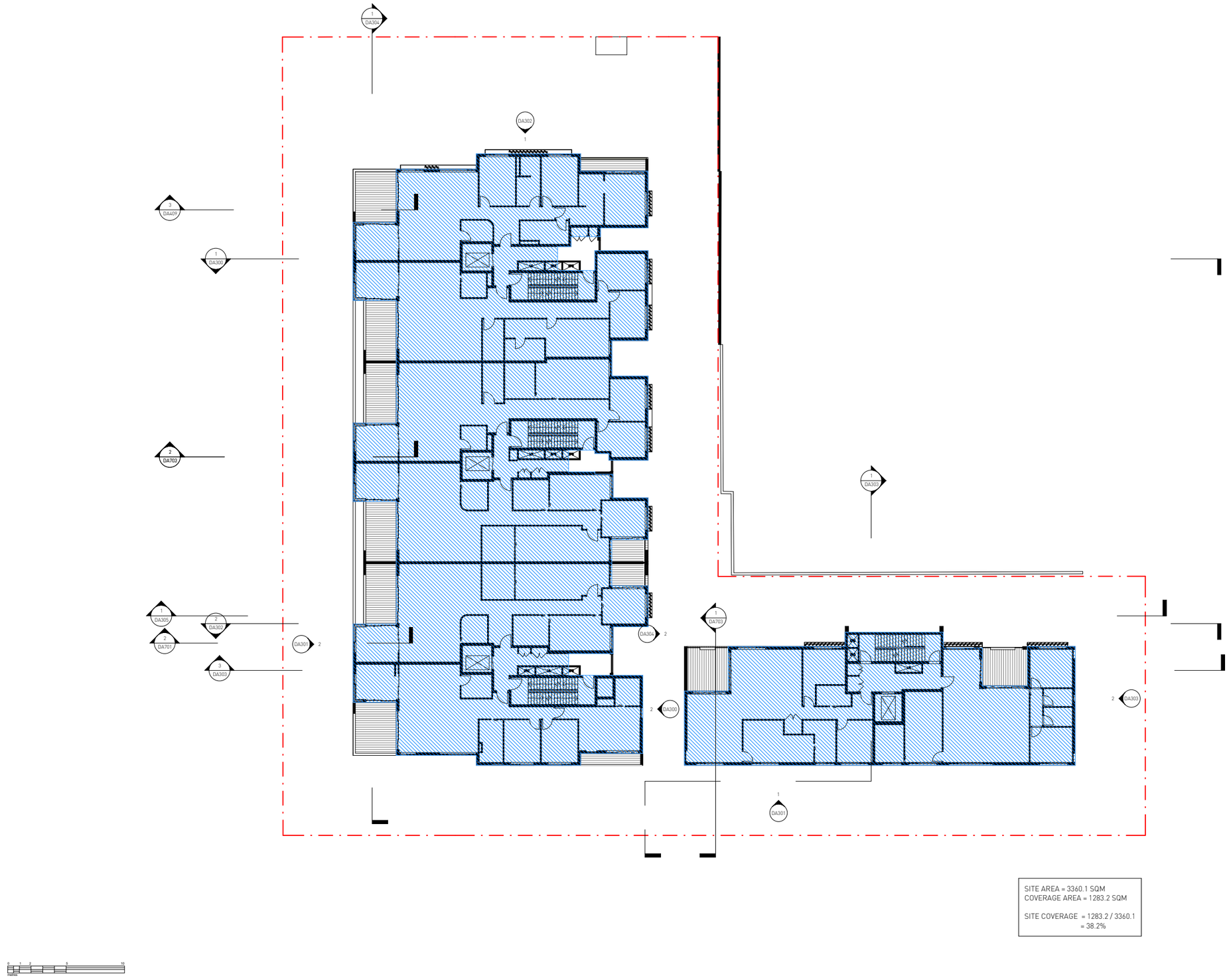

SITE AREA = 3360.1 SQM
COVERAGE AREA = 1283.2 SQM

SITE COVERAGE = 1283.2 / 3360.1
= 38.2%

No.	Date	Description

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gtal@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SITE COVERAGE PLAN

Status:
FOR APPROVAL

Scale: 1 : 150	Job No.	Drawing No.	Rev.
Sheet Size: A1	21106	DA406	
Date: 06/21/23			
Drawn: JL	Reviewed SH		

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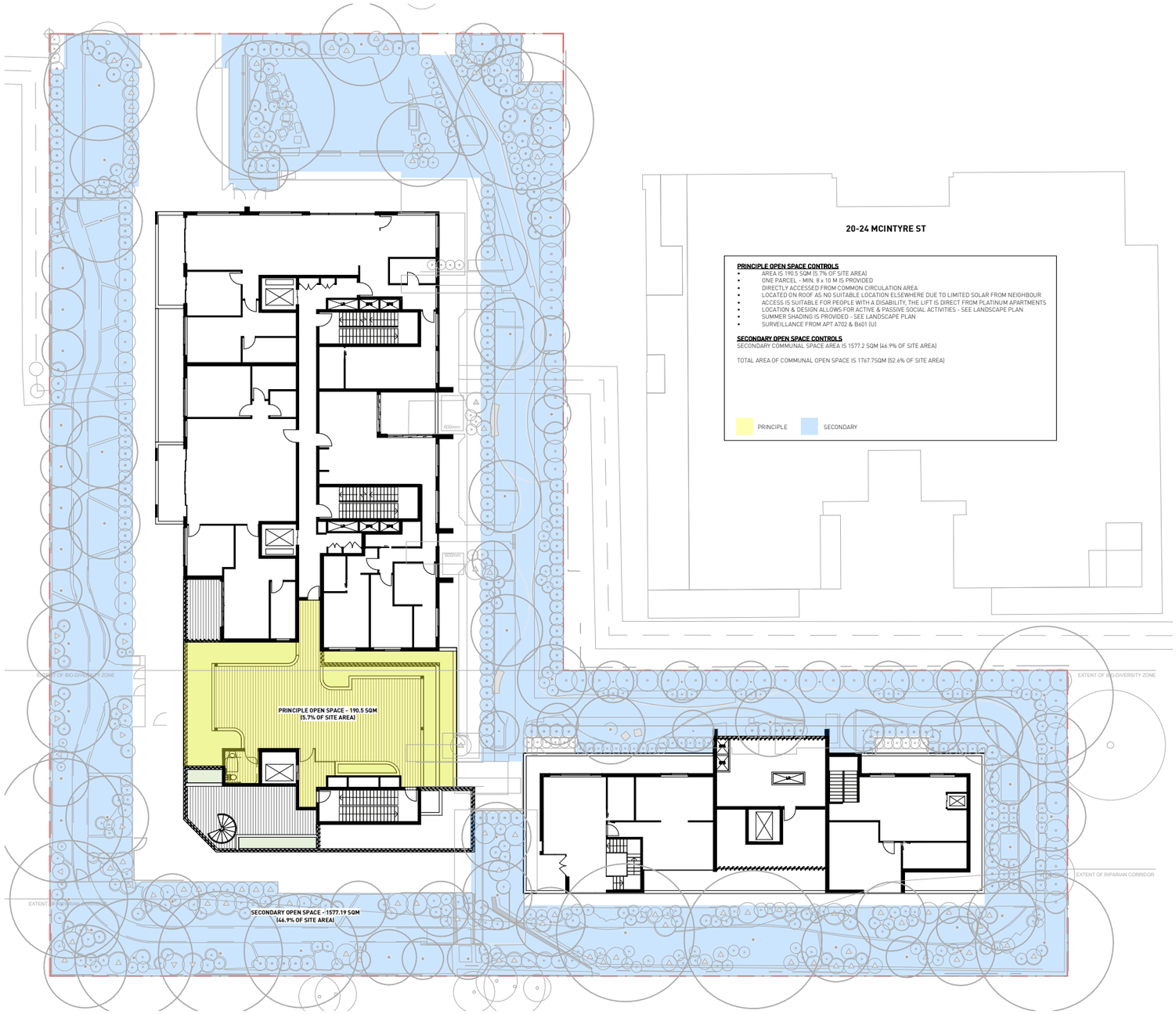

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMMUNAL OPEN SPACE PLAN

Status:
FOR APPROVAL

Scale:	1 : 150	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA407 A
Date:	06/22/23		
Drawn:	JL	Reviewed	SH

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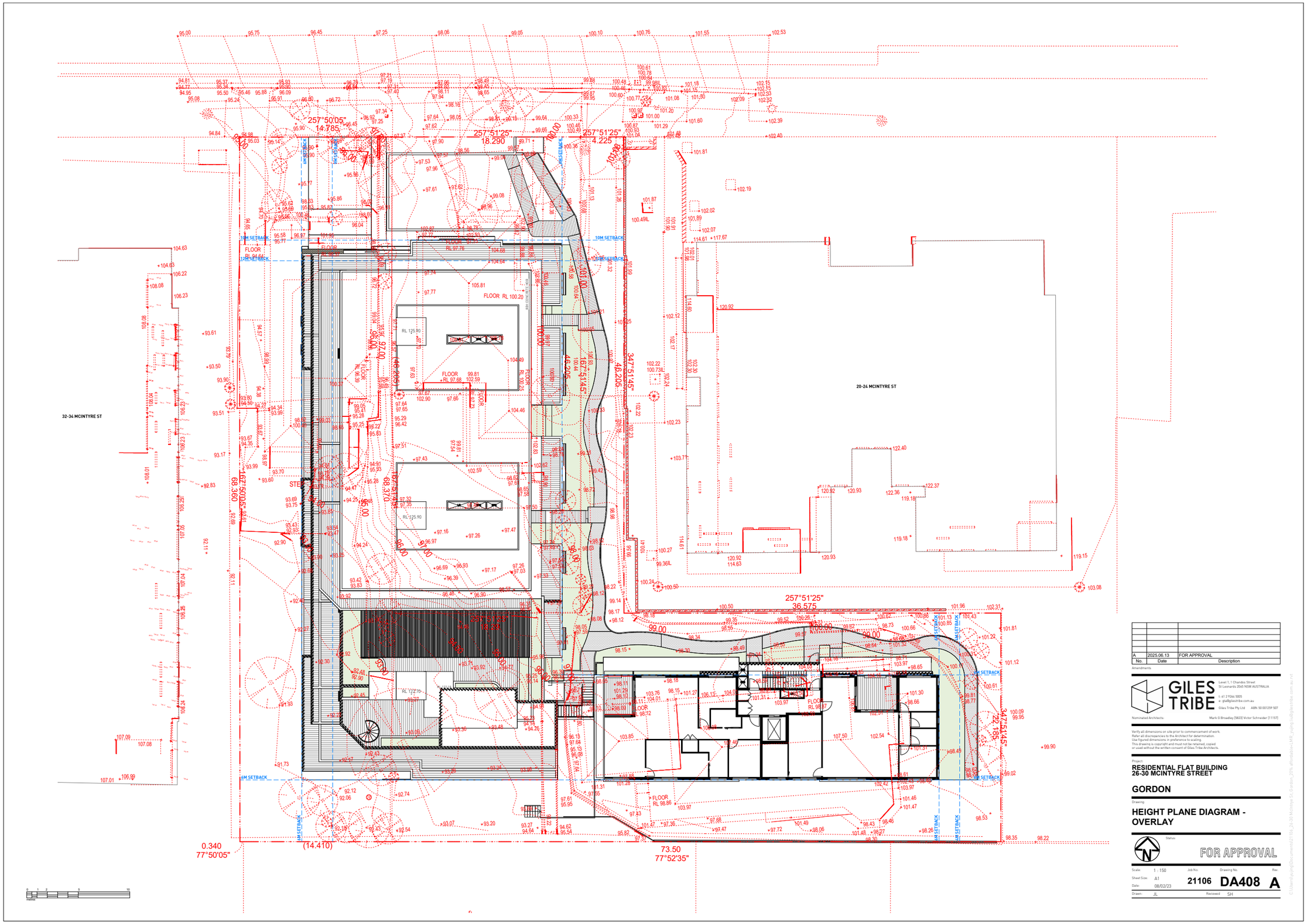

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gilesgilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

HEIGHT PLANE DIAGRAM - OVERLAY

Status:

FOR APPROVAL

Scale: 1 : 150	Job No.	Drawing No.	Rev.
Sheet Size: A1	21106	DA408	A
Date: 08/02/23			
Drawn: JL	Reviewed: SH		

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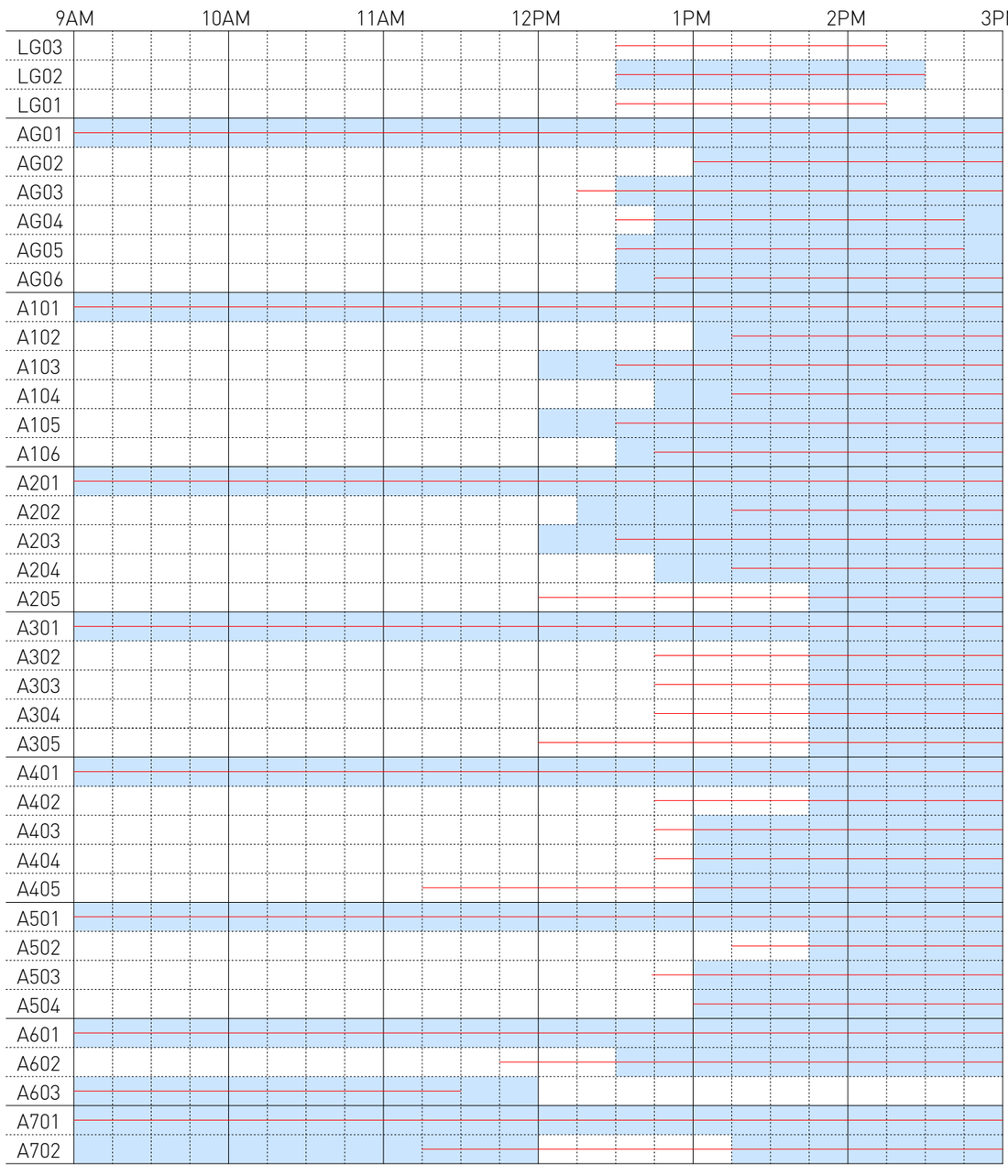

	LIVING	POS	
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LG02	2.0	2.0	✓
LG01	0.0	1.75	
AG01	6.0	6.0	✓
AG02	2.0	2.0	✓
AG03	2.5	2.75	✓
AG04	2.25	2.25	✓
AG05	2.5	2.25	✓
AG06	2.5	2.25	✓
A101	6.0	6.0	✓
A102	2.0	1.75	
A103	3.0	2.5	✓
A104	2.25	1.75	
A105	3.0	2.5	✓
A106	2.5	2.25	✓
A201	6.0	6.0	✓
A202	2.75	1.75	
A203	2.75	2.5	✓
A204	2.25	1.75	
A205	1.25	3.0	
A301	6.0	6.0	✓
A302	1.25	2.25	
A303	1.25	2.25	
A304	1.25	2.25	
A305	1.25	3.0	
A401	6.0	6.0	✓
A402	1.25	2.25	
A403	2.0	2.25	✓
A404	2.0	2.25	✓
A405	2.0	3.75	✓
A501	6.0	6.0	✓
A502	1.25	1.75	
A503	2.0	2.25	✓
A504	2.0	2.0	✓
A601	6.0	6.0	✓
A602	2.5	3.25	✓
A603	3.0	2.5	✓
A701	6.0	6.0	✓
A702	4.75	3.75	✓
NO. OF UNITS IN BUILDING A RECEVING 2 HR SOLAR IN LIV/POS	30	32	26

HOURS OF SOLAR (POS)

HOURS OF SOLAR (LIVING)

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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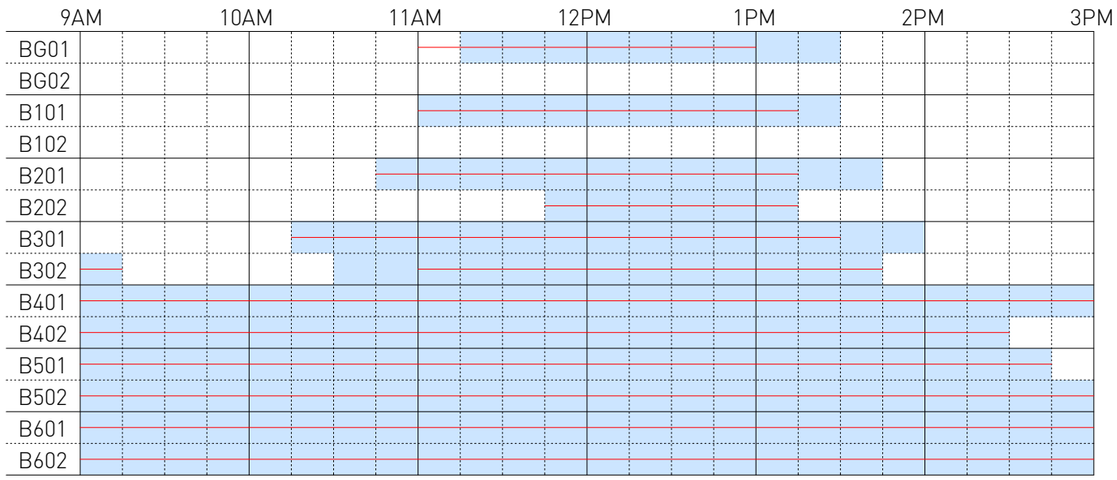
Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - SUMMARY

Status:
FOR APPROVAL

Scale: 1 : 1
Sheet Size: A1
Date: 06/10/22
Job No. 21106
Drawing No. DA500
Rev. A
Drawn: JL
Reviewed SH



HOURS OF SOLAR (POS)

HOURS OF SOLAR (LIVING)

	LIVING	POS	
BG01	2.25	2.0	✓
BG02	0.0	0.0	
B101	2.5	2.25	✓
B102	0.0	0.0	
B201	3.0	2.5	✓
B202	1.5	1.5	
B301	3.75	3.25	✓
B302	3.5	3.0	✓
B401	6.0	6.0	✓
B402	5.5	5.5	✓
B501	5.75	5.75	✓
B502	6.0	6.0	✓
B601	6.0	6.0	✓
B602	6.0	6.0	✓

NO. OF UNITS IN BUILDING B RECEVING 2 HR SOLAR IN LIV/POS	**11**	**11**	**11**
NO. OF UNITS IN BUILDING A RECEVING 2 HR SOLAR IN LIV/POS	**30**	**32**	**26**
NO. OF UNITS RECEVING 2 HR SOLAR IN LIV/POS	**41(77.4%)**	**43(81.1%)**	**37(70.0%)**

TOTAL RECEIVING NO SUN 2/53 (3.8%)

0 1m 2m 5m 10m
SCALE 1:100

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
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Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
SOLAR ACCESS DIAGRAMS - SUMMARY

Status:

Scale: 1 : 1 | Job No. 21106 | Drawing No. DA501 | Rev. A
Sheet Size:
Date: 06/13/25
Drawn: Author | Reviewed: Checker

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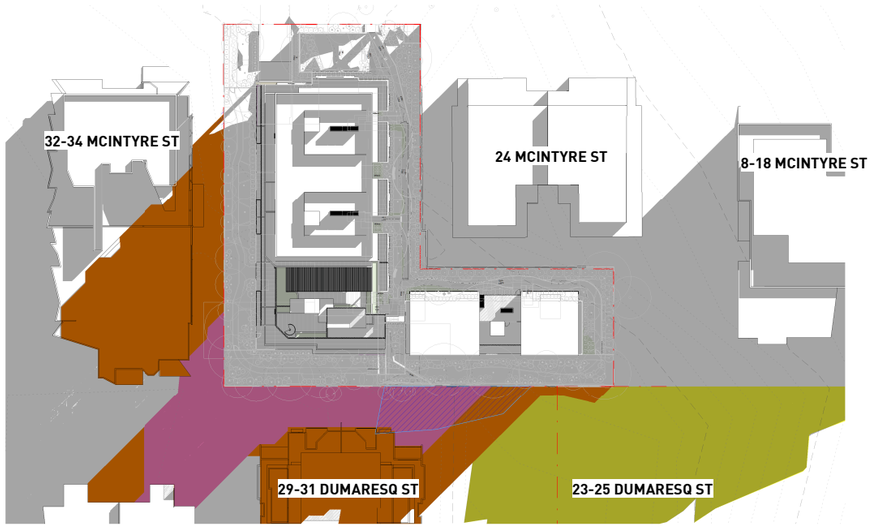
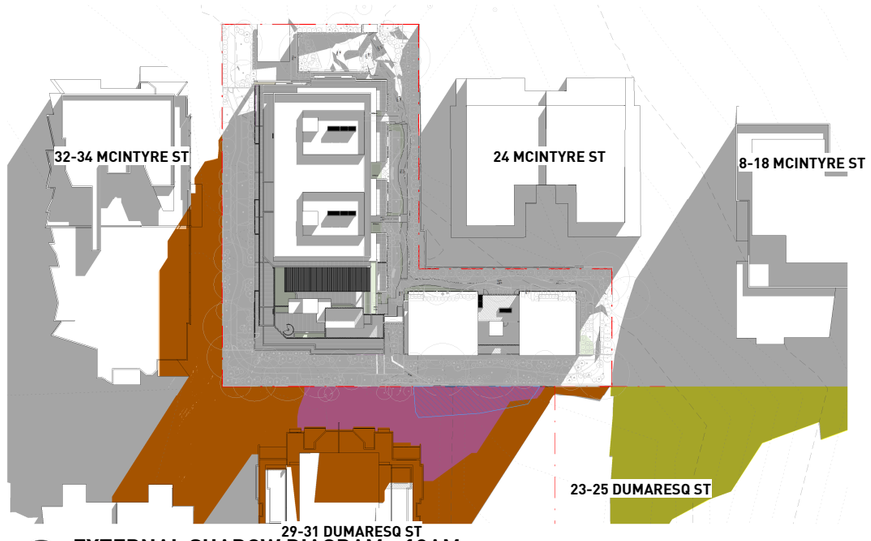


1 DA503 **EXTERNAL SHADOW DIAGRAM - 9AM**
1 : 500



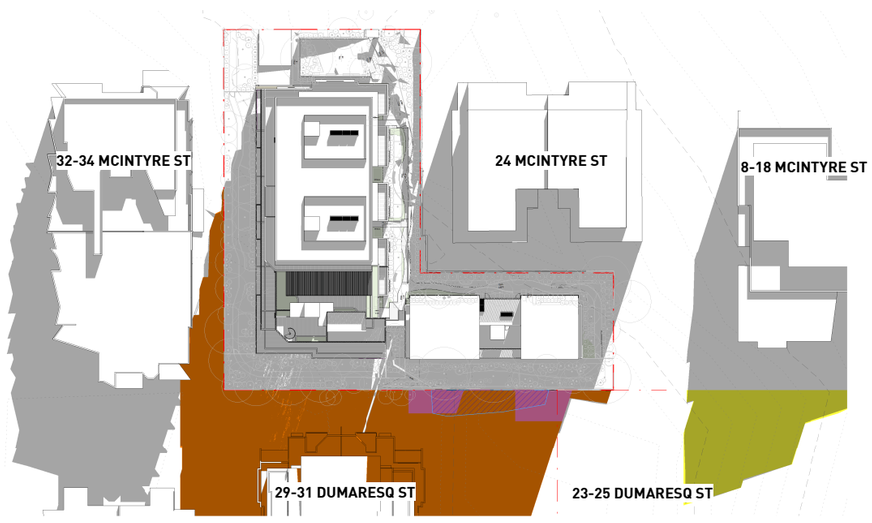
3 DA503 **EXTERNAL SHADOW DIAGRAM - 10AM**
1 : 500
*NO SHADOWING IMPACTS BY PARTS OF BUILDING EXCEEDING HEIGHT CONTRO FROM 9:30AM ONWARDS

AREA OF SHADOW BY EXISTING 8-18 MCINTYRE ST ON NEIGHBOURING SITES

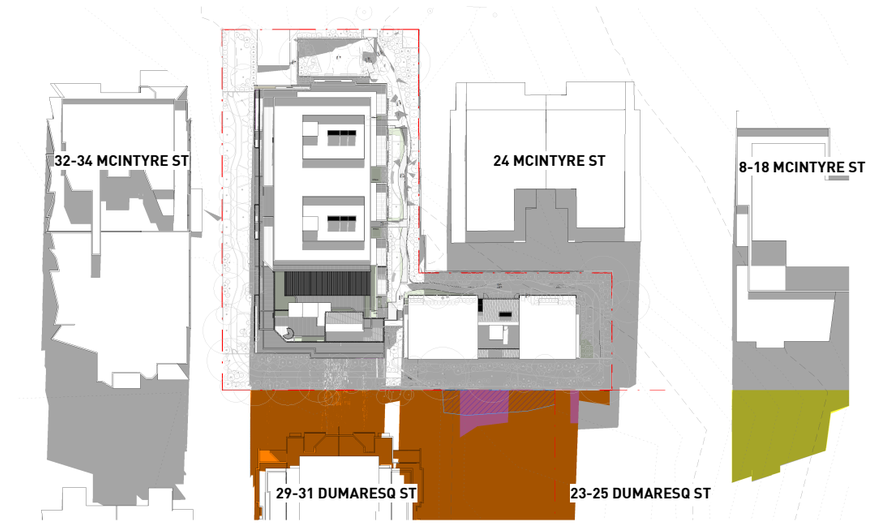
AREA OF SHADOW OVERLAP BY EXISTING 24 MCINTYRE ST WITH PROPOSED SHADOWS

AREA OF SHADOW BY PROPOSED BUILDING (26-30 MCINTYRE ST) ON NEIGHBOURING SITES

AREA OF SHADOW BY EXISTING BUILDINGS (26-30 MCINTYRE ST)



4 DA503 **EXTERNAL SHADOW DIAGRAM - 11AM**
1 : 500



2 DA503 **EXTERNAL SHADOW DIAGRAM - 12PM**
1 : 500

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
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Giles Tribe Pty Ltd ABN 50 001259 307
Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
EXTERNAL SHADOW DIAGRAM - JUNE 21 (PROPOSED)

Status: **FOR APPROVAL**

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA503 A
Date:	07/25/22		
Drawn:	JL	Reviewed	SH

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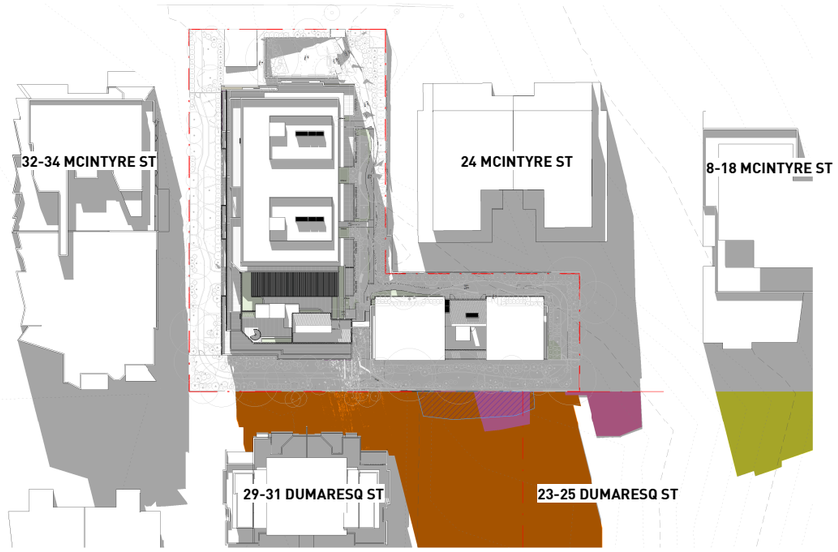
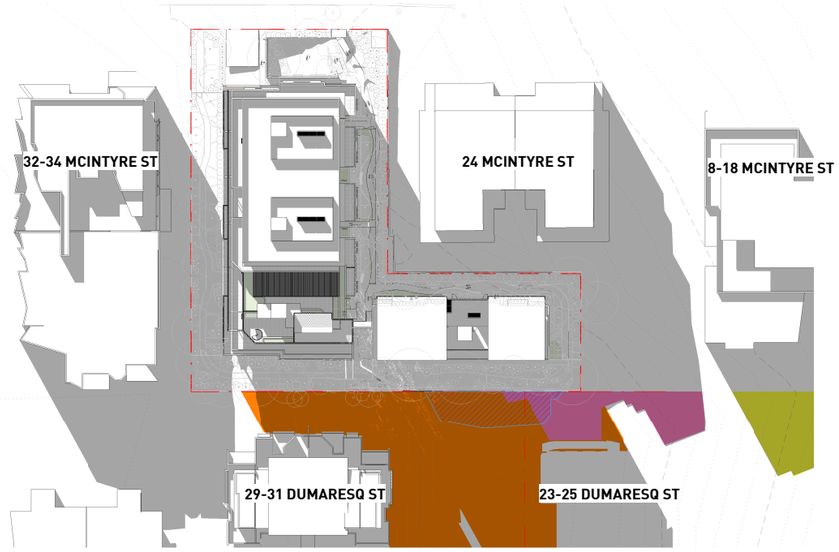


2 DA504 **EXTERNAL SHADOW DIAGRAM - 1PM**
1 : 500



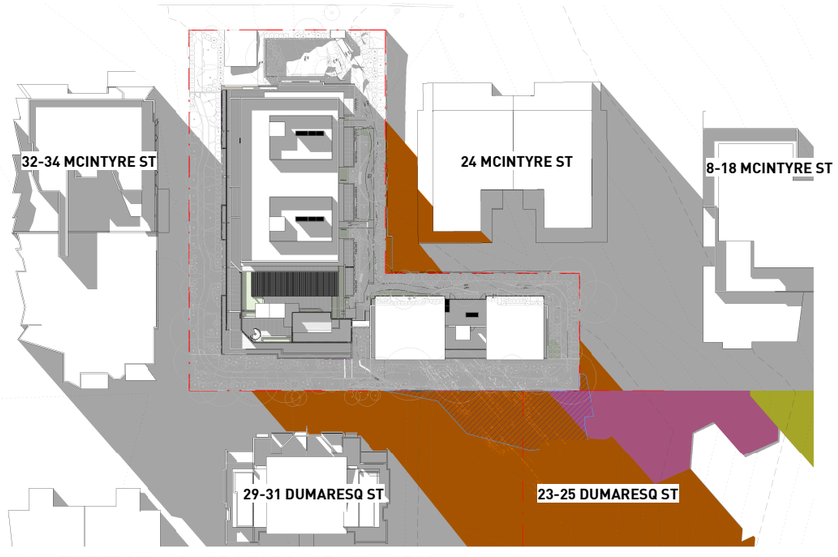
3 DA504 **EXTERNAL SHADOW DIAGRAM - 2PM**
1 : 500

AREA OF SHADOW BY EXISTING 8-18 MCINTYRE ST ON NEIGHBOURING SITES

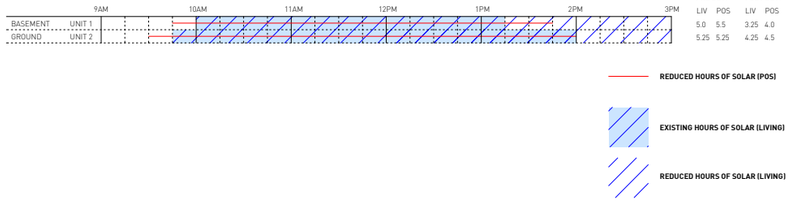
AREA OF SHADOW OVERLAP BY EXISTING 24 MCINTYRE ST WITH PROPOSED SHADOWS

AREA OF SHADOW BY PROPOSED BUILDING (26-30 MCINTYRE ST) ON NEIGHBOURING SITES

AREA OF SHADOW BY EXISTING BUILDINGS (26-30 MCINTYRE ST)



1 DA504 **EXTERNAL SHADOW DIAGRAM - 3PM**
1 : 500



	PRE DEV.		POST DEV.	
	LIV	POS	LIV	POS
	5.0	5.5	3.25	4.0
	5.25	5.25	4.25	4.5

REDUCED HOURS OF SOLAR (POS)

EXISTING HOURS OF SOLAR (LIVING)

REDUCED HOURS OF SOLAR (LIVING)

SOLAR TABLE - PROPOSED IMPACT ON 23-25 DUMARESQ ST
1 : 1

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
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Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
EXTERNAL SHADOW DIAGRAM - JUNE 21 (PROPOSED)

Status:

Scale:	As indicated	Job No.	21106
Sheet Size:		Drawing No.	DA504
Date:	10/24/22	Rev.	A
Drawn:	Author	Reviewed:	Checker

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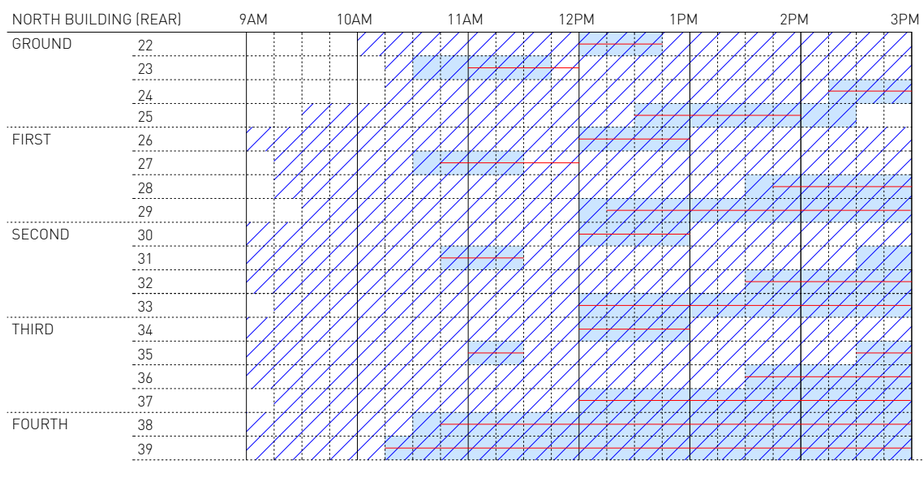

		PRE DEV. LIV	POST DEV. LIV
GROUND	22	5.0	0.75
	23	4.75	1.25
	24	4.75	0.75
	25	5.0	2.0
FIRST	26	6.0	1.0
	27	5.75	1.0
	28	5.75	1.5
	29	5.5	3.0
SECOND	30	6.0	1.0
	31	6.0	1.25
	32	6.0	1.5
	33	5.75	3.00
THIRD	34	6.0	1.0
	35	6.0	1.0
	36	6.0	1.5
	37	5.75	3.0
FOURTH	38	6.0	4.50
	39	6.0	4.75
			6

SOLAR TABLE - PROPOSED IMPACT ON 29-33 DUMARESQ ST

1 : 1

REDUCED HOURS OF SOLAR (POS)

EXISTING HOURS OF SOLAR (LIVING)

REDUCED HOURS OF SOLAR (LIVING)

SOUTH BUILDING (FRONT)		LIV
GROUND	1	v
	2	x
	3	x
	4	x
	5	v
FIRST	6	v
	7	v
	8	v
	9	v
	10	v
	11	v
SECOND	12	v
	13	v
	14	v
	15	v
THIRD	16	v
	17	v
	18	v
	19	v
FOURTH	20	v
	21	v
		18

NORTH BUIDLING (REAR)		LIV
GROUND	22	v
	23	v
	24	v
	25	v
FIRST	26	v
	27	v
	28	v
	29	v
SECOND	30	v
	31	v
	32	v
	33	v
THIRD	34	v
	35	v
	36	v
	37	v
FOURTH	38	v
	39	v
		35/39 (89.7%)

PRE DEVELOPMENT SOLAR TABLE - 29-33 DUMARESQ ST SUMMARY

1 : 1

COMPLIANCE IMPACTS (AS A %)

BASED ON ANALYSIS 29-33 DUMARESQ ST

- LIVING SOLAR REDUCED TO 24/39(61.5%)

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
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Nominated Architects: Mark G Broadley [5822] Victor Schneider [11197]

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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:

SOLAR ACCESS DIAGRAM - 29-33 DUMARESQ ST SUMMARY

Status:

Scale:	1 : 1	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA505	A
Date:	06/09/23			
Drawn:	Author	Reviewed	Checker	

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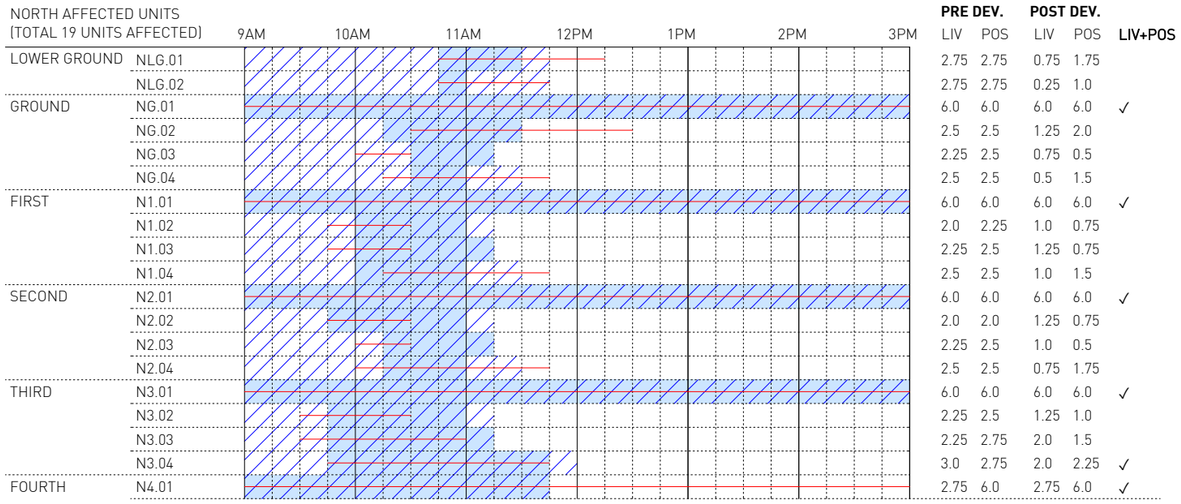
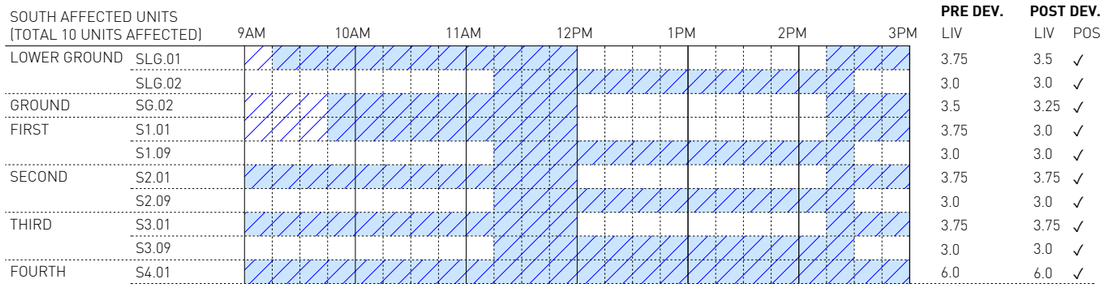


		PRE DEV.		POST DEV.		
		LIV	POS	LIV	POS	LIV+POS
LOWER GROUND	NLG.01	2.75	2.75	0.75	1.75	
	NLG.02	2.75	2.75	0.25	1.0	
GROUND	NG.01	6.0	6.0	6.0	6.0	✓
	NG.02	2.5	2.5	1.25	2.0	
	NG.03	2.25	2.5	0.75	0.5	
	NG.04	2.5	2.5	0.5	1.5	
FIRST	N1.01	6.0	6.0	6.0	6.0	✓
	N1.02	2.0	2.25	1.0	0.75	
	N1.03	2.25	2.5	1.25	0.75	
	N1.04	2.5	2.5	1.0	1.5	
SECOND	N2.01	6.0	6.0	6.0	6.0	✓
	N2.02	2.0	2.0	1.25	0.75	
	N2.03	2.25	2.5	1.0	0.5	
	N2.04	2.5	2.5	0.75	1.75	
THIRD	N3.01	6.0	6.0	6.0	6.0	✓
	N3.02	2.25	2.5	1.25	1.0	
	N3.03	2.25	2.75	2.0	1.5	
	N3.04	3.0	2.75	2.0	2.25	✓
FOURTH	N4.01	2.75	6.0	2.75	6.0	✓
	AMOUNT OF HAVE 2HR SOLAR			**7**	**6**	**6**
	AMOUNT OF REDUCE			**12**	**13**	**13**

REDUCED HOURS OF SOLAR (POS)

EXISTING HOURS OF SOLAR (LIVING)

REDUCED HOURS OF SOLAR (LIVING)



		PRE DEV.	POST DEV.	
		LIV	LIV	POS
LOWER GROUND	SLG.01	3.75	3.5	✓
	SLG.02	3.0	3.0	✓
GROUND	SG.02	3.5	3.25	✓
FIRST	S1.01	3.75	3.0	✓
	S1.09	3.0	3.0	✓
SECOND	S2.01	3.75	3.75	✓
	S2.09	3.0	3.0	✓
THIRD	S3.01	3.75	3.75	✓
	S3.09	3.0	3.0	✓
FOURTH	S4.01	6.0	6.0	✓
	AMOUNT OF HAVE 2HR SOLAR		**10**	**10**
	AMOUNT OF REDUCE		**0**	**0**

COMPLIANCE IMPACTS (AS A %)

SOLAR SUMMARY - 32-34 MCINTYRE ST	PRE DEVELOPMENT	POST DEVELOPMENT
TOTAL UNIT	80	80
TOTAL UNIT RECEIVING MIN.2HR SOLAR ACCESS IN LIV	68/80 (85.0%)	56/80 (70.0%)
TOTAL UNIT RECEIVING MIN.2HR SOLAR ACCESS IN POS	71/80 (88.75%)	58/80 (72.5%)
TOTAL UNIT RECEIVING MIN.2HR SOLAR ACCESS IN BOTH LIV & POS	68/80 (85.0%)	56/80 (70.0%)

SOLAR TABLE - PROPOSED IMPACT ON 32-34 MCINTYRE ST

1 : 1

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schmeider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
SOLAR ACCESS DIAGRAM - 32-34 MCINTYRE ST SUMMARY

Status:

Scale: 1 : 1 | Job No. 21106 | Drawing No. DA506 | Rev. A
Sheet Size:
Date: 06/09/23
Drawn: Author | Reviewed: Checker

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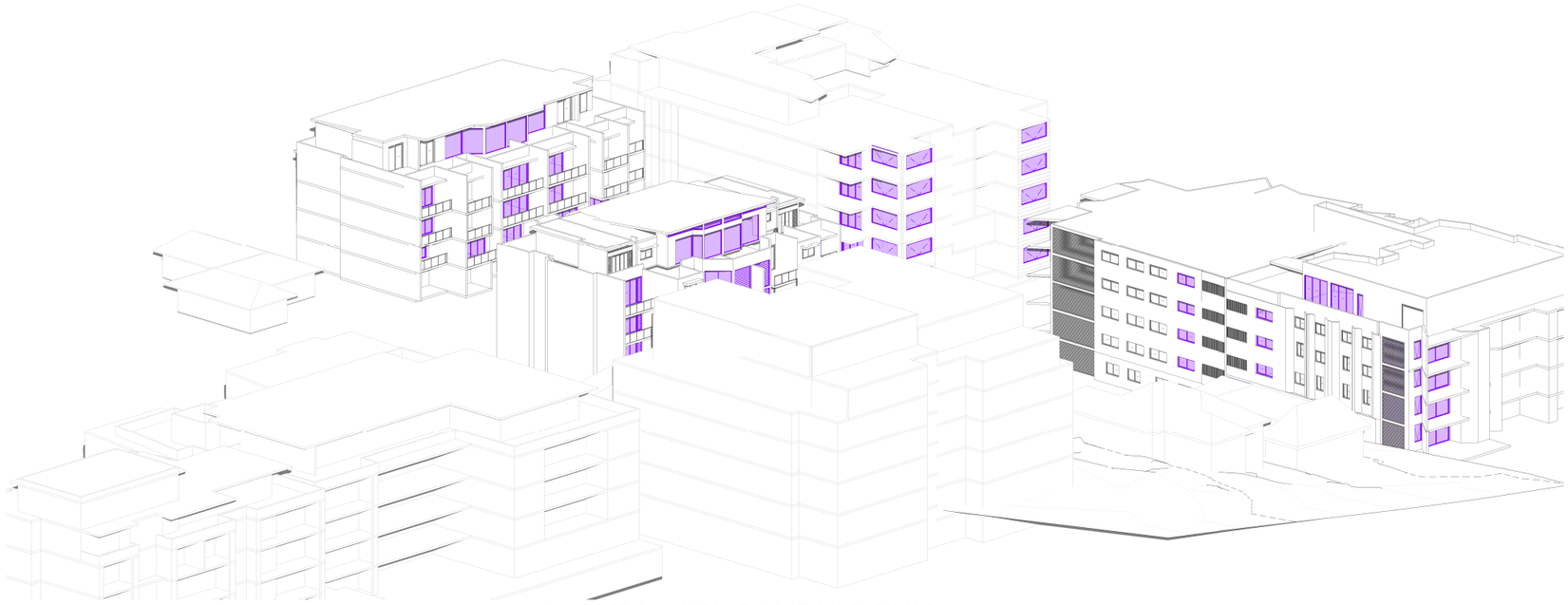

1 DA507 JUNE 21 - 9AM - PRE DEVELOPMENT



2 DA507 JUNE 21 - 9AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gta@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 9AM

Status:

FOR APPROVAL

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA507	A
Date:	06/09/23			
Drawn:	JL	Reviewed	SH	

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1 DA508 JUNE 21 - 9.15AM - PRE DEVELOPMENT



2 DA508 JUNE 21 - 9.15AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 9.15AM

Status:

FOR APPROVAL

Scale: 1 : 100 Job No. 21106 Drawing No. DA508 Rev. A

Sheet Size:

Date: 06/09/23

Drawn: JL Reviewed SH

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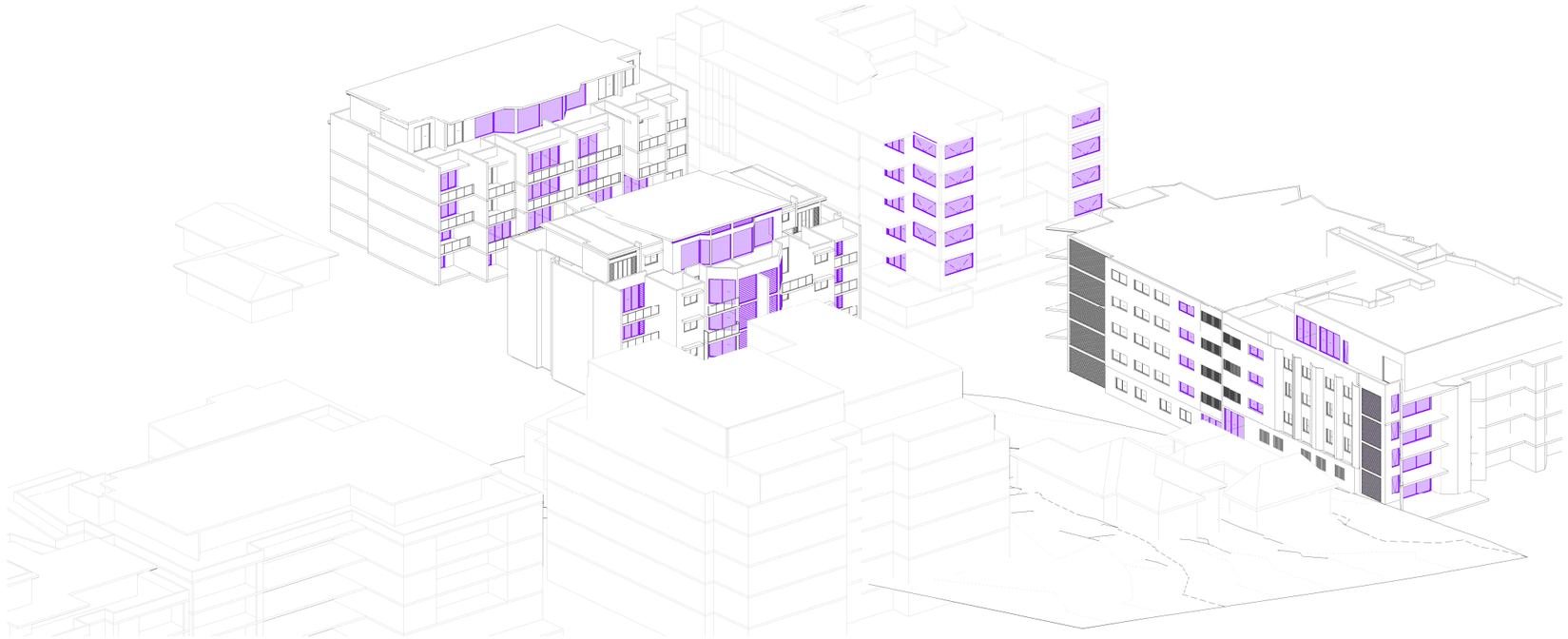

1 DA509 JUNE 21 - 9.30AM - PRE DEVELOPMENT



2 DA509 JUNE 21 - 9.30AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
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e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 9.30AM

Status:
FOR APPROVAL

Scale: 1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:	21106	DA509	A
Date: 06/09/23			
Drawn: JL	Reviewed SH		

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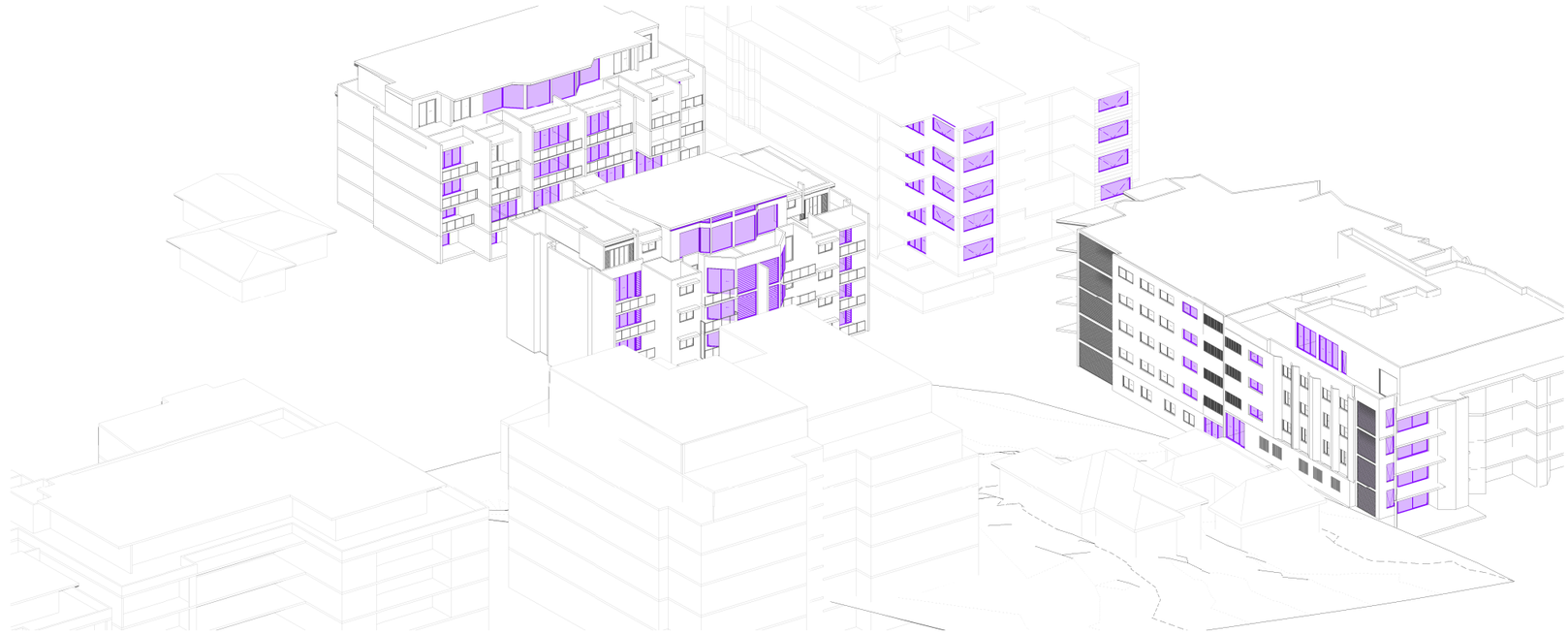

1 DA510 JUNE 21 - 9.45AM - PRE DEVELOPMENT



2 DA510 JUNE 21 - 9.45AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments:

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
This drawing is copyright and must not be retained, copied or used without the written consent of Giles Tribe Architects.

Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 9.45AM

Status:

FOR APPROVAL

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA510	A
Date:	06/09/23			
Drawn:	JL	Reviewed	SH	

C:\Users\yuping\Documents\21106_26-30 McIntyre St,Gordon_20% affordable+LMR_yuping.liu@gilestribe.com.au.rvt



1 DA511 JUNE 21 - 10AM - PRE DEVELOPMENT



2 DA511 JUNE 21 - 10AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [3823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 10AM

Status:
FOR APPROVAL

Scale: 1 : 100
Sheet Size:
Date: 06/09/23
Job No. 21106
Drawing No. DA511
Rev. A
Drawn: JL
Reviewed SH

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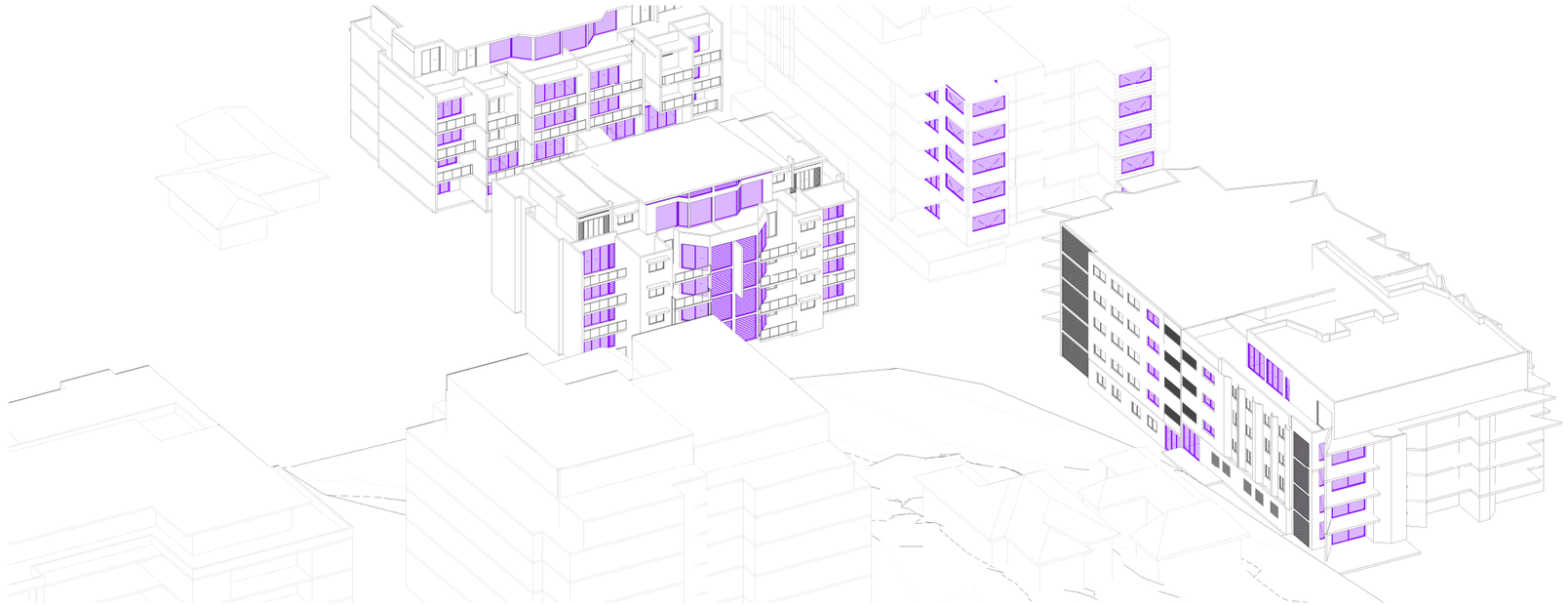

1 DA512 JUNE 21 - 10.15AM - PRE DEVELOPMENT



2 DA512 JUNE 21 - 10.15AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 10.15AM

Status: FOR APPROVAL

Scale:	1 : 100	Job No. 21106	Drawing No. DA512	Rev. A
Sheet Size:				
Date:	06/09/23			
Drawn:	JL	Reviewed: SH		

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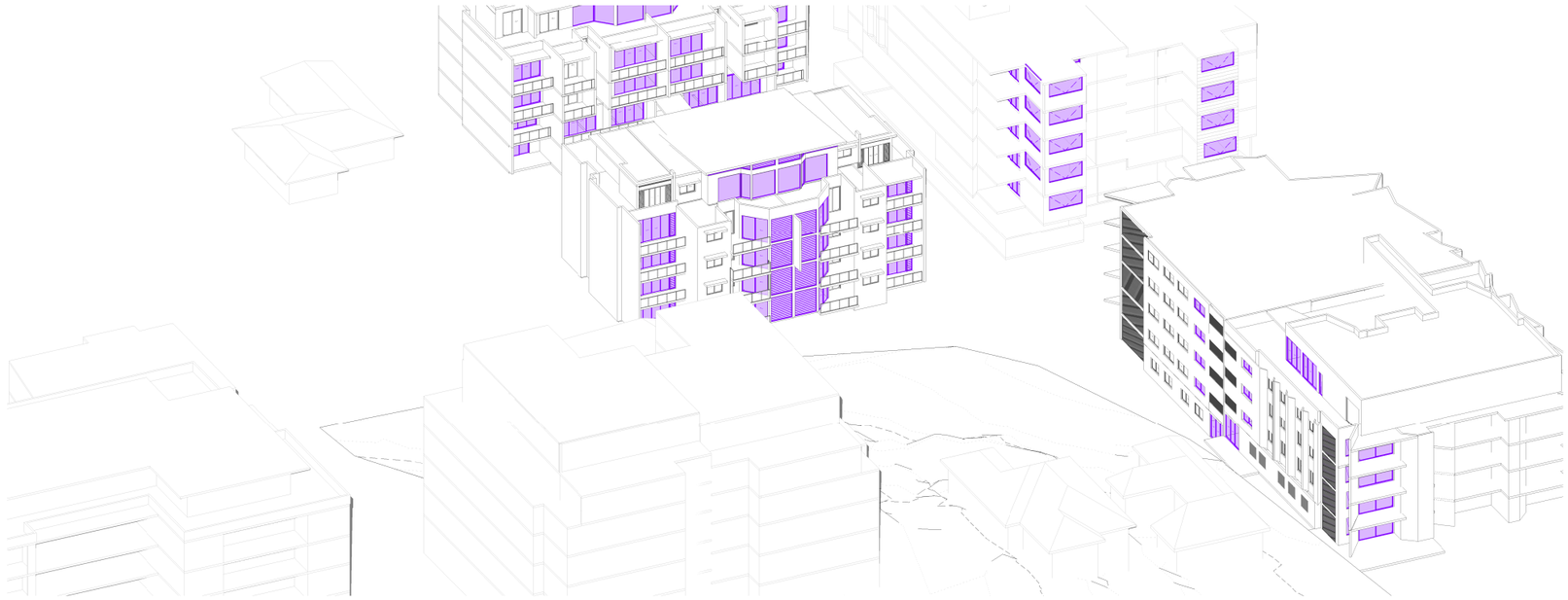

1 DA513 JUNE 21 - 10.30AM - PRE DEVELOPMENT



2 DA513 JUNE 21 - 10.30AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 10.30AM

Status:

FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA513 | Rev. A

Sheet Size:

Date: 06/09/23

Drawn: JL | Reviewed SH

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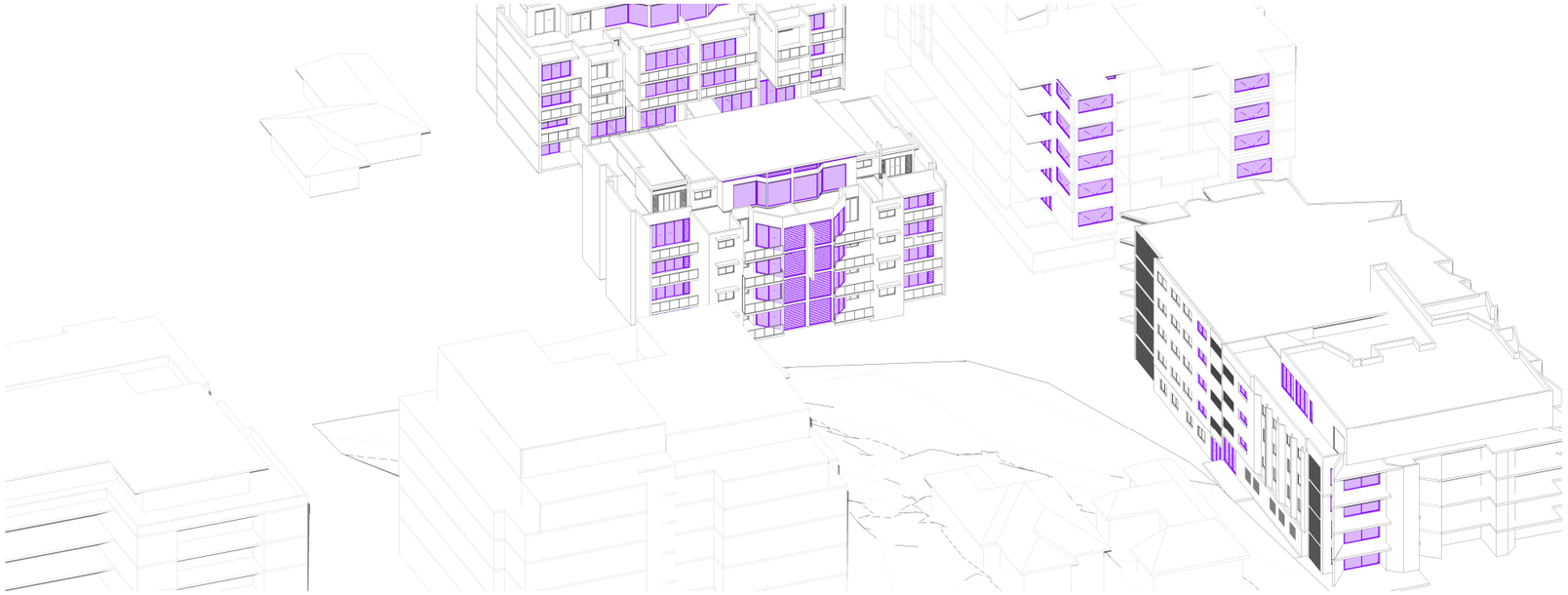

1 DA514 **JUNE 21 - 10.45AM - PRE DEVELOPMENT**



2 DA514 **JUNE 21 - 10.45AM**

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9244 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [9823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 10.45AM

Status: FOR APPROVAL

Scale: 1 : 100
Sheet Size:
Date: 06/09/23
Drawn: JL
Job No. 21106
Drawing No. DA514
Rev. A
Reviewed SH

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1 DA515 JUNE 21 - 11AM - PRE DEVELOPMENT



2 DA515 JUNE 21 - 11AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtab@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [3823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 11AM

Status:

FOR APPROVAL

Scale: 1 : 100 | Job No.: 21106 | Drawing No.: DA515 | Rev.: A

Sheet Size:

Date: 06/09/23

Drawn: JL | Reviewed: SH

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1 DA516 **JUNE 21 - 11.15AM - PRE DEVELOPMENT**



2 DA516 **JUNE 21 - 11.15AM**

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 11.15AM

Status: **FOR APPROVAL**

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA516 | Rev. A
Sheet Size:
Date: 06/09/23
Drawn: JL | Reviewed: SH

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1 DA517 JUNE 21 - 11.30AM - PRE DEVELOPMENT



2 DA517 JUNE 21 - 11.30AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gla@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [3822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 11.30AM

Status:

FOR APPROVAL

Scale: 1 : 100
Job No. 21106
Drawing No. DA517
Rev. A
Sheet Size:
Date: 06/09/23
Drawn: JL
Reviewed: SH

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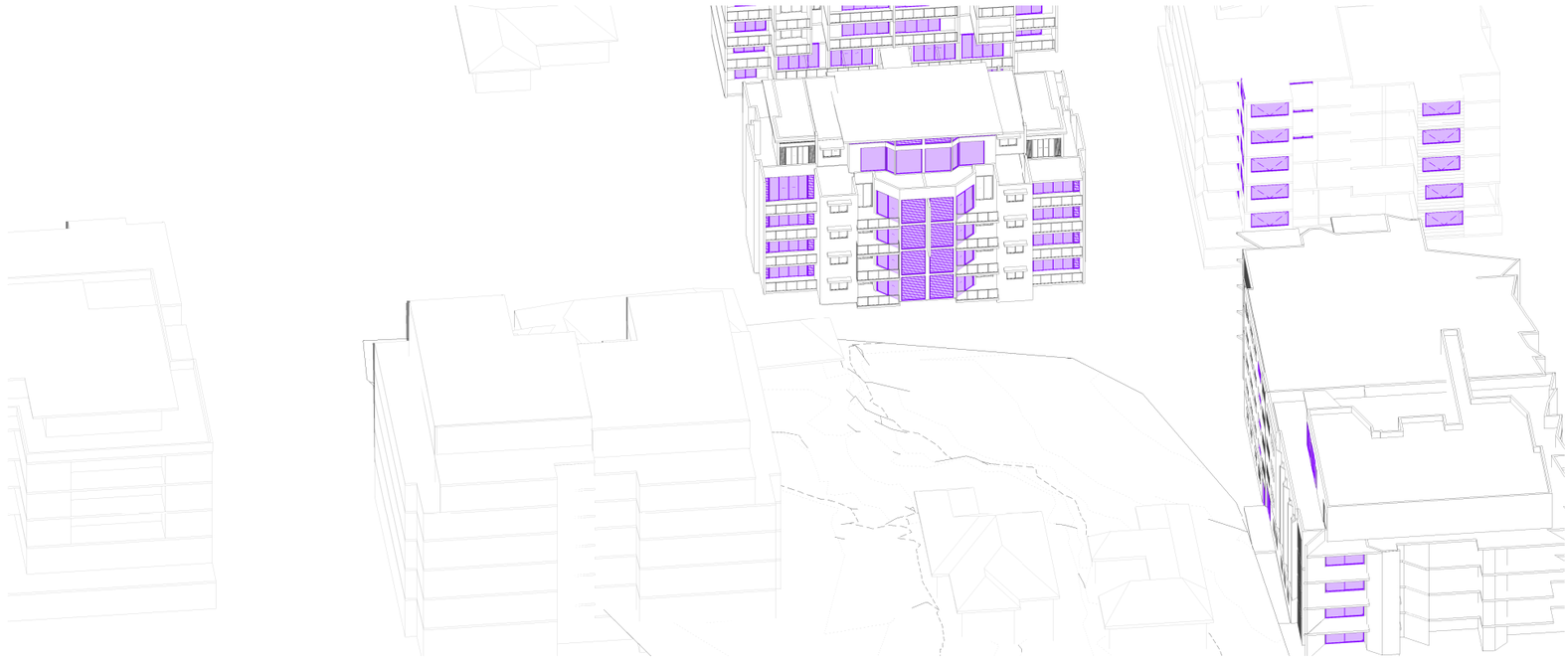

1 DA518 JUNE 21 - 11.45AM - PRE DEVELOPMENT



2 DA518 JUNE 21 - 11.45AM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9246 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11197]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 11.45AM

Status: FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA518 | Rev. A
Sheet Size:
Date: 06/09/23
Drawn: JL | Reviewed: SH

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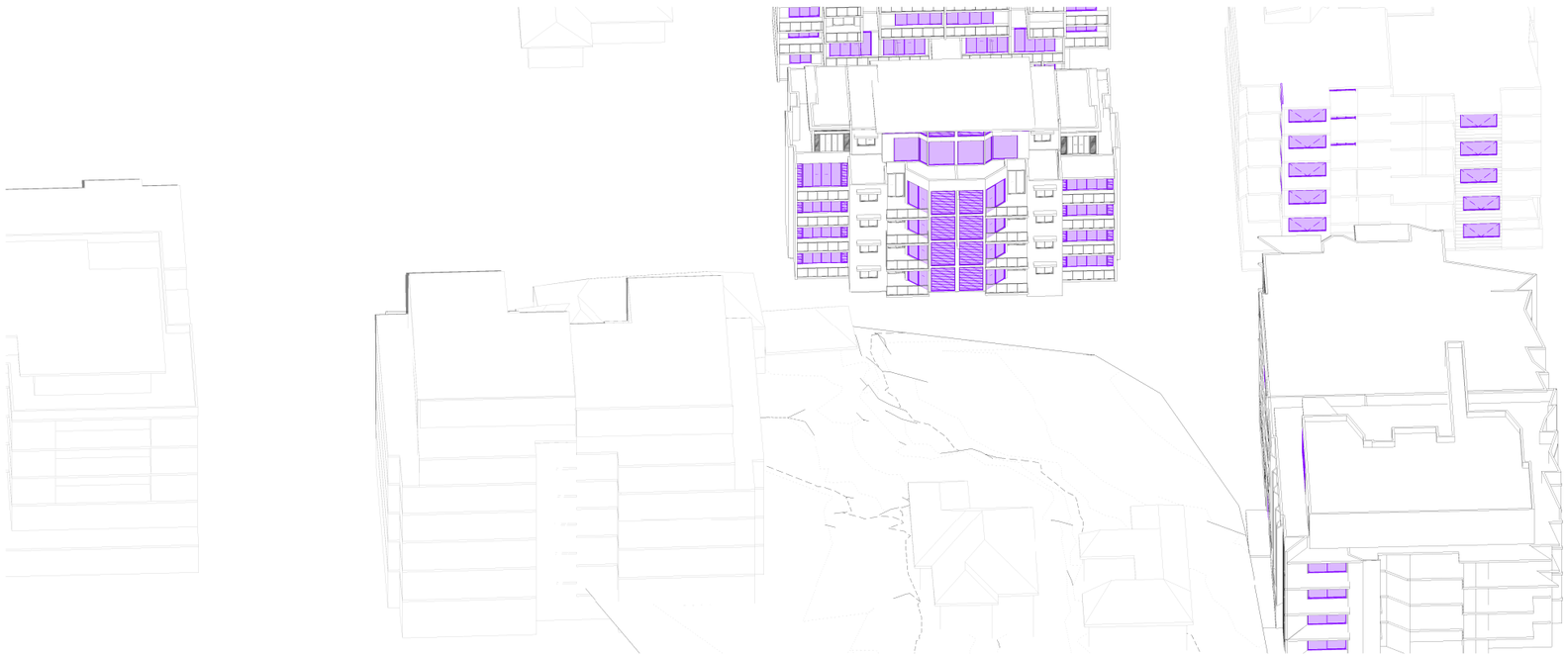

1 DA519 JUNE 21 - 12PM - PRE DEVELOPMENT



2 DA519 JUNE 21 - 12PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gla@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 12PM

Status:

FOR APPROVAL

Scale: 1 : 100
Sheet Size:
Date: 06/09/23
Drawn: JL
Job No. 21106
Drawing No. DA519
Rev. A
Reviewed SH

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1 DA520 JUNE 21 - 12.15PM - PRE DEVELOPMENT



2 DA520 JUNE 21 - 12.15PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gtal@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 12.15PM

Status: FOR APPROVAL

Scale:	1 : 100	Job No. 21106	Drawing No. DA520
Sheet Size:			Rev. A
Date:	06/09/23		
Drawn:	JL	Reviewed: SH	

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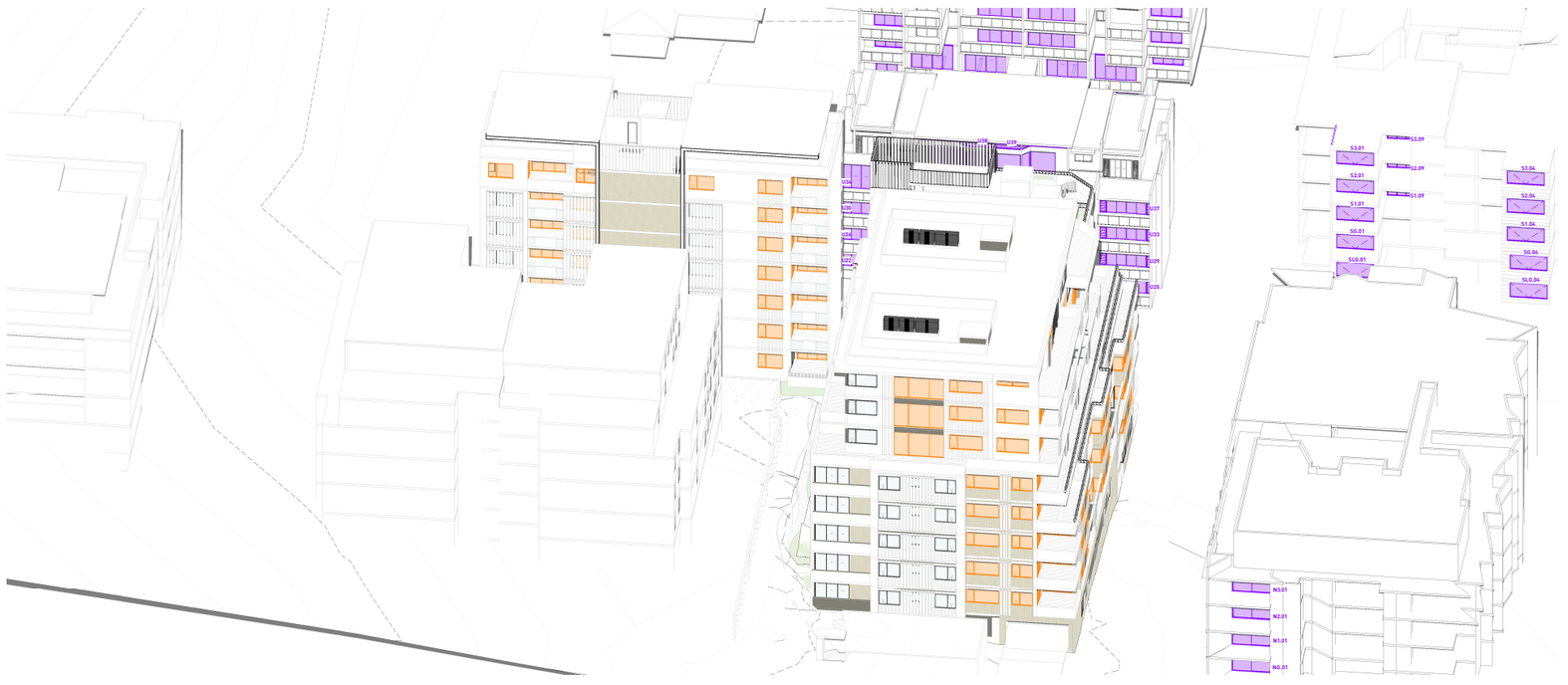
1 DA521 JUNE 21 - 12.30PM - PRE DEVELOPMENT



2 DA521 JUNE 21 - 12.30PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gtal@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 12.30PM

Status: FOR APPROVAL

Scale:	1 : 100	Job No. 21106	Drawing No. DA521 A
Sheet Size:			
Date:	06/09/23		
Drawn:	JL	Reviewed: SH	

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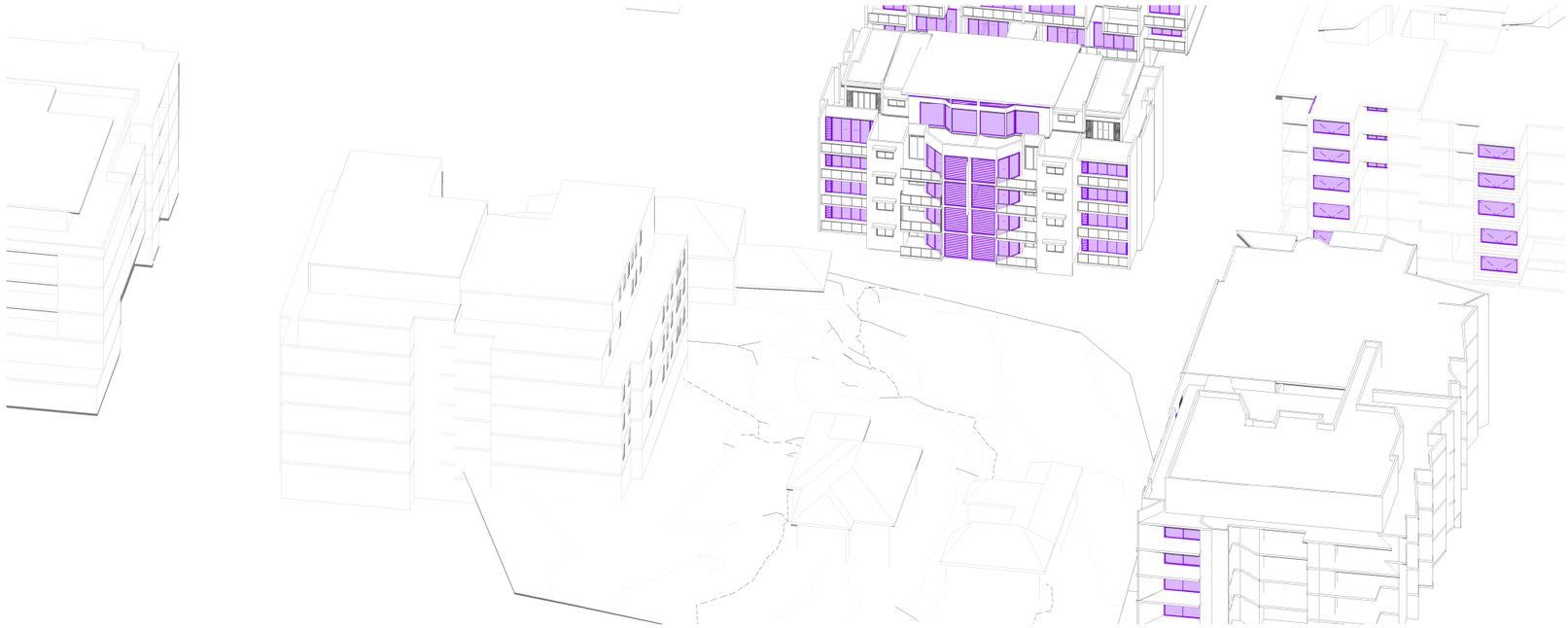

1 DA522 **JUNE 21 - 12.45PM - PRE DEVELOPMENT**



2 DA522 **JUNE 21 - 12.45PM**

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 12.45PM

Status: **FOR APPROVAL**

Scale:	1 : 100	Job No.	21106
Sheet Size:		Drawing No.	DA522
Date:	06/09/23	Rev.	A
Drawn:	JL	Reviewed	SH

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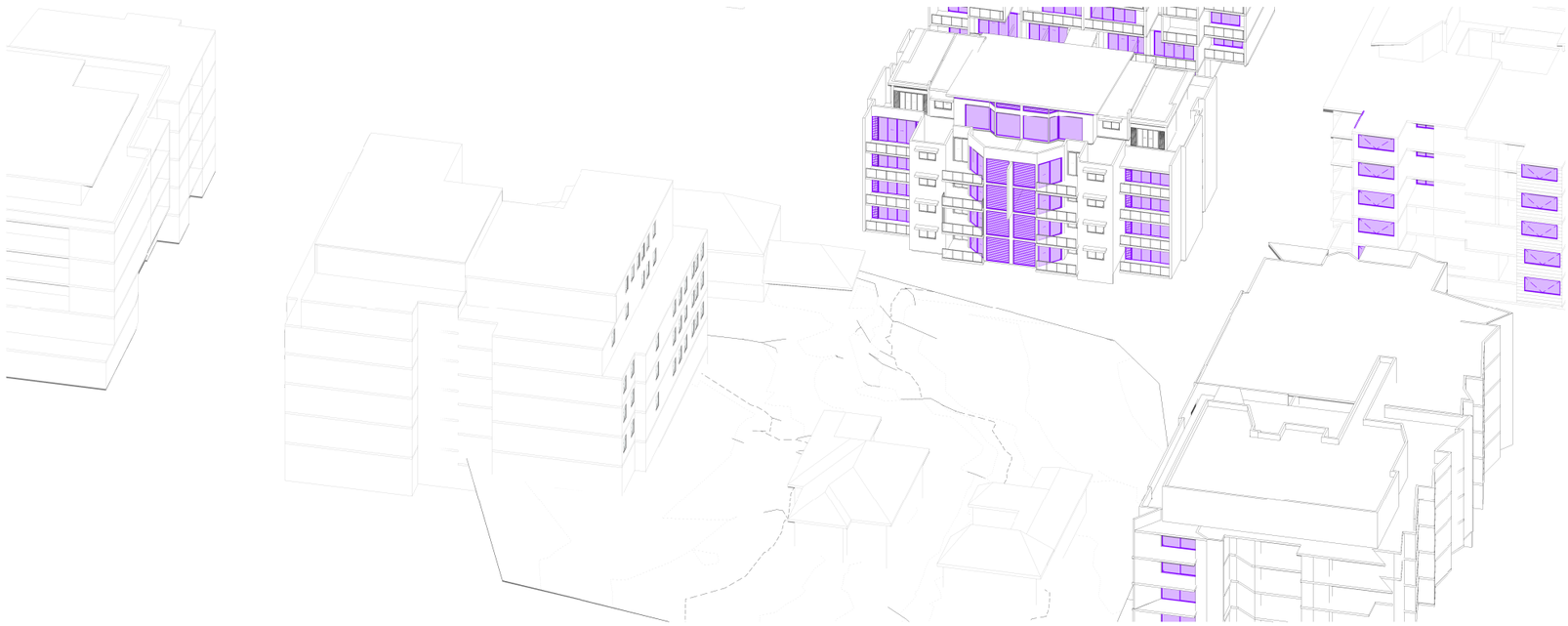

1 DA523 **JUNE 21 - 1PM - PRE DEVELOPMENT**



2 DA523 **JUNE 21 - 1PM**

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gtal@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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or used without the written consent of Giles Tribe Architects.

Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 1PM

Status: FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA523 | Rev. A
Sheet Size:
Date: 06/09/23
Drawn: JL | Reviewed: SH

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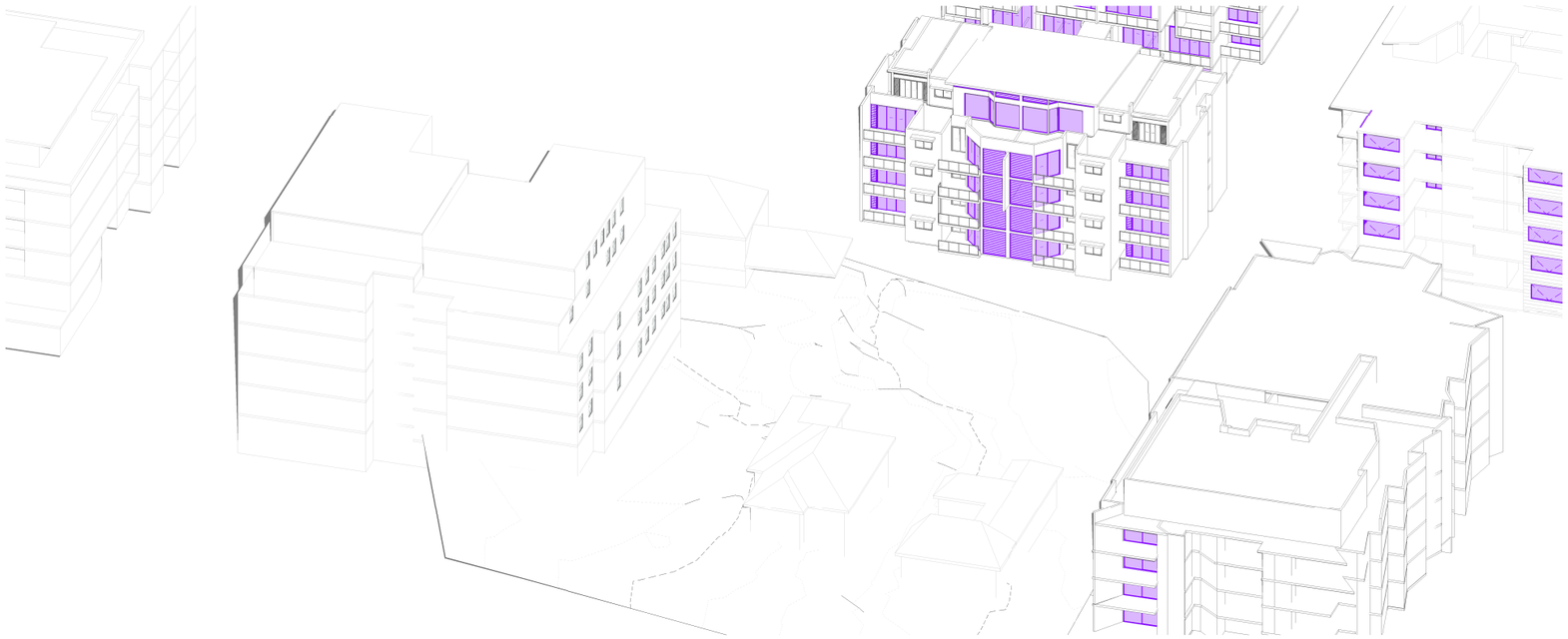

1 DA524 JUNE 21 - 1.15PM - PRE DEVELOPMENT



2 DA524 JUNE 21 - 1.15PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 1.15PM

Status:

FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA524 | Rev. A

Sheet Size:

Date: 06/09/23

Drawn: JL | Reviewed: SH

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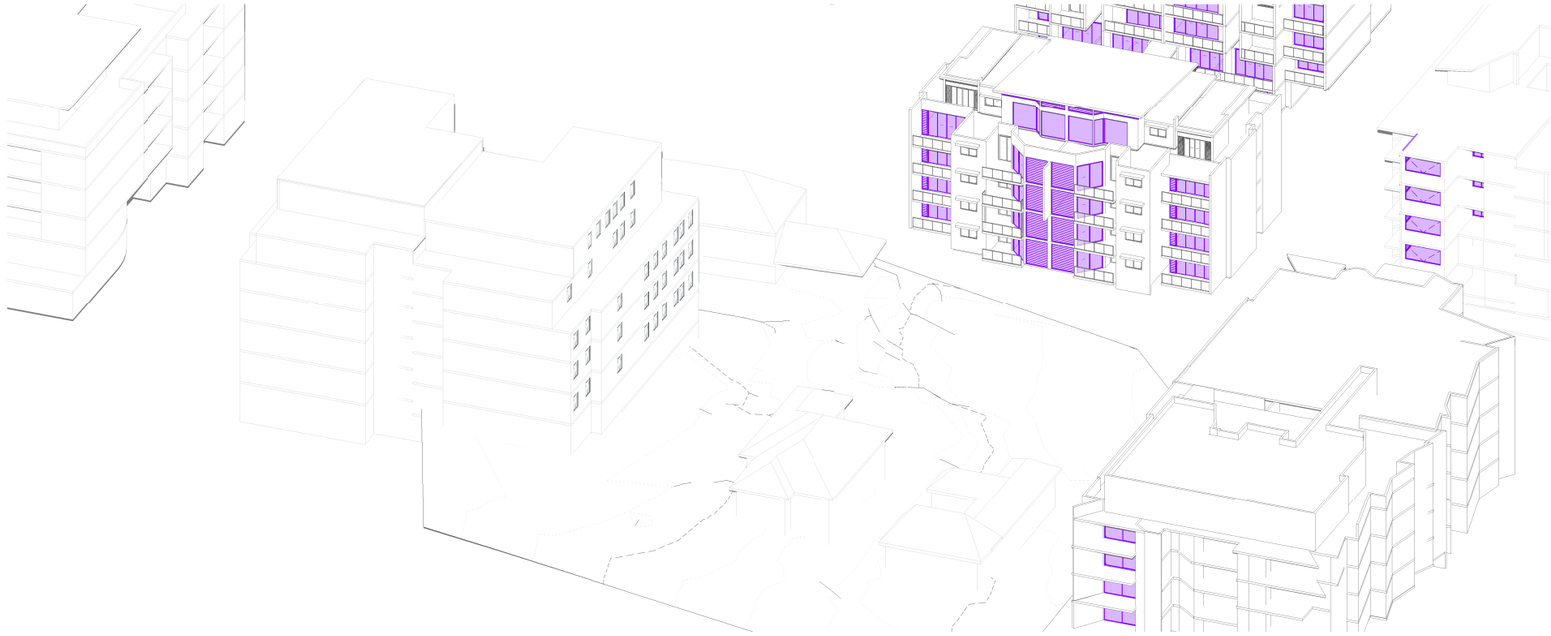

1 DA525 JUNE 21 - 1.30PM - PRE DEVELOPMENT



2 DA525 JUNE 21 - 1.30PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 1.30PM

Status:

FOR APPROVAL

Scale: 1 : 100 Job No. 21106 Drawing No. DA525 Rev. A

Sheet Size:

Date: 06/09/23

Drawn: JL Reviewed SH



1 DA526 JUNE 21 - 1.45PM - PRE DEVELOPMENT



2 DA526 JUNE 21 - 1.45PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 1.45PM

Status:

FOR APPROVAL

Scale: 1 : 100
Job No.: 21106
Drawing No.: DA526
Rev.: A
Sheet Size:
Date: 06/09/23
Drawn: JL
Reviewed: SH

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1 DA527 JUNE 21 - 2PM - PRE DEVELOPMENT



2 DA527 JUNE 21 - 2PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 2PM

Status:

FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA527 | Rev. A

Sheet Size:

Date: 06/09/23

Drawn: JL | Reviewed SH

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1 DA528 **JUNE 21 - 2.15PM - PRE DEVELOPMENT**



2 DA528 **JUNE 21 - 2.15PM**

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 2.15PM

Status: FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA528 | Rev. A
Sheet Size:
Date: 06/09/23
Drawn: JL | Reviewed: SH

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1 DA529 **JUNE 21 - 2.30PM - PRE DEVELOPMENT**



2 DA529 **JUNE 21 - 2.30PM**

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
SOLAR ACCESS DIAGRAMS - 2.30PM

Status: FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA529 | Rev. A
Sheet Size:
Date: 06/09/23
Drawn: JL | Reviewed: SH

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1 DA530 JUNE 21 - 2.45PM - PRE DEVELOPMENT



2 DA530 JUNE 21 - 2.45PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 2.45PM

Status:

FOR APPROVAL

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA530	A
Date:	06/09/23			
Drawn:	JL	Reviewed	SH	

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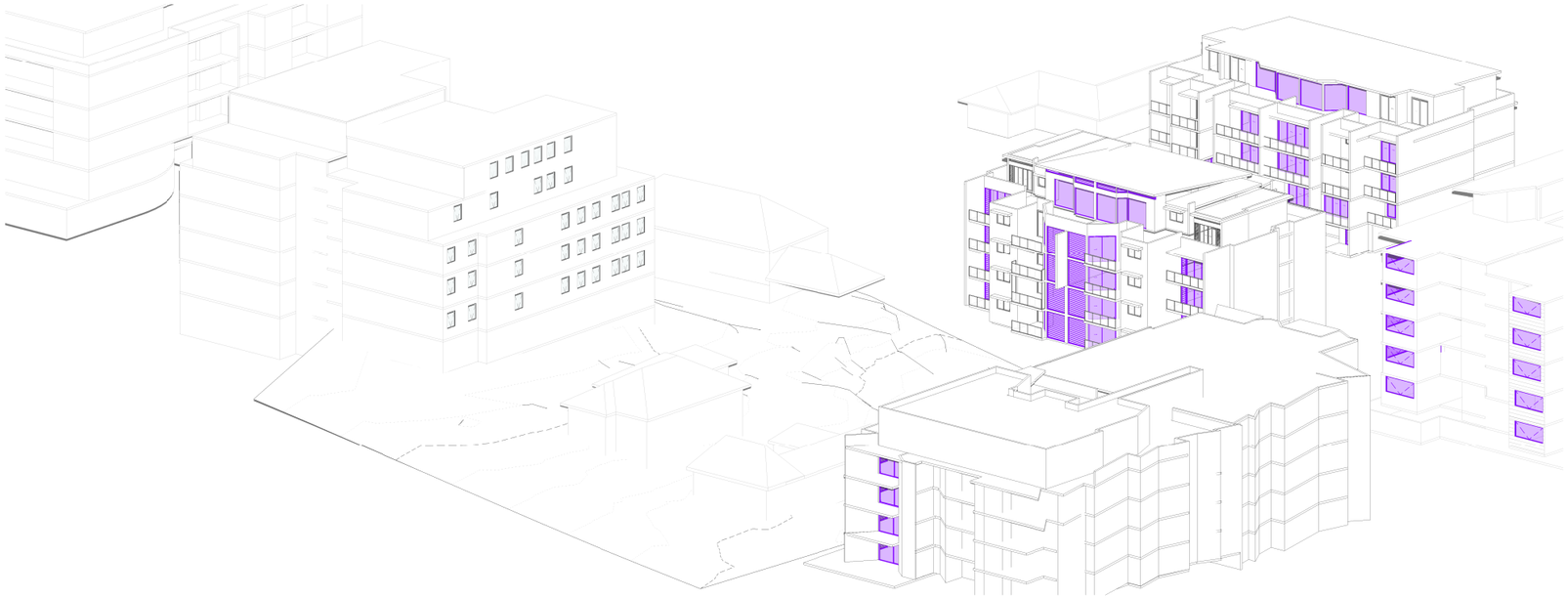

2 DA531 JUNE 21 - 3PM - PRE DEVELOPMENT



1 DA531 JUNE 21 - 3PM

PROPOSED SOLAR ACCESS TO 26-30 MCINTYRE ST

EXISTING SOLAR ACCESS TO 26-30 MCINTYRE ST

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

SOLAR ACCESS DIAGRAMS - 3PM

Status:

FOR APPROVAL

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA531 | Rev. A

Sheet Size:

Date: 06/09/23

Drawn: JL | Reviewed: SH

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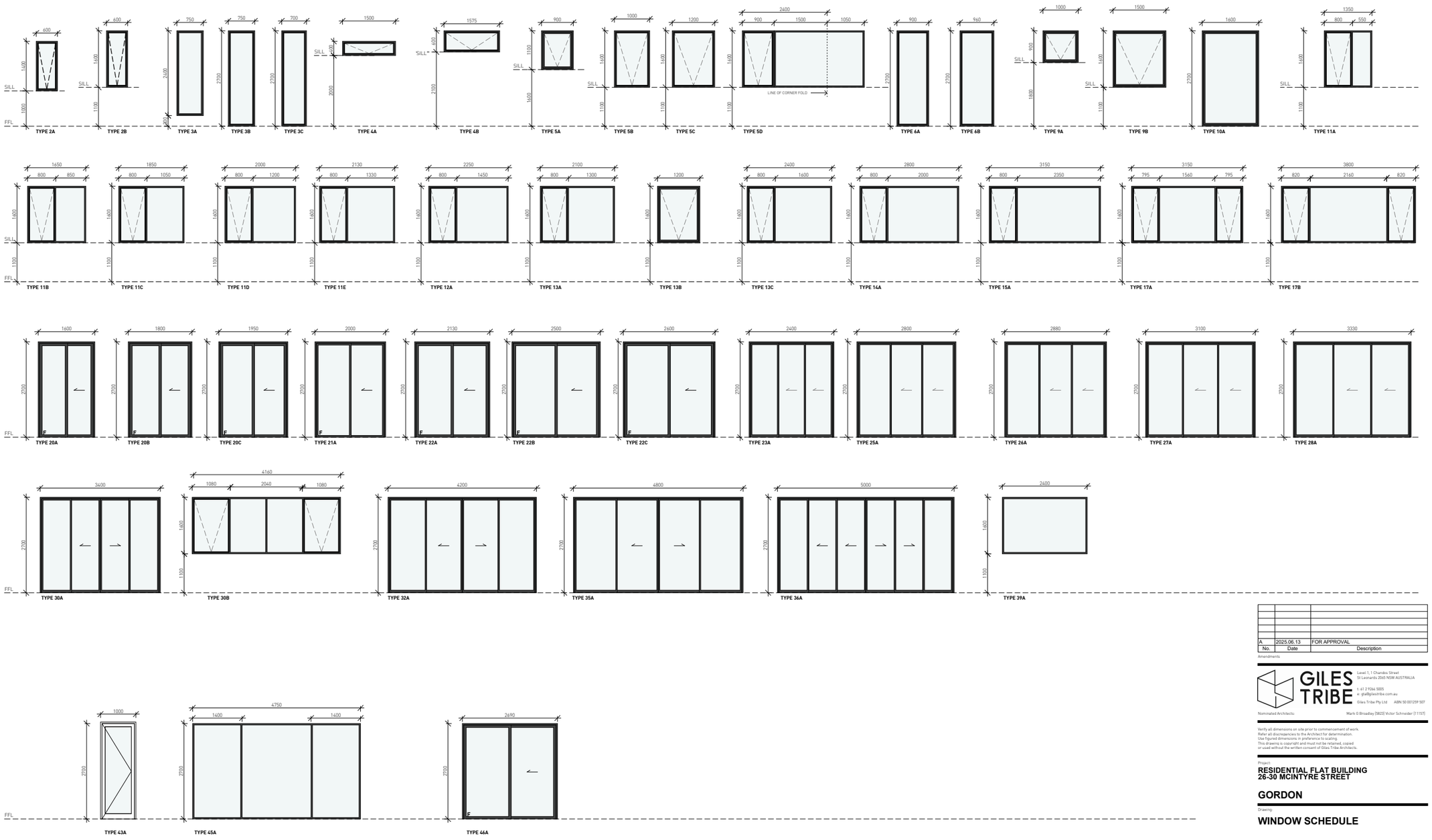

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 9005
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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11137]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
WINDOW SCHEDULE

Status:
FOR APPROVAL

Scale:	1 : 50	Job No.	Drawing No. Rev.
Sheet Size:	A1	21106	DA600 A
Date:	07/25/22		
Drawn:	JL	Reviewed:	SH

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WINDOW SCHEDULE - B1

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	6A	0	900	2700	
2	25A	0	2800	2700	
3	6A	0	900	2700	
4	11D	1100	2000	1600	
5	11D	1100	2000	1600	
6	5A	1600	900	1100	
7	17A	1100	3150	1600	
8	11A	1100	1350	1600	
9	27A	0	3100	2700	
10	2B	1100	600	1600	
11	12A	1100	2250	1600	
13	43A	0	920	2700	
14	21A	0	2000	2700	
15	39A	1100	2400	1600	
16	39A	1100	2400	1600	
17	39A	1100	2400	1600	
18	12A	1100	2250	1600	

WINDOW SCHEDULE - B2

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	17A	1000	3150	1600	
2	11A	1100	1350	1600	
3	30A	0	3400	2700	
4	12A	1100	2250	1600	
5	43A	0	920	2700	
6	2B	1100	600	1600	

WINDOW SCHEDULE - GL

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	11B	1100	1650	1600	
5	13C	1100	2400	1600	
6	11B	1100	1650	1600	
7	13C	1100	2400	1600	
8	13C	1100	2400	1600	
9	25A	0	2800	2700	
10	6A	0	900	2700	
11	11D	1100	2000	1600	
12	11D	1100	2000	1600	
13	5A	1600	900	1100	
14	17A	1100	3150	1600	
15	11A	1100	1350	1600	
16	30A	0	3400	2700	
17	46A	0	2690	2700	
18	5D	1100	900	1600	ASSEMBLY
19	5D	1100	900	1600	ASSEMBLY
20	46A	0	2690	2700	
21	32A	0	4200	2700	
22	32A	0	4200	2700	
23	46A	0	2690	2700	
24	5D	1100	900	1600	ASSEMBLY
25	5D	1100	900	1600	ASSEMBLY
26	46A	0	2690	2700	
27	32A	0	4200	2700	
28	32A	0	4200	2700	
29	46A	0	2690	2700	
30	5D	1100	900	1600	ASSEMBLY
31	5D	1100	900	1600	ASSEMBLY
32	46A	0	2690	2700	
33	30A	0	3400	2700	
34	11D	1100	2000	1600	
35	15A	1100	3150	1600	
36	11D	1100	2000	1600	
37	5A	1600	900	1100	
38	11D	1100	2000	1600	
39	28A	0	3330	2700	
40	11D	1100	2000	1600	
41	11D	1100	2000	1600	
42	11D	1100	2000	1600	
43	5C	1100	1200	1600	
44	5C	1100	1200	1600	
45	11D	1100	2000	1600	
46	11D	1100	2000	1600	
47	11B	1100	1650	1600	
48	11D	1100	2000	1600	
49	25A	0	2800	2700	
50	20B	0	1800	2700	
51	20B	0	1800	2700	
52	25A	0	2800	2700	
53	11D	1100	2000	1600	
54	9B	1100	1500	1600	
55	6A	0	900	2700	
56	6A	0	900	2700	

WINDOW SCHEDULE - GL

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
57	26A	0	2880	2700	
58	28A	0	3330	2700	
59	13C	1100	2400	1600	
60	13C	1100	2400	1600	
61	28A	100	3330	2700	
62	13C	1200	2400	1600	
63	3B	0	750	2700	
64	2A	1000	600	1400	
65	4A	2000	1500	400	
66	3B	0	750	2700	

WINDOW SCHEDULE - L1

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	11B	1100	1650	1600	
5	13C	1100	2400	1600	
6	11B	1100	1650	1600	
7	13C	1100	2400	1600	
8	13C	1100	2400	1600	
9	25A	0	2800	2700	
10	6A	0	900	2700	
11	11D	1100	2000	1600	
12	11D	1100	2000	1600	
13	5A	1600	900	1100	
14	17A	1100	3150	1600	
15	11A	1100	1350	1600	
16	30A	0	3400	2700	
17	22C	0	2600	2700	
18	5D	1100	900	1600	ASSEMBLY
19	5D	1100	1100	1600	ASSEMBLY
20	22C	0	2600	2700	
21	32A	0	4200	2700	
22	32A	0	4200	2700	
23	22C	0	2600	2700	
24	5D	1100	1100	1600	ASSEMBLY
25	5D	1100	1100	1600	ASSEMBLY
26	22C	0	2600	2700	
27	32A	0	4200	2700	
28	32A	0	4200	2700	
29	22C	0	2600	2700	
30	5D	1100	1100	1600	ASSEMBLY
31	5D	1100	900	1600	ASSEMBLY
32	46A	0	2690	2700	
33	30A	0	3400	2700	
34	11D	1100	2000	1600	
35	15A	1100	3150	1600	
36	11D	1100	2000	1600	
37	5A	1600	900	1100	
38	11D	1100	2000	1600	
39	28A	0	3330	2700	
40	11D	1100	2000	1600	
41	6A	0	900	2700	
42	11D	1100	2000	1600	
43	11D	1100	2000	1600	
44	5C	1100	1200	1600	
45	5C	1100	1200	1600	
46	11D	1100	2000	1600	
47	11D	1100	2000	1600	
48	6B	0	960	2700	
49	11C	1100	1850	1600	
50	11D	900	2000	1600	
51	25A	0	2800	2700	
52	20B	0	1800	2700	
53	20B	0	1800	2700	
54	25A	0	2800	2700	
55	11D	1100	2000	1600	
56	11C	1100	1850	1600	
57	10A	0	1600	2700	
58	6A	0	900	2700	
59	6A	0	900	2700	
60	26A	0	2880	2700	
61	28A	0	3330	2700	
62	13C	1100	2400	1600	
63	13C	1100	2400	1600	
64	13C	1100	2400	1600	
65	21A	0	2000	2700	
66	28A	0	3330	2700	
67	13C	1100	2400	1600	
68	3B	0	750	2700	
69	2A	1000	600	1400	
70	4A	2000	1500	400	
71	3B	0	750	2700	

WINDOW SCHEDULE - L2

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	11B	1100	1650	1600	
5	13C	1100	2400	1600	
6	11B	1100	1650	1600	
7	13C	1100	2400	1600	
8	13C	1100	2400	1600	
9	3A	300	750	2400	
10	45A	0	4750	2700	
11	9B	1100	1500	1600	
12	9B	1100	1500	1600	
13	25A	0	2800	2700	
14	21A	0	2000	2700	
15	35A	0	4800	2700	
16	6B	0	960	2700	
17	6B	0	960	2700	
18	32A	0	4200	2700	
19	22C	0	2600	2700	
20	5D	1100	1100	1600	ASSEMBLY
21	5D	1100	1100	1600	ASSEMBLY
22	22C	0	2600	2700	
23	32A	0	4200	2700	
24	32A	0	4200	2700	
25	22C	0	2600	2700	
26	5D	1100	1100	1600	ASSEMBLY
27	5D	1100	900	1600	ASSEMBLY
28	46A	0	2690	2700	
29	30A	0	3400	2700	
30	11D	1100	2000	1600	
31	15A	1100	3150	1600	
32	11D	1100	2000	1600	
33	5A	1600	900	1100	
34	11D	1100	2000	1600	
35	28A	0	3330	2700	
36	11D	1100	2000	1600	
37	6A	0	900	2700	
38	11D	1100	2000	1600	
39	11D	1100	2000	1600	
40	5C	1100	1200	1600	
41	5C	1100	1200	1600	
42	11D	1100	2000	1600	
43	11D	1100	2000	1600	
44	6B	0	960	2700	
45	11C	1100	1850	1600	
46	11D	1100	2000	1600	
47	25A	0	2800	2700	
48	20B	0	1800	2700	
49	20B	0	1800	2700	
50	25A	0	2800	2700	
51	11D	1100	2000	1600	
52	11C	1100	1850	1600	
53	10A	0	1600	2700	
54	3C	0	700	2700	
55	6A	0	900	2700	
56	26A	0	2880	2700	
57	28A	0	3330	2700	
58	13C	1100	2400	1600	
59	13C	1100	2400	1600	
60	13C	1100	2400	1600	
61	21A	0	2000	2700	
62	28A	0	3330	2700	
63	13C	1100	2400	1600	
64	3B	0	750	2700	
65	2A	1000	600	1400	
66	4A	2000	1500	400	
67	3B	0	750	2700	

WINDOW SCHEDULE - L3

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	11B	1100	1650	1600	
5	13C	1100	2400	1600	
6	11B	1100	1650	1600	
7	13C	1100	2400	1600	
8	13C	1100	2400	1600	
9	3A	300	750	2400	
10	45A	0	4750	2700	
11	9B	1100	1500	1600	
12	9B	1100	1500	1600	
13	14A	1100	2800	1600	
14	21A	0	2000	2700	
15	32A	0	4200	2700	
16	12A	1100	2250	1600	
17	32A	0	4200	2700	
18	20C	0	1950	2700	
19	32A	0	4200	2700	
20	12A	1100	2250	1600	
21	12A	1100	2250	1600	
22	32A	0	4200	2700	
23	12A	1100	2250	1600	
24	30A	0	3400	2700	
25	11D	1100	2000	1600	
26	15A	1100	3150	1600	
27	11D	1100	2000	1600	
28	5A	1600	900	1100	
29	11D	1100	2000	1600	
30	28A	0	3330	2700	
31	11D	1100	2000	1600	
32	6A	0	900	2700	
33	11D	1100	2000	1600	
34	11D	1100	2000	1600	
35	5C	1100	1200	1600	
36	5C	1100	1200	1600	
37	11D	1100	2000	1600	
38	11D	1100	2000	1600	
39	6B	0	960	2700	
40	11C	1100	1850	1600	
41	11D	900	2000	1600	
42	25A	0	2800	2700	
43	20B	0	1800	2700	
44	20B	0	1800	2700	
45	25A	0	2800	2700	
46	11D	1100	2000	1600	
47	11C	1100	1850	1600	
48	10A	0	1600	2700	
49	3C	0	700	2700	
50	6A	0	900	2700	
51	26A	0	2880	2700	
52	28A	0	3330	2700	
53	13C	1100	2400	1600	
54	13C	1100	2400	1600	
55	13C	1100	2400	1600	
56	21A	0	2000	2700	
57	28A	0	3330	2700	
58	13C	1100	2400	1600	
59	3B	0	750	2700	
60	2A	1000	600	1400	
61	4A	2000	1500	400	
62	3B	0	750	2700	

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
WINDOW SCHEDULE

Status:
FOR APPROVAL

Scale:	Job No.	Drawing No.	Rev.
Sheet Size:	21106	DA601	A
Date: 08/30/22			
Drawn: JL	Reviewed: SH		

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WINDOW SCHEDULE - L4

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	11B	1100	1650	1600	
5	13C	1100	2400	1600	
6	11B	1100	1650	1600	
7	13C	1100	2400	1600	
8	13C	1100	2400	1600	
9	3A	300	750	2400	
10	45A	0	4750	2700	
11	9B	1100	1500	1600	
12	9B	1100	1500	1600	
13	14A	1100	2800	1600	
14	11D	1100	2000	1600	
15	32A	0	4200	2700	
16	12A	1100	2250	1600	
17	32A	0	4200	2700	
18	20C	0	1950	2700	
19	32A	0	4200	2700	
20	12A	1100	2250	1600	
21	12A	1100	2250	1600	
22	32A	0	4200	2700	
23	12A	1100	2250	1600	
24	30A	0	3400	2700	
25	11D	1100	2000	1600	
26	15A	1100	3150	1600	
27	11D	1100	2000	1600	
28	5A	1600	900	1100	
29	11D	1100	2000	1600	
30	28A	0	3330	2700	
31	11D	1100	2000	1600	
32	6A	0	900	2700	
33	11D	1100	2000	1600	
34	11D	1100	2000	1600	
35	5C	1100	1200	1600	
36	5C	1100	1200	1600	
37	11D	1100	2000	1600	
38	11D	1100	2000	1600	
39	6B	0	960	2700	
40	11C	1100	1850	1600	
41	11D	900	2000	1600	
42	25A	0	2800	2700	
43	20B	0	1800	2700	
44	20B	0	1800	2700	
45	25A	0	2800	2700	
46	11D	1100	2000	1600	
47	11C	1100	1850	1600	
48	10A	0	1600	2700	
49	3C	0	700	2700	
50	6A	0	900	2700	
51	26A	0	2880	2700	
52	28A	0	3330	2700	
53	13C	1100	2400	1600	
54	13C	1100	2400	1600	
55	13C	1100	2400	1600	
56	21A	0	2000	2700	
57	28A	0	3330	2700	
58	13C	1100	2400	1600	
59	3B	0	750	2700	
60	2A	1000	600	1400	
61	4A	2000	1500	400	
62	3B	0	750	2700	

WINDOW SCHEDULE - L5

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	11B	1100	1650	1600	
5	13C	1100	2400	1600	
6	11B	1100	1650	1600	
7	13C	1100	2400	1600	
8	13C	1100	2400	1600	
9	3A	300	750	2400	
10	45A	0	4750	2700	
11	9B	1100	1500	1600	
12	9B	1100	1500	1600	
13	25A	0	2800	2700	
14	28A	0	3330	2700	
15	30B	1100	4200	1600	
16	12A	1100	2250	1600	
17	32A	0	4200	2700	
18	20C	0	1950	2700	
19	11C	1100	1850	1600	
20	22C	0	2600	2700	
21	21A	0	2000	2700	
22	25A	0	2800	2700	
23	21A	0	2000	2700	
24	30A	0	3400	2700	
25	15A	1100	3150	1600	
26	15A	1100	3150	1600	
27	45A	0	4750	2700	
28	14A	1100	2800	1600	
29	13C	1100	2400	1600	
30	9B	1100	1500	1600	
31	23A	0	2400	2700	
32	25A	0	2800	2700	
33	23A	0	2400	2700	
34	23A	0	2400	2700	
35	6B	0	960	2700	
36	11C	1100	1850	1600	
37	22A	0	2130	2700	
38	22A	0	2130	2700	
39	11C	1100	1850	1600	
40	10A	100	1600	2700	
41	3C	0	700	2700	
42	6A	0	900	2700	
43	26A	0	2880	2700	
44	28A	0	3330	2700	
45	13C	1100	2400	1600	
46	13C	1100	2400	1600	
47	13C	1100	2400	1600	
48	21A	0	2000	2700	
49	28A	0	3330	2700	
50	13C	1100	2400	1600	
51	3B	0	750	2700	
52	2A	1000	600	1400	
53	4A	2000	1500	400	
54	3B	0	750	2700	
55	14A	1100	2800	1600	
56	9A	1800	1000	900	

WINDOW SCHEDULE - L6

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	13C	1100	2400	1600	
2	17B	1100	3800	1600	
3	13C	1100	2400	1600	
4	13C	1100	2400	1600	
5	11B	1100	1650	1600	
6	13C	1100	2400	1600	
7	13C	1100	2400	1600	
8	6A	0	900	2700	
9	11D	1100	2000	1600	
10	11D	1100	2000	1600	
11	9A	1800	1000	900	
12	28A	0	3330	2700	
13	14A	1100	2800	1600	
14	36A	0	5000	2700	
15	13B	1100	1200	1600	
16	14A	1100	2800	1600	
17	14A	1100	2800	1600	
18	20C	0	1950	2700	
19	30A	0	3400	2700	
20	15A	1100	3150	1600	
21	15A	1100	3150	1600	
22	45A	0	4750	2700	
23	14A	1100	2800	1600	
24	13C	1100	2400	1600	
25	9A	1800	1000	900	
26	9B	1100	1500	1600	
27	13C	1100	2400	1600	
28	13C	1100	2400	1600	
29	13C	1100	2400	1600	
30	13C	1100	2400	1600	
31	6B	0	960	2700	
32	5B	1100	1000	1600	
33	11E	1100	2130	1600	
34	26A	0	2880	2700	
35	28A	0	3330	2700	
36	13C	1100	2400	1600	
37	13C	1100	2400	1600	
38	13A	1100	2100	1600	
39	28A	0	3330	2700	
40	22B	0	2500	2700	
41	13C	1100	2400	1600	
42	3B	0	750	2700	
43	2A	1000	600	1400	
44	4A	2000	1500	400	
45	3B	0	750	2700	
46	28A	0	3330	2700	
47	25A	0	2800	2700	

WINDOW SCHEDULE - L7

NUMBER	TYPE	SILL	WIDTH	HEIGHT	NOTES
1	25A	0	2800	2700	
2	32A	0	4200	2700	
3	32A	0	4200	2700	
4	28A	0	3330	2700	
5	25A	0	2800	2700	
6	14A	1100	2800	1600	
7	13B	1100	1200	1600	
8	20A	0	1600	2700	
9	27A	0	3100	2700	
10	27A	0	3100	2700	
11	35A	0	4800	2700	
12	15A	1100	3150	1600	
13	45A	0	4750	2700	
14	14A	1100	2800	1600	
15	13C	1100	2400	1600	
16	9A	1800	1000	900	
17	9A	1800	1000	900	
18	13C	1100	2400	1600	
19	14A	1100	2800	1600	
20	13C	1100	2400	1600	
21	13C	1100	2400	1600	
22	6B	0	960	2700	
23	9A	1800	1000	900	
24	6B	0	960	2700	
25	3B	0	750	2700	
26	17B	1100	3800	1600	
27	11D	1100	2000	1600	
28	11C	1100	1850	1600	
29	11C	1100	1850	1600	
30	4B	2100	1575	600	
31	4B	2100	1575	600	

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11151]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

Drawing:
WINDOW SCHEDULE

Status:

Scale:
Job No. 21106
Drawing No. DA602
Rev. A
Sheet Size:
Date: 04/17/25
Drawn: Author
Reviewed: Checker

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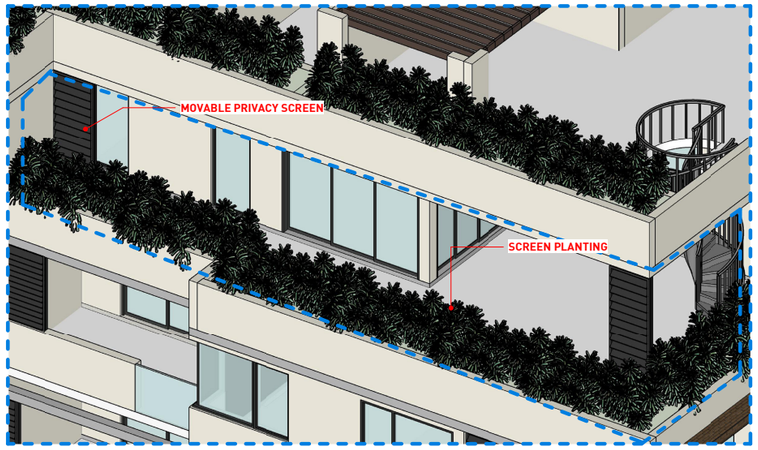
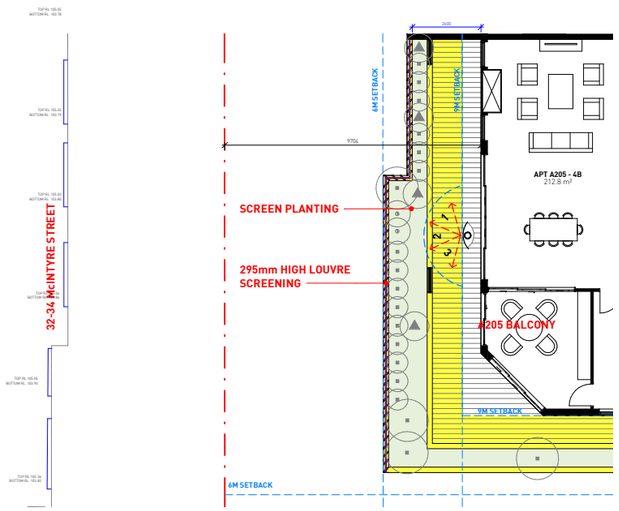




TRAFFICABLE AREA BEYOND ADG PRESCRIBED SETBACK

NEIGHBOURING BLG WINDOWS

CAMERA HEIGHT ON 3D VIEWS AT 1750mm
CAMERA FIELD OF VIEW @ 45 deg
CAMERA POSITION WITHIN TRAFFICABLE AREA BEYOND ADG SETBACK



1 DA701 **APT 205 BALCONY PLAN**
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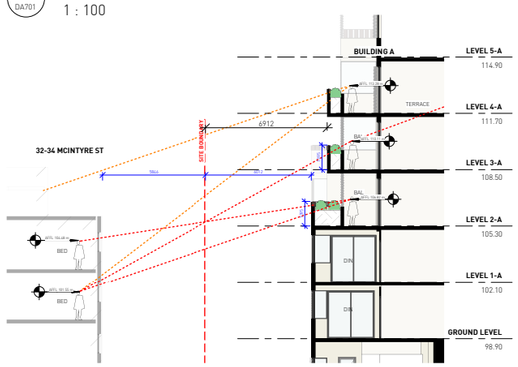

2 DA701 **A205 TO 32-34 MCINTYRE ST**
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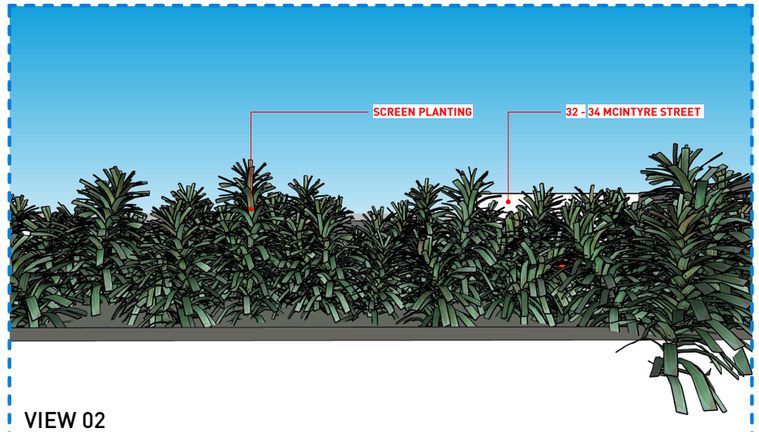

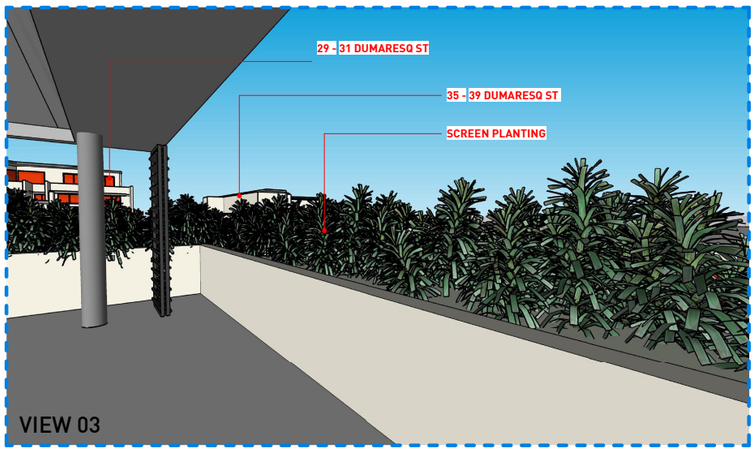

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

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Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
VISUAL PRIVACY STUDY

Status: **FOR APPROVAL**

Scale: As indicated | Job No. 21106 | Drawing No. DA701 | Rev. A
Sheet Size:
Date: 12/06/24
Drawn: RM | Reviewed: DY

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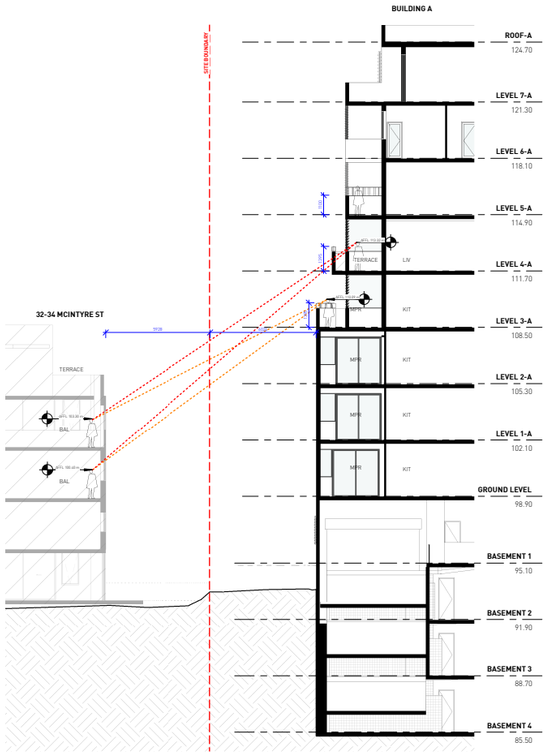

2 DA703 **A303 TO 32-34 MCINTYRE ST**
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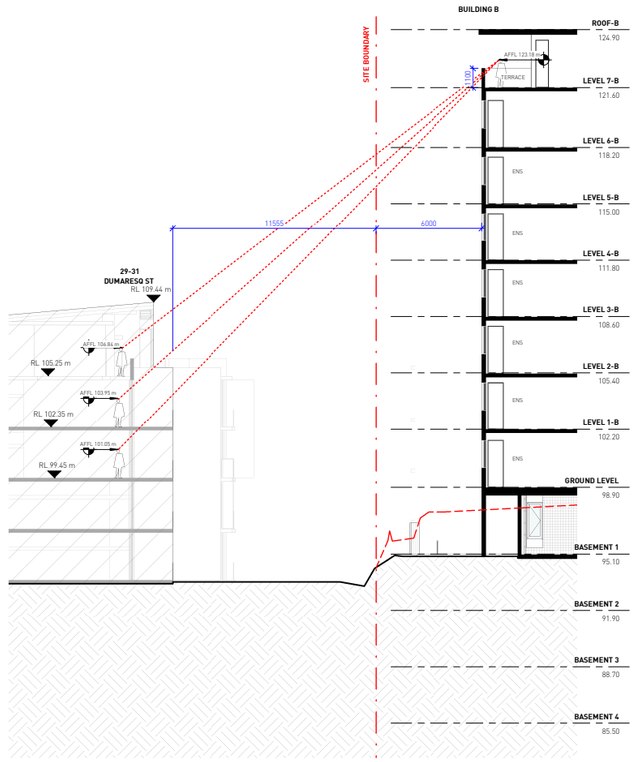

1 DA703 **B601 UPPER TO 29-31 DUMARESQ ST**
1 : 150

No.	Date	Description
A	2025.06.13	FOR APPROVAL

Amendments

GILES TRIBE
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Giles Tribe Pty Ltd ABN 50 001259 507

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
VISUAL PRIVACY STUDY

Status:
FOR APPROVAL

Scale: 1 : 150
Job No. 21106
Drawing No. DA703
Rev. A
Sheet Size:
Date: 12/06/24
Drawn: RM
Reviewed: DY

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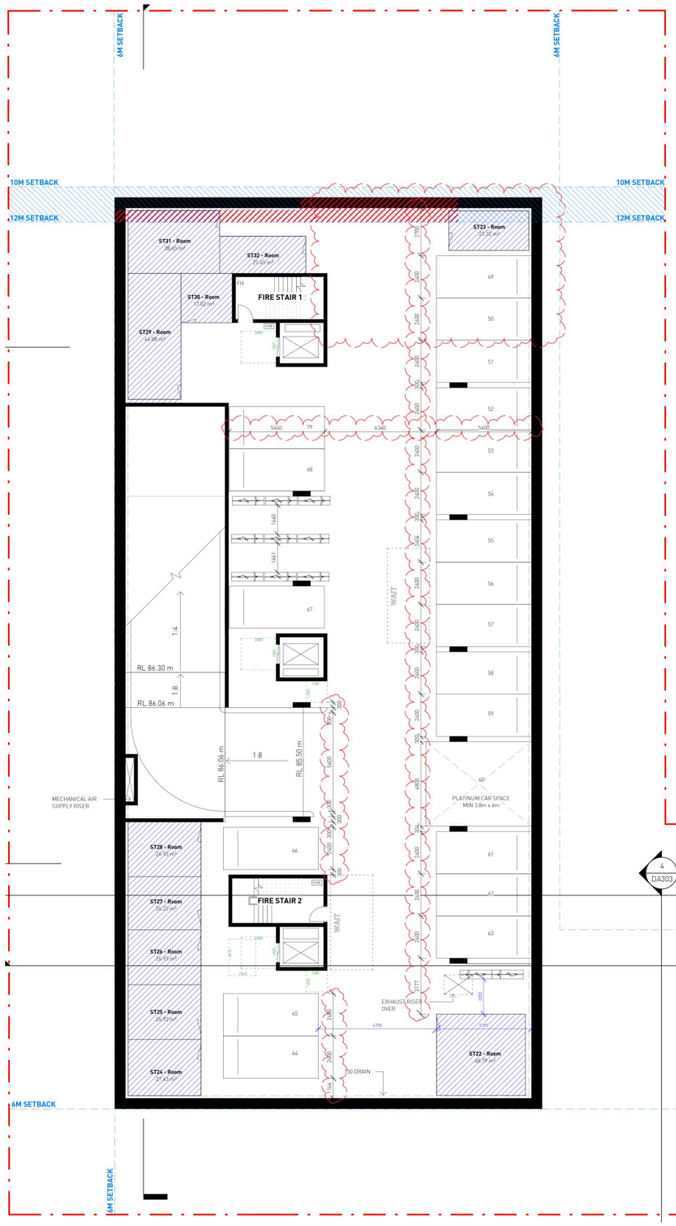
APPROVED S34 DRAWINGS



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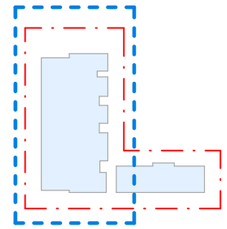

BASEMENT 4

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
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Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - BASEMENT LEVEL 4

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA800	A
Date:	08/25/25			
Drawn:	Author	Reviewed:	Checker	

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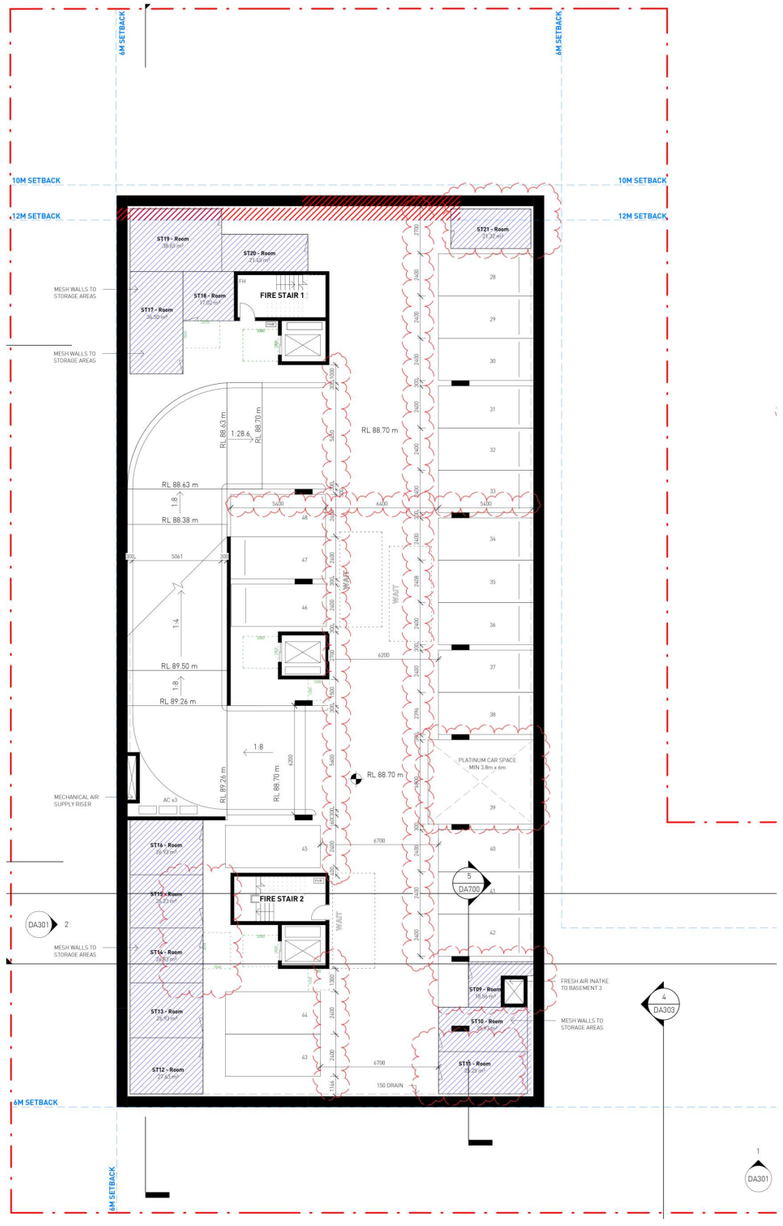

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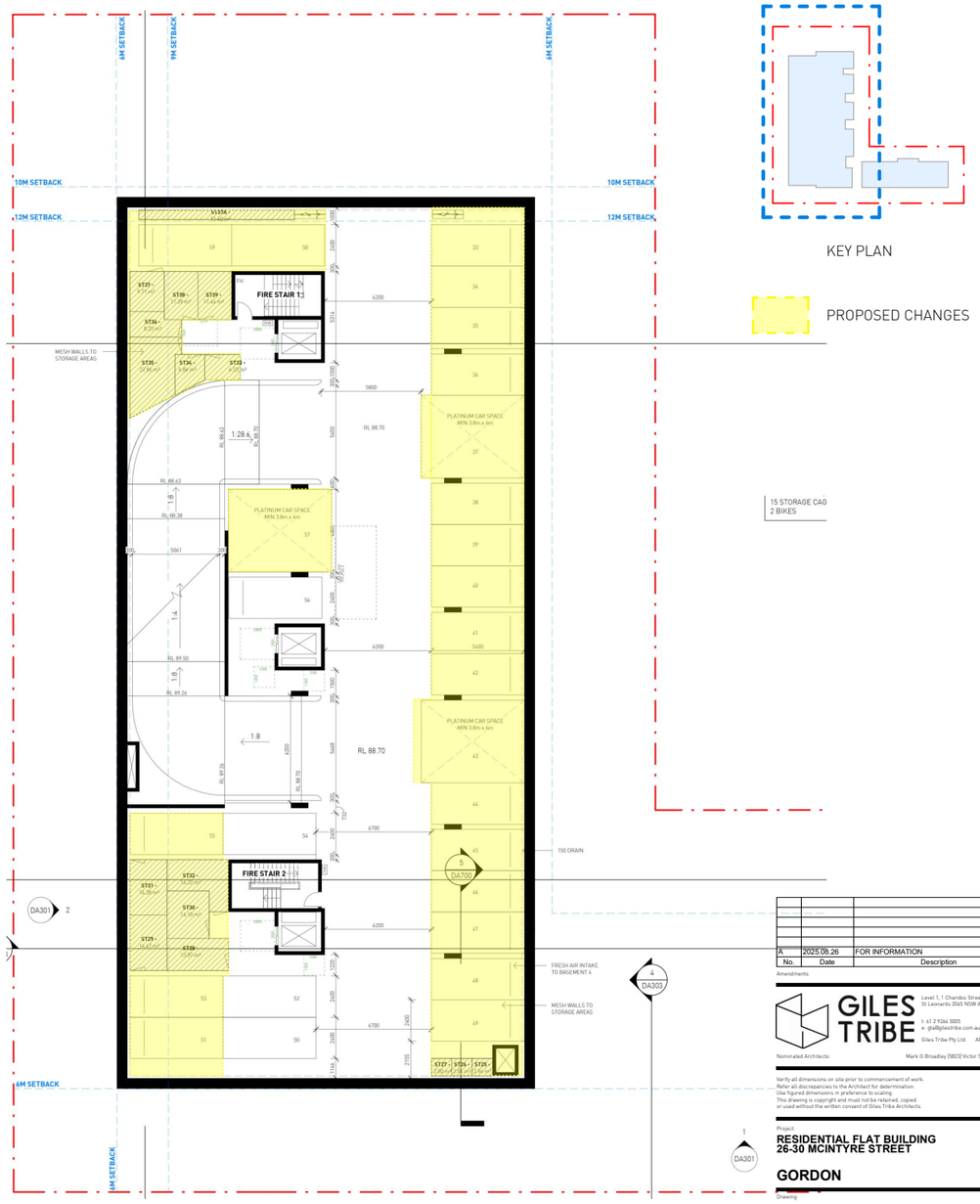

KEY PLAN

PROPOSED CHANGES

15 STORAGE CAG
2 BIKES

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - BASEMENT LEVEL 3

Status:
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Scale: 1 : 100
Job No.: 21106
Drawing No.: DA801
Rev.: A
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Date: 08/25/25
Drawn: Author
Reviewed: Checker

BASEMENT 3

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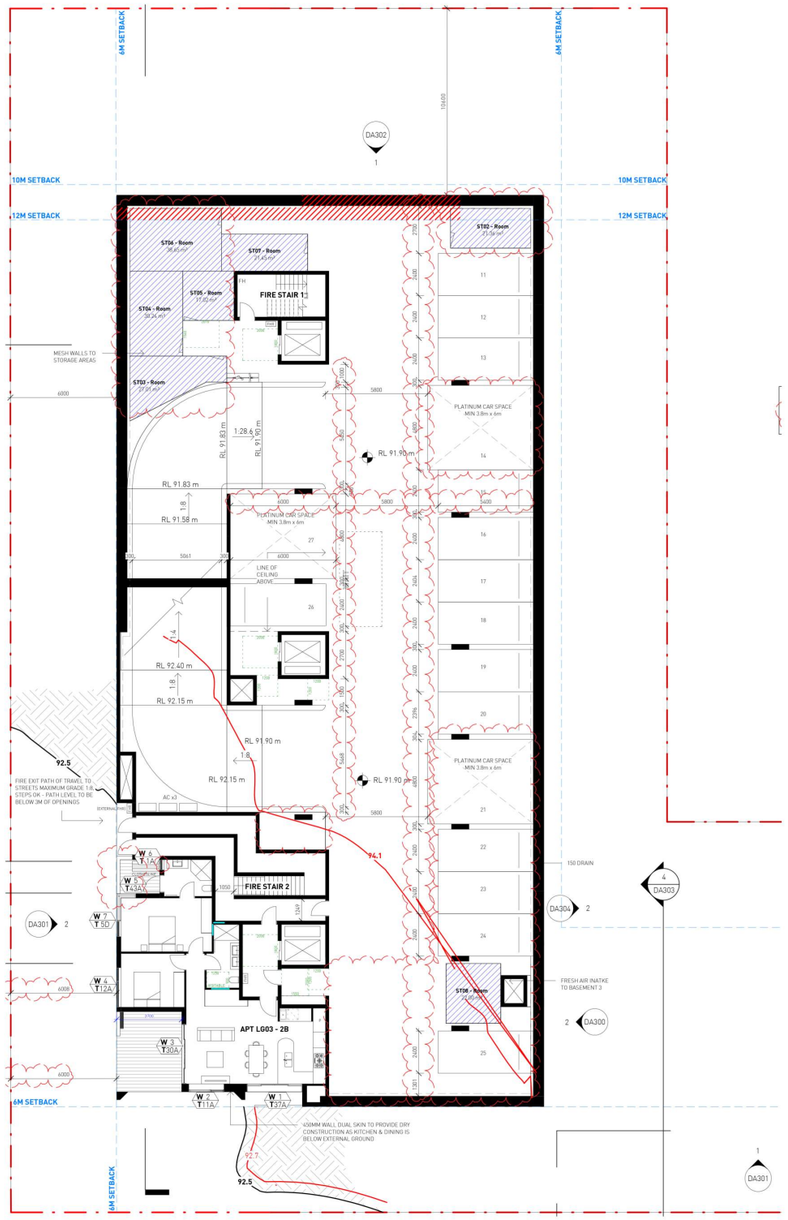
SCALE 1:100

APPROVED S34 DRAWINGS



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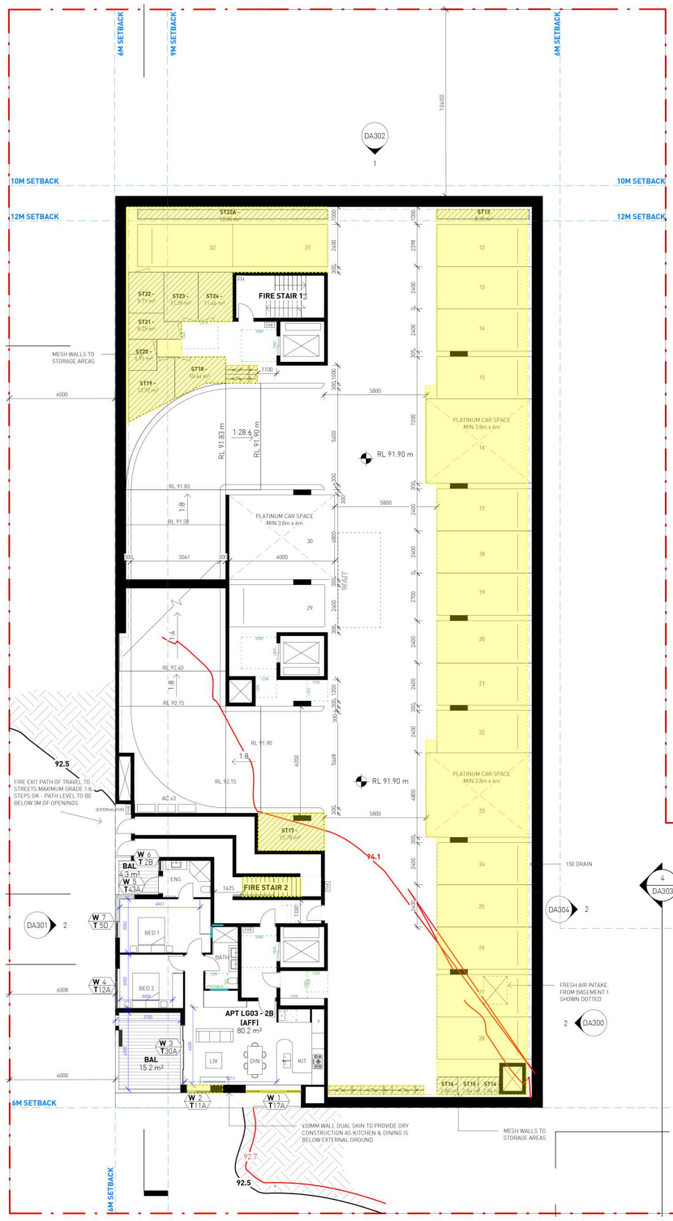

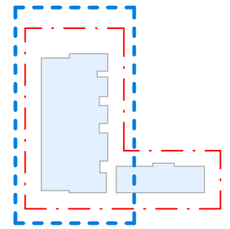

KEY PLAN

PROPOSED CHANGES

BASEMENT 2

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
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Giles Tribe Pty Ltd ABN 50 007259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - BASEMENT LEVEL 2

Status: **FOR INFORMATION**

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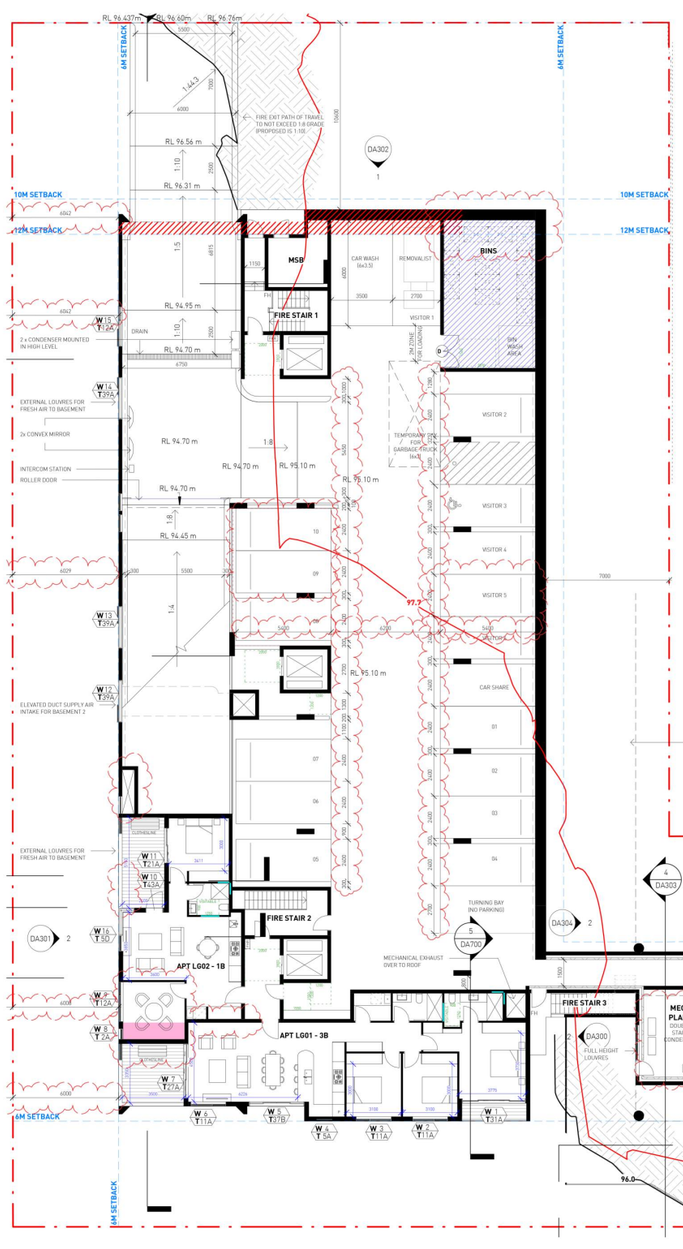

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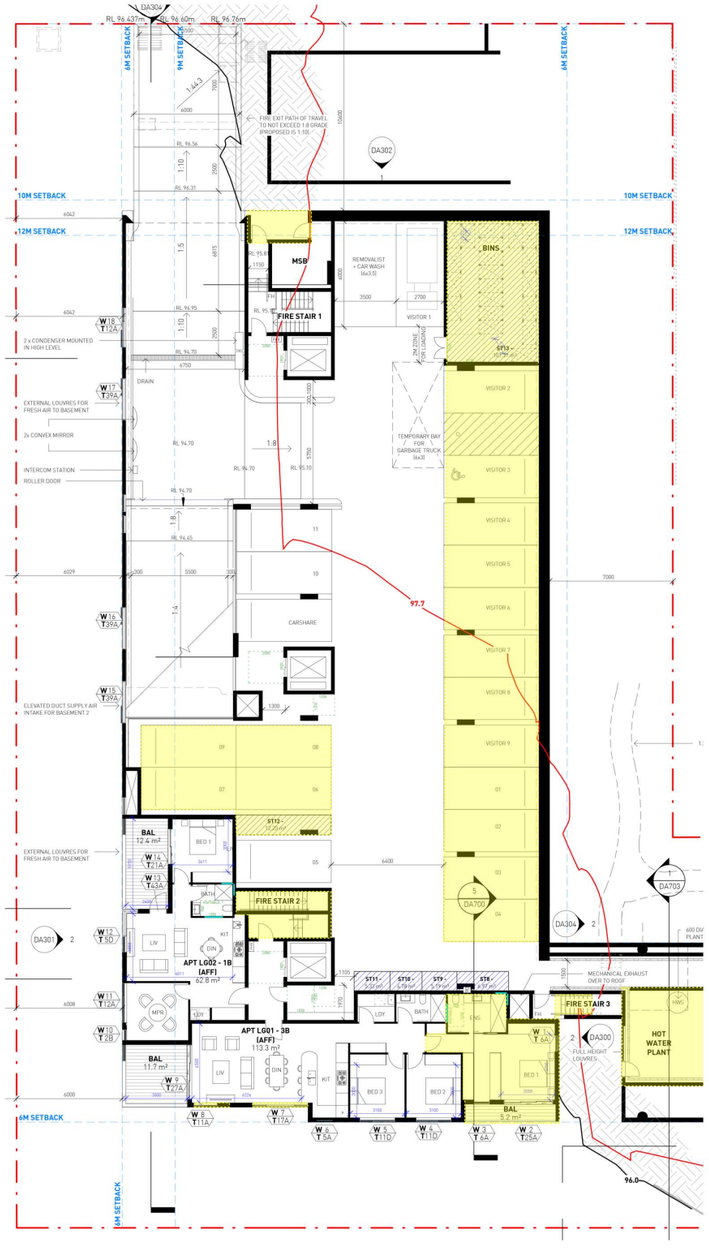

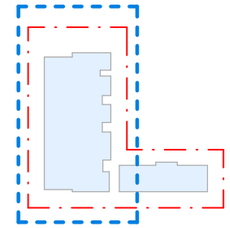

KEY PLAN

PROPOSED CHANGES

BASEMENT 1

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
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Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [3823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - BASEMENT LEVEL 1

Status: FOR INFORMATION

Scale: 1 : 100
Job No. 21106
Drawing No. DA803
Rev. A
Sheet Size:
Date: 08/25/25
Drawn: Author
Reviewed: Checker

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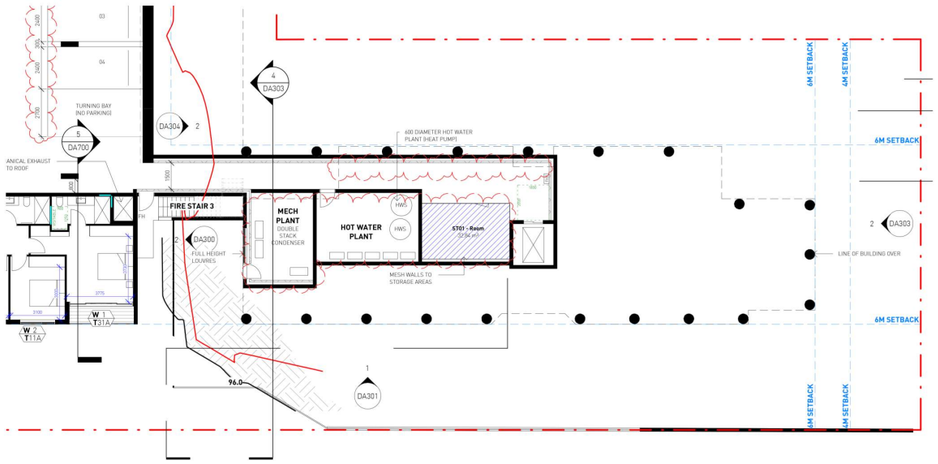
APPROVED S34 DRAWINGS



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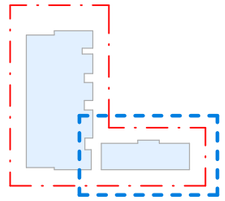
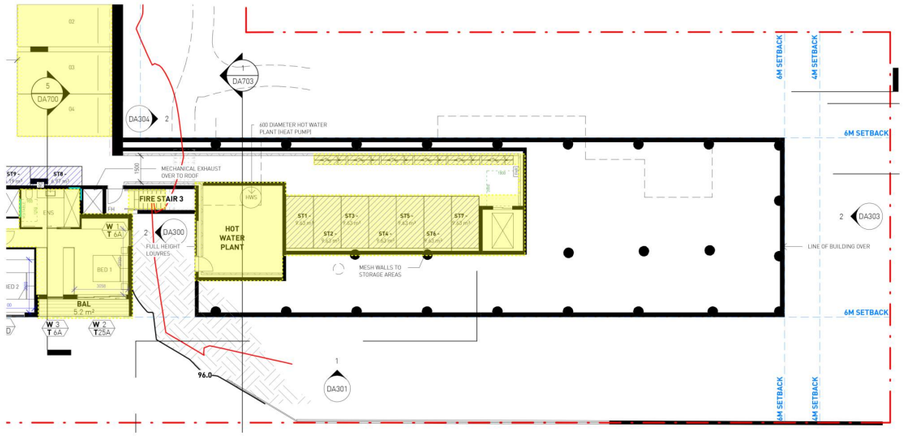


KEY PLAN

PROPOSED CHANGES



BASEMENT 1

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
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e. gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS -
BASEMENT LEVEL 1

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA804	A
Date:	08/25/25			
Drawn:	Author	Reviewed:	Checker	

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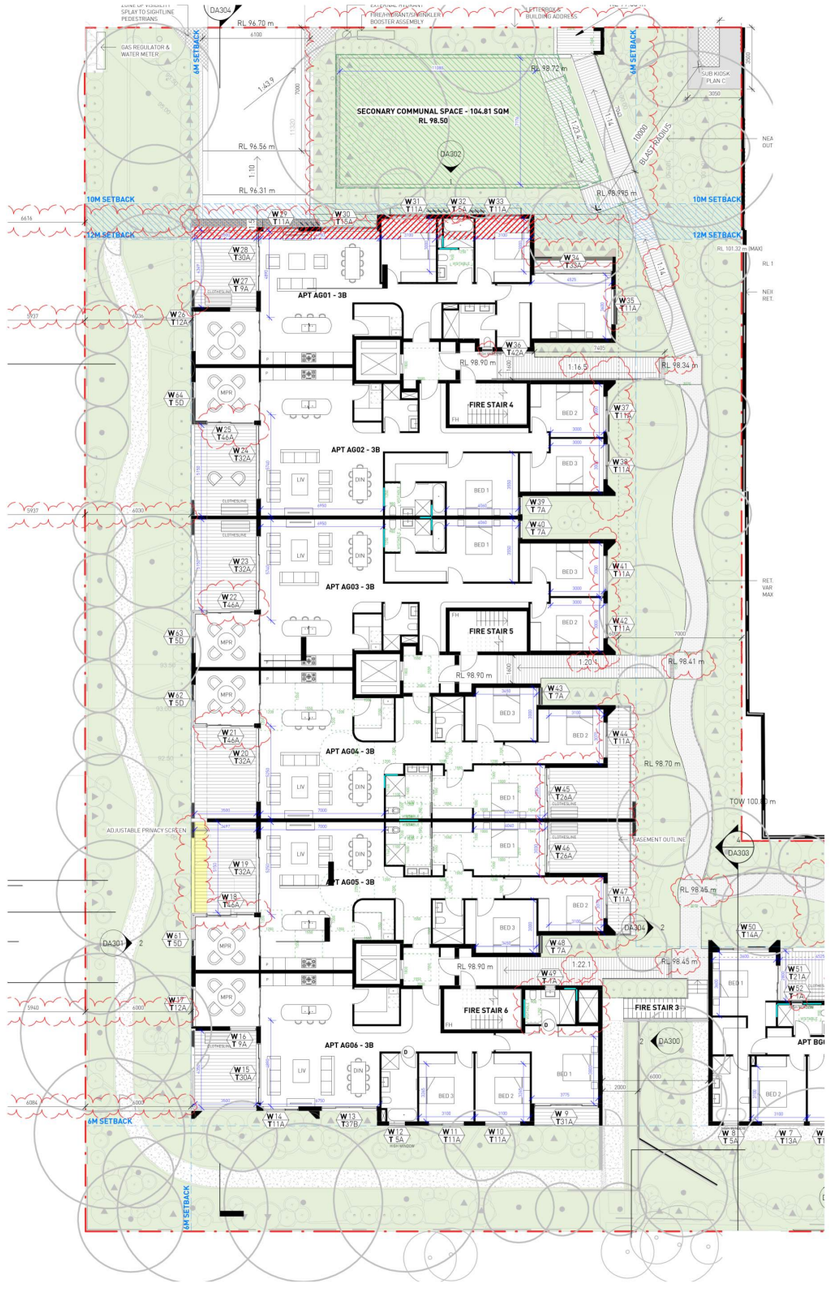
APPROVED S34 DRAWINGS



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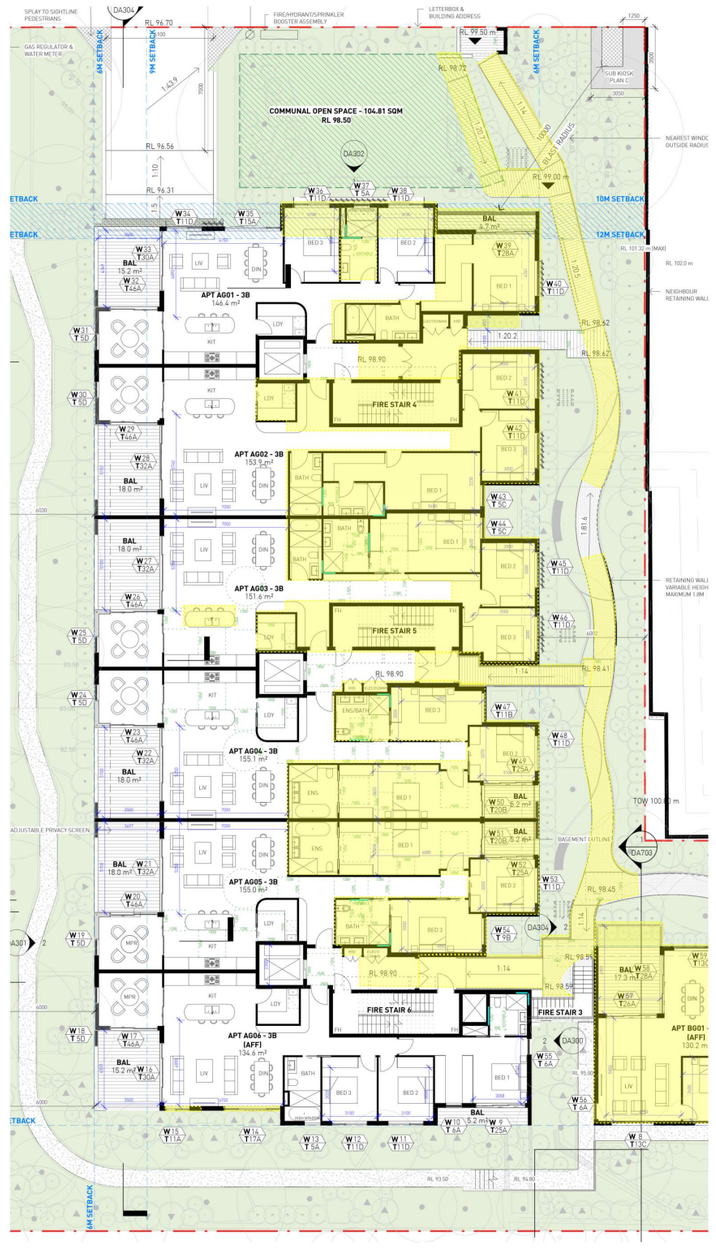

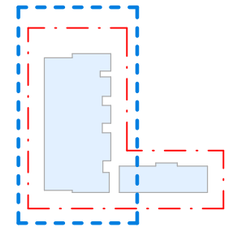

KEY PLAN

PROPOSED CHANGES

GROUND LEVEL

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley 10823| Victor Schnaider 11137

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing
COMPARISON DRAWINGS - GROUND

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No. Rev.
Sheet Size:		21106	DA805 A
Date:	08/25/25		
Drawn:	Author	Reviewed	Checker

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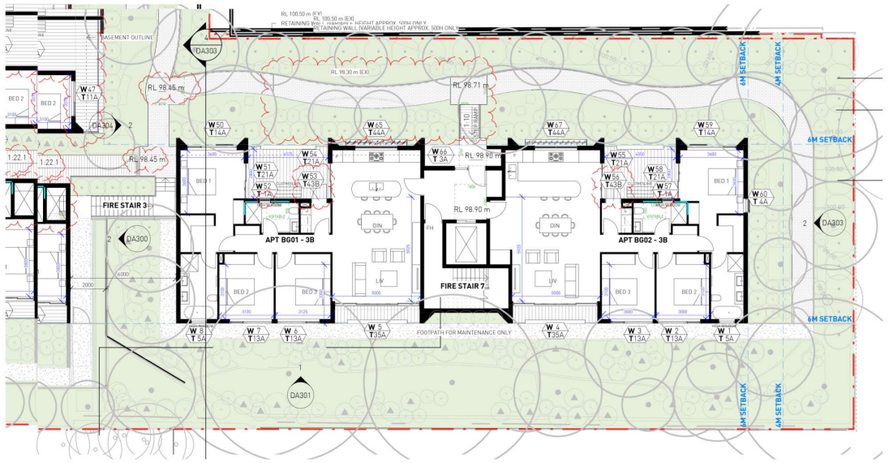
APPROVED S34 DRAWINGS



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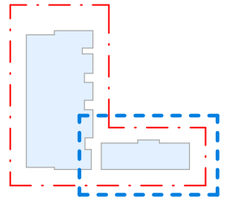
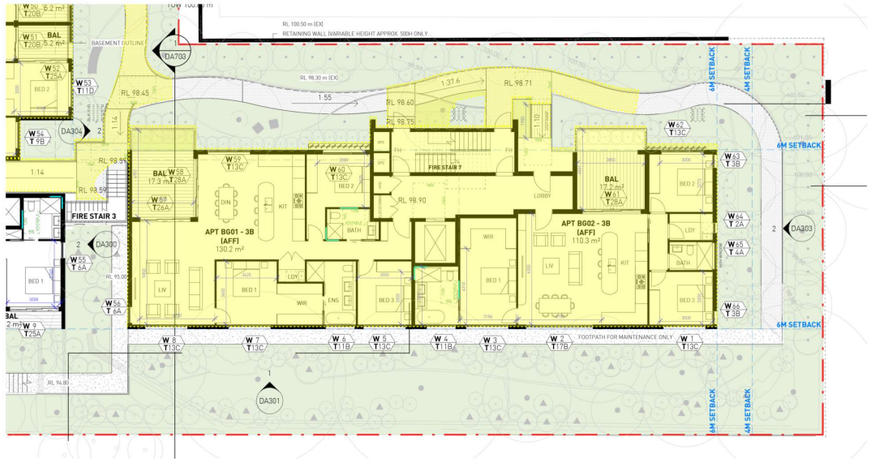


KEY PLAN

PROPOSED CHANGES



GROUND LEVEL

0 1m 2m 5m 10m
SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9244 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [9822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

COMPARISON DRAWINGS - GROUND

Status:

FOR INFORMATION

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA806 | Rev. A
Sheet Size:
Date: 08/25/25
Drawn: Author | Reviewed: Checker

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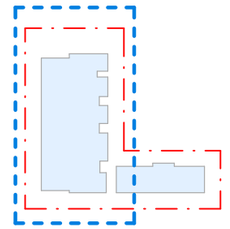
APPROVED S34 DRAWINGS



PROPOSED





KEY PLAN

PROPOSED CHANGES

LEVEL 1

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9246 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11197]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 1

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No. Rev.
Sheet Size:		21106	DA807 A
Date:	08/25/25		
Drawn:	Author	Reviewed	Checker

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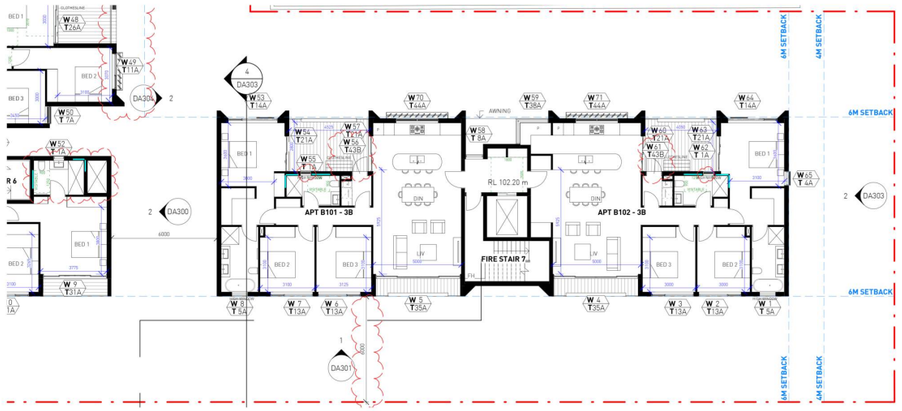
APPROVED S34 DRAWINGS



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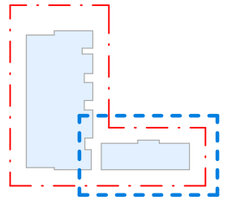
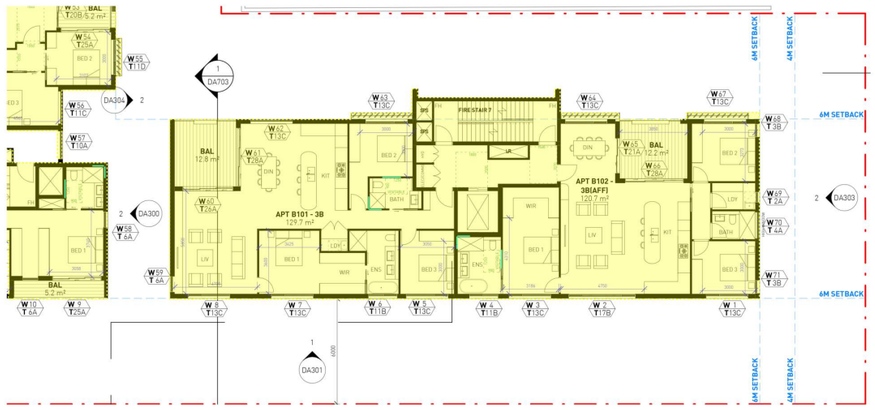


KEY PLAN

PROPOSED CHANGES



LEVEL 1

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5803] Victor Schneider [11137]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing
COMPARISON DRAWINGS
LEVEL 1

Status
FOR INFORMATION

Scale	Job No.	Drawing No.	Rev.
1 : 100	21106	DA808	A

Sheet Size:
Date: 08/25/25
Drawn: Author Reviewed: Checker

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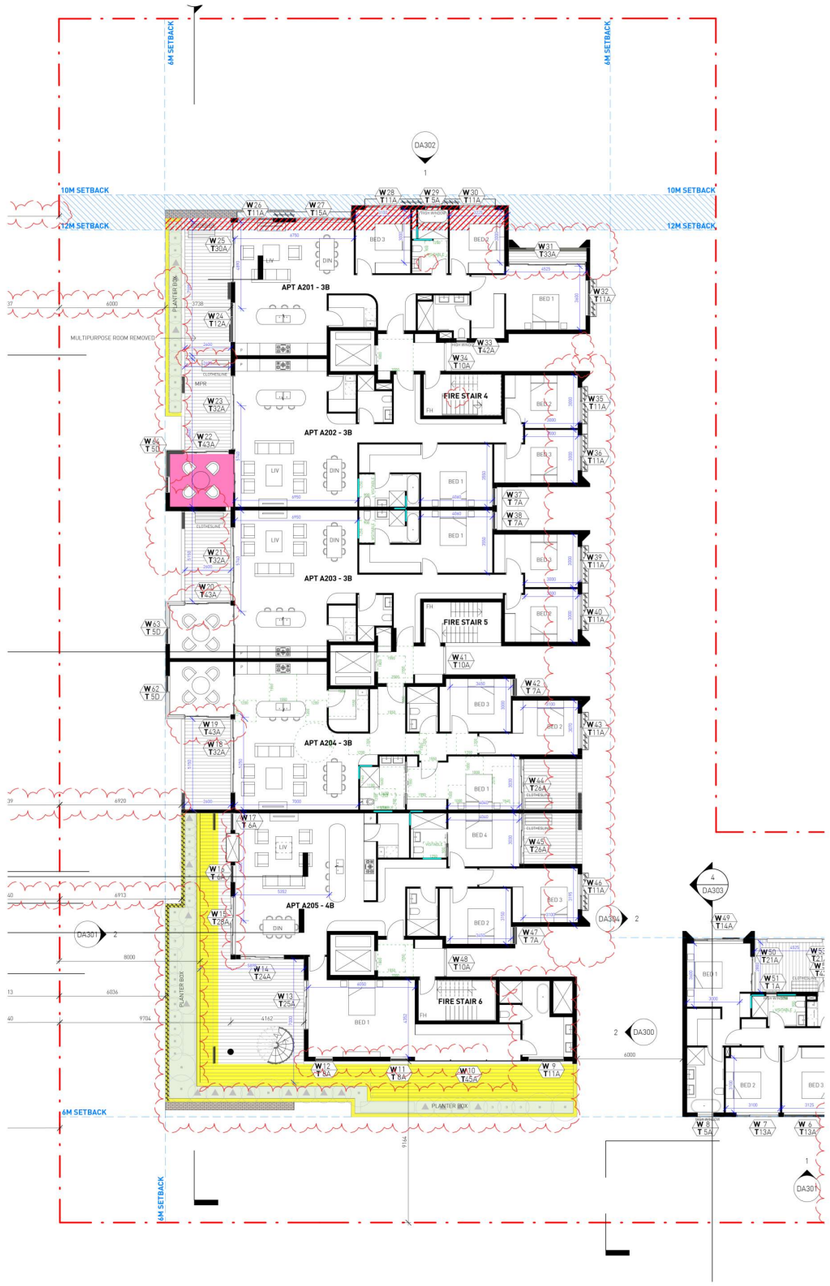
APPROVED S34 DRAWINGS



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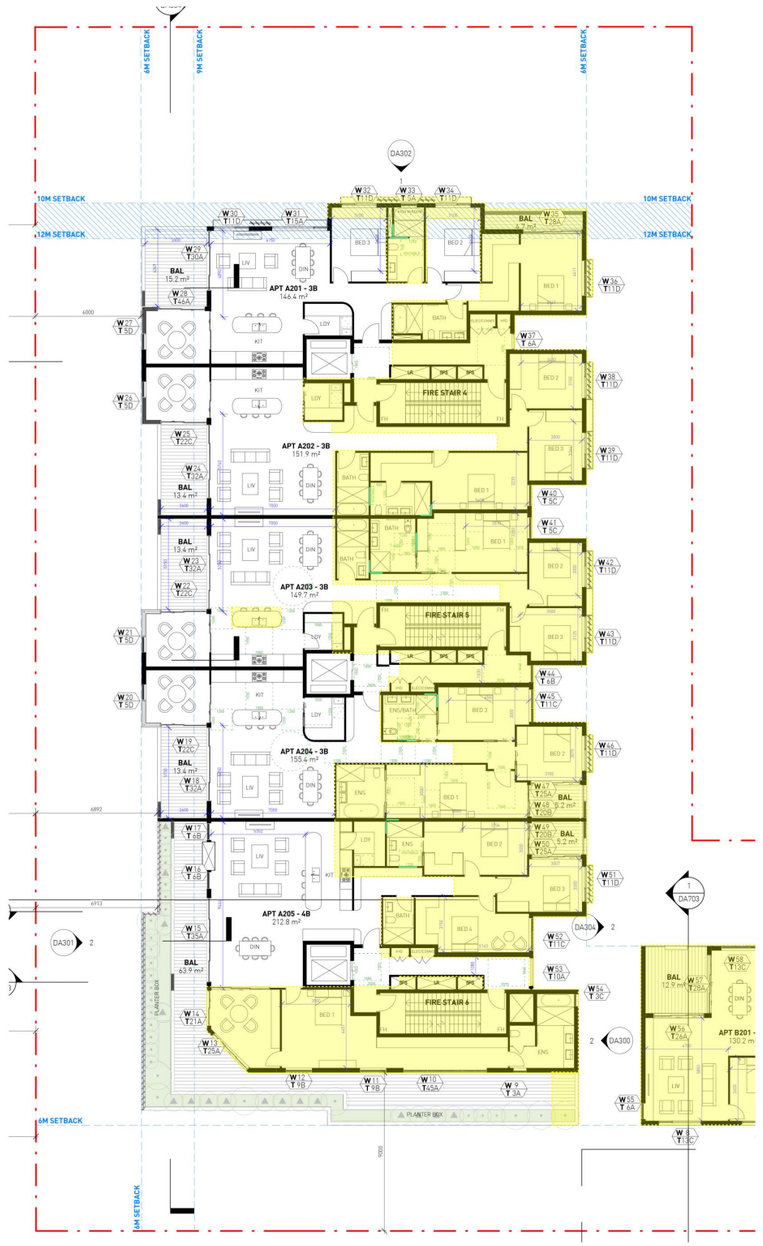

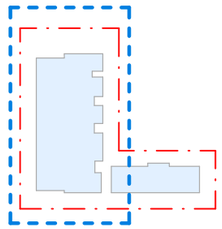

KEY PLAN

PROPOSED CHANGES

LEVEL 2

0 1m 2m 5m 10m

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 2

Status:
FOR INFORMATION

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA809 | Rev. A

Sheet Size:

Date: 08/25/25

Drawn: Author | Reviewed: Checker

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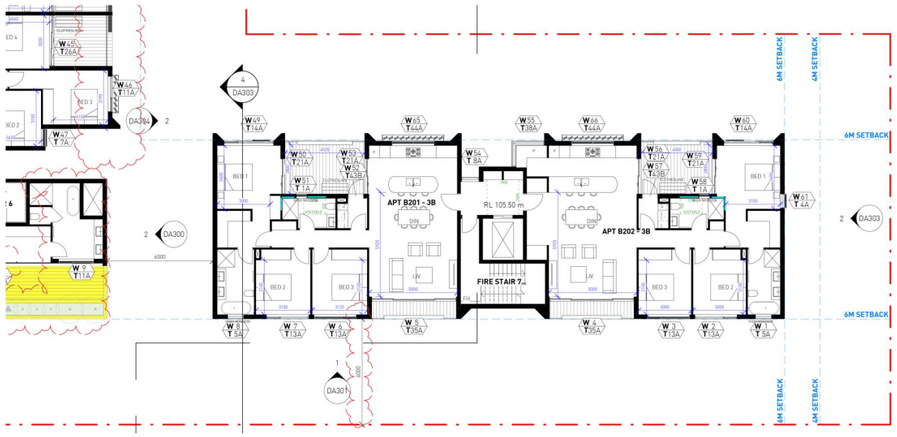
APPROVED S34 DRAWINGS



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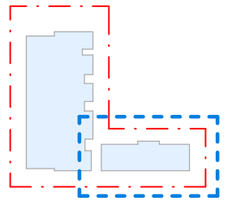

KEY PLAN

PROPOSED CHANGES



LEVEL 2

0 1m 2m 5m 10m
SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9266 5005
e. gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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or used without the written consent of Giles Tribe Architects.

Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

COMPARISON DRAWINGS
LEVEL 2

Status:

FOR INFORMATION

Scale:	1 : 100	Job No. 21106	Drawing No. DA810 Rev. A
Sheet Size:			
Date:	08/25/25		
Drawn:	Author	Reviewed: Checker	

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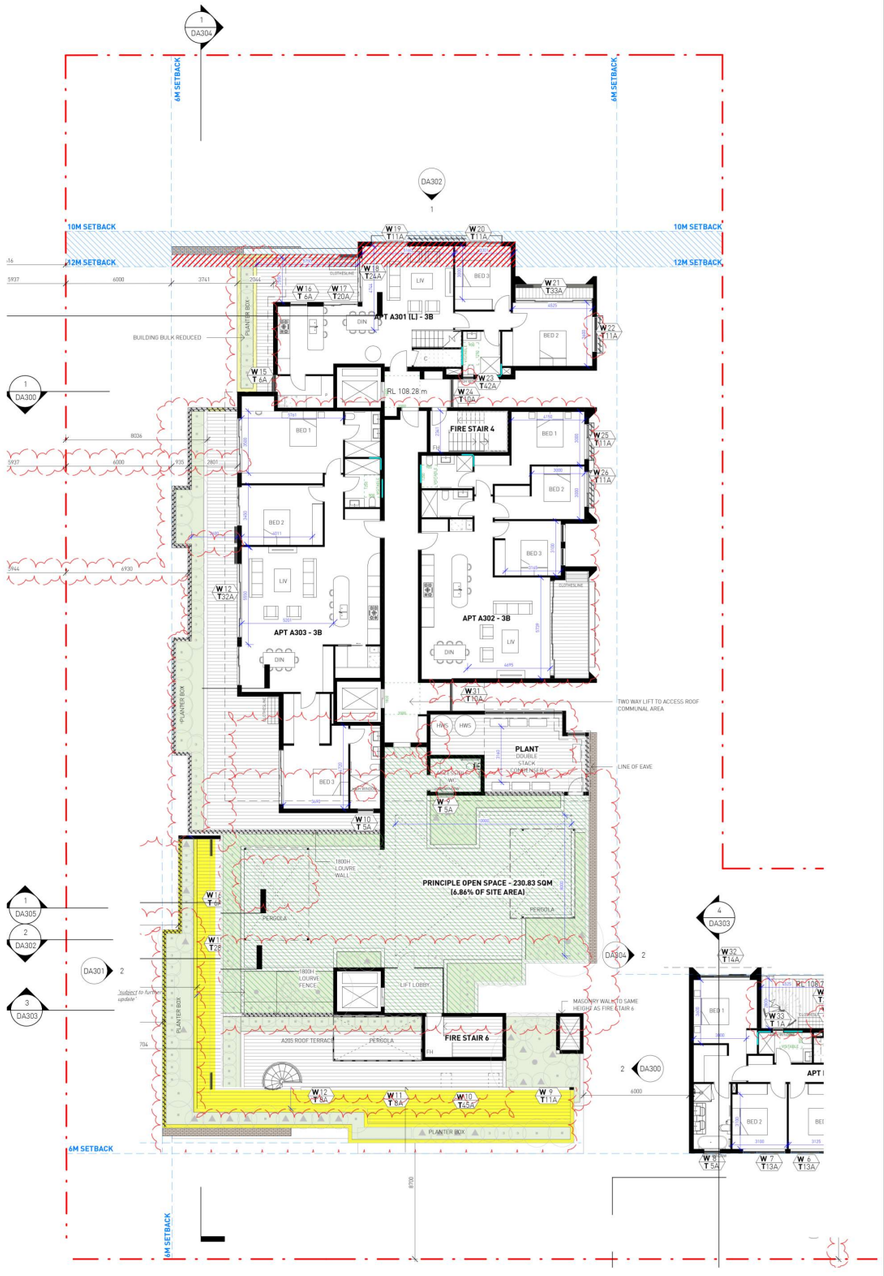
APPROVED S34 DRAWINGS



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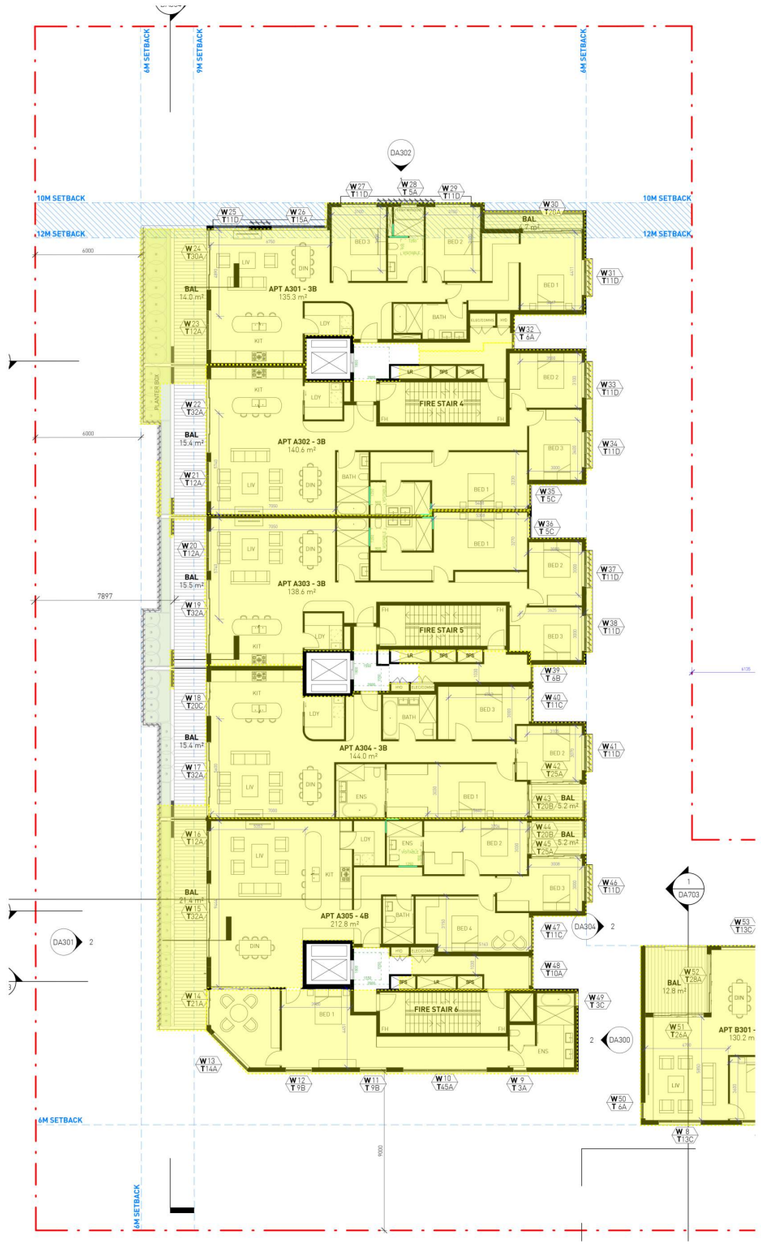

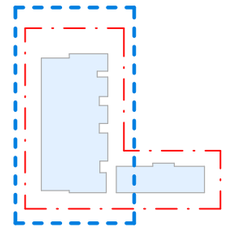

KEY PLAN

PROPOSED CHANGES

LEVEL 3

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9244 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 3

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA811	A
Date:	08/25/25			
Drawn:	Author	Reviewed	Checker	

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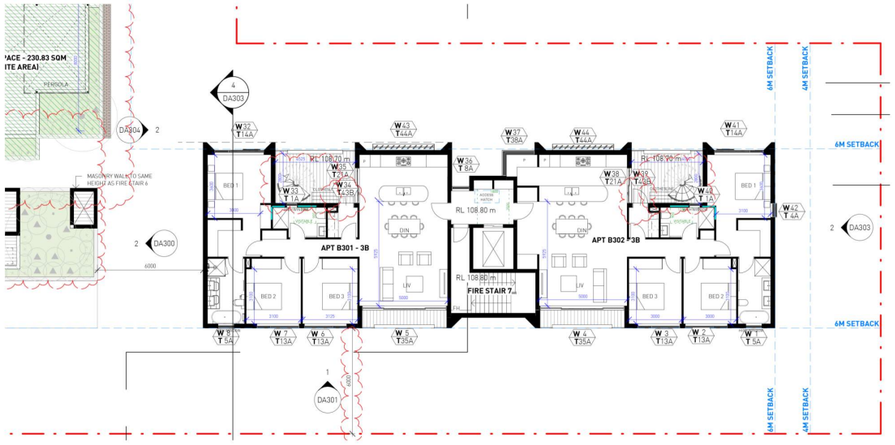
aHoskins-LKR_rscheuler-mac@VIEN26.rvt

APPROVED S34 DRAWINGS



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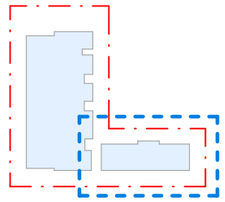
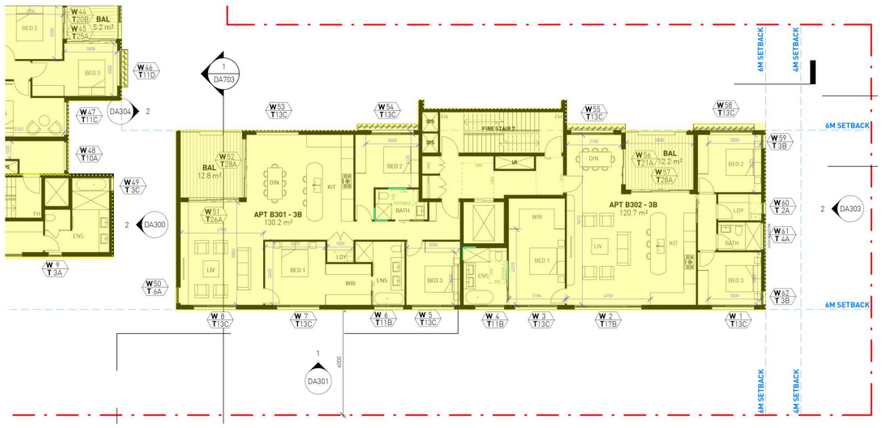


KEY PLAN

PROPOSED CHANGES



No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9264 5005
e: gta@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 3

Status:
FOR INFORMATION

Scale: 1 : 100
Job No. 21106
Drawing No. DA812
Rev. A
Sheet Size:
Date: 08/25/25
Drawn: Author
Reviewed: Checker

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LEVEL 3

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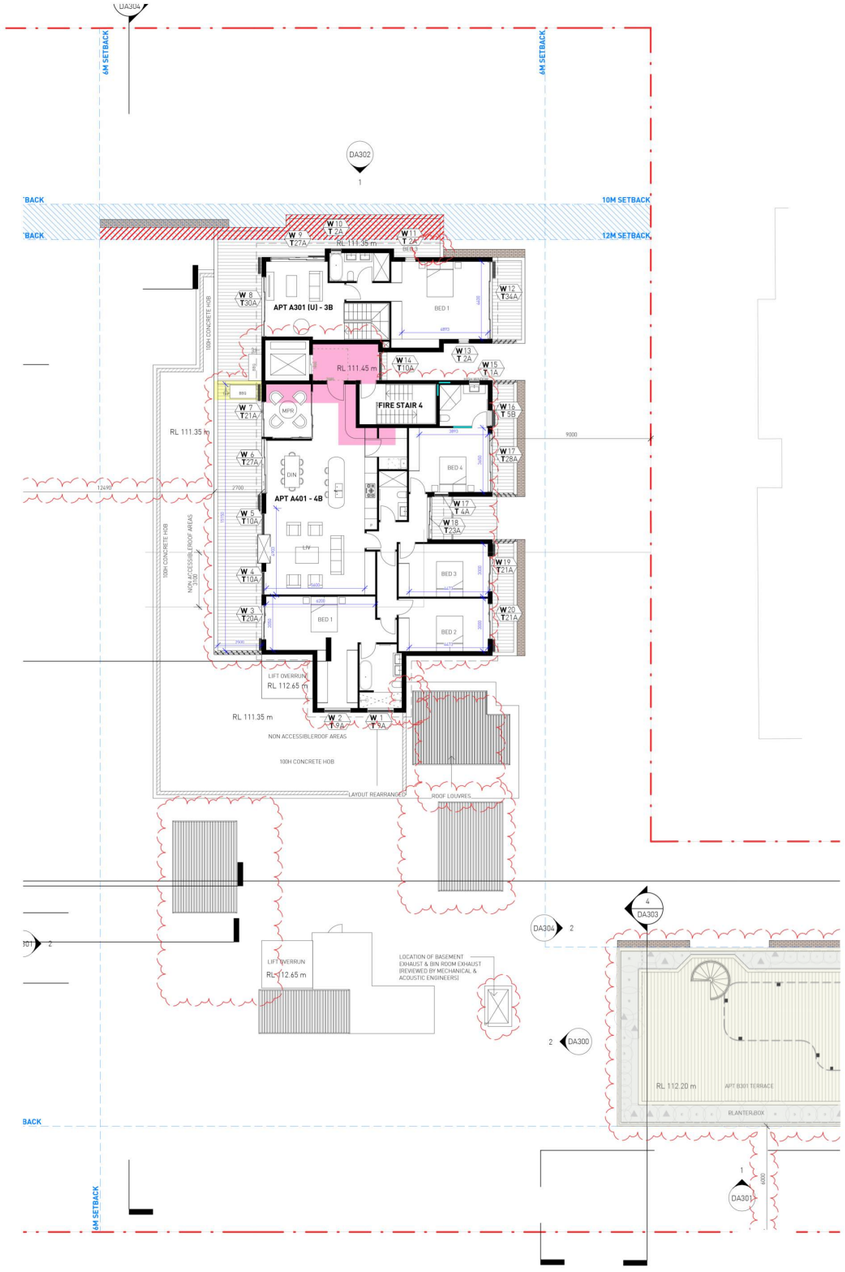
SCALE 1:100

APPROVED S34 DRAWINGS



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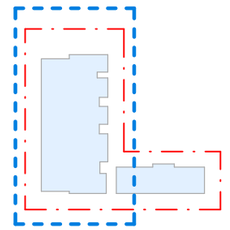

KEY PLAN

PROPOSED CHANGES

LEVEL 4

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9246 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 007259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11137]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 4

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No. / Rev.
Sheet Size:		21106	DA813 A
Date:	08/25/25		
Drawn:	Author	Reviewed:	Checker

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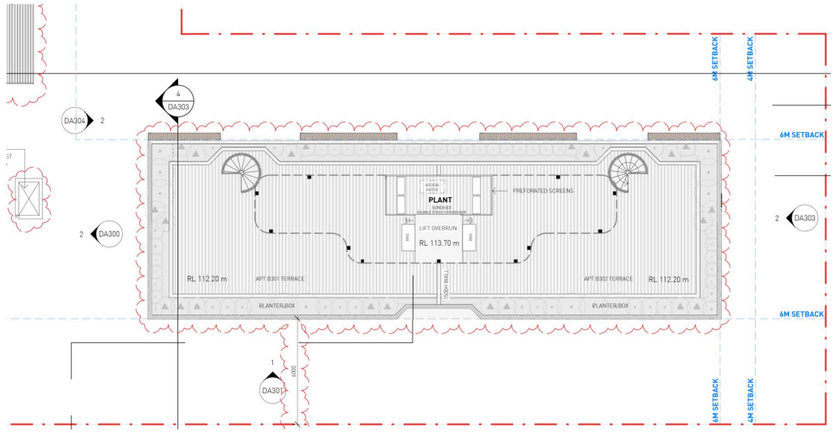
APPROVED S34 DRAWINGS



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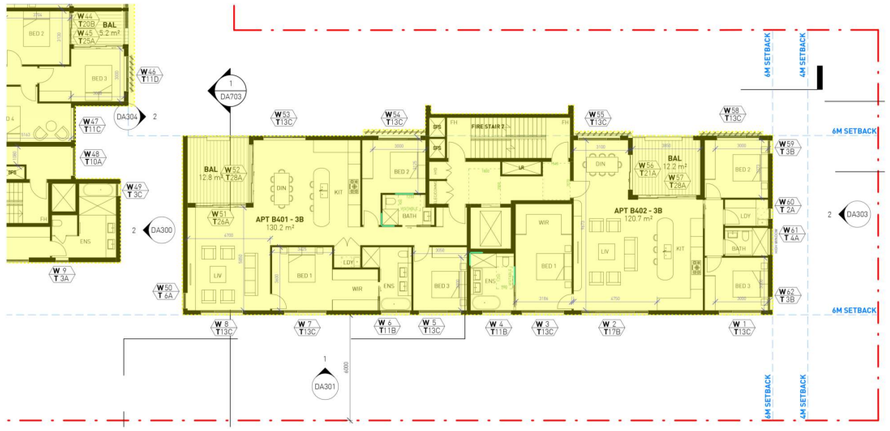



LEVEL 4

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9244 5005
e: gtal@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 4

Status:
FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA814	A
Date:	08/25/25			
Drawn:	Author	Reviewed	Checker	

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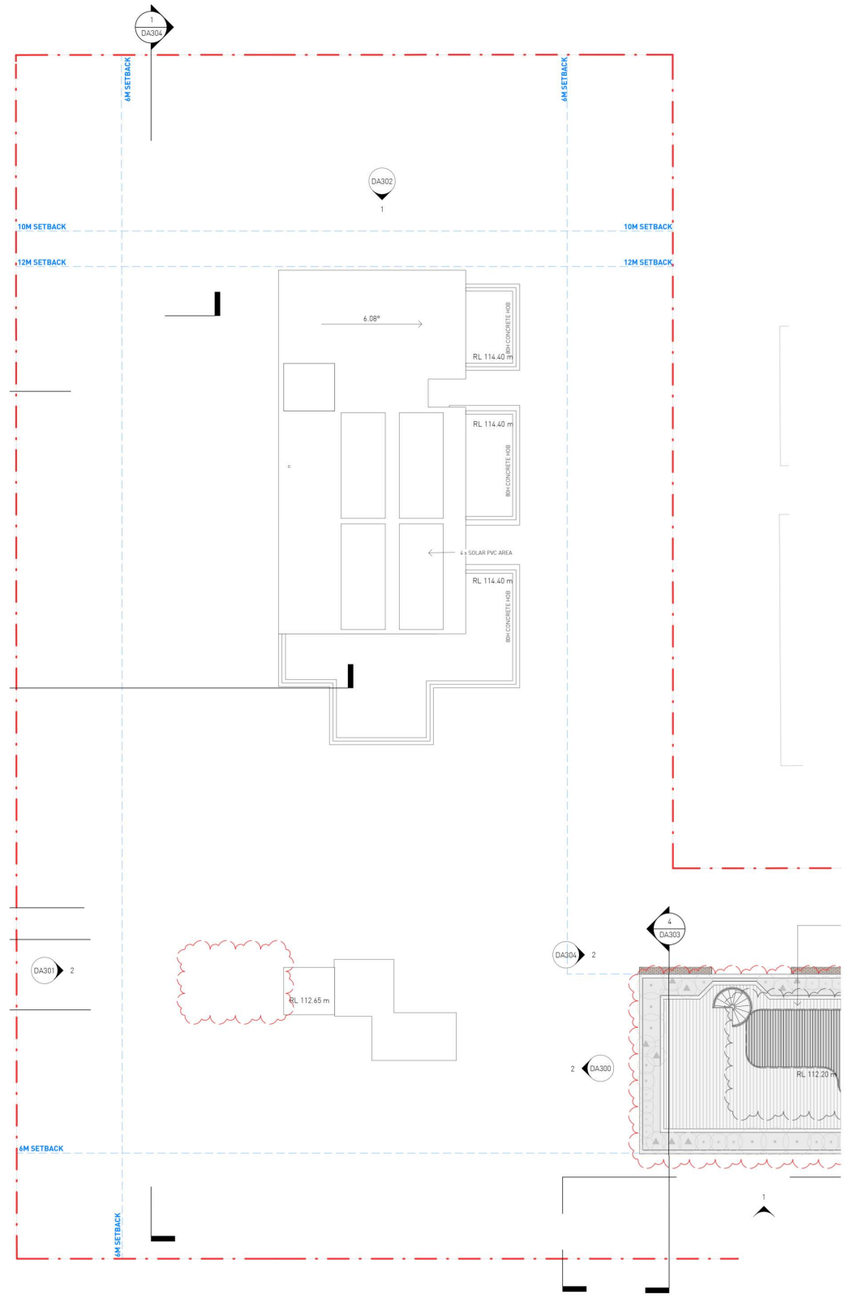
APPROVED S34 DRAWINGS



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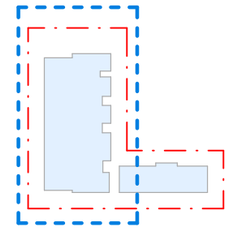

LEVEL 5

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 5

Status: FOR INFORMATION

Scale: 1 : 100 | Job No. 21106 | Drawing No. DA815 | Rev. A

Sheet Size:
Date: 08/25/25
Drawn: Author | Reviewed: Checker

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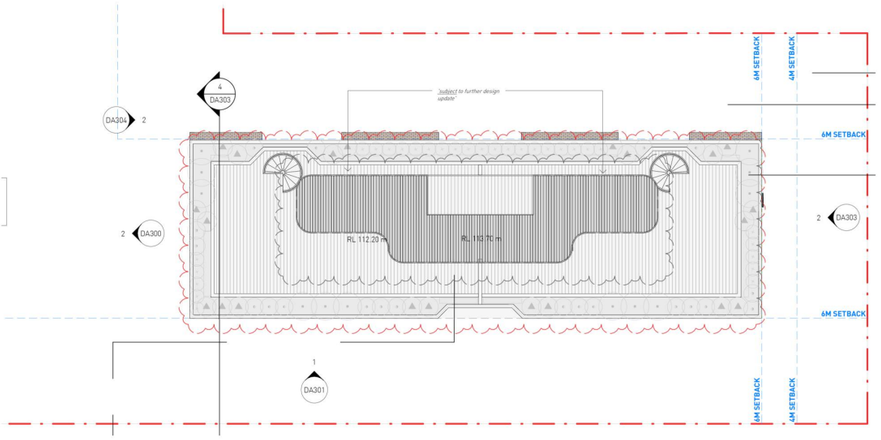
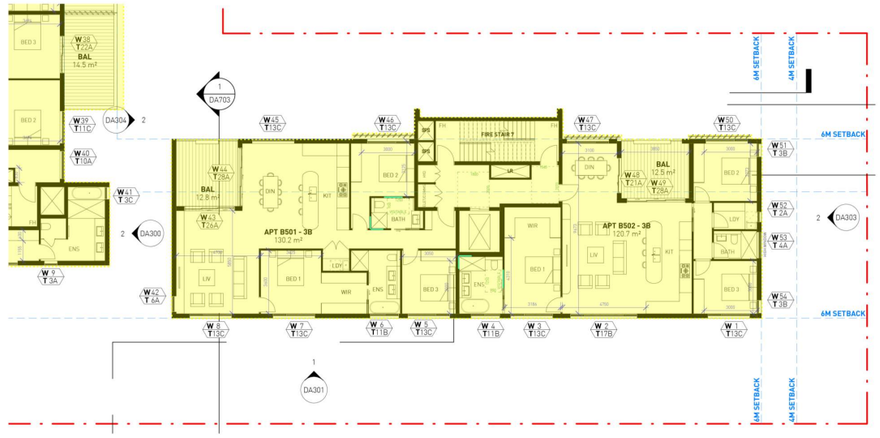
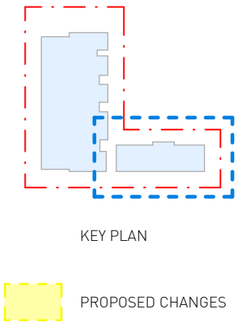
APPROVED S34 DRAWINGS



PROPOSED





KEY PLAN

PROPOSED CHANGES

LEVEL 5

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t. 61 2 9244 5005
e. gtal@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
Refer all discrepancies to the Architect for determination.
Use figured dimensions in preference to scaling.
This drawing is copyright and must not be retained, copied
or used without the written consent of Giles Tribe Architects.

Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 5

Status: FOR INFORMATION

Scale:	1 : 100	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA816	A
Date:	08/25/25			
Drawn:	Author	Reviewed:	Checker	

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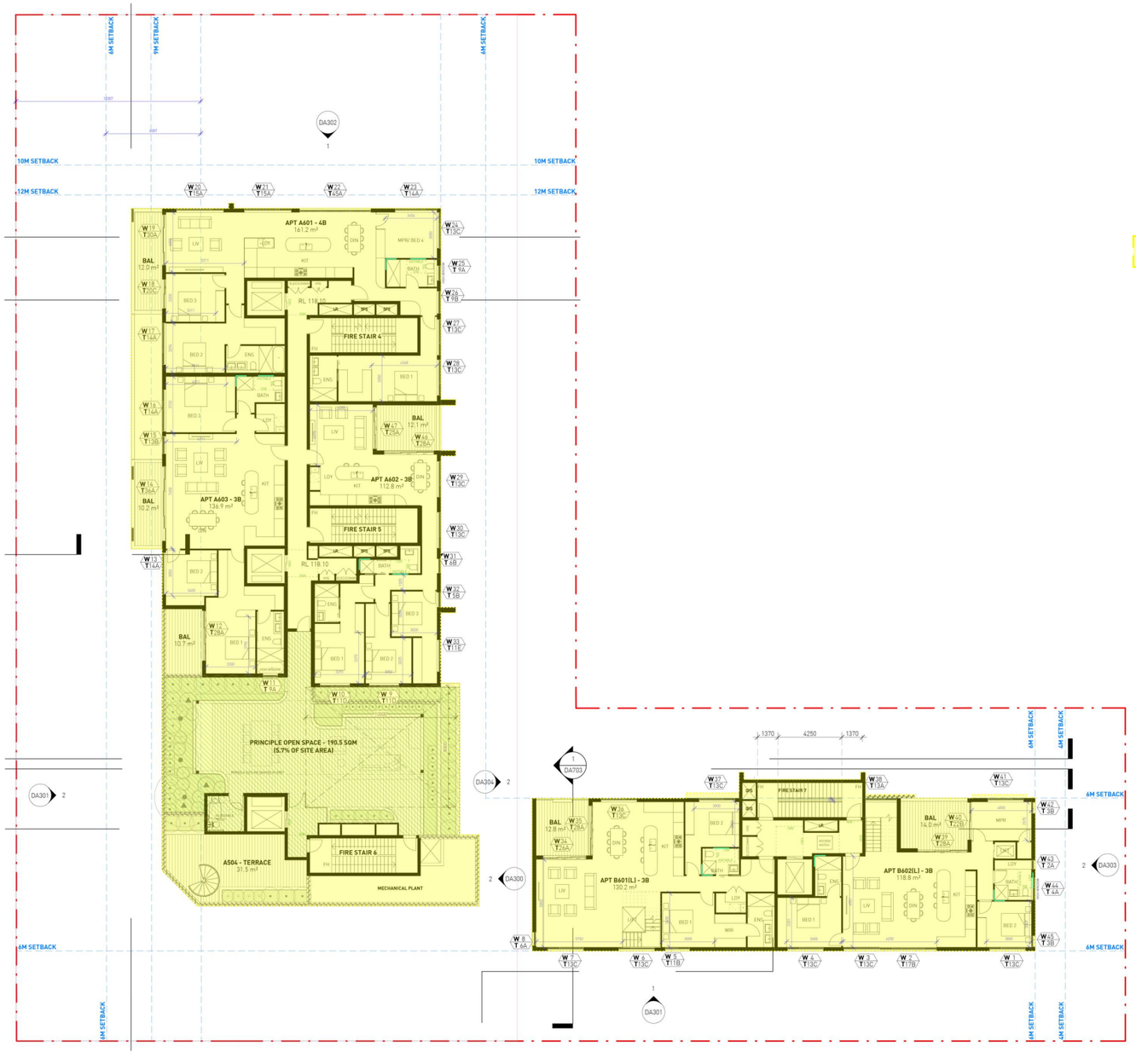
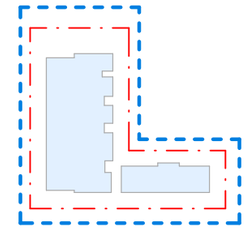
afrenzel@GILTRI_revit@r.mail.com\21106.rvt

APPROVED S34 DRAWINGS

N/A

PROPOSED





KEY PLAN

PROPOSED CHANGES

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 6

Status:
FOR INFORMATION

Scale: 1 : 100
Sheet Size:
Date: 08/25/25
Job No. 21106
Drawing No. DA817
Rev. A
Drawn: Author
Reviewed: Checker

LEVEL 6

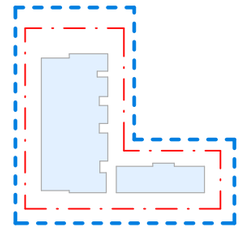
0 1m 2m 5m 10m
SCALE 1:100

APPROVED S34 DRAWINGS

N/A

PROPOSED





KEY PLAN

PROPOSED CHANGES

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gila@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
LEVEL 7

Status:
FOR INFORMATION

Scale: 1 : 100
Job No. 21106
Drawing No. DA818
Rev. A
Sheet Size:
Date: 08/25/25
Drawn: Author
Reviewed: Checker

LEVEL 7

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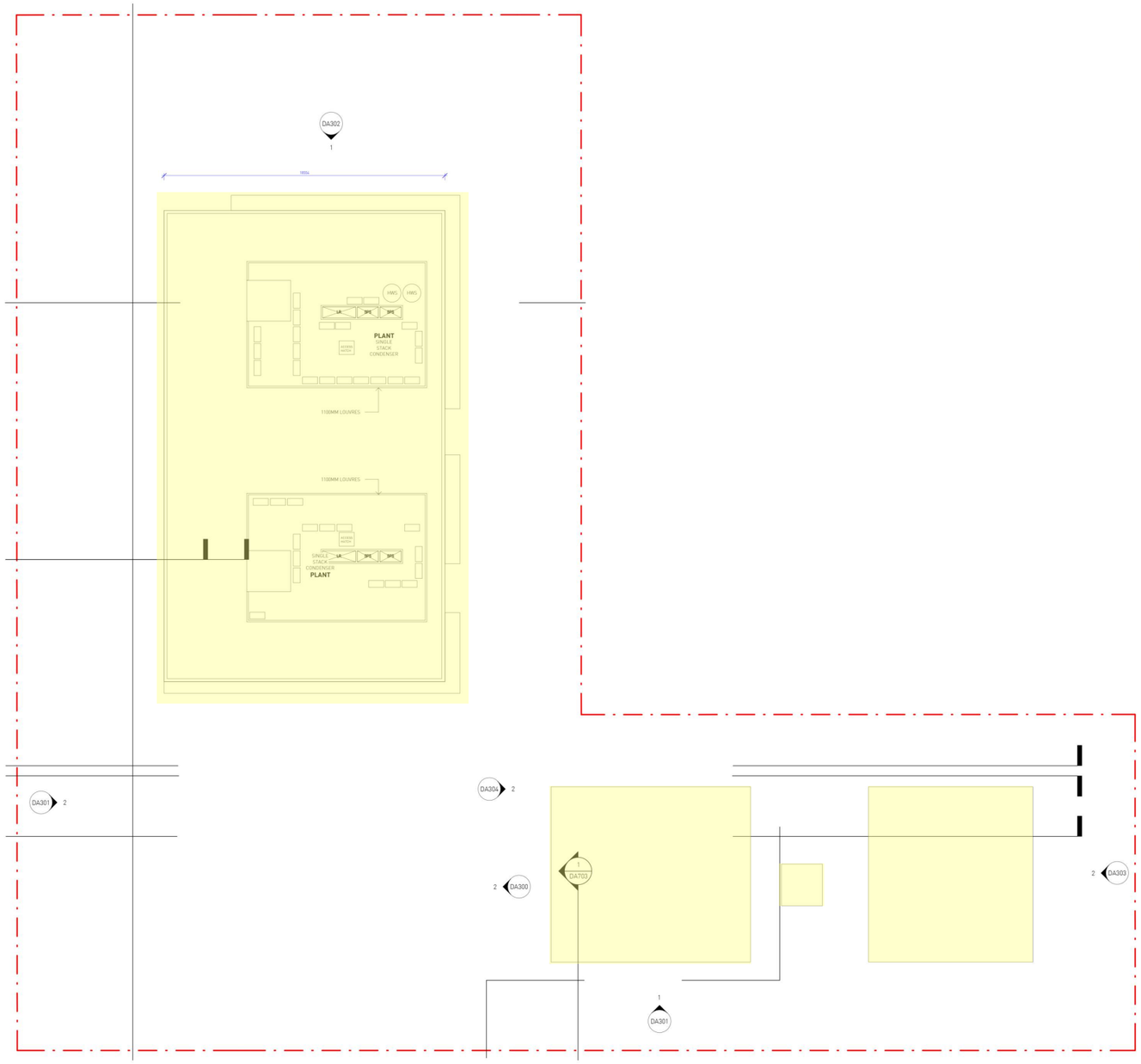
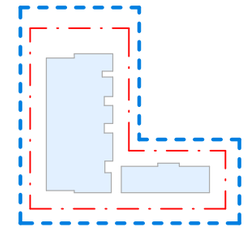
SCALE 1:100

APPROVED S34 DRAWINGS

N/A

PROPOSED





KEY PLAN

PROPOSED CHANGES

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 5005
e: gtal@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS
ROOF

Status:
FOR INFORMATION

Scale: 1 : 100
Sheet Size:
Date: 08/25/25
Drawn: Author
Job No. 21106
Drawing No. DA819
Rev. A
Reviewed Checker

ROOF LEVEL

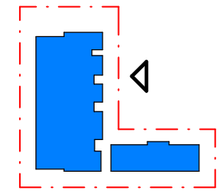
0 1m 2m 5m 10m
SCALE 1:100

APPROVED S34 DRAWINGS



EAST ELEVATION - AT FACE OF BUILDING A - S34

1 : 150



KEY PLAN

PROPOSED CHANGES

PROPOSED



EAST ELEVATION - AT FACE OF BUILDING A - PROPOSED

1 : 150

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9246 5005
e: gta@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11197]

Verify all dimensions on site prior to commencement of work.
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or used without the written consent of Giles Tribe Architects.

Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - ELEVATIONS

Status: FOR INFORMATION

Scale:	As indicated	Job No.	Drawing No. / Rev.
Sheet Size:		21106	DA820 A
Date:	08/26/25		
Drawn:	Author	Reviewed	Checker

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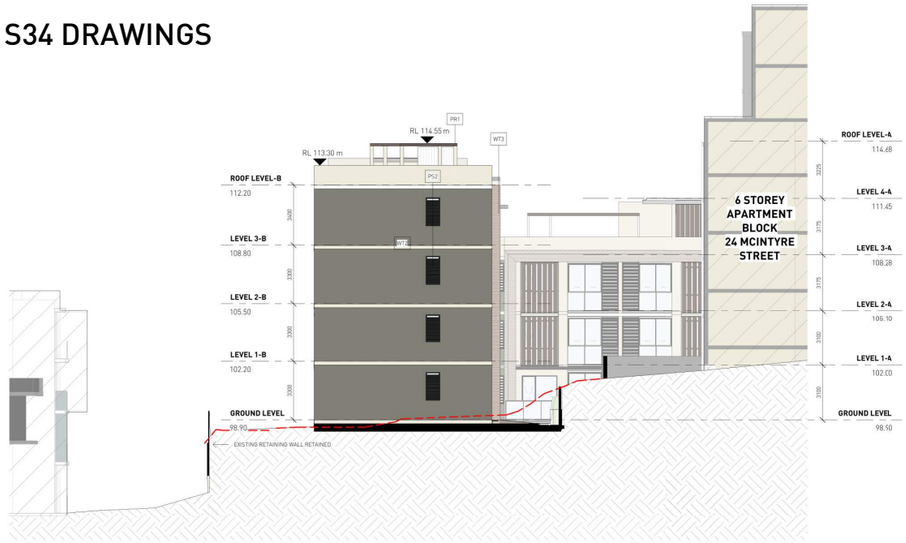
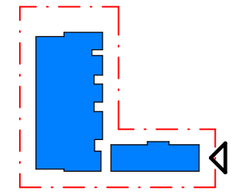
APPROVED S34 DRAWINGS



EAST ELEVATION - AT FACE OF BUILDING B - S34

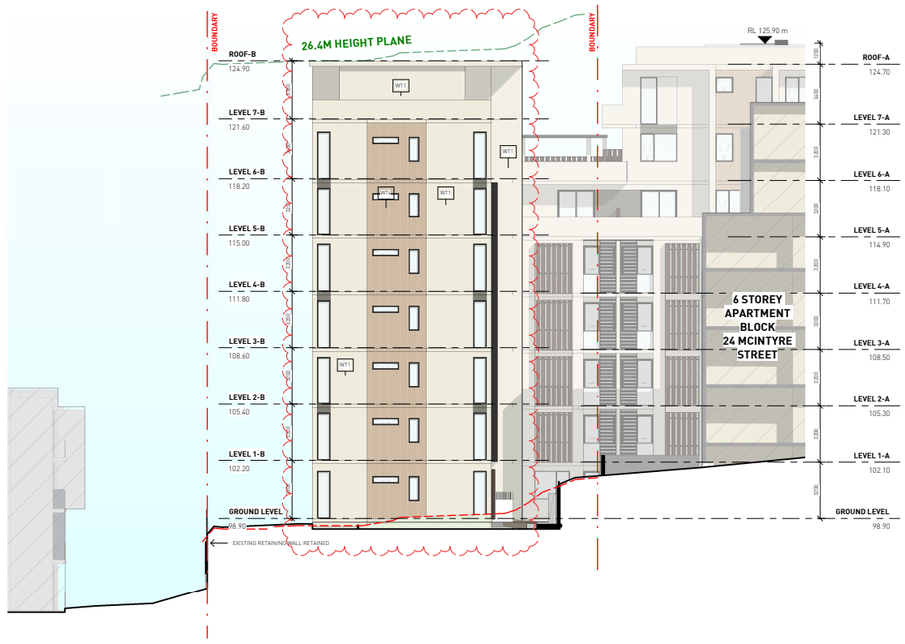
1 : 150



KEY PLAN

PROPOSED CHANGES

PROPOSED



EAST ELEVATION - AT FACE OF BUILDING B - PROPOSED

1 : 150

0 1m 2m 5m 10m

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9266 9005
e: gta@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schnaider [11137]

Verify all dimensions on site prior to commencement of work.
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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

COMPARISON DRAWINGS - ELEVATIONS

Status:

FOR INFORMATION

Scale:	As indicated	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA821	A
Date:	08/26/25			
Drawn:	Author	Reviewed:	Checker	

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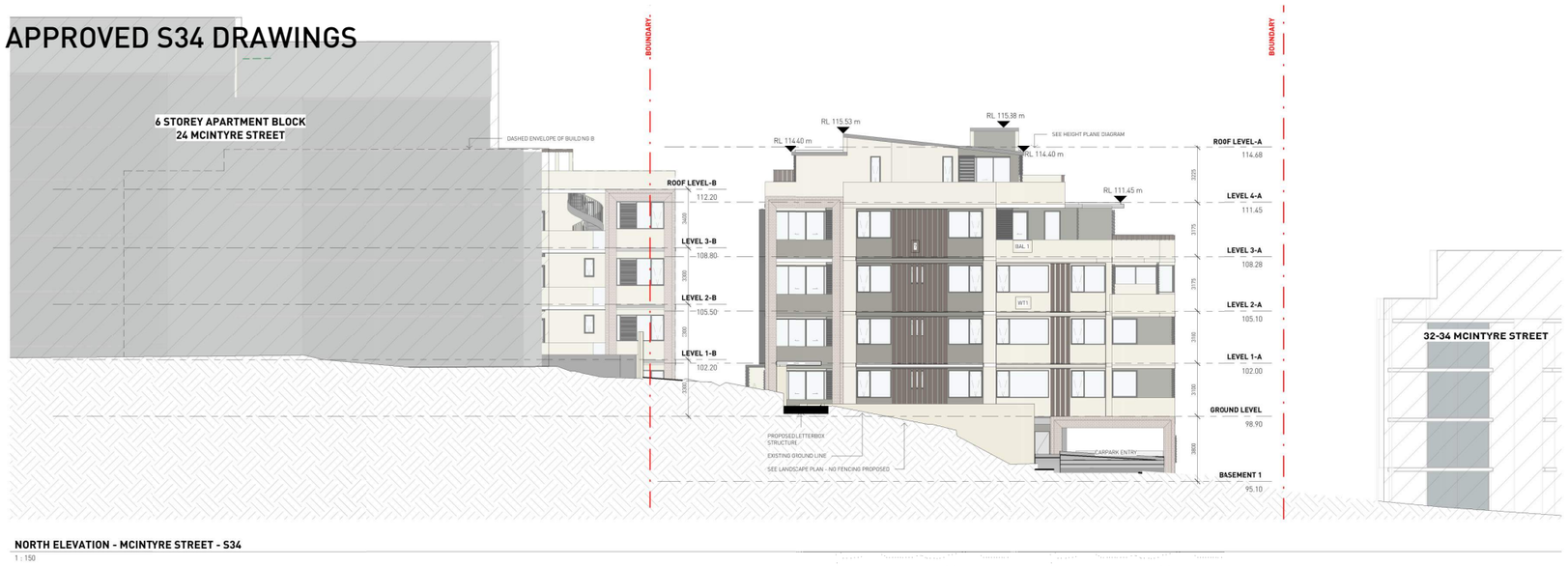
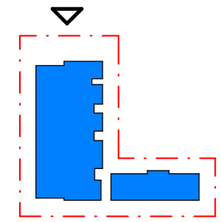
APPROVED S34 DRAWINGS



NORTH ELEVATION - MCINTYRE STREET - S34

1 : 150



KEY PLAN

PROPOSED CHANGES

PROPOSED



NORTH ELEVATION - MCINTYRE STREET - PROPOSED

1 : 150

0 1m 2m 5m 10m

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 307

Nominated Architects: Mark G Broadley [5822] Victor Schneider [11197]

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or used without the written consent of Giles Tribe Architects.

Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

COMPARISON DRAWINGS - ELEVATIONS

Status:

FOR INFORMATION

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:		21106	DA822 A
Date:	08/26/25		
Drawn:	Author	Reviewed:	Checker

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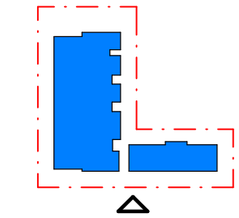
APPROVED S34 DRAWINGS



SOUTH ELEVATION - S34

1 : 150



KEY PLAN

PROPOSED CHANGES

PROPOSED



SOUTH ELEVATION - PROPOSED

1 : 150

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gt@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5803] Victor Schneider [11157]

Verify all dimensions on site prior to commencement of work.
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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - ELEVATIONS

Status: FOR INFORMATION

Scale:	As indicated	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA823	A
Date:	08/26/25			
Drawn:	Author	Reviewed:	Checker	

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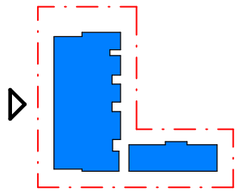
APPROVED S34 DRAWINGS



WEST ELEVATION - S34

1 : 150



KEY PLAN

PROPOSED CHANGES

PROPOSED



WEST ELEVATION - PROPOSED

1 : 150

0 1m 2m 5m 10m

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE

Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA

t: 61 2 9264 5005
e: giles@gilestribe.com.au

Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [11157]

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Project:

RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:

COMPARISON DRAWINGS - ELEVATIONS

Status:

FOR INFORMATION

Scale:	As indicated	Job No.	Drawing No.	Rev.
Sheet Size:		21106	DA824	A
Date:	08/26/25			
Drawn:	Author	Reviewed	Checker	

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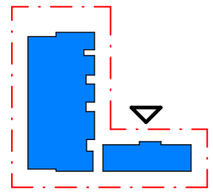
APPROVED S34 DRAWINGS



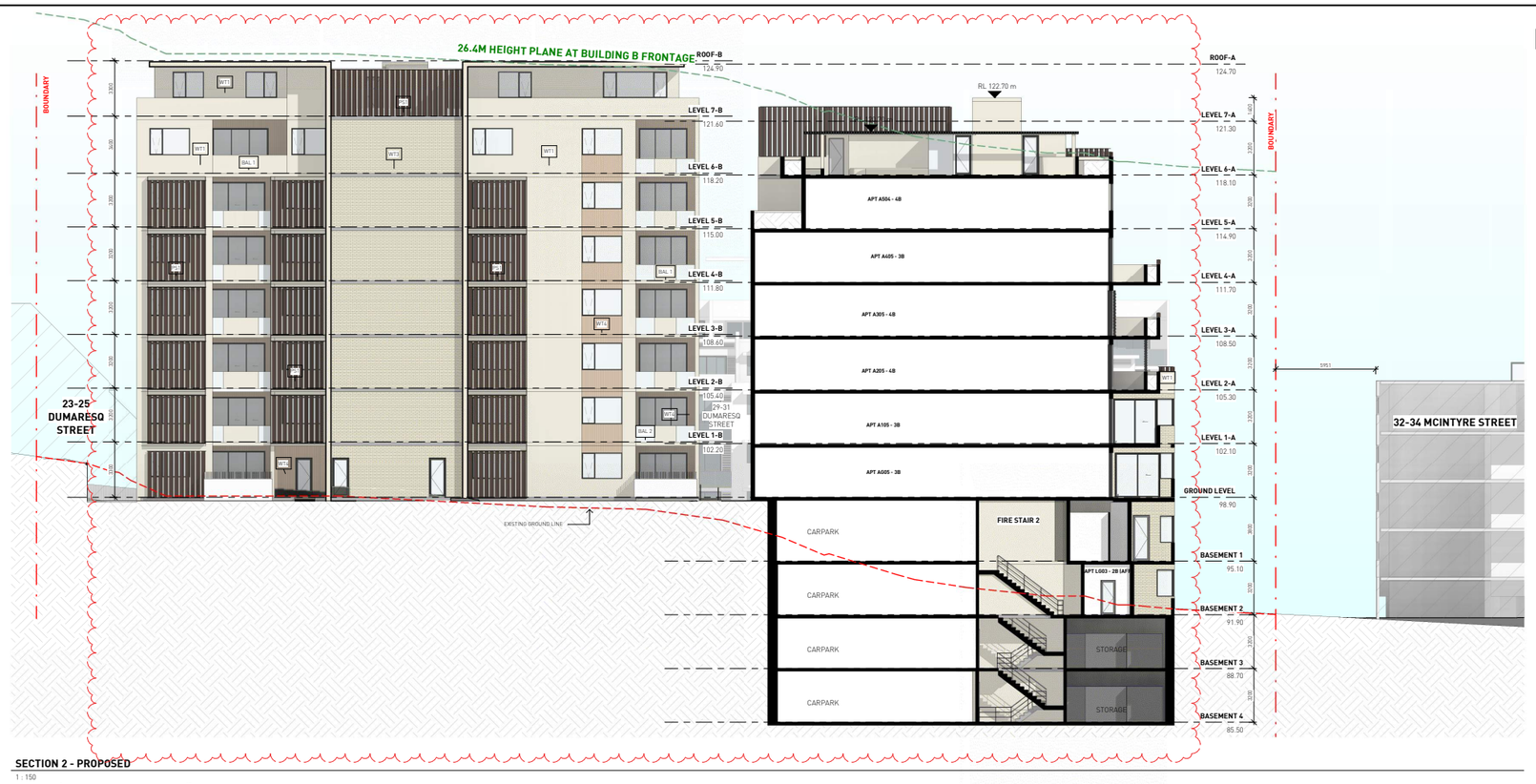
SECTION 2 - S34
1 : 150



KEY PLAN

PROPOSED

PROPOSED CHANGES



SECTION 2 - PROPOSED
1 : 150

SCALE 1:100

No.	Date	Description
A	2025.08.26	FOR INFORMATION

Amendments

GILES TRIBE
Level 1, 1 Chandos Street
St Leonards 2065 NSW AUSTRALIA
t: 61 2 9266 5005
e: gt4@gilestribe.com.au
Giles Tribe Pty Ltd ABN 50 001259 507

Nominated Architects: Mark G Broadley [5823] Victor Schneider [7115]

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Project:
RESIDENTIAL FLAT BUILDING
26-30 MCINTYRE STREET

GORDON

Drawing:
COMPARISON DRAWINGS - ELEVATIONS

Status:
FOR INFORMATION

Scale:	As indicated	Job No.	Drawing No. Rev.
Sheet Size:		21106	DA825 A
Date:	08/26/25		
Drawn:	Author	Reviewed:	Checker

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26-30 Mcintyre Street, Gordon 2072

LANDSCAPE SNPP DA DOCUMENT SET

DRAWING REGISTER

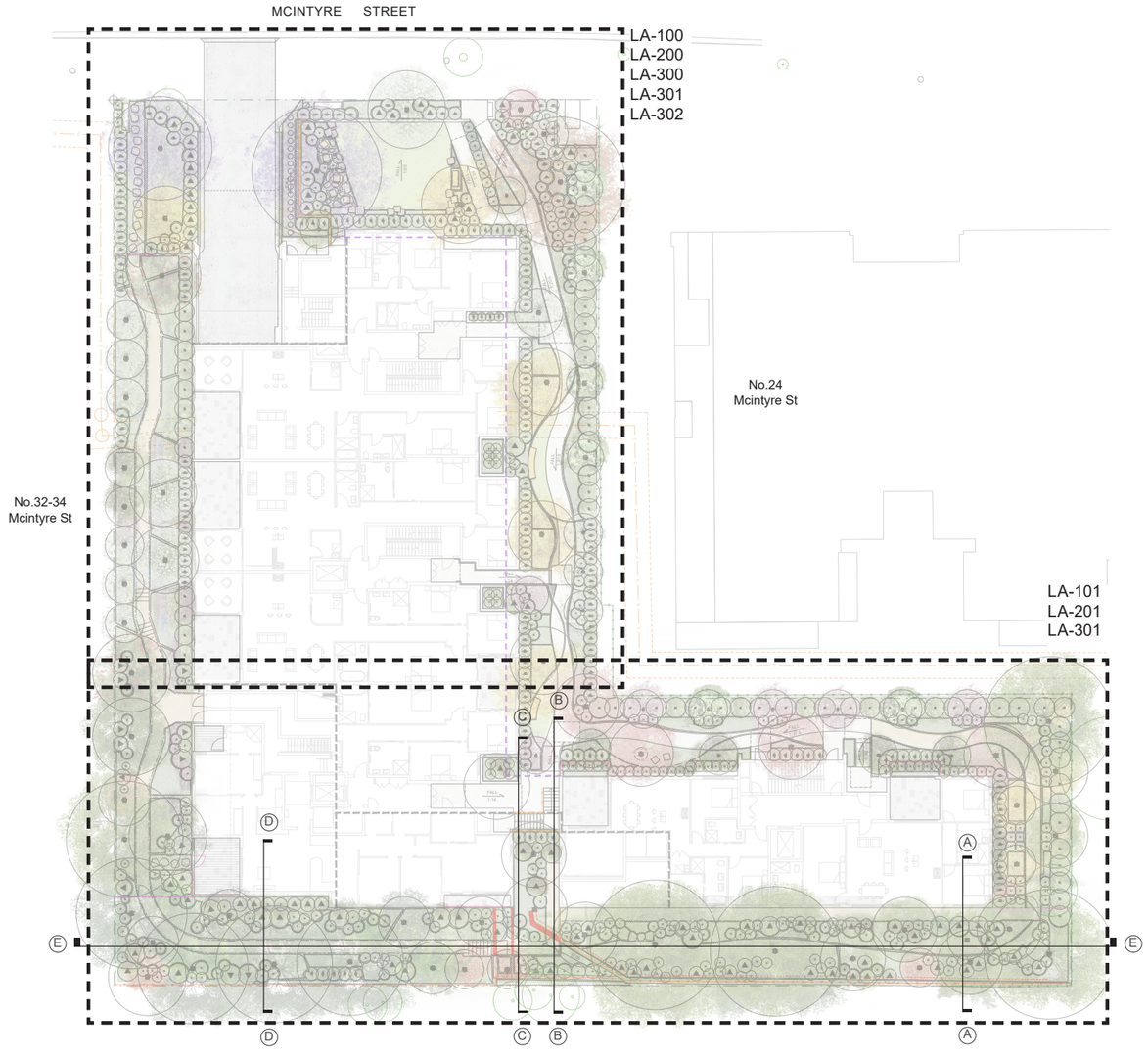
No.	Title	Scale
LA-000	Cover Sheet	As Shown
LA-001	Tree Canopy coverage Plan	1:200
LA-100	Landscape Plan GF - Sheet 1	1:100
LA-101	Landscape Plan GF - Sheet 2	1:100
LA-200	Planting Plan GF - Sheet 1	1:100
LA-201	Planting Plan GF - Sheet 2	1:100
LA-300	Landscape Plan - Level 2 & Level 3	1:100
LA-301	Landscape Plan - Level 4 & Level 6	1:100
LA-400	Landscape Sections - Sheet 1	1:50
LA-401	Landscape Sections - Sheet 2	1:75
LA-500	Planting Palette	NTS
LA-600	Details and Specification Notes	As Shown

B

GENERAL NOTES

1. Refer to Architect's drawings for all internal layout, FFLs and finishes of the proposed building.
2. Refer to Stormwater Engineer's drawings for final location of OSD tanks, Rainwater Tanks, Grate Drain and Pits, Proposed crossfall and driveway levels.
3. Locate and protect all underground services prior to any excavation.
4. Do not scale drawings, figured dimensions have preference over scaled dimensions.
5. Allow to remove all existing shrubs and exempt tree species. All existing trees to be retained shall be protected in accordance with AS 4970-2009 and Arborist report (if available)
6. Any discrepancies must be reported immediately to the superintendent and project landscape architect for clarification and approval.
7. This documentation set is to be printed in colour
8. This documentation set is issued for DA purpose only, it shall not be used as for tender or for construction purposes.
9. Handrails, balustrades, and TGSIs to be installed where required for all external ramps, stairs, etc to comply with BCA and AS 1428.1-2009. Product selection and detail design to be further coordinated in CC stage.

SITE PLAN 1:200 @ A1



LEGEND

GENERAL

SYMBOL	NAME & DESCRIPTION
	SITE BOUNDARY
	LINE OF BASEMENT BELOW LINE OF ROOF ABOVE
S	EXISTING SEWER EASEMENT
100.00 [100.50]	EXISTING LEVEL / CONTOURS REFER TO SURVEY
167.30	PROPOSED SPOT LEVELS
TW 99.15	PROPOSED TOP OF WALL LEVELS
600mm	MIN. DEPTH OF SOIL REQUIRED FOR PLANTERS OVER STRUCTURE

PROPOSED SOFTWORKS

SYMBOL	NAME & DESCRIPTION
T1	EXISTING TREES TO BE RETAINED AND PROTECTED
T4	EXISTING TREES TO BE REMOVED
	PROPOSED TREES REFER TO PLANTING PLAN AND PLANT SCHEDULE
	PROPOSED SHRUBS REFER TO PLANTING PLAN AND PLANT SCHEDULE
	PROPOSED GROUNDCOVER REFER TO PLANTING PLAN AND PLANT SCHEDULE
TU1	PROPOSED TURF AS DETAILED AND SPECIFIED
TU2	PROPOSED SYNTHETIC TURF AT ROOFTOP GARDEN

PROPOSED HARDWORKS

SYMBOL	NAME & DESCRIPTION
P1	PROPOSED FINISHES - TYPE 1 UNIT PAVING AT P.O.S
P2	PROPOSED FINISHES - TYPE 2 UNIT PAVING TO C.O.S
P3	PROPOSED FINISHES - TYPE 3 PAVING BAND
P4	PROPOSED FINISHES - TYPE 4 UNIT PAVING TO ROOFTOP
DK	PROPOSED DECKING AT ROOF TOP GARDEN
DG	PROPOSED DECO-GRANITE SURFACE
PB	PROPOSED ORNAMENTAL PEBBLES SURFACE
	STEPPING STONES
SE	SELECTED CUBE / PEBBLE SEATING
GE GE	PROPOSED GARDEN EDGING
LE LE	PROPOSED RAISED GARDEN EDGING
	PROPOSED CONCRETE SLEEPER RETAINING WALL WITH INDIVIDUAL FOOTING
DG	DRAINAGE REFER TO OTHER'S DRAWING

PROPOSED FENCE & BALUSTRADE

SYMBOL	NAME & DESCRIPTION
BL	PROPOSED BALUSTRADE TO COMPLY WITH BCA REQUIREMENT
F1	PROPOSED FENCE - TYPE 1 1.8m HIGH PALISADE FENCE AND GATE FOR MAINTENANCE ACCESS
F2	PROPOSED FENCE - TYPE 2 1.8m HIGH DARK GREY COLOUR BOND BOUNDARY FENCE
EF	EXISTING BOUNDARY FENCE TO BE RETAINED
HD	PROPOSED HANDRAIL TO COMPLY WITH BCA REQUIREMENT
	PRIVACY FENCE / GATE TO P.O.S REFER TO ARCHITECT'S DRAWINGS.

Issue	Comments	Date
A	ISSUE FOR SNPP	01.05.2025
B	ISSUE FOR SNPP	01.07.2025

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Figured dimensions shall be taken in preference to scaling.

The contractor shall check all dimensions on site before commencing work.

NOT TO BE USED FOR TENDER OR CONSTRUCTION

26-30 Mcintyre Street
Gordon
NSW 2072

CLIENT: Rudder Group
ARCHITECT: Giles Tribe Pty Ltd

DRAWN: LZ/CL
CHECKED: KG

DATE CREATED: 28 Apr 2025
JOB NUMBER: LA220302

AS SHOWN
A1

STUDIO IZ

Studio IZ Pty Ltd.

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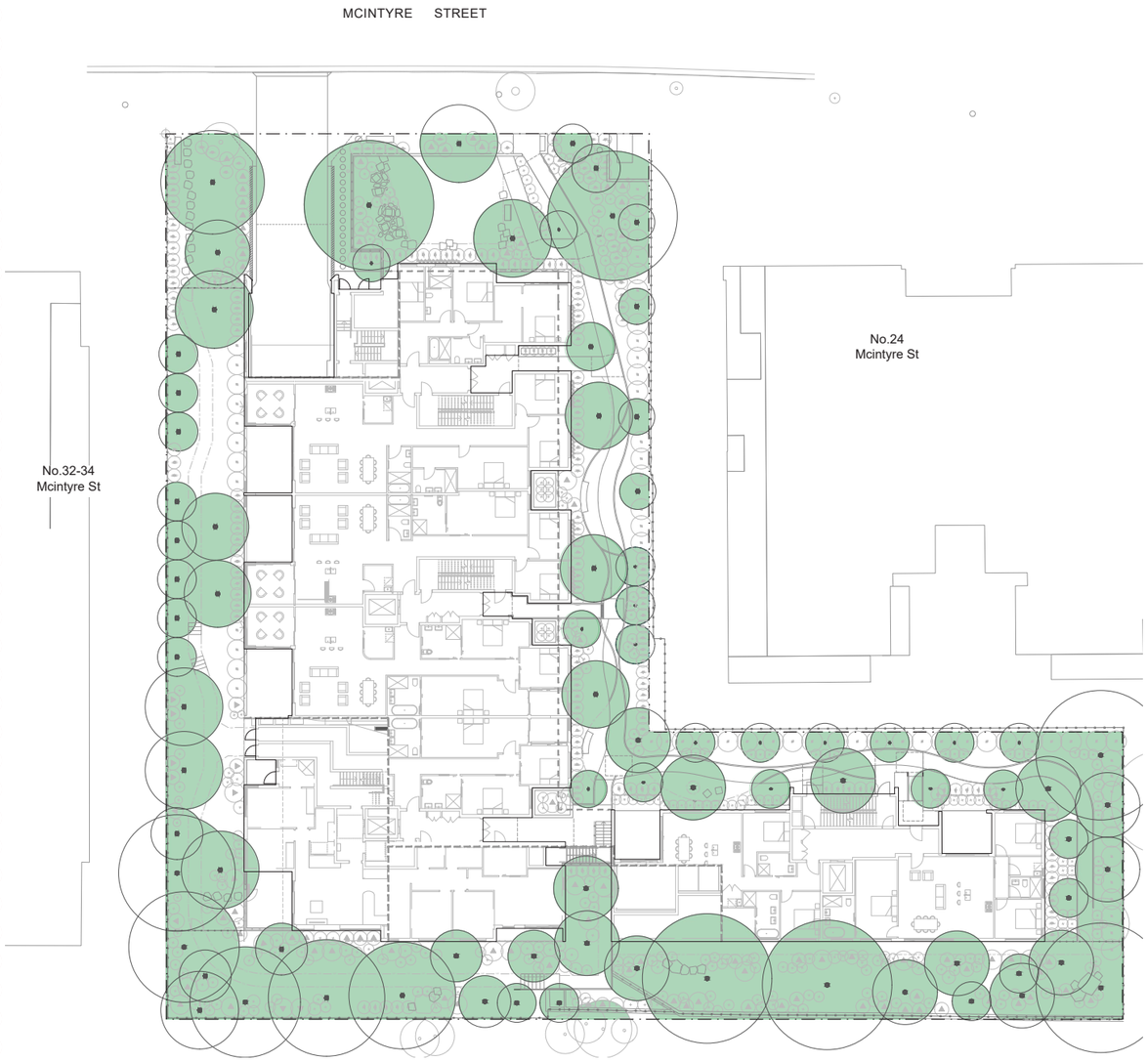
TEL : +61 2 8004 6946
W: studioiz.com.au
E: info@studioiz.com.au

S906, Level 9, Tower B, Citadel Towers
799 Pacific Highway, Chatswood. 2067 NSW

COVER SHEET

LA-000

ISSUE **B**



TREE CANOPY COVERAGE CALCULATION

SITE AREA: 3,360.26 m²

TREE CANOPY AREA: 1,253.61 m²
TREE CANOPY PERCENTAGE: 37.3%

TREE CANOPY AREA PERCENTAGE REQUIREMENT: min.20%
(Tree Canopy Guide for Low and Mid Rise Housing 2025, Table 7. Tree canopy and deep soil)

B

Issue	Comments	Date
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B	ISSUE FOR SNPP	01.07.2025

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NSW 2072

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ARCHITECT: Giles Tribe Pty Ltd

DRAWN: LZ/CL
CHECKED: KG

DATE CREATED: 28 Apr 2025
JOB NUMBER: LA220302

1:200
A1

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TREE CANOPY COVERAGE PLAN

LA-001

ISSUE **B**









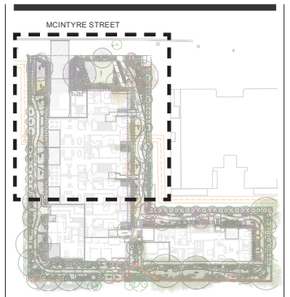
1. Open lawn space to follow existing grade with raised garden edging, sandstone boulders and native planting.

2. Curved footpath integrate with turf and decorative pebbles.

3. Eentrance court with flagstone in groundcover and cube seat.

4. Cascading plants over curved retaining wall





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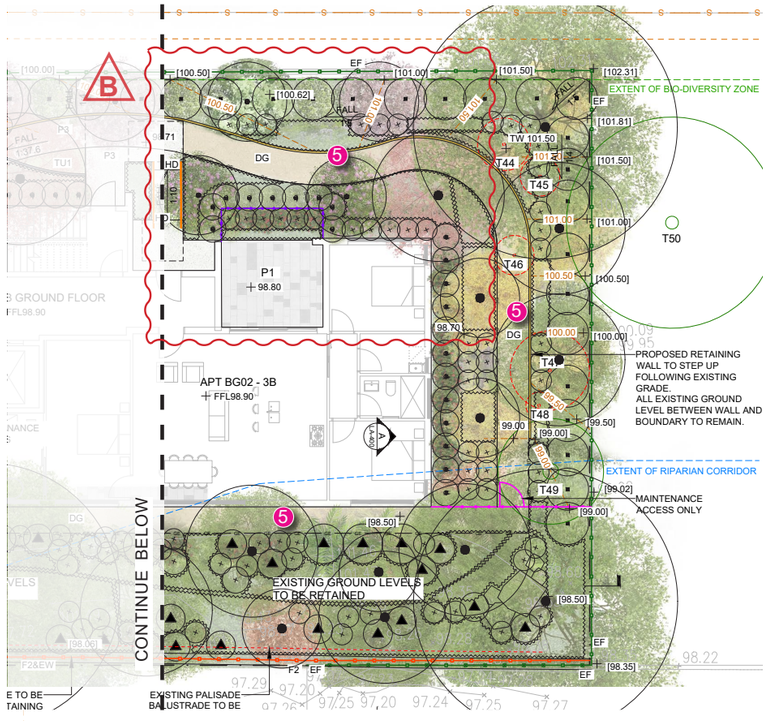
LANDSCAPE PLAN GF
SHEET 1

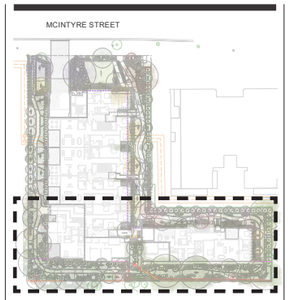
LA-100

ISSUE **B**



5. Maintenance access to side and rear set back of site with STIF / BGHF planting in Deep Soil Zones with gravel path and garden edging.





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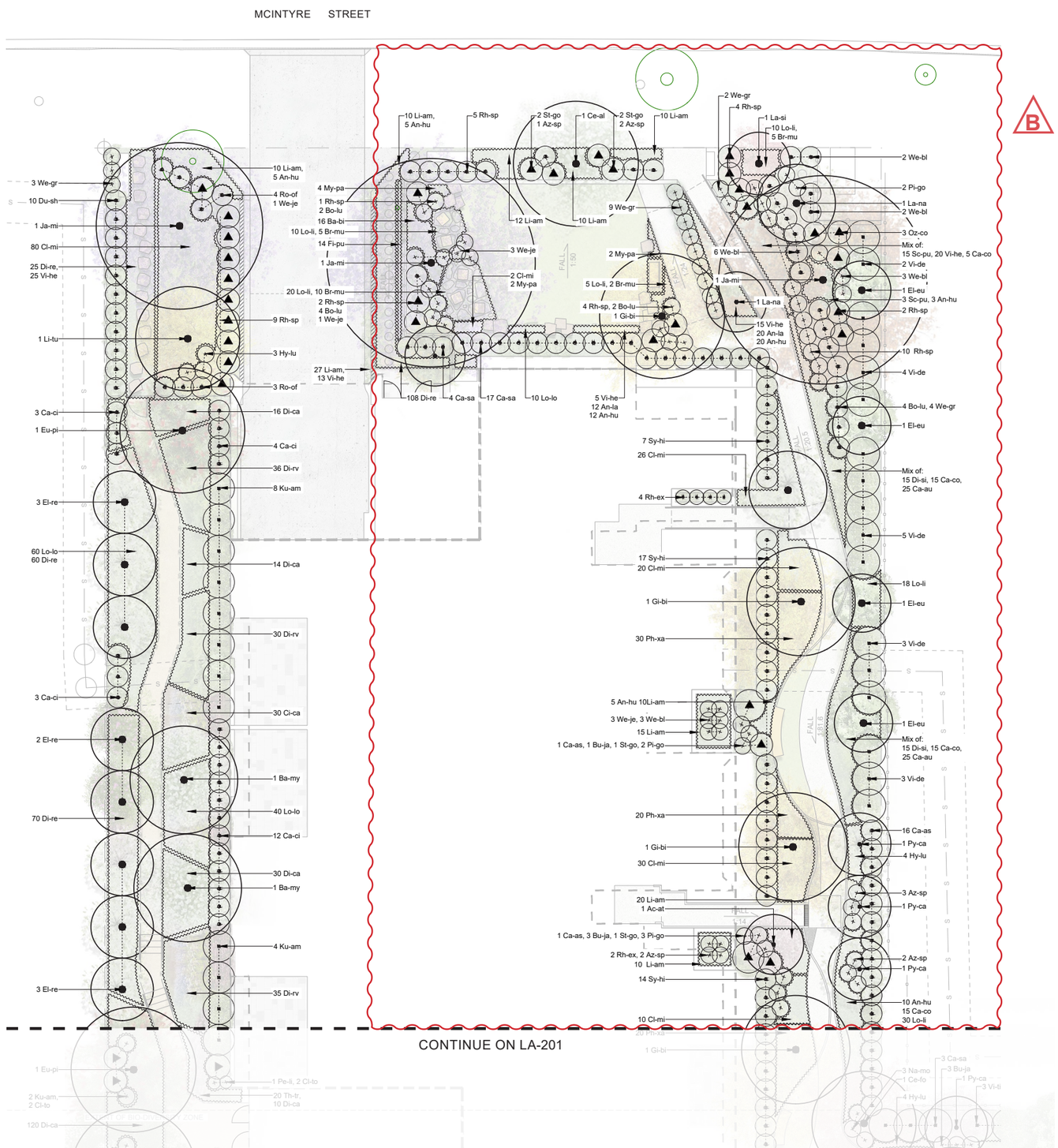
LANDSCAPE PLAN GF SHEET 2

LA-101

ISSUE **B**



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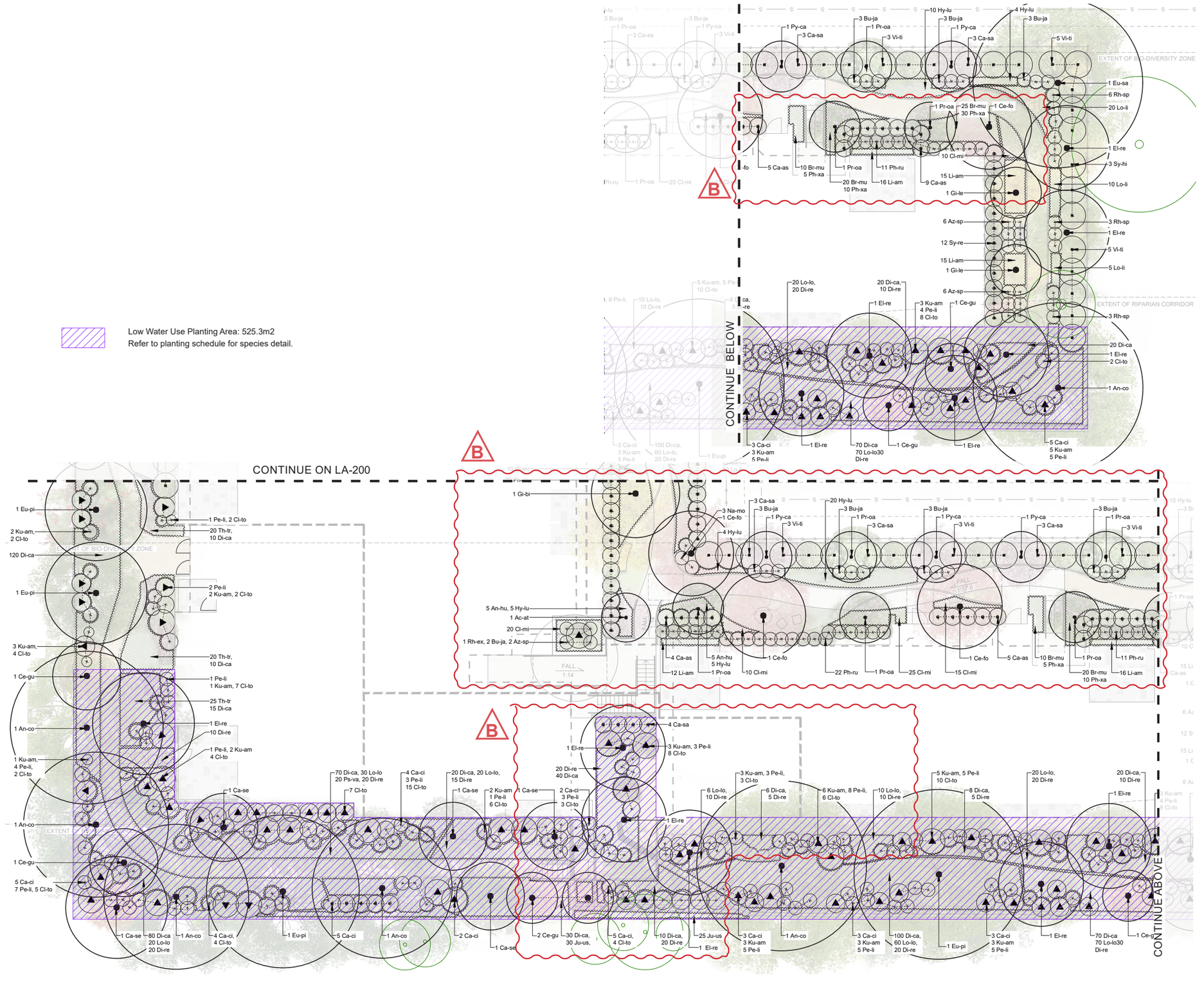
PLANTING PLAN GF
SHEET 1

LA-200

ISSUE **B**





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PLANTING PLAN GF
SHEET 2

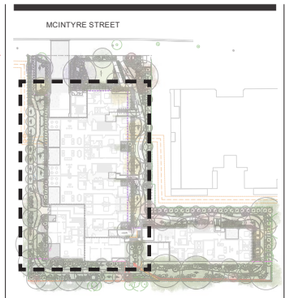
LA-201

ISSUE **B**



LANDSCAPE PLAN - LEVEL 2

LANDSCAPE PLAN - LEVEL 3



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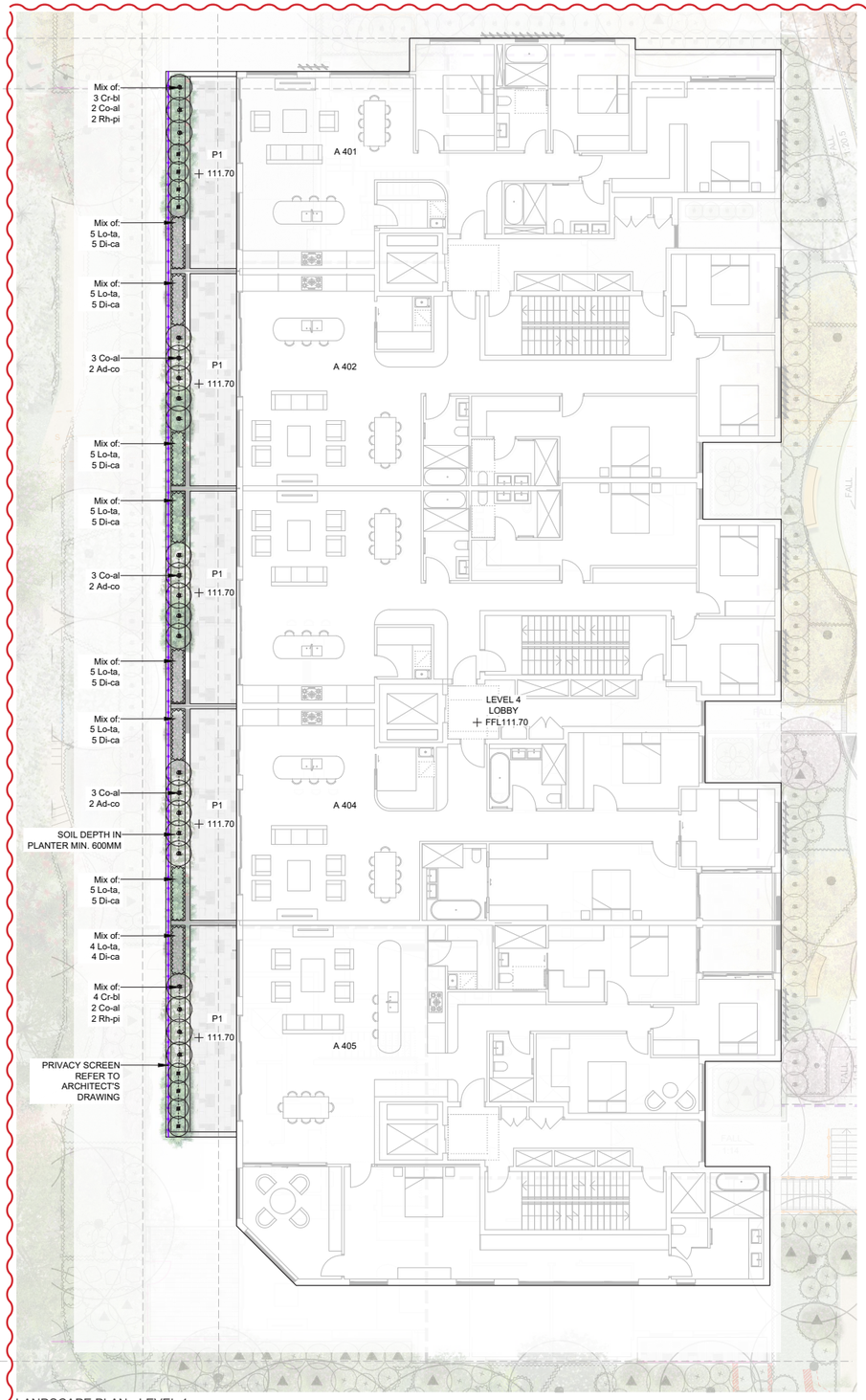
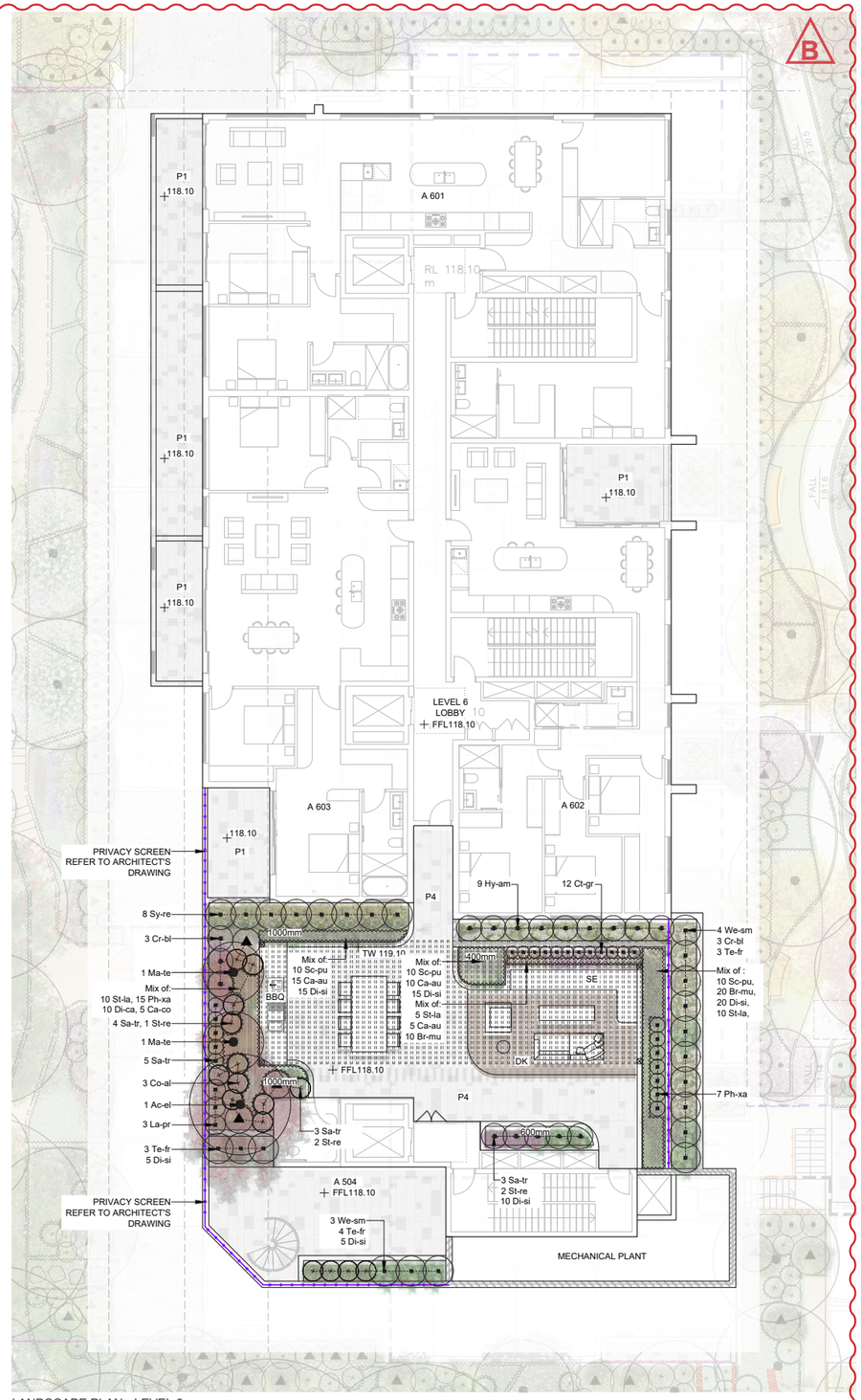
LANDSCAPE PLAN - LEVEL 2 & LEVEL 3

LA-300

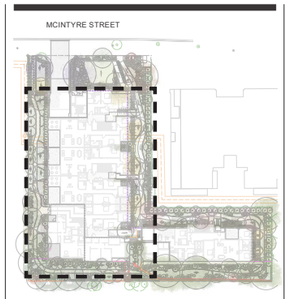
ISSUE **B**



LANDSCAPE PLAN - LEVEL 4



LANDSCAPE PLAN - LEVEL 6



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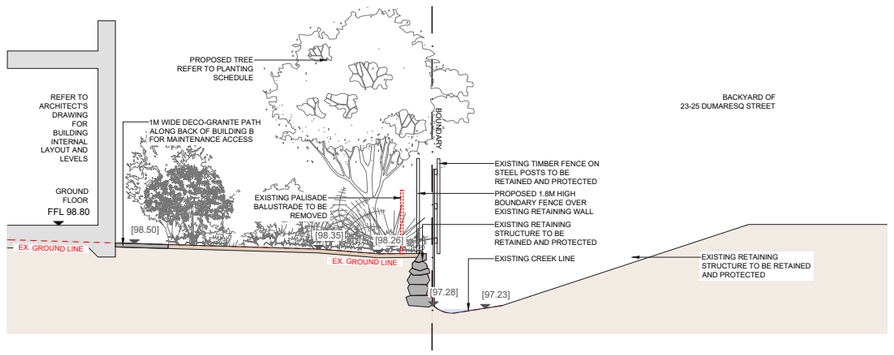
LANDSCAPE PLAN
- LEVEL 4 & LEVEL 6

LA-301

ISSUE
B



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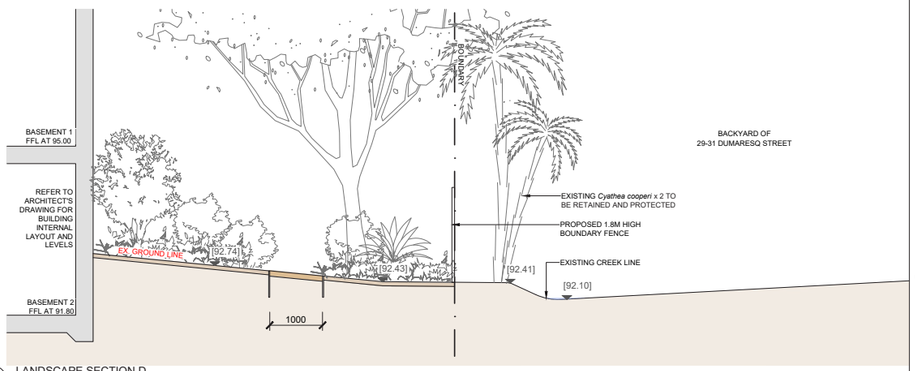

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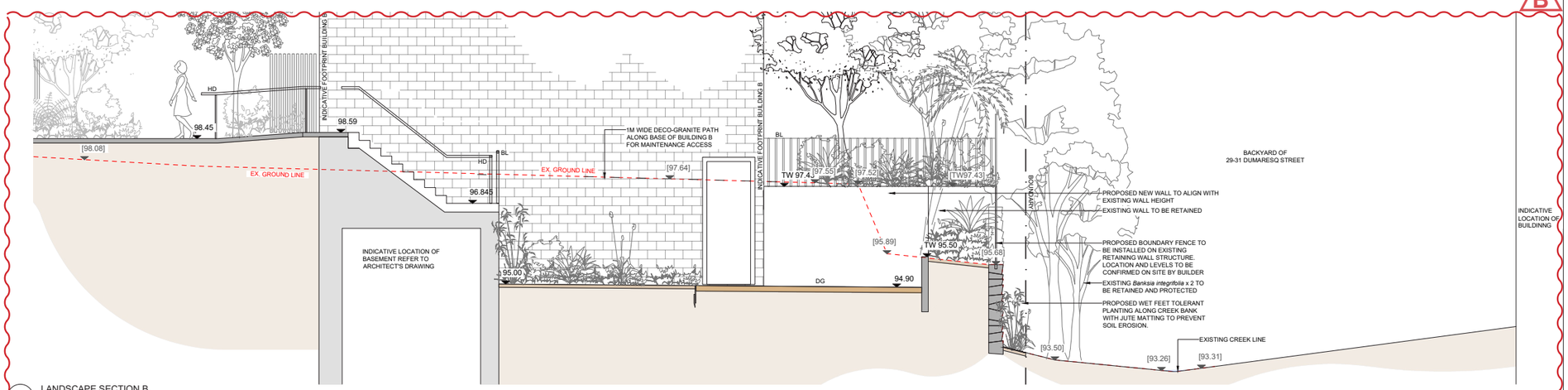

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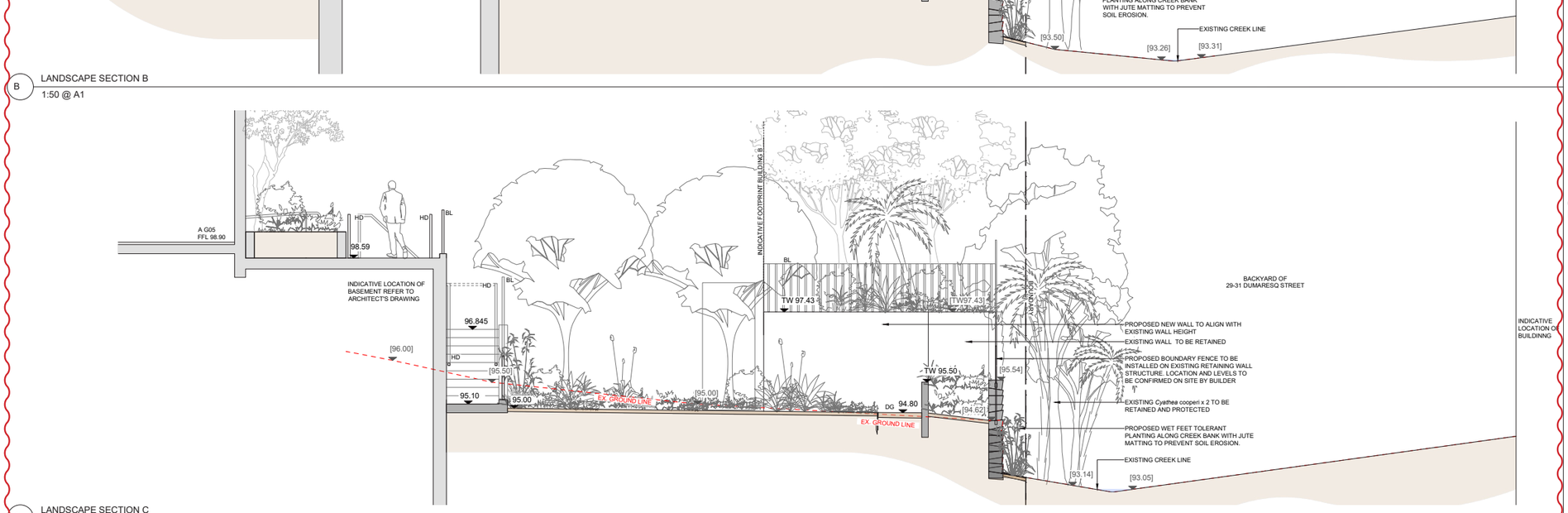

C LANDSCAPE SECTION C
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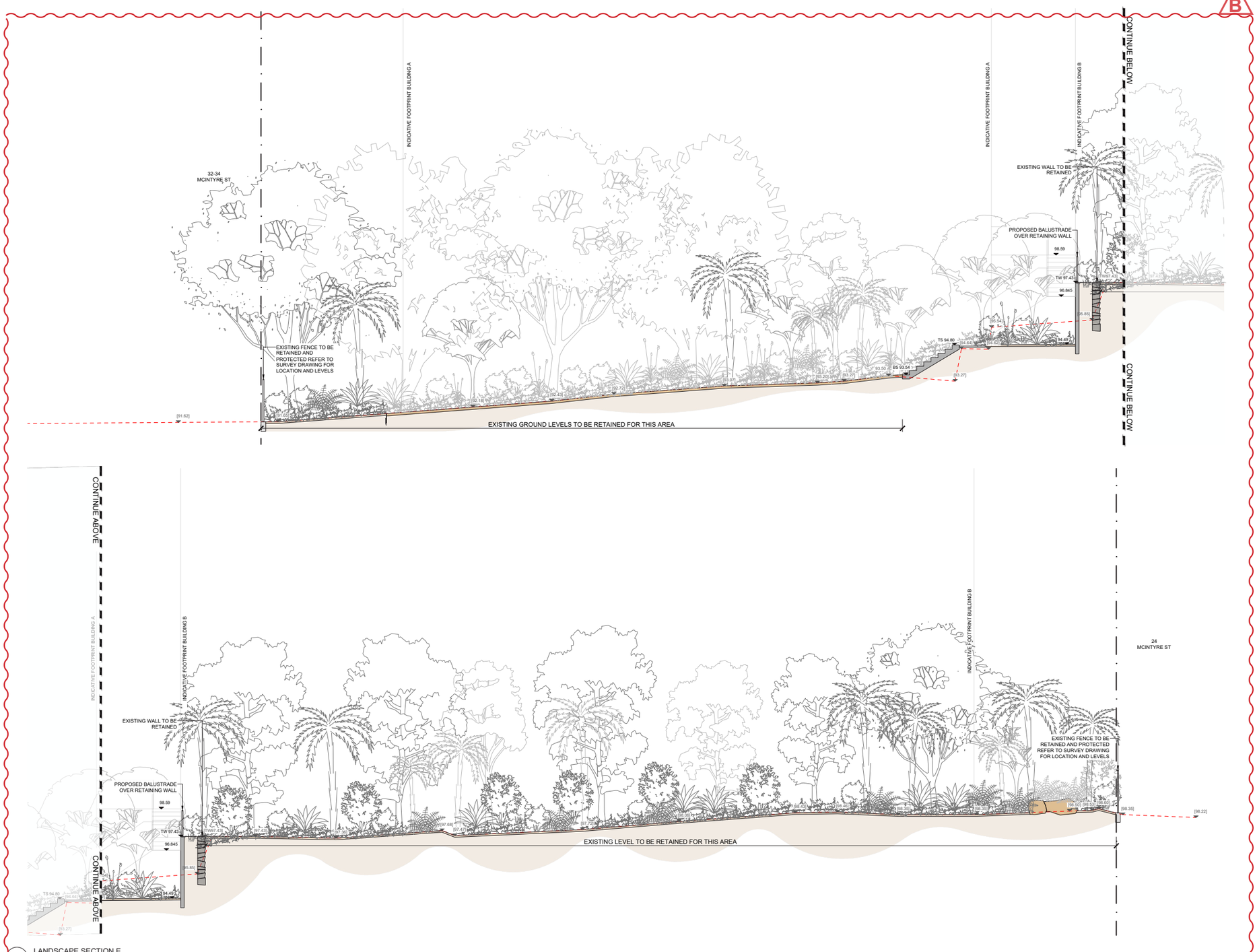
LANDSCAPE SECTIONS SHEET 1

LA-400

ISSUE **B**



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LANDSCAPE SECTIONS SHEET 2

LA-401

ISSUE **B**

PLANTING SCHEDULE

B

ID	BOTANICAL NAME	COMMON NAME	POT SIZE	MATURE HEIGHT	SPREAD	SPACING	Indigenous & Low Water Use*	QTY
Trees & Ferns								
An-co	*Angophora costata (STIF/BGHF)*	Sydney Red Gum	45lt	15-20m+	6-12m	As Shown	Y	6
Ac-at	*Acer palmatum 'Atropurpureum'*	Weeping Japanese Maple	45lt	4-8m	4-8m	As Shown		2
Ba-my	*Backhousia myrtifolia*	Grey Myrtle	45lt	3-4m	3-4m	As Shown	Y	2
Ca-se	*Callicoma serratifolia*	Black Wattle	45lt	3-5m	2-3m	As Shown	Y	5
Ce-gu	*Ceratopetalum gummiferum (BGHF)*	NSW Christmas Bush	45lt	3-6m	2-3m	As Shown	Y	6
Ce-fo	*Cercis canadensis 'Forest Pansy'*	Redbud Forest Pansy	45lt	5m	5m	As Shown		4
Ce-al	*Cercis canadensis var. alba*	White Redbud	45lt	3-5m	3-4m	AS SHOWN		1
El-eu	*Elaeocarpus eumundi*	Eumundi Quandong	45lt	8-15m	2-8m	As Shown		4
El-re	*Elaeocarpus reticulatus (STIF/BGHF)*	Blueberry Ash	45lt	10m+	5m	As Shown	Y	18
Eu-pi	*Eucalyptus pilularis (STIF/BGHF)*	Blackbutt	45lt	30m+	5-10m	As Shown	Y	5
Eu-sa	*Eucalyptus saligna (BGHF)*	Sydney Blue Gum	75lt	25-55m	10-25m	As Shown	Y	1
Gi-bi	*Ginkgo biloba*	Ginkgo	45lt	15-25m	5-8m	As Shown		4
Gi-le	*Ginkgo biloba 'Lemonlime Spire'*	Maidenhair Tree	45lt	5m	1m	As Shown		2
Gr-pe	*Grevillea 'Peaches and Cream'*	Peaches and Cream Grevillea	45lt	1.5-2m	2m	As Shown		2
Ja-mi	*Jacaranda mimosifolia*	Jacaranda	45lt	15m	10m	As Shown		3
La-si	*Lagerstroemia 'Sioux'*	Crepe Myrtle	45lt	4m	3m	As Shown		1
La-na	*Lagerstroemia 'Natchez'*	Crepe Myrtle	45lt	6m	4m	As Shown		2
Li-tu	*Liriodendron tulipifera*	Tulip Tree	45lt	15-20m	5-7m	As Shown		1
Pr-oa	*Prunus cerasifera 'Oakville Crimson Spire'*	Ornamental Plum	45lt	6m	2m	As Shown		6
Py-ca	*Pyrus calleryana 'Capital'*	Ornamental Pear	45lt	11-12m	1-3m	As Shown		7
Shrubs								
Az-sp	*Azalea spp*	Azaleas mix of colour	300mm	0.8-1.2m	0.8-1.2m			21
Bo-lu	*Boronia megastigma 'Lutea'*	Yellow Boronia	300mm	1m	1m	0.8m centres		25
Bu-ja	*Buxus microphylla var japonica*	Japanese Box	300mm	1m	0.7m	0.6m centres		24
Ca-ci	*Callistemon citrinus*	Crimson Bottlebrush	300mm	2-3m	1-2m	1.2m centres	Y	66
Ca-sa	*Callistemon salignus (STIF)*	Willou Bottlebrush	300mm	prune to suit	prune to suit	As shown		37
Ca-as	*Camellia japonica 'Assorted'*	Camellia	300mm	prune to 2-3m	2m	1m centres		16
Cl-to	*Clerodendrum tomentosum (STIF)*	Hairy Clerodendrum	300mm	2m	1.5m	1m centres	Y	103
Cr-su	*Crowea 'Summer Star'*	Crowea	300mm	0.75m	0.75m	0.6m centres		8
Du-sh	*Duranta repens 'Sheenas Gold'*	Duranta Sheenas Gold	300mm	3m	3m	As Shown		10
Ku-am	*Kunzea ambigua (STIF)*	Tick Bush	300mm	2-4m	2m	2m centres	Y	56
Na-mo	*Nandina domestica 'Moon Bay'*	Sacred Bamboo	300mm	0.6m	0.6-1m	As Shown		3
Oz-co	*Ozothamnus diosmifolius 'Coral Flush'*	Rice Flower	300mm	2m	1m	0.8m centres		3
Pe-li	*Persoonia linearis (STIF)*	Narrow Leaved Geebung	300mm	3-5m	1m	1m centres	Y	57
Ph-ru	*Photinia glabra 'Rubens'*	Photinia	300mm	prune to 2m	prune to 1m	1m centres		19
Pi-go	*Pittosporum tenuifolium 'Golf Ball'*	Pittosporum Gold Ball	300mm	0.8m	0.8m	0.5m centres		19
Pl-fo	*Platylobium formosum (STIF/BGHF)*	Handsome Flat-Pea	300mm	1-2m				4
Rh-ip	*Rhaphiolepis indica 'Springtime'*	Indian Hawthorn	300mm	1.5m	1.5m	1m centres		51
Rh-ex	*Rhapis excelsa*	Lady Palm	300mm	1.8-4.5m	1.8-4.5m			17
St-go	*Strobilanthes gossypina*	Pewter Bush	300mm	1.2m	1m	0.6m centres		9
Sy-hi	*Syzygium australe 'Hinterland Gold'*	Lilly Pilly	45lt	prune to 2.5m	prune to suit	0.8m centres		57
Sy-re	*Syzygium australe 'Resilience'*	Lilly Pilly	300mm	4-5m	2-3m	2m centres		49
Vi-de	*Viburnum odoratissimum 'Dense Fence'*	Dense Fence	300mm	2.5m	2m	1m centres		17
Vi-ti	*Viburnum tinus*	Viburnum	300mm	2.5m	trim to suit	1m centres		19
We-bl	*Westringia 'Blue Gem'*	Blue Gem	300mm	1.5m	0.8m-1.3m	0.6m centres		17
We-gr	*Westringia fruticosa 'Grey Box'*	Grey Box	300mm	0.4m	0.4m	1m centres		18
We-je	*Westringia 'jervis gem'*	Coastal rosemary	300mm	1.5m	1.5m	1.2m centres		13
Groundcovers & Grasses								
An-hu	*Anemone hupehensis*	Japanese wind flower	140mm	1.2m	0.4m	5/m2		13
An-la	*Anigozanthos 'Landscape Orange'*	Kangaroo Paw	140mm	2m	0.4m	5/m2	Y	12
An-ye	*Anigozanthos 'Yellow Gem'*	Kangaroo Paw	140mm	2m	0.4m	5/m2	Y	12
Ba-bi	*Banksia spinulosa 'Birthday Candles'*	Banksia Birthday Candles	140mm	0.4m	0.5-1m	4/m2		21
Br-mu	*Brachyscome spp.*	Swan River Daisy	140mm	0.45-0.5m	0.5m	6/m2		17
Ca-au	*Carpobrotus 'Aussie Rambler'*	Pigface	140mm	0.2m	2m	2/m2		15
Ca-co	*Casuarina glauca 'Cousin It'*	Sheoak	140mm	0.1-0.2m	1-2m	6/m2		15
Ch-de	*Chrysocephalum apiculatum 'Desert Flame'*	Yellow Buttons	140mm	0.2-0.3m	0.4-0.5m	5/m2		2
Cl-mi	*Clivia miniata*	Kaffir Lily	140mm	0.5m	0.5m	4/m2		200
Di-ca	*Dianella caerulea (BGHF)*	Flax Lily	140mm	0.5-1m	0.5-1m	5/m2	Y	675
Di-re	*Dichondra repens (STIF)*	Kidney Weed	140mm	0.2m	1.5m	4/m2	Y	360
Di-rv	*Dianella revoluta*	Mauve Flax Lily	140mm	0.5m	0.5m	6/m2	Y	101
Di-si	*Dichondra 'Silver Falls'*	Kidney Weed	140mm	0.2m	1m	6/m2		22
Fi-pu	*Ficus pumila*	Creeping Fig	140mm	0.2m	2-4m	2/m2		14
Hy-lu	*Hymenosporum flavum 'Lushious'*	Native Frangipani	140mm	0.8m	0.5m	0.5m centres		61
Ju-us	*Juncus usitatus*	Common Rush	140mm	0.6m	0.5m	5/m2	Y	55
Li-am	*Liriope muscari 'Amethyst'*	Amethyst Liriope	140mm	0.4m	0.4m	6/m2		194
Lo-li	*Lomandra 'Lime Tuff'*	Lomandra Lime Tuff	140mm	0.4m	0.4m	6/m2		110
Lo-lo	*Lomandra longifolia (STIF/BGHF)*	Mat Rush	140mm	1m	1m	5/m2	Y	356
My-pa	*Myoporum parvifolium*	Myoporum Parvifolium	140mm	0.3m	1-3m	3/m2		14
Ph-xa	*Philodendron 'Xanadu'*	Philodendron 'Xanadu'	140mm	0.75m	0.8m	0.6m centres		87
Ps-va	*Pseuderanthamum variabile*	Pastel Flower	140mm	0.1m	0.3m	8/m2	Y	20
Ro-of	*Rosmarinus officinalis*	Rosemary	140mm	0.8m	1m	0.7m centres		7
Sc-pu	*Scaevola humilis 'Purple Fusion'*	Purple Fusion	140mm	0.2-0.3m	1.5m	2/m2		18
Th-tr	*Themeda triandra (STIF/BGHF)*	Kangaroo Grass	140mm	0.8-1.2M	0.5m	5/m2	Y	65
Vi-he	*Viola hederacea (BGHF)*	Native Violet	140mm	0.1-0.2m	1m	4/m2		93
Rooftop Planting								
Trees								
Ac-el	*Acer palmatum 'Elegans'*	Japanese Maple	45lt	4m	3m	As Shown		1
La-yu	*Lagerstroemia indica 'Yuma'*	Crepe Myrtle	45lt	4m	3m	As Shown		1
Ma-te	*Magnolia 'Teddy Bear'*	Dwarf Magnolia	45lt	3m	2m	As Shown		2
Shrubs								
Ad-co	*Adenanthos sericeus 'Compact'*	Dwarf Woolly Bush	200mm	0.7-1m	0.7m	0.5m centres		64
Bu-ja	*Buxus microphylla var japonica*	Japanese Box	200mm	1m	0.7m	0.25m centres		2
Co-al	*Correa alba*	White Correa	200mm	1.5m	1m	1m centres		6
Cr-bi	*Crassula ovata 'Blue Bird*	Bluebird	200mm	1m	1m	1m centres		34
Er-sp	*Eremophila nivea 'Spring Mist'*	Emu Bush Spring Mist	200mm	1.5m	1.5m	0.8m centres		7
Hy-am	*Hydrangea macrophylla 'Amethyst'*	Hydrangeas Amethyst	300mm	1m	1m	0.7m centres		13
Hy-lu	*Hymenosporum flavum 'Lushious'*	Native Frangipani	100mm	0.8m	0.5m	0.5m centres		9
Hy-pi	*Hydrangea macrophylla 'Pink ball'*	Hydrangea Pink Ball	200mm	2m	1.5m	1m centres		5
Ka-br	*Kalanchoe bracteata*	Kalanchoe Silver Spoons	140mm	1m	1m	0.7m centres		25
La-pr	*Lavandula pedunculata 'The princess'*	The Princess Lavender	150MM	0.7m	0.7m	0.8m centres		24
Ph-ru	*Photinia glabra 'Rubens'*	Photinia	300mm	prune to 2m	prune to 1m	1.5m centres		5
Pi-ec	*Plectranthus ecklonii*	Blue Spur	300mm	1.5-2m	2m	1.5m centres		7
Rh-pi	*Rhaphiolepis indica 'Cosmic Pink'*	Indian Hawthorn	200mm	0.5-0.8m	0.5-0.8m	0.5m centres		8
Rh-sp	*Rhaphiolepis indica 'Springtime'*	Indian Hawthorn	200mm	1.5m	1.5m	1m centres		13
Ro-of	*Rosmarinus officinalis*	Rosemary	200mm	0.8m	1m	0.4m centres		17
Sa-tr	*Sansevieria trifasciata*	Mother-in-law's Tongue	200mm	1m	0.5m	4/m2		18
St-go	*Strobilanthes gossypina*	Pewter Bush	200mm	1.2m	1m	1m centres		8
St-ni	*Strelitzia nicolai*	Giant Bird of paradise	200mm	3-5m	1.5-3.5m	0.6m centres		7
St-re	*Strelitzia reginae*	Bird of paradise	200mm	1.2m	1.2m	0.6m centres		25
Sy-re	*Syzygium australe 'Resilience'*	Lilly Pilly	200mm	4-5m	2-3m	2m centres		17
Te-fr	*Teucrium fruticans*	Teucrium Silver Box	200mm	1m	0.6m	0.4m centres		16
We-sm	*Westringia fruticosa 'Smokey'*	Westringia Smokey	200mm	1.2m	1.5m	0.8m centres		8
Groundcovers & Grasses & Climbers								
Br-mu	*Brachyscome spp.*	Swan River Daisy	140mm	0.45-0.5m	0.5m	6/m2		24
Ca-au	*Carpobrotus 'Aussie Rambler'*	Pigface	140mm	0.2m	2m	2/m2		108
Ca-co	*Casuarina glauca 'Cousin It'*	Sheoak	140mm	0.1-0.2m	1-2m	6/m2		55
Ct-gr	*Ctenanthe setosa 'Grey Star'*	Never never plant	200mm	0.5m	0.5m	0.4m centres		10
Di-ca	*Dianella caerulea 'Cassa Blue'*	fax lilly	150mm	0.5m	0.4m	5/m2		23
Di-si	*Dichondra 'Silver Falls'*	*Kidney Weed*	140mm	0.2m	1m	6/m2		96
Lo-li	*Lomandra 'Lime Tuff'*	Lomandra Lime Tuff	140mm	0.4m	0.4m	6/m2		54
Lo-ta	*Lomandra longifolia 'Tanika'*	Lomandra Tanika	100mm	0.5m	0.5m	5/m2		23
My-ya	*Myoporum parvifolium 'Yareena'*	Myoporum Yareena	140mm	0.1m	1-2m	3/m2		5
Ph-xa	*Philodendron 'Xanadu'*	Philodendron 'Xanadu'	200mm	0.75m	0.8m	As Shown		24
Sc-pu	*Scaevola humilis 'Purple Fusion'*	Purple Fusion	140mm	0.2-0.3m	1.5m	2/m2		3
St-la	*Stachys lanata*	Lambs Ears	200mm	0.3m	0.6m	6/m2		23
Tr-ja	*Trachelospermum jasminoids*	Star Jasmine	140mm	0.45-0.5m	0.5m	6/m2		18

Note:
Planting labeled with STIF are from Sydney Turpentine Ironbark Forest community that formerly spans the property at biodiversity zone
Planting labeled with BGHF are from Blue Gum High Forest community that formerly spans the property at biodiversity zone
* Indigenous & Low water use species to Ku-Ring-Gai area refer to Basix NSW

PLANTING PALETTE

Trees



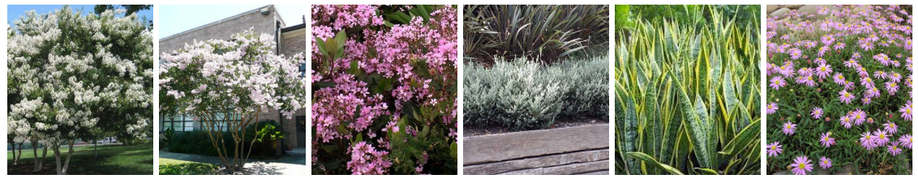
Shrubs



Groundcovers & Grasses



Rooftop Planting



Issue	Comments	Date
A	ISSUE FOR SNPP	01.05.2025
B	ISSUE FOR SNPP	01.07.2025

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Figured dimensions shall be taken in preference to scaling.

The contractor shall check all dimensions on site before commencing work.

NOT TO BE USED FOR TENDER OR CONSTRUCTION

26-30 Mcintyre Street
Gordon
NSW 2072

CLIENT: Rudder Group
ARCHITECT: Giles Tribe Pty Ltd

DRAWN: LZ/CL
CHECKED: KG

DATE CREATED: 28 Apr 2025
JOB NUMBER: LA220302

NTS
A1

STUDIO IZ

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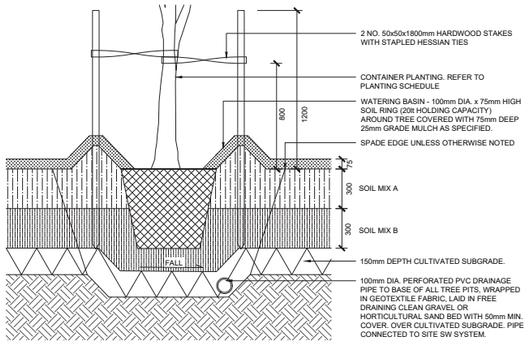
799 Pacific Highway, Chatswood. 2067 NSW

PLANTING PALETTE

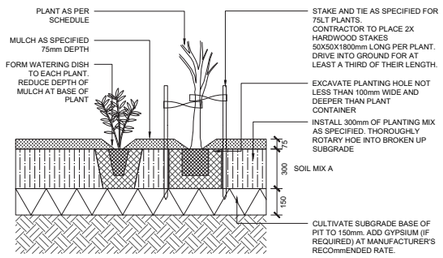
LA-500

ISSUE **B**

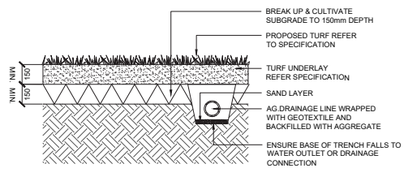
TYPICAL DETAILS



01 TREE PLANTING IN NATURAL GROUND
TYPICAL DETAIL 1:20



02 MASS PLANTING IN NATURAL GROUND
TYPICAL DETAIL 1:20



03 TURF
TYPICAL DETAIL 1:20

SPECIFICATION NOTES

GENERAL NOTES

References
All plans and details included in the project documents shall be read in conjunction with this specification. All structural and civil works components of the landscape design shall be referenced to engineers' details and specifications. Read this specification in conjunction with the plant and materials schedules on the drawings. If in doubt about any detail or if conflicts are found in the documents, seek advice.

Workmanship and Materials
The whole of the landscape works shall be carried out by a competent, trained and qualified landscape contractor who is experienced in horticultural practices, landscape construction and planting techniques. The landscape contractor shall hold a current Building Contractors License and/or be a financial member of LNA Landscape Association NSW & ACT or equivalent organisations in other states.

HARDWORKS

Furniture, Handrails, Balustrades
Supply and install the scheduled items in accordance with the manufacturer's recommendations, as detailed and in the locations shown on Provide all footings and fixings required for the items to be stable and in accordance with applicable codes, BCA, and Australian standards.

Garden walls, fences, steps, and Edging
Construct garden walls, fences, steps, and edging as shown on plan, as detailed and of the material scheduled. Provide footings, step nosings, to comply with BCA, Australian Standards and applicable legislation. Refer to engineer's details for structural retaining walls, heavy duty slabs, concrete stairs, concrete strength, reinforcing and joint placement.

Continuous, Unit and Loose Pavement
Install the scheduled material pavement to the locations shown on plan. Ensure that all sub-grade / subsurface works are complete prior to commencing paving. Confer with the engineer to ensure the structural integrity of the sub-grade. Ensure that the base course under paved surfaces is a continuous plane offering a constant depth of bedding material not exceeding 50mm.

Samples
Samples to be provided for each type of landscape material for client's approval prior to ordering and installation. Confirm with superintendent for quantity of samples to be provided.

SOFTWORKS

Soil Testing
Where site soil is to be retrieved from and stored for reuse on site, undertake at least two (2) soil tests, in locations as advised by the Project Manager. Provide results and recommendations regarding soil additives for the benefit of healthy plant growth and to adjust the soil components to achieve an appropriate planting medium for successful plant development.

Subsoil
Excavate and/or fill all garden beds to bring the top of subsoil to at least 300mm below finished design soil levels. Excavate all turf areas to bring the subsoil to at least 100mm below finished design levels. In all areas shape the subsoil to fall to subsoil drains where applicable. Do not excavate within the drip line of trees and shrubs to be retained. Cultivate or rip the subsoil to a further depth of 100mm before placing top soil. Remove stones of size exceeding 25mm, clods of earth exceeding 50mm, and weeds, rubbish or other deleterious material brought to the surface during cultivation. Do not disturb services or existing tree roots. If necessary cultivate these areas by During cultivation, thoroughly mix in materials required to be incorporated into the subsoil, as recommended in the soil testing results and to manufacturer's recommendations. Trim the surface to design levels again after cultivation.

Topsoil
Import topsoil for the garden and turf areas, unless the topsoil can be provided from material recovered from the site, as recommended in the soil testing results. Spread the topsoil on the prepared subsoil and grade evenly, compact lightly and uniformly in 150mm layers. Avoid differential subsidence and excess compaction and produce a finished topsoil surface which has the following characteristics:
- Finished to design levels, allowing for mulch or turf, which is to finish flush with adjoining hard surfaces such as paths and edges
- Smooth and free from inorganic matter, stones or clods of soil
- Graded to drain freely, without ponding, to catchment and/or sub-soil drains
- Graded evenly to adjoining surfaces
- Ready for planting

Non-Australian native garden beds to have soil installed consisting of 50% existing site topsoil and 50% new topsoil equal or equivalent to 'Organic Garden Mix' as supplied by Australian Native Landscapes. Australian native garden beds to have soil installed consisting of 50% existing site topsoil and 50% new topsoil equal or equivalent to 'Native Low 'P' Mix' as supplied by Australian Native Landscapes. Topsoil to be installed to depth of 300mm for tree and mass planting garden beds, 100mm of turf underlay should be used under turf areas.

Compost
Provide, in accordance with AS 4454, well rotted vegetative material or animal manure, free from harmful chemicals, inorganic matter, grass, weeds and the reproductive parts of unwanted plants.

Fertiliser
Provide proprietary fertilisers, delivered to the site in sealed containers marked to show manufacturer or vendor, weight, fertiliser type, N:P:K ratio, recommended uses, application rates and safety procedures. Apply appropriate fertiliser suited to the provenance of plants (indigenous or exotic) included in the design.

Plants
Supply plants in accordance with the landscape design drawings and schedules, which have the following characteristics:
- Large healthy root systems, with no evidence of root curl, restriction or damage;
- Vigorous, well established, free from disease and pests, of good form consistent with the species/variety;
- Hardened off, not soft or forced, and suitable for planting in the natural climatic conditions prevailing at the site in full sun, partial shade or full shade conditions;
- Grown in final containers for not less than twelve weeks;
- Trees, unless required to be multi-stemmed, shall have a single leading shoot; and
- Containers shall be free from weeds and of appropriate size in relation to the specified plant size.

Plant Installation
Following excavation of the planting hole, place and spread 15gms of wetting agent pre-mixed with one (1) litre of water. Place the plant correctly orientated to north or for best presentation. Backfill the planting holes with specified topsoil mixture. Lightly tamp and water to eliminate air pockets. Ensure that the backfill soil is not placed over the top of the root ball and that the root ball is not higher than the soil in which it is planted. Apply fertiliser, as specified around the plants in the soil at the time of planting.

Embankment Stabilisation
Where necessary and shown on the drawings prevent soil erosion or soil movement by stabilising embankments as follows. As a minimum this should be on slopes steeper than or equal to 1:3 gradient. Stabilise embankments using biodegradable fibre reinforced heavy weight jute fabric. Lay fabric from top to bottom of slope. Install in accordance with manufacturer's specification, including 300 x 300mm anchor trench at top and bottom of slope, backfilled with soil over the fabric and compacted into the trenches. Using U-shaped galvanised steel pegs at 1000 mm centres generally and 250mm centres at edge overlaps, secure the fabric to the prepared soil surface. Plant through the fabric after it is installed.

Root Barrier
Supply and install root control barriers to all new tree plantings adjacent to walls, paths, kerbs and all service trenches, where their proximity poses a threat to the stability of the built infrastructure. Install in accordance with manufacturer's recommendations.

Mulch
Unless noted otherwise, mulch shall be approved proprietary recycled wood fibre or pine bark material. Place mulch in all garden beds to a depth of 75mm after all specified plants are installed. Keep mulch clear of all plant stems and rake to an even plane, flush with the surrounding surfaces evenly graded between design surface levels. Over fill to allow mulch to settle to the specified depth. Mulching to be:

Pine Bark Mini Nuggets by ANL (or approved equivalent)
https://anlscape.com.au/Products/garden-mulch/pine-bark-mini-nuggets

Turfing
Turf shall be delivered to site as 25mm minimum thick cut rolls. Obtain turf from a specialist grower of cultivated turf. Turf shall have an even thickness, free from weeds and other foreign matter. Deliver turf to the site within 24 hours of being cut and lay it within 24 hours of delivery. Prevent it from drying out between cutting and laying. Lay the turf in the following manner:
- In stretcher pattern, joints staggered and close butted;
- Parallel long sides of level areas, with contours on slopes; and
- To finish flush, after lightly tamping, with adjacent finished surfaces and design levels.

Turf to be:
'Sir Walter' DNA Certified Buffalo Grass - by Lawn Solutions Australia (or approved similar)
https://lawnsolutionsaustralia.com.au/grass-type/sir-walter-buffalo-grass/

IRRIGATION

All proposed landscape areas shall be irrigated.

The irrigation system shall be an automatic permanent system, with an irrigation controller self operated via a soil moisture sensor. The system shall be calibrated to deliver the optimum rate and volume of water appropriate to the type of plants in the design. The system shall be adjustable and fully serviceable. The layout of the entire irrigation system shall focus on delivering the required amount of water to maintain healthy and vigorous growth. The irrigation system shall be such that, component theft, vandalism, over-spray and wetting of paths shall be reduced to a minimum or completely eliminated by the use of drip, pop-up sprinklers and judiciously placed fixed spray emitters. Generally do not use fine mist emitters that provide a drifting mist that may wet paths and the buildings unless specifically required by the design.

DRAINAGE

All landscape areas are to have positive drainage to SW systems. If areas of poor drainage are identified on site then this should be brought to the site superintendents attention. Install agg lines if required.

TREE PROTECTION NOTES

1. The tree protection zone (TPZ) is a radial distance measured from the centre of the trunk of the tree and calculated in accordance with AS 4970-2009 (Protection of Trees on Development Sites)
2. The Structural Root Zone (SRZ) provides the bulk of mechanical support and anchorage for a tree. This is also a radial distance measured from the centre of the trunk and calculated in accordance with AS 4970-2009 (Protection of trees on development sites).
3. Incursions within the SRZ are not recommended as they are likely to result in the severance of woody roots which may compromise the stability of the tree or lead to its decline and demise.
4. Tree protection shall be in accordance with AS 4970-2009 (Protection of trees on development sites.)
5. Tree Protection Fence - All trees within the site to be retained shall be protected prior to and during construction from all activities that may result in detrimental impact by erecting a suitable protective fence beneath the canopy to the full extent of the tree protection zone.
6. As a minimum, the fence should consist of temporary chain wire panels of 1.8m in height, supported by steel stakes as required and fastened together and supported to prevent sideways movement using corner braces where required. The fence shall be erected prior to the commencement of any work on-site and shall be maintained in good condition for the duration of construction. Where tree protection zones merge together a single fence encompassing the area is deemed to be adequate. Existing site boundary fences may form part of the enclosure.
7. Tree Protection Signs - Signs shall be installed on the tree protection fence to prevent unauthorised movement of plant and equipment or entry to the tree protection zone. The signs shall be securely attached to the fence using cable ties or equivalent. Signs shall be placed at minimum 10 metre intervals. The wording and layout of the sign shall comply with AS 4970-2009
8. Trunk Protection - Where provision of tree protection fencing is in impractical due to its proximity to the proposed building footprint, trunk protection shall be erected around nominated trees to avoid accidental damage. The trunk protection shall consist of a layer of carpet underfelt (or similar) wrapped around the trunk, followed by 1.8m lengths of softwood timbers (90x45mm in section) aligned vertically with 2mm galvanised wire or galvanised hoop strap. Recycled timber (such as demolition waste) may be suitable for this purpose, subject to the approval of the project arborist. The timber shall be wrapped around the trunk (over the carpet underfelt), but not fixed to the tree to avoid mechanical injury or damage to the trunk. Trunk protection should be installed prior to any site works and maintained in good condition for the duration of the construction period. Carpet underfelt (alone) is sufficient for trees with a trunk diametre of less than 200mm.
9. Demolition and excavation within the tree protection zones of trees to be retained shall be undertaken under the supervision of the site arborist.
10. Tree Damage - Care shall be taken when operating cranes, drilling rigs and similar equipment near trees to avoid damage to tree canopies (foliage and branches). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy and construction activities, the advice of the site arborist must be sought.
11. In the event of any tree becoming damaged for any reason during the construction period, a consulting arborist (Australian Qualification Framework Level 5) shall be engaged to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the arborist.

Issue	Comments	Date
A	ISSUE FOR SNPP	01.05.2025
B	ISSUE FOR SNPP	01.07.2025

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Figured dimensions shall be taken in preference to scaling.

The contractor shall check all dimensions on site before commencing work.

NOT TO BE USED FOR TENDER OR CONSTRUCTION

26-30 Mcintyre Street
Gordon
NSW 2072

CLIENT: Rudder Group
ARCHITECT: Giles Tribe Pty Ltd

DRAWN: LZ/CL
CHECKED: KG

DATE CREATED: 28 Apr 2025
JOB NUMBER: LA220302

NTS
A1

STUDIO IZ

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799 Pacific Highway, Chatswood. 2067 NSW

DETAILS & SPECIFICATION NOTES

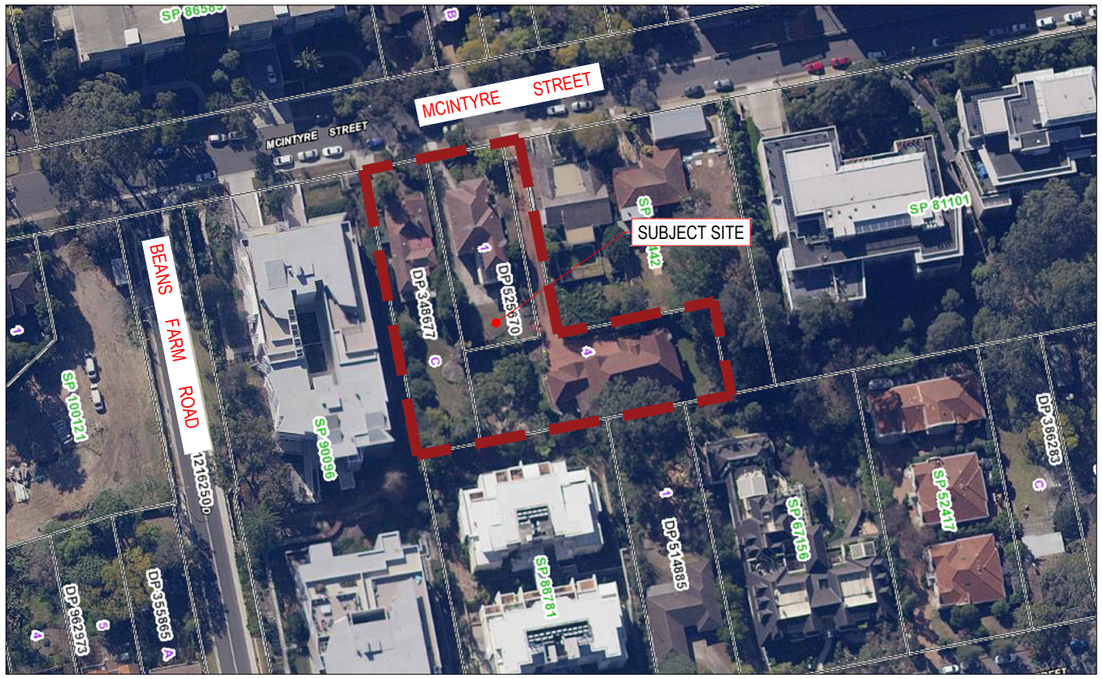
LA-600

ISSUE **B**

GENERAL WORKS LEGEND

SITE BOUNDARY	
CONTOUR	100.00
RETAINING WALL	
VEHICULAR CROSSING	
BUILDING FINISHED FLOOR LEVEL	
FINISHED LEVEL	F 10.00
INVERT LEVEL	IL10.00
INGROUND STORMWATER PIPE	
INGROUND STORMWATER PIPE (EXISTING)	
ROOF STORMWATER PIPE	
CHARGED STORMWATER PIPE	
OVERFLOW STORMWATER PIPE	
SUBSOIL STORMWATER PIPE	
STORMWATER PIPE SUSPENDED TO SLAB UNDERSIDE	
STORMWATER PIPE CAST-IN SLAB	
STORMWATER PUMP RISING MAIN	
AC UNIT TUNDISH	
STORMWATER BALCONY GRADE LINE	
STORMWATER CHANNEL / SWALE	
GRADE AND FLOW DIRECTION	
PIPE SIZE AND TYPE	Ø100mm uPVC @1%
OVERLAND FLOW DIRECTION	
KERB INLET PIT (ONGRADE / SAG)	
SURFACE INLET PIT / JUNCTION PIT	
STORMWATER PIT TAG	
GRATED TRENCH DRAIN	
CONCRETE / STACKED ROCK HEADWALL	
DOWNPIPES COLLECTING ROOF WATER	
DOWNPIPES	
DOWNPIPES TO LOWER FLOOR	
RAINWATER OUTLETS	
BALCONY OUTLETS	
DISH DRAIN OUTLETS	
FLOOR WASTE OUTLETS	
PLANTER BOX OUTLETS	
OVERFLOW SLOTS	
FIRE COLLAR	
BASEMENT PENETRATION POINT	
PUMP-OUT RISING MAIN	
RAINWATER TANK FIRST FLUSH ABOVE GROUND	
RAINWATER TANK FIRST FLUSH BELOW GROUND	
PUMP-OUT CONTROL BOX	
PUMP-OUT WARNING FLASH LIGHT	
CLEAN OUT POINT	
SUBSOIL /PIPE INTERMEDIATE RISER	
RAINWATER TANK	
TELECOMMUNICATION LINE	C
UNDERGROUND ELECTRICAL LINE	E
OVERHEAD ELECTRICAL LINE	O/H
FIRE HYDRANT LINE	F
GAS LINE	G
WATER LINE	W
SEWER LINE	S

PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET, GORDON
STORMWATER MANAGEMENT CONCEPT PLAN



DRAWING REGISTER

DRAWING NO.	TITLE	REVISION
DA-SW100	COVERSHEET	1
DA-SW101	GENERAL NOTES AND SPECIFICATIONS	1
DA-SW110	GENERAL ARRANGEMENT PLAN	1
DA-SW200	STORMWATER MANAGEMENT PLAN - BASEMENT 4 PLAN	1
DA-SW201	STORMWATER MANAGEMENT PLAN - BASEMENT 3 PLAN	1
DA-SW202	STORMWATER MANAGEMENT PLAN - BASEMENT 2 PLAN	1
DA-SW203	STORMWATER MANAGEMENT PLAN - BASEMENT 1 PLAN	1
DA-SW204	STORMWATER MANAGEMENT PLAN - GROUND FLOOR PLAN SHEET 1 OF 2	1
DA-SW205	STORMWATER MANAGEMENT PLAN - GROUND FLOOR PLAN SHEET 2 OF 2	1
DA-SW206	STORMWATER MANAGEMENT PLAN - ROOF FLOOR	1
DA-SW300	DETAILS SHEET - 1	1
DA-SW301	DETAILS SHEET - 2	1
DA-SW400	WSUD DESIGN & DETAILS	1
DA-SW500	EXISTING & PROPOSED FLOW COMPARISON	1
DA-SW600	EROSION AND SEDIMENT CONTROL PLAN & DETAILS	1

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: COVERSHEET

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW100

Scale: NTS | Date: 30/06/2025 | Size: A1 | Datum: A.H.D

North Point: N

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW100.dwg

GENERAL

1. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH COUNCIL'S CONSTRUCTION SPECIFICATIONS (REFER BELOW), BUILDING CODE OF AUSTRALIA, NSW CODE OF PRACTICE AND THE TO THE RELEVANT SERVICE CODES.
2. ALL DIMENSIONS SHOWN ON THE DRAWINGS ARE IN MILLIMETERS AND ALL LEVELS ARE IN METERS (U.N.O.). DIMENSIONS SHALL NOT BE OBTAINED BY SCALING OF THESE DRAWINGS. USE FIGURED DIMENSIONS ONLY.
3. BENCHMARKS HAVE BEEN ESTABLISHED WHERE INDICATED ON THE DRAWINGS. ALL LEVELS ARE TO AUSTRALIAN HEIGHT DATUM (A.H.D.). THE CONTRACTOR SHALL UNDERTAKE ALL NECESSARY SURVEY WORK TO ENSURE THAT THE WORKS ARE CONSTRUCTED TO DESIGN LINE AND LEVEL.
4. SETTING OUT DIMENSIONS AND LEVELS SHOWN ON THE DRAWINGS SHALL BE VERIFIED BY THE CONTRACTOR.
5. ALL MATERIALS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT SAA CODES AND THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITIES.
6. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ALL SAFETY FENCES, WARNING SIGNS, TRAFFIC DIVERSIONS AND THE LIKE DURING CONSTRUCTION. ALL WORKS TO COMPLY WITH WORK HEALTH AND SAFETY REQUIREMENTS AND OTHER RELEVANT AUTHORITY SAFETY REQUIREMENTS.
7. NO TREES SHALL BE REMOVED, CUTBACK OR RELOCATED WITHOUT THE WRITTEN INSTRUCTION FROM THE SUPERINTENDENT.
8. DESIGN LEVELS GIVEN ARE TO FINISHED SURFACE LEVEL AND INCLUSIVE OF TOPSOIL. (TOPSOIL DEPTH VARIES)
9. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN FROM THE UTILITY SERVICES AUTHORITIES A CURRENT COPY OF UNDERGROUND SERVICES SEARCH FOR THE LOCATION OF ALL EXISTING SERVICES PRIOR TO COMMENCEMENT OF ANY WORK AND NOTIFY ANY CONFLICT WITH THE DRAWINGS IMMEDIATELY. CLEARANCE SHALL BE OBTAINED FROM THE RELEVANT REGULATORY AUTHORITY. CONTRACTOR TO KEEP COPY OF UNDERGROUND SERVICES SEARCH ON SITE AT ALL TIMES. ANY DAMAGES TO SERVICES OR SERVICES ADJUSTMENTS SHALL BE CARRIED OUT BY THE CONTRACTOR OR RELEVANT AUTHORITY AT THE DEVELOPERS EXPENSE.
10. VISIT THE SITE BEFORE SUBMITTING THE FINAL TENDER PRICE TO ASSESS 'ON SITE' CONDITIONS. FAILURE TO DO SO WILL FORFEIT ANY CLAIM FOR NOT BEING AWARE OF CONDITIONS AFFECTING THE TENDER.
11. THE CONTRACTOR SHALL PREPARE ACCURATE WORK-AS-EXECUTED DRAWINGS FOLLOWING THE COMPLETION OF ALL WORKS.
12. IT IS THE CONTRACTOR'S RESPONSIBILITY TO HAVE IN PLACE & MAINTAIN TRAFFIC FACILITIES AT ALL TIMES DURING CONSTRUCTION.
13. A ROAD OCCUPANCY APPLICATION SHALL BE APPROVED BY COUNCIL'S TRAFFIC SECTION PRIOR TO COMMENCEMENT OF WORKS.

SURVEY

1. THE EXISTING SITE CONDITIONS SHOWN ON THE FOLLOWING DRAWINGS HAVE BEEN SUPPLIED BY REGISTERED SURVEYORS TO PROVIDE A BASIS FOR DESIGN. THE USE OF THIS SURVEY BASE DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THE SURVEY BASE OR ITS SUITABILITY AS A BASIS FOR CONSTRUCTION DRAWINGS.
2. SHOULD DISCREPANCIES BE ENCOUNTERED DURING CONSTRUCTION BETWEEN THE SURVEY DATA AND ACTUAL FIELD DATA, CONTACT THE SUPERINTENDENT.
3. THE RELATIONSHIP OF IMPROVEMENTS TO BOUNDARIES ARE DIAGRAMMATIC ONLY. WHERE DISTANCES TO BOUNDARIES ARE CRITICAL THEY SHOULD BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION BY FURTHER SURVEY.
4. LEVELS ON SURVEY PLAN CALCULATED IN USING RELEVANT BENCHMARK. CONTRACTOR TO VERIFY BENCHMARK BEFORE WORK IS CARRIED OUT. DETAILS OF BENCHMARK FOUND IN SITEWORKS PLAN.

BEFORE YOU DIG byda.com.au

Zero damage - Zero harm - Zero disruption

BEFORE YOU DIG AUSTRALIA SHOULD BE CONTACTED PRIOR TO ANY EXCAVATION ON SITE

TM: TRADE MARK OF BEFORE YOU DIG AUSTRALIA LTD. USED UNDER LICENSE.

EROSION AND SEDIMENT CONTROL

1. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE CONTROL OF EROSION AND SEDIMENTATION TO THE SATISFACTION OF COUNCIL. NSW OFFICE OF WATER, OFFICE OF ENVIRONMENT AND HERITAGE. THE EROSION AND SEDIMENTATION CONTROLS SHOWN ON THE DRAWINGS SHALL ONLY BE USED AS A GUIDE BY THE CONTRACTOR, AND SHALL REPRESENT THE MINIMUM REQUIREMENT ONLY.
2. THE CONTRACTOR SHALL ENSURE THAT ALL SOIL AND WATER MANAGEMENT WORKS ARE LOCATED AS DOCUMENTED OR AS OTHERWISE DIRECTED BY THE SUPERINTENDENT.
   ALL WORK SHALL BE GENERALLY CARRIED OUT IN ACCORDANCE WITH
   (i) LOCAL AUTHORITY REQUIREMENTS.
   (ii) EPA REQUIREMENTS.
   (iii) LATEST REVISION OF LANDCOM MANUAL "MANAGING URBAN STORMWATER, SOILS AND CONSTRUCTION".
3. BEFORE EARTHWORKS CAN COMMENCE THE EROSION & SEDIMENT CONTROL MEASURES MUST BE IN PLACE. DURING THE CONSTRUCTION PERIOD, THESE CONTROL MEASURES WILL NEED TO BE INSPECTED & MAINTAINED REGULARLY, ESPECIALLY AFTER STORM EVENTS, BY THE CONTRACTOR, TO THE SATISFACTION OF THE SUPERINTENDENT AND THE LOCAL AUTHORITY.
4. WHEN STORMWATER PITS ARE CONSTRUCTED, PREVENT SITE RUNOFF ENTERING UNLESS SEDIMENT FENCES ARE ERECTED AROUND PITS. ISOLATE EXISTING STORMWATER PITS WITH STRAW BALES OR SILT TRAPS TO FILTER ALL INCOMING FLOWS.
5. WHERE PRACTICAL, THE SOIL EROSION HAZARD ON THE SITE WILL BE KEPT AS LOW AS POSSIBLE. TO THIS END, WORKS SHOULD BE UNDERTAKEN IN THE FOLLOWING SEQUENCE:
   (i) INSTALL A SEDIMENT FENCE ALONG THE BOUNDARIES AS SHOWN ON PLAN. PROVIDE SILT FENCE/STRAW BAIL BARRIERS TO THE LOW SIDE OF ALL EXPOSED EARTH EXCAVATIONS. TIE SEDIMENT FENCING MATERIAL TO CYCLONE WIRE SECURITY FENCE. SEDIMENT CONTROL FABRIC SHALL BE AN APPROVED MATERIAL (EG. HUMES PROPEX SILT STOP) STANDING 300mm ABOVE GROUND & EXTENDING 150mm BELOW GROUND.
   (ii) CONSTRUCT STABILISED CONSTRUCTION ENTRANCE TO LOCATION AS DETERMINED BY SUPERINTENDENT/ENGINEER. CONTRACTOR SHALL ENSURE ALL DROPPABLE SOIL & SEDIMENT IS REMOVED PRIOR TO CONSTRUCTION TRAFFIC EXITING SITE. CONTRACTOR SHALL ENSURE ALL CONSTRUCTION TRAFFIC ENTERING AND LEAVING THE SITE DO SO IN A FORWARD DIRECTION.
   (iii) INSTALL SEDIMENT BASIN AS SHOWN ON PLAN, INSTALL SEDIMENT TRAPS AS SHOWN ON PLAN.
   (iv) UNDERTAKE SITE DEVELOPMENT WORKS IN ACCORDANCE WITH THE ENGINEERING PLANS. WHERE POSSIBLE, PHASE DEVELOPMENT SO THAT LAND DISTURBANCE IS CONFINED TO AREAS OF WORKABLE SIZE.
6. TREAT THE STORMWATER RUNOFF WITH SUSPENDED SOLIDS SO THE DISCHARGE WATER QUALITY TO COUNCIL STORMWATER DRAINAGE SYSTEM HAS A MAXIMUM CONCENTRATION OF SUSPENDED SOLIDS THAT DOES NOT EXCEED 50 MILLIGRAMS PER LITRE IN ACCORDANCE WITH THE PROTECTION OF THE ENVIRONMENT OPERATION ACT (POEO 1997) AND SHALL BE APPROVED BY LOCAL COUNCIL.
7. DURING WINDY WEATHER, LARGE, UNPROTECTED AREAS WILL BE KEPT MOIST (NOT WET) BY SPRINKLING WITH WATER TO KEEP DUST UNDER CONTROL.
8. FINAL SITE LANDSCAPING WILL BE UNDERTAKEN AS SOON AS POSSIBLE AND WITHIN 20 WORKING DAYS FROM COMPLETION OF CONSTRUCTION ACTIVITIES.
9. STOCKPILES WILL NOT BE LOCATED WITHIN 2 METRES OF HAZARD AREAS, INCLUDING LIKELY AREAS OF CONCENTRATED OR HIGH VELOCITY FLOWS SUCH AS WATERWAYS. WHERE THEY ARE BETWEEN 2 AND 5 METRES FROM SUCH AREAS, SPECIAL SEDIMENT CONTROL MEASURES SHOULD BE TAKEN TO MINIMISE POSSIBLE POLLUTION TO DOWNSLOPE WATERS, E.G. THROUGH INSTALLATION OF SEDIMENT FENCING.
10. ANY SAND USED IN THE CONCRETE CURING PROCESS (SPREAD OVER THE SURFACE) WILL BE REMOVED AS SOON AS POSSIBLE AND WITHIN 10 WORKING DAYS FROM PLACEMENT.
11. WATER WILL BE PREVENTED FROM ENTERING THE PERMANENT DRAINAGE SYSTEM UNLESS IT IS RELATIVELY SEDIMENT FREE, I.E. THE CATCHMENT AREA HAS BEEN PERMANENTLY LANDSCAPED AND/OR ANY LIKELY SEDIMENT HAS BEEN FILTERED THROUGH AN APPROVED STRUCTURE.
12. TEMPORARY SOIL AND WATER MANAGEMENT STRUCTURES WILL BE REMOVED ONLY AFTER THE LANDS THEY ARE PROTECTING ARE REHABILITATED.
13. ACCEPTABLE RECEPTORS WILL BE PROVIDED FOR CONCRETE AND MORTAR SLURRIES, PAINTS, ACID WASHINGS, LIGHT-WEIGHT WASTE MATERIALS AND LITTER.
14. ANY EXISTING TREES WHICH FORM PART OF THE FINAL LANDSCAPING PLAN WILL BE PROTECTED FROM CONSTRUCTION ACTIVITIES BY:
   (i) PROTECTING THEM WITH BARRIER FENCING OR SIMILAR MATERIALS INSTALLED OUTSIDE THE DRIP LINE.
   (ii) ENSURING THAT NOTHING IS NAILED TO THEM.
   (iii) PROHIBITING PAVING, GRADING, SEDIMENT WASH OR PLACING OF STOCKPILES WITHIN THE DRIP LINE EXCEPT UNDER THE FOLLOWING CONDITIONS:
   - ENCROACHMENT ONLY OCCURS ON ONE SIDE AND NO CLOSER TO THE TRUNK THAN EITHER 1.5 METRES OR HALF THE DISTANCE BETWEEN THE OUTER EDGE OF THE DRIP LINE AND THE TRUNK, WHICH EVER IS THE GREATER.
   - A DRAINAGE SYSTEM THAT ALLOWS AIR AND WATER TO CIRCULATE THROUGH THE ROOT ZONE (E.G. A GRAVEL BED) IS PLACED UNDER ALL FILL LAYERS OF MORE THAN 300 MILLIMETRES DEPTH.
   - CARE IS TAKEN NOT TO CUT ROOTS UNNECESSARILY NOR TO COMPACT THE SOIL AROUND THEM.

STORMWATER DRAINAGE

1. ALL INTERNAL WORKS WITHIN PROPERTY BOUNDARIES ARE TO COMPLY WITH THE REQUIREMENTS OF THE LATEST REVISION OF AS3500.3-2003:'STORMWATER DRAINAGE'.
2. PIPES UP TO 300 DIA SHALL BE SEWER GRADE uPVC (CLASS SN4) WITH SOLVENT WELDED JOINTS.
3. PIPES 375 DIA. AND LARGER TO BE REINFORCED CONCRETE MIN CLASS '2' APPROVED SPIGOT AND SOCKET WITH RUBBER RING JOINTS. MANUFACTURED TO AS4058 U.N.O.
4. ALL PIPES ARE TO BE LAID AT MIN 1.0% GRADE (UNO). MIN SIZE 100mm DIAMETER (UNO). FOR STORMWATER DRAINAGE PIPES THAT EXCEED 1:5 GRADE, REINFORCED CONCRETE ANCHOR BLOCKS SHALL BE INSTALLED. ANCHOR BLOCKS TO BE CONSTRUCTED TO SPECIFICATIONS SET OUT IN AS3500.3-2018 SECTION 8.10.
5. MINIMUM PIPE COVER TO BE 600mm UNDER TRAFFICABLE AREAS AND 300mm ELSEWHERE (UNO).
6. EQUIVALENT STRENGTH FRC PIPES MAY BE USED TO DESIGN ENGINEER AND SUPERINTENDENTS APPROVAL.
7. ALL PIPES ARE TO BE UNIFORMLY SUPPORTED ALONG THE LENGTH OF THE BARREL BY SUITABLE FILL MATERIAL. REFER TO BEDDING SUPPORT TYPE.
8. PIPES WITH SOCKETS SHALL BE LAID IN BEDDING WHERE SUITABLE RECESSES HAVE BEEN PROVIDED TO ENSURE PIPES DO NOT BEAR ON THEIR SOCKETS.
9. ENLARGERS, CONNECTIONS AND JUNCTIONS TO BE PREFABRICATED FITTINGS WHERE PIPES ARE LESS THAN 300 DIA.
10. ALL STORMWATER DRAINAGE LINES UNDER PROPOSED BUILDING SLABS TO BE uPVC PRESSURE PIPE GRADE.
11. ENSURE ALL VERTICALS AND DOWNPIPES ARE uPVC PRESSURE PIPE, GRADE 6 FOR A MIN OF 3.0m IN HEIGHT.
12. PROVIDE CLEANING EYES TO ALL DOWNPIPES NOT DIRECTLY CONNECTED TO PITS.
13. WHERE WORKING METHODS REQUIRE HIGHER CLASS PIPE, THE CONTRACTOR SHALL REFER TO AS 3725 (2007) TO DETERMINE THE APPROPRIATE PIPE CLASS. PROPOSED PIPE CLASS SHALL BE REVIEWED BY THE DESIGN ENGINEER PRIOR TO INSTALLATION.
14. CARE IS TO BE TAKEN WITH LEVELS OF STORMWATER LINES. PIPES SHALL BE TRUE TO GRADES SHOWN AND ALIGNED SO THAT THE CENTRE OF THE INLET PIPE INTERSECTS WITH THE CENTRE OF THE OUTLET PIPE AT THE DOWNSTREAM FACE OF THE PIT.
15. BED ALL PIPES FIRMLY AND EVENLY WITH IMPORTED FILL ONLY. THICKNESS OF BEDDING LAYER SHALL BE 75mm IN SOIL AND 200mm IN ROCK.
16. LAY AND JOINT ALL PIPES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND AS3725-2007:'DESIGN FOR INSTALLATION OF BURIED CONCRETE PIPES'.
17. EXCAVATE TRENCHES AND STOCKPILE ALL MATERIAL FOR INSPECTION WITH REGARD TO REUSE FOR TRENCH BACKFILL. REMAINING MATERIAL TO BE REMOVED FROM SITE. BACKFILL PIPES WITH IMPORTED FILL. PROVIDE 200mm SIDE SUPPORT AND 150mm OVERLAY ABOVE PIPE CROWN. TRENCH FILL ABOVE THE EMBEDMENT ZONE TO THE UNDERSIDE OF THE ROAD PAVEMENT OR THE FOOTWAY SHALL BE AS FOLLOW:
   - UNDER ROADWAY
     TRENCH FILL MATERIAL SHALL CONSIST OF IMPORTED FILL AS SPECIFIED HEREIN OF EITHER HIGH GRADE COMPACTION SAND OR APPROVED CRUSHED ROAD GRAVEL CONFORMING TO RMS QA SPECIFICATION 3051 OR SIMILAR.
   - OTHER THAN ROADWAY
     TRENCH MATERIAL EXCAVATED SHALL CONSIST OF SELECT FILL AS SPECIFIED HEREIN AND SHALL NOT CONTAIN MORE THAN 20% OF STONES OF SIZE BETWEEN 25mm AND 75mm AND NONE LARGER THAN 75mm. PRIOR TO USE OF THE EXCAVATED MATERIAL IT SHALL BE INSPECTED AND APPROVED BY THE ENGINEER.
18. COMPACT BEDDING. EMBEDMENT AND TRENCH FILL MATERIALS AS FOLLOW:
   - EMBEDMENT: FOR GRANULAR FILL MATERIAL (NON-COHESIVE SOIL) e.g. COARSE AGGREGATE FILL, THE DENSITY INDEX (ID) SHALL BE NOT LESS THAN 70%.
   - TRENCH FILL: FOR GRANULAR MATERIAL (NON COHESIVE SOILS). THE DENSITY INDEX (ID) SHALL BE NOT LESS THAN 70%. FOR NON-GRANULAR FILL MATERIAL (COHESIVE SOILS), THE DRY DENSITY RATIO (RD) SHALL BE NOT LESS THAN 95%.
19. PRECAST PITS MAY BE USED SUBJECT TO WRITTEN APPROVAL BY THE DESIGN ENGINEER.
20. ALL PIPE PENETRATIONS (EXISTING, IN-SITU AND PRECAST) ARE TO BE FINISHED FLUSH WITH THE INTERNAL PIT WALL AND PROPERLY SEALED WITH CEMENT RENDER. MASS CONCRETE BENCHING IS TO BE INSTALLED TO MATCH THE OUTLET PIPE INVERT LEVEL AND A LOCKABLE HINGED GRATE AND FRAME WITH CONCRETE SURROUND INSTALLED U.N.O.
21. ALL EXPOSED EDGES TO BE ROUNDED WITH 20mm RADIUS, OR CHAMFERED 20mm x 20mm.
22. ALL DRAINAGE AND SERVICE PIT LIDS THROUGHOUT THE PUBLIC DOMAIN SHALL BE INFILL PIT LID TYPE AND BICYCLE SAFE, FINISH FLUSH WITH THE ADJACENT PAVEMENT TO AVOID TRIP HAZARDS AND BE CLEAR OF OBSTRUCTIONS FOR EASY CLEANING AND OPENING.

STORMWATER DRAINAGE (CONT.)

23. COVERS
   (i) USE HOT DIPPED GALVANISED GRATES AND CONCRETE FILLED COVERS WITH HINGES AND HOLD DOWN BOLTS COMPLYING WITH AS3996 AND OTHER RELEVANT AUSTRALIAN AND COUNCIL STANDARDS.
   (ii) ALL COVERS AND GRATES TO BE POSITIONED IN A FRAME AND MANUFACTURED AS A UNIT.
   (iii) ALL COVERS AND GRATES TO BE FITTED WITH POSITIVE COVER LIFTING KEYS.
   (iv) OBTAIN SUPERINTENDENT'S APPROVAL FOR THE USE OF CAST IRON SOLID COVERS AND GRATES. CAST IRON SOLID COVERS (IF APPROVED) TO CONSIST OF CROSS-WEBBED, CELLULAR CONSTRUCTION WITH THE RIBS UPPERMOST TO ALLOW INFILLING WITH CONCRETE. INSTALL POSITIVE COVER LIFTING KEYS AND PLASTIC PLUGS.
   (v) UNLESS DETAILED OR SPECIFIED OTHERWISE COVERS AND GRATES TO BE CLASS "D" IN VEHICULAR PAVEMENTS AND CLASS "B" ELSEWHERE.
   (vi) GRATES TO PITS IN FOOTPATH AREAS SHALL BE HEEL SAFE COMPLYING WITH THE DISABLED ACCESS CODE.
24. NOTE THAT THE PIT COVER LEVEL NOMINATED IN GUTTERS ARE TO THE INVERT OF THE GUTTER WHICH ARE 40mm LOWER THAN THE PAVEMENT LEVEL AT LIP OF GUTTER.
25. Ø100mm SUB-SOIL DRAINAGE LINES SHALL BE CONNECTED TO A STORMWATER DRAINAGE PIT (AT min. 0.5% LONGITUDINAL GRADE) AND PROVIDED IN THE FOLLOWING LOCATIONS:
   (i) ADJACENT ALL TRAFFICKED AND CARPARK PAVEMENT AREAS (BEHIND KERB);
   (ii) ALL PLANTER AND TREE BEDS PROPOSED ADJACENT TO PAVEMENT AREAS;
   (iii) BEHIND RETAINING WALLS (IN ACCORDANCE WITH DRAWINGS);
   (iv) BELOW ALL TRAFFICABLE DISH DRAINS;
   (v) ALL OTHER AREAS SHOWN ON THE DRAWINGS.
26. THE CONTRACTOR SHALL INSTALL FLUSHING POINTS TO ALL SUBSOIL DRAINAGE LINES AND DOWNPIPE LINES AS SPECIFIED ON DRAWINGS, AT MAXIMUM 60m CENTRES AND AT ALL UPSTREAM ENDPOINTS.
27. PROVIDE 3.0m LENGTH OF Ø100 SUBSOIL DRAINAGE PIPE WRAPPED IN A NON-WOVEN GEOTEXTILE FABRIC, TO THE UPSTREAM SIDE OF STORMWATER PITS, LAID IN STORMWATER PIPE TRENCHES AND CONNECTED TO THE DRAINAGE PIT.
28. WHERE SUBSOIL DRAINS PASS UNDER FLOOR SLABS AND VEHICULAR PAVEMENTS, UNSLOTTED uPVC SEWER GRADE PIPE IS TO BE USED.
29. SUBSOIL DRAINAGE SHALL CONSIST OF A SLOTTED 100mm DIAMETER PLASTIC PIPE WRAPPED IN GEOTEXTILE AND PLACED A MINIMUM OF 600mm BELOW THE SUBGRADE LEVEL AND COVERED WITH 500mm OF 20mm GRAVEL. PROVIDE A MINIMUM OF 150mm GRAVEL AROUND SUBSOIL PIPE. TRENCH TO BE LINED WITH GEOTEXTILE FABRIC TYPE BIDIM A24.
30. ALL RECTANGULAR HOLLOW SECTIONS (RHS) SPECIFIED AS STORMWATER CONDUITS TO BE HOT DIPPED GALVANISED AND HAVE (MINIMUM) 5mm WALL THICKNESS.
31. ALL BOX CULVERTS SHALL BE STRUCTURALLY DESIGNED BY THE MANUFACTURER AND DELIVERED TO SITE AS FIT FOR PURPOSE.
32. ELECTRICAL PITS ARE TO DRAIN TO THE NEAREST STORMWATER PIT WITH VERMIN PROOF NON-RETURN FLAP VALVES AS REQUIRED. THE CONTRACTOR IS TO CONFIRM WITH THE ELECTRICAL DESIGNER AS PART OF THE TENDER.
33. THE CONTRACTOR SHALL ENSURE AND PROTECT THE INTEGRITY OF ALL STORMWATER PIPES DURING CONSTRUCTION. ANY AND ALL DAMAGE TO THESE PIPES AS A RESULT OF THESE WORKS SHALL BE REPAIRED BY THE CONTRACTOR UNDER THE DIRECTION OF THE SUPERINTENDENT, AND AT NO EXTRA COST.
34. AT ALL TIMES DURING CONSTRUCTION OF STORMWATER PITS, ADEQUATE SAFETY PROCEDURES SHALL BE TAKEN TO ENSURE AGAINST THE POSSIBILITY OF PERSONNEL FALLING DOWN PITS.
35. ALL EXISTING STORMWATER DRAINAGE LINES AND PITS THAT ARE TO REMAIN ARE TO BE INSPECTED AND CLEANED. DURING THIS PROCESS ANY PART OF THE STORMWATER DRAINAGE SYSTEM THAT WARRANTS REPAIR SHALL BE REPORTED TO THE SUPERINTENDENT/ENGINEER FOR FURTHER DIRECTIONS.
36. EXISTING PIPES WHICH FORM NO PART OF THE DRAINAGE SYSTEM SHALL BE REMOVED OR SEALED AS INDICATED ON THE PLANS. PIPES UP TO 300mm DIAMETER SHALL BE SEWER GRADE uPVC WITH SOLVENT WELDED JOINTS (U.N.O.). ALL PIPE JUNCTIONS AND TAPERS SHALL BE VIA PURPOSE MADE FITTINGS. THE CONTRACTOR SHALL ALLOW FOR THE CAPPING OFF, EXCAVATION AND REMOVAL (IF REQUIRED) OF ALL EXISTING SERVICES IN AREAS AFFECTED BY THE WORKS.
37. CONTRACTOR TO PROVIDE WORKSHOP COORDINATED DRAWINGS PRIOR TO COMMENCING WORKS ON SITE. WORKSHOP DRAWINGS TO BE REVIEWED AND APPROVED BY DESIGN ENGINEER.
38. ALL EXTERNAL AREA TO HAVE A MINIMUM 1% FALL TO OUTLETS PROVIDED.
39. PROVIDE OVERFLOWS TO ALL AREAS TO ARCHITECT'S SPECIFICATIONS.
40. ALL RAINWATER OUTLETS TO OPEN AREAS SHALL BE SPS TRUFLO TYPE TIA100F UNLESS NOTED OTHERWISE. DO NOT INSTALL BALCONY OUTLETS OR SIMILAR IN AREAS SUBJECT TO DIRECT RAINFALL.
41. ANY VARIATION TO SPECIFIED PRODUCTS OR DETAILS SHALL BE REFERRED TO THE DESIGN ENGINEER FOR APPROVAL. DOWN PITS.

RAINWATER RE-USE

1. PROVIDE RAINWATER RE-USE SYSTEM TO SUPPLY WATER AS SPECIFIED.
2. GUTTER GUARD TO BE INSTALLED ON ALL EAVES GUTTERS.
3. PRESSURE PUMP / TAP TO BE PROVIDED FOR RE-USE OF CAPTURED TANK WATER.
4. ALL RAINWATER SERVICES SHALL BE CLEARLY LABELED "NON POTABLE WATER" WITH APPROPRIATE HAZARD IDENTIFICATION.
5. PIPEWORK USED FOR RAINWATER SERVICES SHALL BE COLOURED LILAC IN ACCORDANCE WITH AS1345.
7. ALL VALVES AND APERTURES SHALL BE CLEARLY AND PERMANENTLY LABELED WITH SAFETY SIGNS TO COMPLY WITH AS1319.
8. AN AIR GAP OR A RPZD TO BE INSTALLED TO ENSURE BACKFLOW PREVENTION.
9. RAINWATER TANK RETICULATION SYSTEM AND MAINS TOP ARRANGEMENT TO BE INSTALLED IN ACCORDANCE WITH AS/NZS 3500.1.2-2003 AND THE NSW CODE OF PRACTICE: PLUMBING AND DRAINING AND HB230-2008 RAINWATER TANK DESIGN AND INSTALLATION HANDBOOK.
10. A FIRST FLUSH DEVICE IS TO BE PROVIDED AT RAINWATER TANK INLET OR DOWNPIPES.

EXISTING SERVICES

1. THE LOCATIONS OF UNDERGROUND SERVICES SHOWN ON THE DRAWING HAVE BEEN PLOTTED FROM DIAGRAMS PROVIDED BY SERVICE AUTHORITIES. THIS INFORMATION HAS BEEN PREPARED SOLELY FOR THE AUTHORITIES OWN USE AND MAY NOT NECESSARILY BE UPDATED OR ACCURATE. THE POSITION OF SERVICES AS RECORDED BY THE AUTHORITY AT THE TIME OF INSTALLATION MAY NOT REFLECT CHANGES IN THE PHYSICAL ENVIRONMENT SUBSEQUENT TO INSTALLATION. JCO CONSULTANTS DOES NOT GUARANTEE THAT THE SERVICES INFORMATION SHOWN ON THE DRAWING SHOWS MORE THAN THE PRESENCE OR ABSENCE OF SERVICES, AND WILL ACCEPT NO LIABILITY FOR INACCURACIES IN THE SERVICES INFORMATION SHOWN FROM ANY CAUSE WHATSOEVER.
2. CARE TO BE TAKEN WHEN EXCAVATING NEAR EXISTING SERVICES. NO MECHANICAL EXCAVATIONS ARE TO BE UNDERTAKEN OVER ALL LIVE SERVICES. HAND EXCAVATION ONLY IN THESE AREAS.
3. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING SERVICES THAT ARE TO BE RETAINED IN THE VICINITY OF THE PROPOSED WORKS. ANY AND ALL DAMAGE TO THESE SERVICES AS A RESULT OF THESE WORKS SHALL BE REPAIRED BY THE CONTRACTOR UNDER THE DIRECTION OF THE SUPERINTENDENT, AND AT NO EXTRA COST.
4. THE CONTRACTOR SHALL ALLOW IN THE PROGRAM FOR ADJUSTMENT (IF REQUIRED) OF EXISTING SERVICES IN AREAS AFFECTED BY WORKS.
5. THE CONTRACTOR SHALL ALLOW IN THE PROGRAM FOR THE CAPPING OFF, EXCAVATION AND REMOVAL (IF REQUIRED) OF EXISTING SERVICES IN AREA AFFECTED BY WORKS UNLESS DIRECTED OTHERWISE ON THE DRAWINGS OR BY THE SUPERINTENDENT.
6. THE CONTRACTOR SHALL ENSURE THAT AT ALL TIMES SERVICES TO ALL BUILDINGS NOT AFFECTED BY THE WORKS ARE NOT DISRUPTED.
7. PRIOR TO COMMENCEMENT OF ANY WORKS THE CONTRACTOR SHALL GAIN APPROVAL OF THE PROGRAM FOR THE RELOCATION AND/OR CONSTRUCTION OF TEMPORARY SERVICES AND FOR ANY ASSOCIATED INTERRUPTION OF SUPPLY.
8. THE CONTRACTOR SHALL CONSTRUCT TEMPORARY SERVICES TO MAINTAIN EXISTING SUPPLY TO BUILDINGS REMAINING IN OPERATION DURING WORKS TO THE SATISFACTION AND APPROVAL OF THE SUPERINTENDENT. ONCE DIVERSION IS COMPLETE AND COMMISSIONED THE CONTRACTOR SHALL REMOVE ALL SUCH TEMPORARY SERVICES AND MAKE GOOD TO THE SATISFACTION OF THE SUPERINTENDENT.
9. PRIOR TO ANY DEMOLITION, EXCAVATION OR CONSTRUCTION A THOROUGH SEARCH OF ALL SERVICE AUTHORITIES SHOULD BE MADE TO DETERMINE THE POSSIBLE LOCATION OF ANY FURTHER UNDERGROUND SERVICES.
10. SERVICES SHOWN ON PLAN ARE INDICATIVE, EXACT DEPTH AND LOCATION TO BE CONFIRMED ONSITE. CONTRACTOR TO CARRY OUT DIAL BEFORE YOU DIG APPLICATION AND ENGAGE A REGISTERED SURVEYOR TO PEG OUT ALL EXISTING SERVICES PRIOR TO ANY WORK COMMENCING ONSITE.
11. THE CONTRACTOR IS TO UNDERTAKE A DIAL-BEFORE-YOU-DIG SEARCH PRIOR TO ANY EXCAVATION AND MAINTAIN A CURRENT SET ON-SITE DURING EXCAVATION WORKS.
12. CONTRACTORS SHALL TAKE DUE CARE WHEN EXCAVATING ONSITE INCLUDING HAND EXCAVATION WHERE NECESSARY. CONTRACTORS ARE TO CONTACT THE RELEVANT SERVICE AUTHORITY PRIOR TO COMMENCEMENT OF EXCAVATION WORKS. CONTRACTORS ARE TO UNDERTAKE A SERVICES SEARCH, PRIOR TO COMMENCEMENT OF WORKS ON SITE. SEARCH RESULTS ARE TO BE KEPT ON SITE AT ALL TIMES.
13. UNDERGROUNDING OF TELECOMMUNICATIONS & UTILITY SERVICES BY OTHERS ARE TO BE SUBMITTED TO COUNCIL & TO BE READ IN CONJUNCTION WITH PUBLIC DOMAIN PLANS.

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: GENERAL NOTES AND SPECIFICATIONS

Design	Drawn	Validate
J.L	P.O	J.L

Job Number: 20220055

Drawing Number: DA-SW101

Scale: NTS

Date: 30/06/2025

Size: A1

Datum: A.H.D

North Point

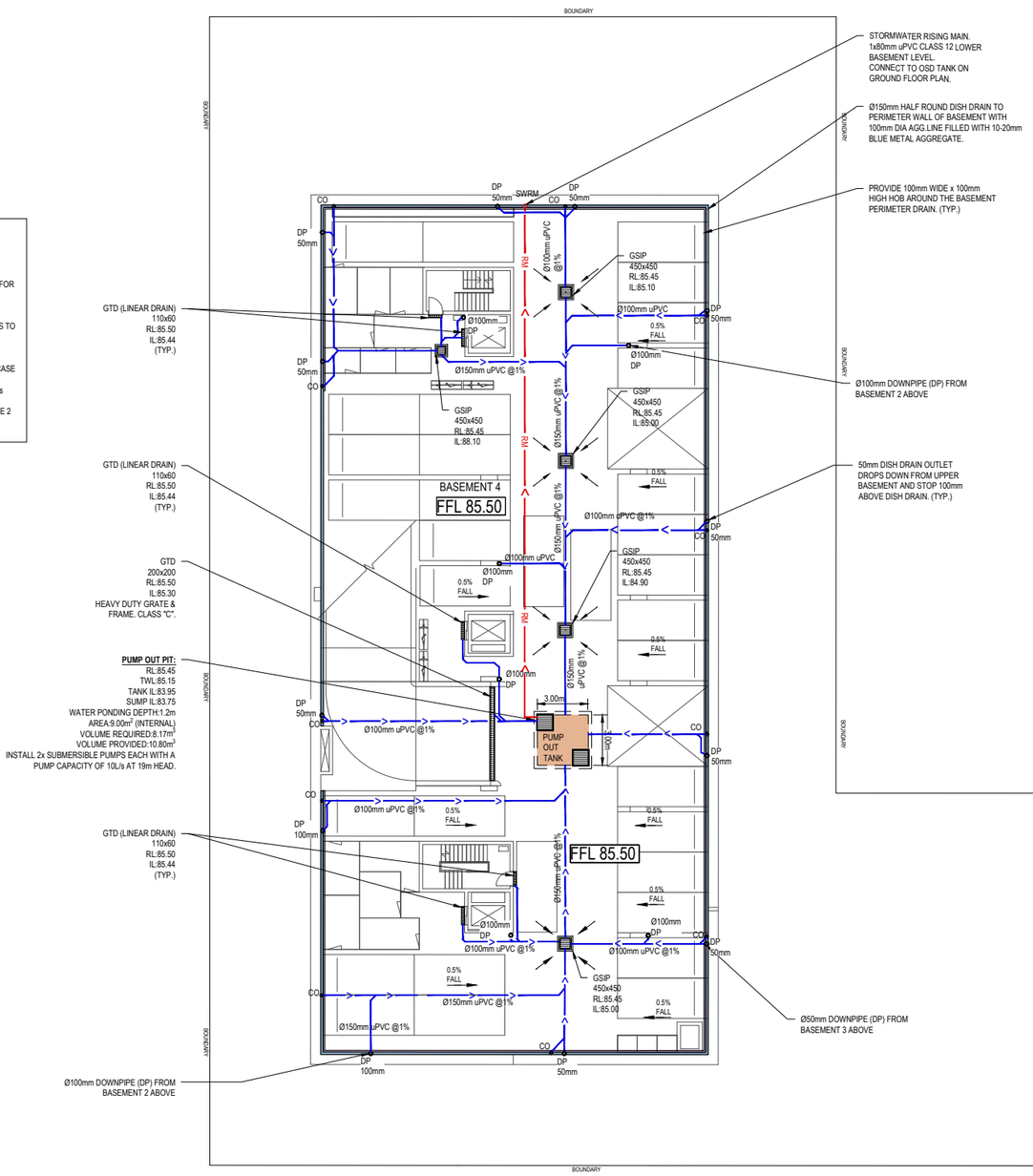
Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW101.dwg

MCINTYRE STREET



PUMP OUT PIT NOTE:

INSTALL WITH THE FOLLOWING ITEMS:
-900SQ HEAVY DUTY STEEL GRATED LID FOR ACCESS AND MAINTENANCE PURPOSES.
-CONFINED SPACE SIGN ABOVE PUMP OUT PIT FOR PUBLIC AWARENESS AND WARNING.
-STEP IRONS. REFER TO DETAILS.
-PUMP OUT PIT CONTROL BOX (CTRL) TO MANUFACTURERS SPECIFICATIONS. LOCATIONS TO BE CONFIRMED WITH ARCHITECT.
-PUMPS TO OPERATE IN ALTERNATE MODE TO INCREASE LIFESPAN.
-INSTALL VISIBLE FLASHING LIGHT SYSTEM IN CASE OF PUMP FAILURE.
-2 x SUBMERSIBLE PUMPS TO OPERATE AT 10L/s OUTFLOW FOR 19m HEAD MINIMUM.
-ALL STORMWATER PUMPS TO BE CLASS 1 ZONE 2 FLAME SAFE TO ELECTRICAL CONSULTANT'S REQUIREMENTS.

PUMP SYSTEM DESIGN

Project: Proposed Residential Development — LOT No.
Our Job N 20220055 — DP No.
Location: 26-30 McIntyre Street, Gordon

Storage/Discharge Calculation:

rea draining to Pump System =	59.6	m^2
l allowance for water seepage=	35	m^2
Total Area designed to cater	94.6	m^2
Runoff coefficient =	1.0	

Note: Rainfall duration data for Sydney

Duration (min & hr)	Intensity 100yr ARI (mm/hr)	Discharge Rate (L/sec)	Volume (m^3)
5	262.00	**6.54**	1.96
6	236.00	5.89	2.12
10	209.00	5.22	3.13
20	150.00	3.74	4.49
30	118.00	2.95	5.30
60	76.70	1.91	6.89
2.0	49.30	1.23	**8.86**

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

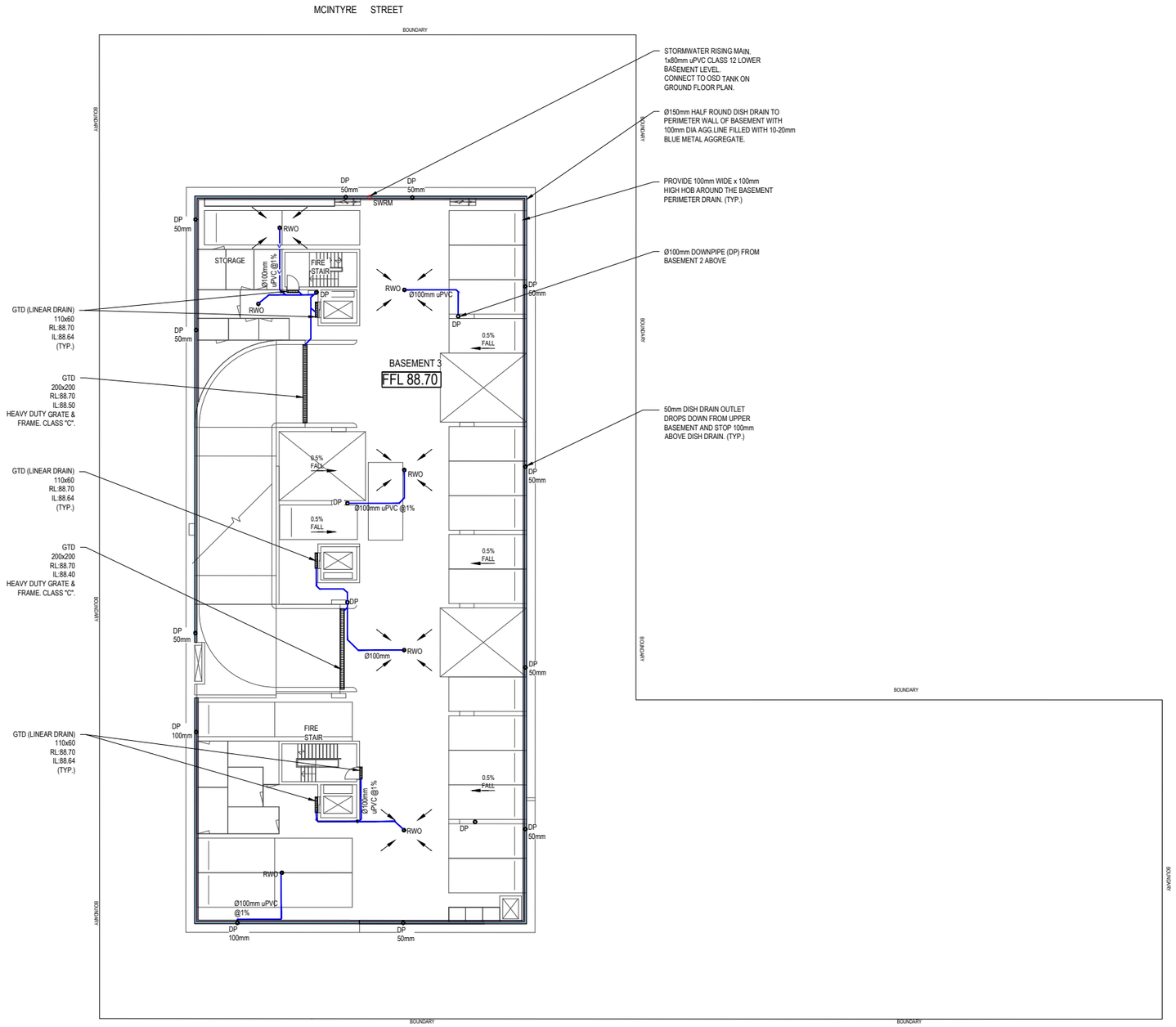
Client: RUDDER DEVELOPMENT
Architect: GILES TRIBE ARCHITECTS
JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072
Drawing Title: STORMWATER MANAGEMENT PLAN - BASEMENT 4 PLAN
Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055
Drawing Number: DA-SW200
Scale: 1:150
Date: 30/06/2025
Size: A1
Datum: A.H.D
North Point: N
Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION
Scale: 0 5 10 15m
SCALE 1:150 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW200.dwg



REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: STORMWATER MANAGEMENT PLAN - BASEMENT 3 PLAN

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW201

Scale: 1:150 | Date: 30/06/2025 | Size: A1 | Datum: A.H.D

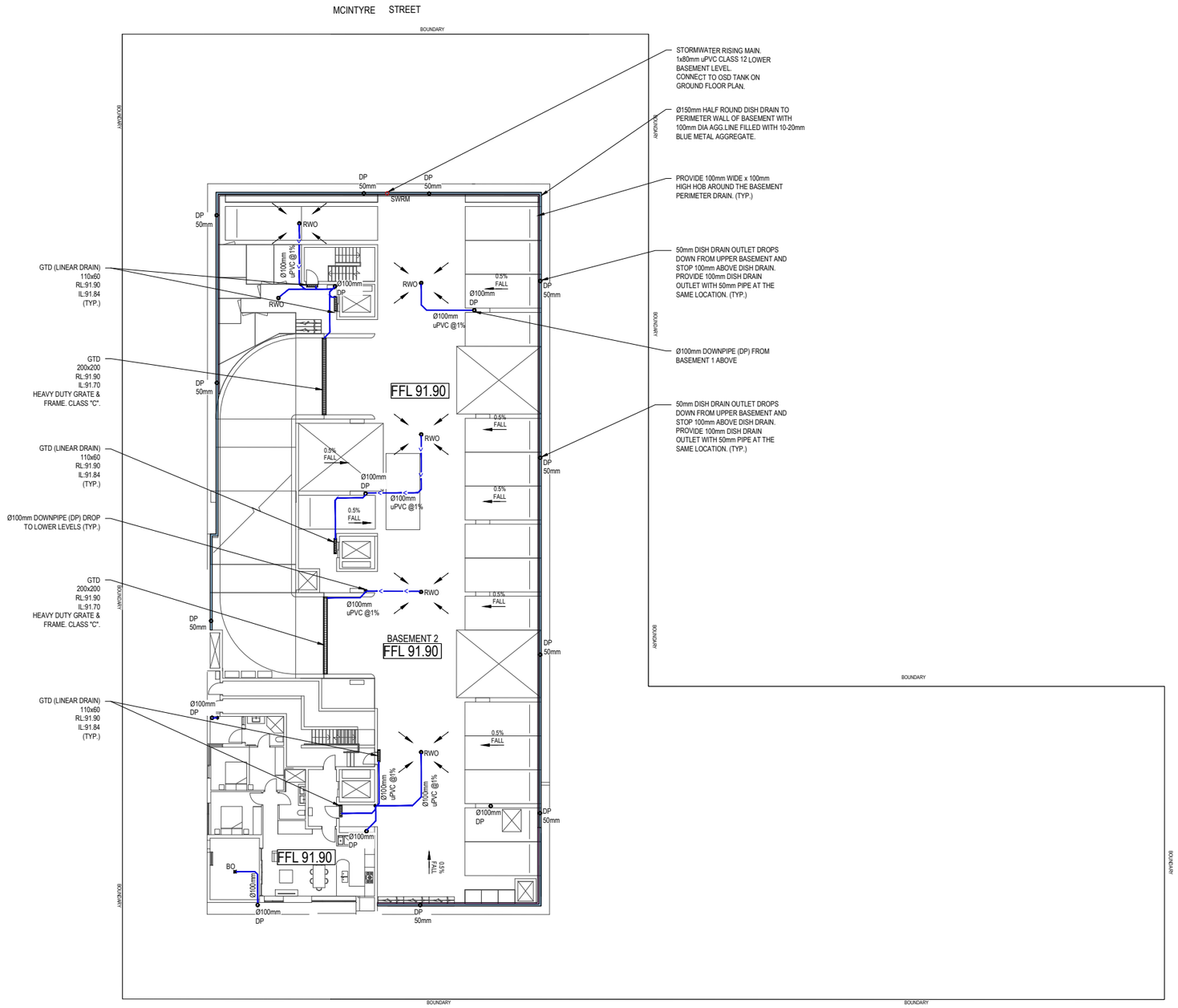
North Point: N

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 5 10 15m
SCALE 1:150 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW201.dwg



					Client: RUDDER DEVELOPMENT	JCO CONSULTANTS PTY LTD	Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT, 26-30 MCLNTYRE STREET, GORDON NSW 2072	Job Number: 20220055
					Architect: GILES TRIBE ARCHITECTS	SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138 EMAIL: Jason@jcoconsultants.com.au	Drawing Title: STORMWATER MANAGEMENT PLAN - BASEMENT 2 PLAN	Drawing Number: DA-SW202
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L			Design: J.L / Drawn: P.O / Validate: J.L	Scale: 1:150 / Date: 30/06/2025 / Size: A1 / Datum: A.H.D
REV.	DATE	AMENDMENT	INT.	APP.			North Point	Status: DEVELOPMENT APPROVAL, NOT FOR CONSTRUCTION

Scale: 0 5 10 15m — SCALE 1:150 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

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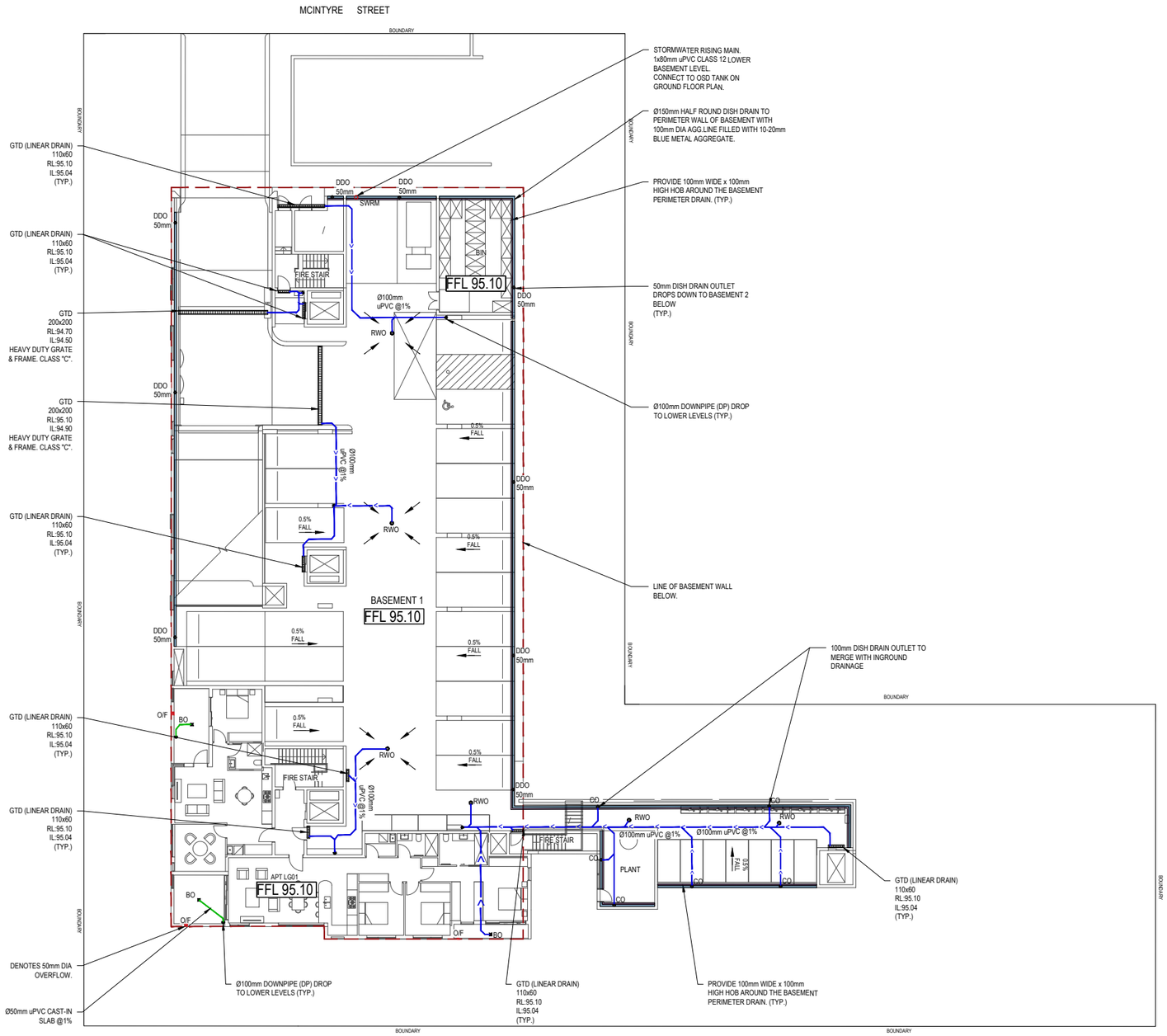


1	30/06/2025	ISSUED FOR SNPP	J.L	J.L			
REV.	DATE	AMENDMENT	INT.	APP.			

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: STORMWATER MANAGEMENT PLAN - BASEMENT 1 PLAN

Design	Drawn	Validate
J.L	P.O	J.L

Job Number: 20220055

Drawing Number: DA-SW203

Scale: 1:150

Date: 30/06/2025

Size: A1

Datum: A.H.D

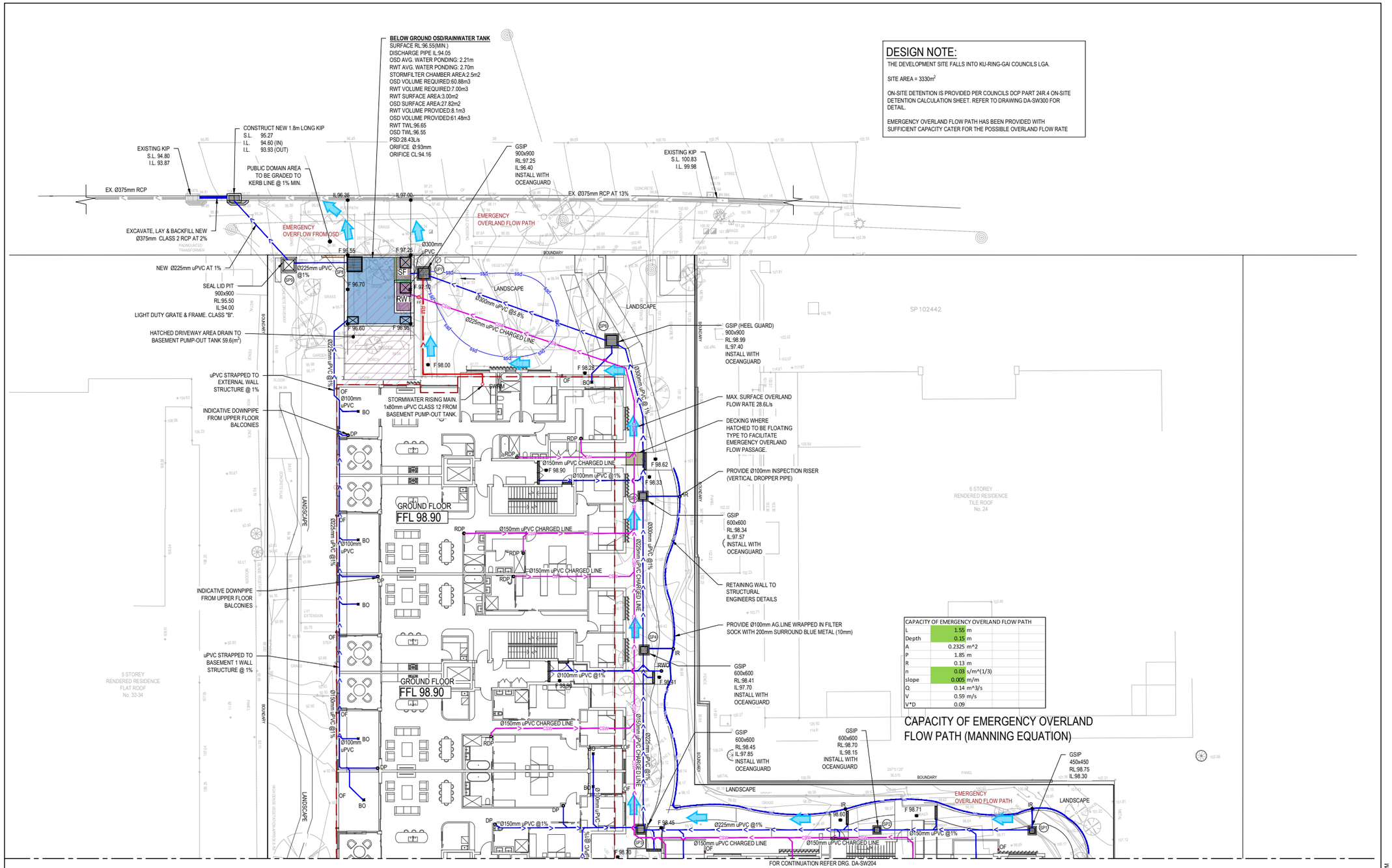
North Point: N

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 5 10 15m
SCALE 1:150 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW203.dwg



REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: STORMWATER MANAGEMENT PLAN - GROUND FLOOR PLAN SHEET 1 OF 2

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW204

Scale: 1:150 | Date: 30/06/2025 | Size: A1 | Datum: A.H.D

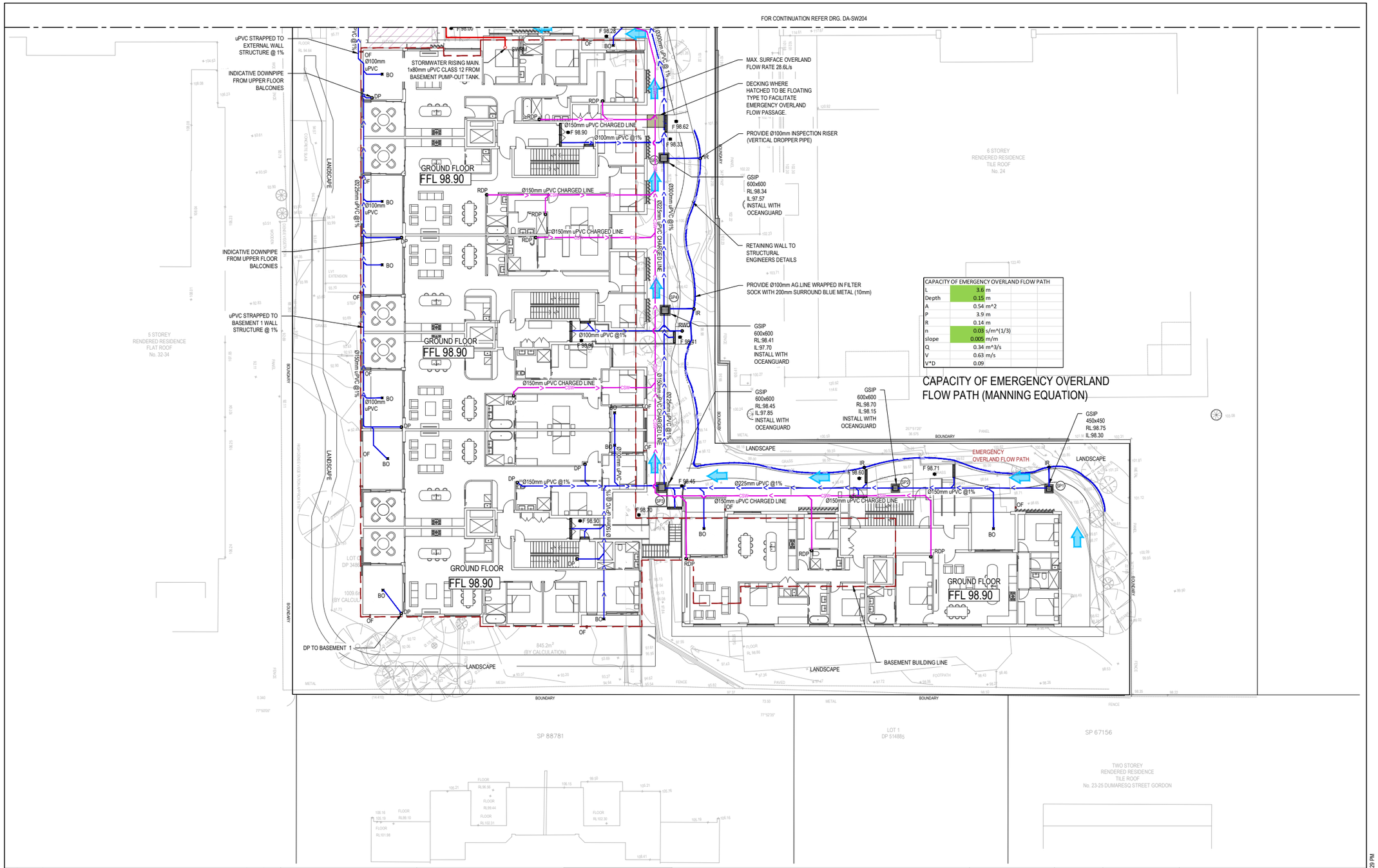
North Point

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 5 10 15m
SCALE 1:150 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW204.dwg



REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: STORMWATER MANAGEMENT PLAN - GROUND FLOOR PLAN SHEET 2 OF 2

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW205

Scale: 1:150

Date: 30/06/2025

Size: A1

Datum: A.H.D

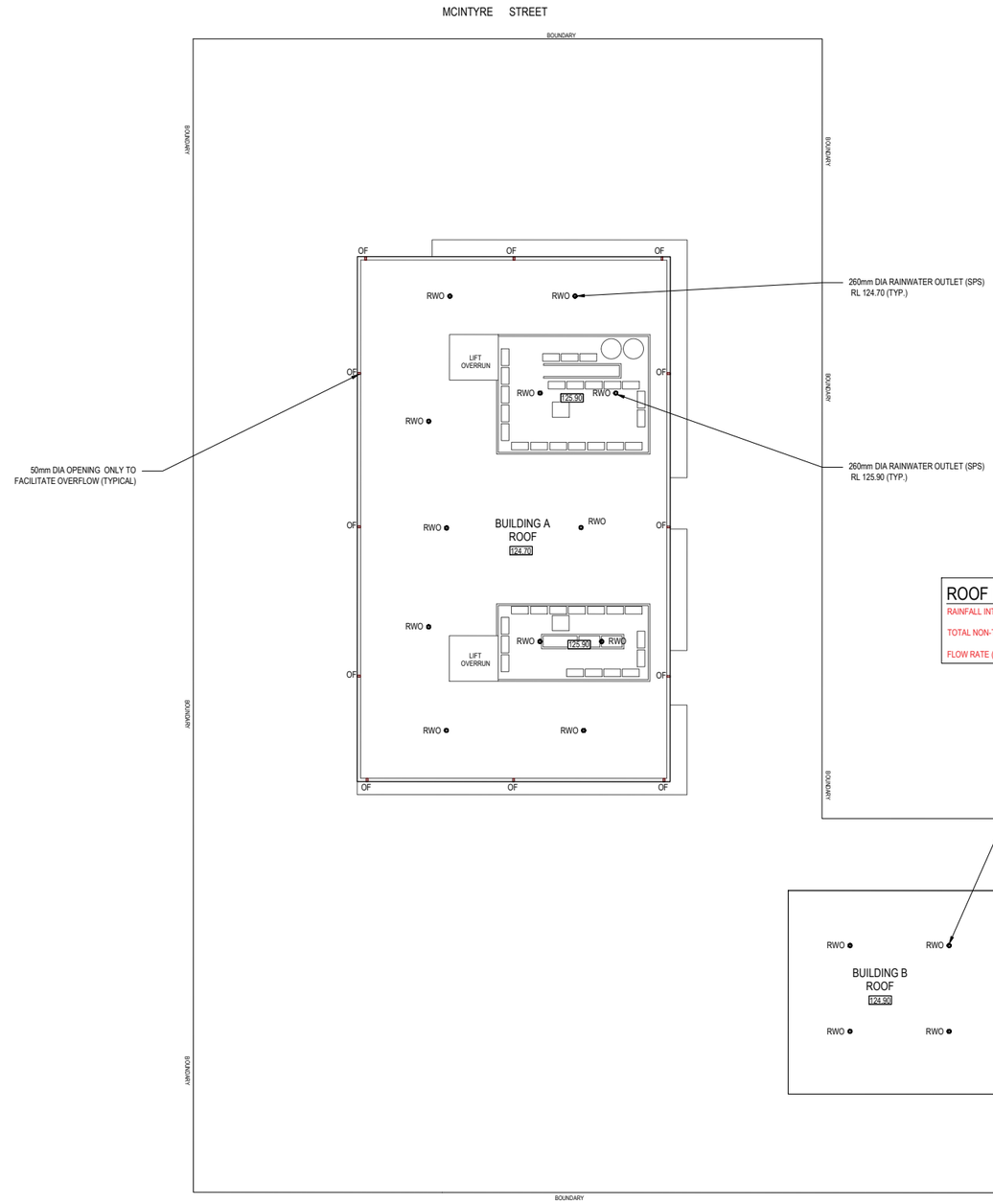
North Point

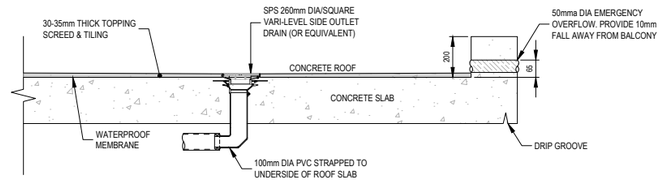
Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 5 10 15m
SCALE 1:150 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW205.dwg





ROOF DRAINAGE DETAIL

NTS

ROOF FLOW CALCULATION

RAINFALL INTENSITY DURING 1%AEP = 257mm/h

TOTAL NON-TRAFFICABLE ROOF AREA = 867m^2

FLOW RATE (1% AEP) = 61.9L/s

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: STORMWATER MANAGEMENT PLAN - ROOF FLOOR

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW206

Scale: 1:150 | Date: 30/06/2025 | Size: A1 | Datum: A.H.D

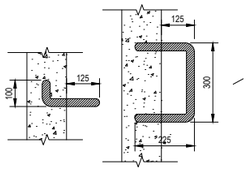
North Point: N

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 5 10 15m
SCALE 1:150 @A1

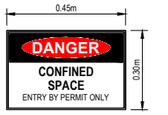
DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW206.dwg



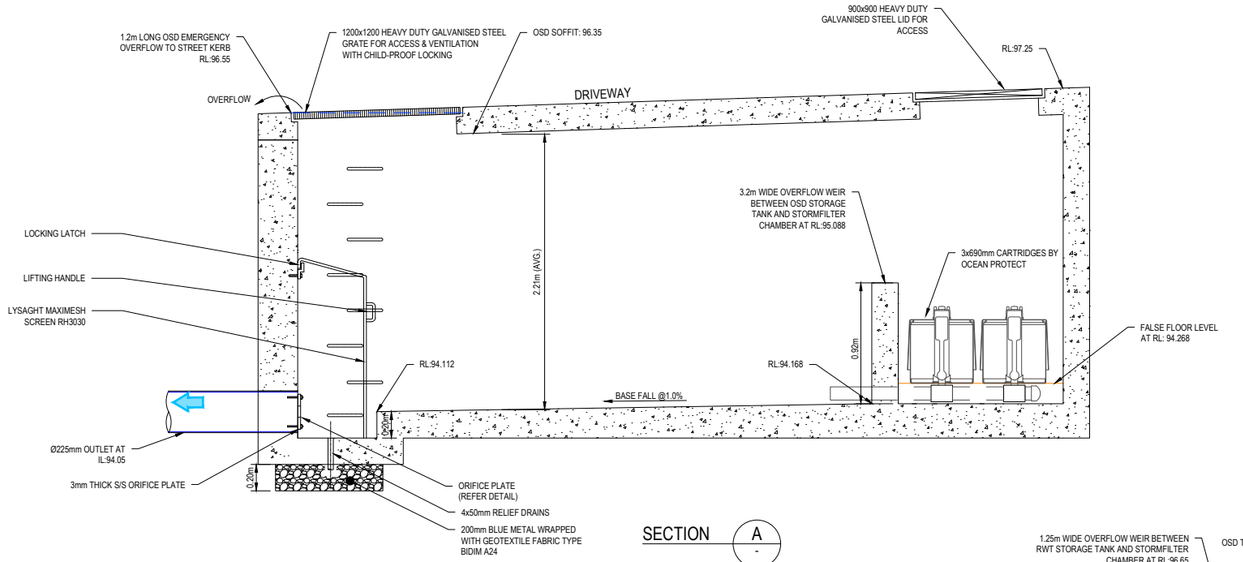
STEP IRONS

SCALE 1:10



CONFINED SPACE SIGN

SCALE 1:10



SECTION A -

PLAN VIEW

1:50 (A1)

$Q_{weir} = 1.86 \times L \times h^{1.5}$

L =	1.25	m
h =	0.12	m
Q =	0.09665	m^3/sec
	96.65	l/sec

> Discharge Rate of 31 l/sec (from Roof)

Therefore, minimum Overflow Weir Open to be 120mm assuming 50% Blockage

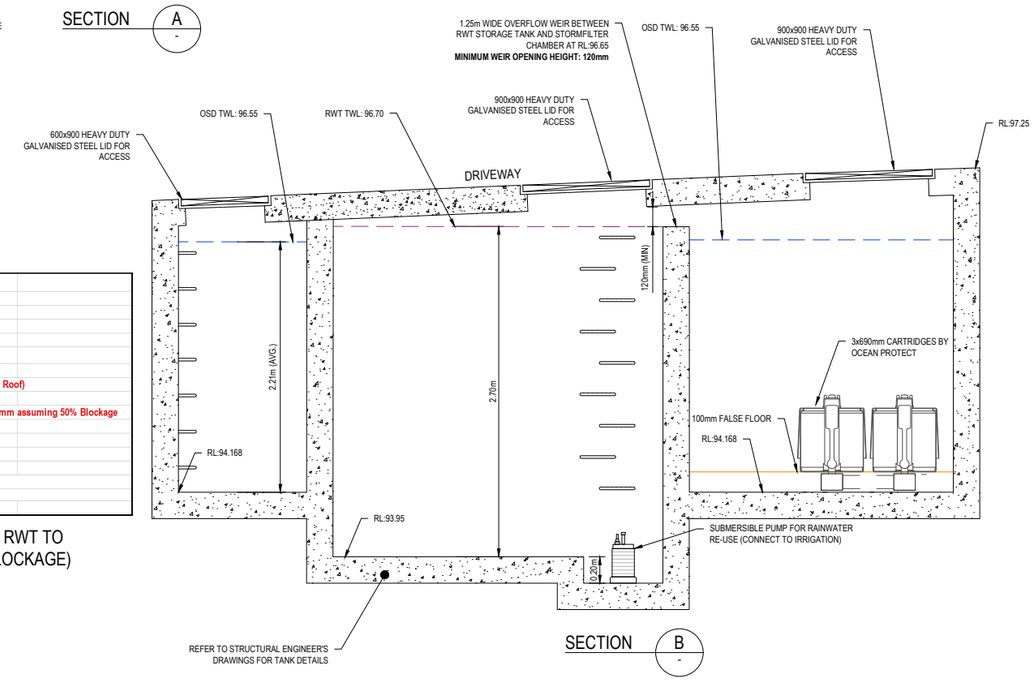
where,

Q = water flow rate, m^3/sec

L = width of the weir, m

h = height(depth) of the water over the weir, m

WEIR FLOW CALCULATION FROM RWT TO STORMFILTER CHAMBER (50% BLOCKAGE)



SECTION B -

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: DETAILS SHEET - 1

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW300

Scale: AS NOTED

Date: 30/06/2025

Size: A1

Datum: A.H.D

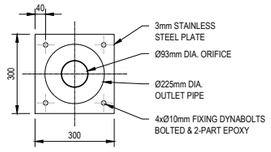
North Point

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale

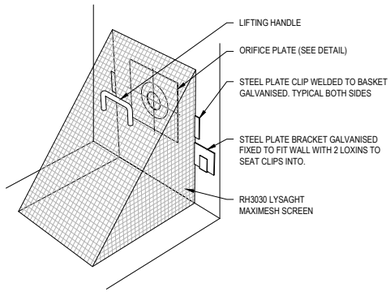
DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW300.dwg



ORIFICE PLATE

SCALE 1:10



DEBRIS SCREEN

SCALE 1:10

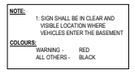


OSD SIGN

NOT TO SCALE



BASEMENT PUMP-OUT FAILURE WARNING SIGN





CONFINED SPACE DANGER SIGN

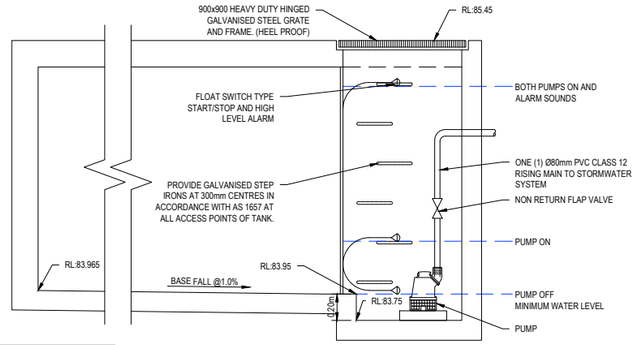
COLOURS - "DANGER" AND BACKGROUND - WHITE
ELLIPTICAL AREA
RECTANGLE CONTAINING ELLIPSE - RED
OTHER LETTERING AND BORDER - BLACK

A) A CONFINED SPACE DANGER SIGN SHALL BE POSITIONED AT ALL ACCESS POINTS, SUCH THAT IT IS CLEARLY VISIBLE TO PERSONS PROPOSING TO ENTER THE BELOW GROUND TANKS CONFINED SPACE.

B) MINIMUM DIMENSIONS OF THE SIGN
- 300mm x 450mm (LARGE ENTRIES, SUCH AS DOORS)
- 250mm x 180mm (SMALL ENTRIES SUCH AS GRATES AND MANHOLES)

C) THE SIGN SHALL BE MANUFACTURED FROM COLOUR BONDED ALUMINIUM OR POLYPROPYLENE.

D) SIGN SHALL BE AFFIXED USING SCREWS AT EACH CORNER OF THE SIGN.



PUMP-OUT TANK

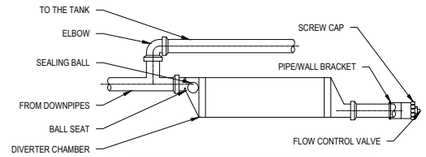
WATER PONDING HEIGHT:1.2m
WIDTH: 3.0m
LENGTH: 3.0m
VOLUME PROVIDED: 10.8m^3

PUMP-OUT TANK SECTION

ON-SITE DETENTION CALCULATIONS
KU-RING-GAI COUNCIL

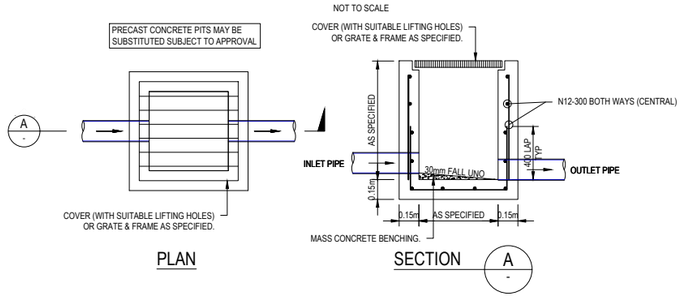
Project: Proposed Residential Flat Building
Our Job No: 20220055
Location: 26-30 McIntyre Street, Gordon

CATCHMENT CODE	BB1		
CATCHMENT DISCHARGE RATE	141.0	l/s/ha	[A]
CATCHMENT STORAGE RATE	302.0	m^3 / ha	[B]
SITE DETAILS			
SITE AREA	3360	m^2 (BY CALCULATION)	
60% OF SITE AREA	2016	m^2	[C]
AREAS NOT DRAINING TO OSD	874	m^2	
TOTAL IMPERVIOUS AREA	1804	m^2	[D]
IMPERVIOUS AREA BYPASSING OSD	0	m^2	[E]
PERMITTED SITE DISCHARGE			
C x A	28.43	l/s	[FLOW 1]
ADJUSTMENT FOR ANY UNCONTROLLED IMPERVIOUS FLOW			
E / D (<0.25)	0.00		[F]
FLOW 1 x F	0.00	l/s	[FLOW 2]
FLOW 1 - FLOW 2	28.43	l/s	PSD
SITE STORAGE REQUIREMENT			
C x B	60.88	m^3	[SSR 1]
IF THE STORAGE IS IN A LANDSCAPED BASIN			
SSR 1 x 1.2	N/A	m^3	[SSR 2]
ORIFICE CALCULATIONS			
HEIGHT DIFFERENCE BETWEEN TOP WATER SURFACE LEVEL AND THE CENTRE OF ORIFICE			
ORIFICE DIAMETER 21.85 x SQRT(PSD/(SQRT(	= 2.39	m	[G]
	93.7	mm	



IN-GROUND FIRST FLUSH DIVERTER

NOT TO SCALE



PLAN

SECTION A-A

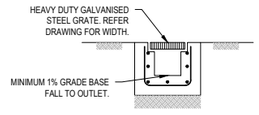
TYPICAL SURFACE INLET PIT (GSIP)

SCALE 1:20



TYPICAL WARNING SIGN

NOT TO SCALE

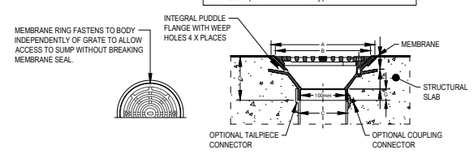


GRATED TRENCH DRAIN

SCALE 1:20

SPS TRUFLO 150mm RWO WITH FLAT GRATE & MEMBRANE CLAMP

Specification codes:
TIA150F2 (CI body, aluminium flat grate & membrane ring)
TIB150F2 (CI body, bronze flat grate & membrane ring)
TBA150F2 (all-bronze assembly)



FLOOR DRAIN (SPS) - RWO

(OR SIMILAR)

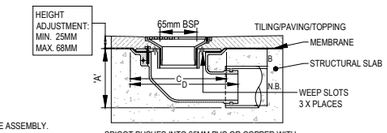
NTS

SPS 130mm ROUND VARI-LEVEL VERTICAL DRAIN

SPECIFICATION CODES:
R130Sd/C (POLISHED 304 STAINLESS STEEL GRATE)
R130S/C (SATIN 316 STAINLESS STEEL GRATE)
INCLUDES 100MM CAST IRON LOWER BODY

130mm ROUND

- HEIGHT-ADJUSTABLE GRATE ASSEMBLY.
- AVAILABLE IN POLISHED 304 OR SATIN 316 STAINLESS STEEL.
- C100A CI "DELUXE" LOWER BODY WITH REVERSIBLE CLAMP COLLAR.



SPIGOT PUSHES INTO 65MM PVC OR COPPER WITH O-RING CONNECTION, OR CONNECTS TO 50MM PVC/HDPE WITH NO-HUB COUPLING.

N.B.	A	B	C	D
50	100	40	180	200
65	105	37	180	200

BALCONY OUTLET (SPS) - BO

(OR SIMILAR)

NTS

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: DETAILS SHEET - 2

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW301

Scale: AS NOTED

Date: 30/06/2025

Size: A1

Datum: A.H.D

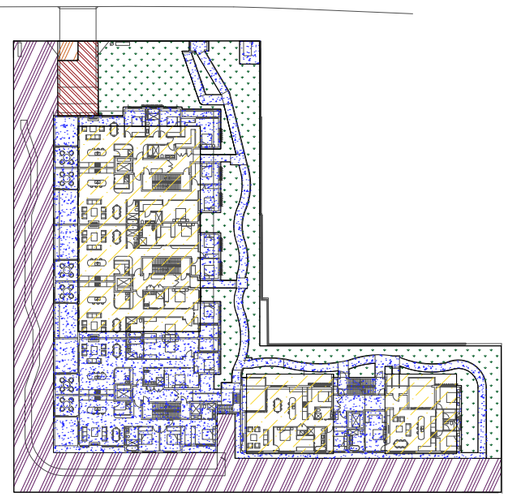
North Point

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale

DATE PLOTTED: 30 June 2025 12:29 PM

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW301.dwg

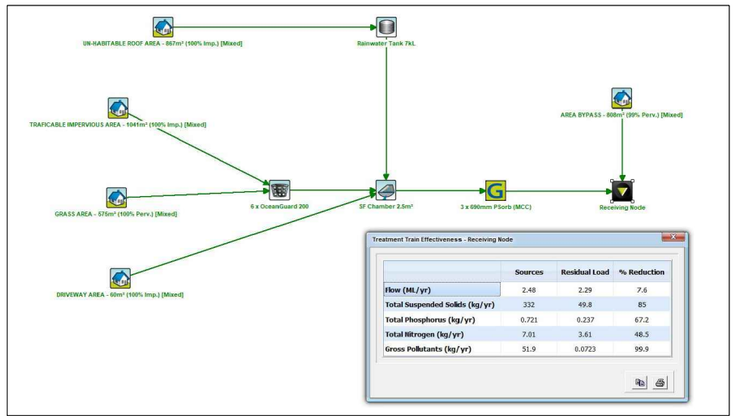


WSUD CATCHMENT PLAN
1:500 (A1)

LEGEND

SITE AREA: 3360m²

- UN-HABITABLE ROOF AREA DRAINING TO STORMFILTER TANK VIA RAINWATER TANK = 867m²
- TRAFICABLE AREA DRAINING TO STORMFILTER TANK VIA OCEANGUARD = 1041m²
- GRASS AREA TO STORMFILTER TANK VIA OCEANGUARD = 575m²
- DRIVEWAY AREA TO BASEMENT = 60m²
- PERVIOUS AREA BYPASS STORMFILTER TANK = 808m²
- IMPERVIOUS AREA BYPASS STORMFILTER TANK = 9m²



	Sources	Residual Load	% Reduction
Flow (ML/yr)	2.48	2.29	7.6
Total Suspended Solids (kg/yr)	332	49.8	85
Total Phosphorus (kg/yr)	0.721	0.237	67.2
Total Nitrogen (kg/yr)	7.01	3.61	48.5
Gross Pollutants (kg/yr)	51.9	0.0723	99.9

'MUSIC' MODELLING RESULT

STORMWATER TREATMENT SUMMARY

SITE AREA = 3360m²

"MUSIC" HAS BEEN USED FOR WATER QUALITY TREATMENT ANALYSIS

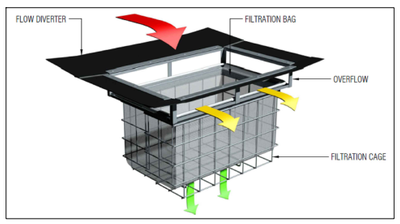
WE MODELLED WITH THE FOLLOWING PARAMETERS:

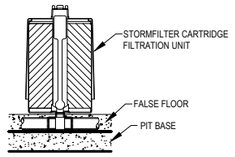
- MUSIC VERSION 6.3.0
- RAINFALL STATION 66062 SYDNEY, 6 MINUTE TIME STEP FROM 1963 TO 1993
- KU-RING-GAI COUNCIL UTILIZING MODIFIED % IMPERVIOUS AREA, RAINFALL THRESHOLD, SOIL PROPERTIES & POLLUTANT CONCENTRATION
- NO DRAINAGE ROUTING BETWEEN NODES.

THE SYSTEM HAS BEEN MODELED TO MEET THE KU-RING-GAI COUNCIL DCP (2013) TARGET

- 85% TOTAL SUSPENDED SOLIDS REDUCTION
- 65% TOTAL PHOSPHORUS REDUCTION
- 45% TOTAL NITROGEN REDUCTION
- 90% GROSS POLLUTANT REDUCTION

TREATMENT DEVICES:
1. 1 OFF 7kL RAINWATER TANK CONNECTED GARDEN IRRIGATION
2. 6 OFF OCEANGUARDS WITH 200um MESH BAGS (OG-200).
3. 3 OFF TALL(690) PSORB CARTRIDGE STORMFILTER SYSTEM WITHIN A 2.5m² STORMFILTER CHAMBER, INSIDE THE OSD TANK





STORMFILTER CARTRIDGE DETAIL
NTS

STORMFILTER DESIGN TABLE

- STORMFILTER TREATMENT CAPACITY VARIES BY NUMBER OF FILTER CARTRIDGES INSTALLED.
- THE STANDARD CONFIGURATION IS SHOWN. ACTUAL CONFIGURATION OF THE SPECIFIED STRUCTURE(S) PER CERTIFYING ENGINEER WILL BE SHOWN ON SUBMITTAL DRAWING(S).
- FILTER CARTRIDGES SHALL BE MEDIA-FILLED, PASSIVE, SIPHON ACTUATED, RADIAL FLOW, AND SELF-CLEANING. RADIAL MEDIA DEPTH SHALL BE 178mm.

CARTRIDGE NAME / SIPHON HEIGHT (mm)	690	460	310
CARTRIDGE PHYSICAL HEIGHT (mm)	840	600	600
TYPICAL WEIR HEIGHT [H] (mm)	920	690	540
CARTRIDGE FLOW RATE FOR ZPG MEDIA (L/s)	1.6	1.1	0.7
CARTRIDGE FLOW RATE FOR PSORB MEDIA (L/s)	0.9	0.46	0.39

GENERAL NOTES

1. INLET AND OUTLET PIPING SHALL BE SPECIFIED BY SITE CIVIL ENGINEER (SEE PLANS) AND PROVIDED BY CONTRACTOR. STORMFILTER IS PROVIDED WITH OPENINGS AT INLET AND OUTLET LOCATIONS. 2. IF THE PEAK FLOW RATE, AS DETERMINED BY THE SITE CIVIL ENGINEER, EXCEEDS THE PEAK HYDRAULIC CAPACITY OF THE PRODUCT, AN UPSTREAM BYPASS STRUCTURE IS REQUIRED. PLEASE CONTACT OCEANPROTECT FOR OPTIONS. 3. THE FILTER CARTRIDGE(S) ARE SIPHON-ACTUATED AND SELF-CLEANING. THE STANDARD DETAIL DRAWING SHOWS THE MAXIMUM NUMBER OF CARTRIDGES. THE ACTUAL NUMBER SHALL BE SPECIFIED BY THE SITE CIVIL ENGINEER ON SITE PLANS OR IN DATA TABLE BELOW. CONCRETE STRUCTURE TO BE PROVIDED BY OTHERS. 4. SEE STORMFILTER DESIGN TABLE FOR REQUIRED HYDRAULIC DROP. FOR SHALLOW, LOW DROP OR SPECIAL DESIGN CONSTRAINTS, CONTACT OCEANPROTECT FOR DESIGN OPTIONS. 5. ALL WATER QUALITY PRODUCTS REQUIRE PERIODIC MAINTENANCE AS OUTLINED IN THE O&M GUIDELINES. PROVIDE MINIMUM CLEARANCE FOR MAINTENANCE ACCESS. 6. STRUCTURE AND ACCESS COVERS DESIGNED BY OTHERS. ACCESS COVERS TO BE A MINIMUM 900X900 ABOVE CARTRIDGES. 7. THE STRUCTURE THICKNESSES SHOWN ARE FOR REPRESENTATIONAL PURPOSES AND VARY REGIONALLY. 8. ANY BACKFILL DEPTH, SUB-BASE, AND OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY SITE CIVIL ENGINEER. 9. CARTRIDGE HEIGHT AND ASSOCIATED DESIGN PARAMETERS PER STORMFILTER DESIGN TABLE. 10. STORMFILTER BY OCEANPROTECT: SYDNEY (AU) PHONE: 1300 354 722 www.oceanprotect.com.au

GV Project: 26-30 McIntyre Street, Gordon

BoM Station: Turrumurra [Kissing Point Rd] - Daily Rainfall (66158) 1990 - 2016

Assumptions	Rainfall loss	1	mm	Water Usage - Landscape Watering			Water Usage - AAA Toilets			
** Wet day = greater than 0mm of daily rain*	Roof area	867	m2	Area to be watered	1383	m2	No. of Toilets	0		
** Total water usage is calculated in m3/day and subtracted on each day*	Rainwater tank size	7	m3	Watering rate	0.4	m3/yr/m2 *[a]*	AAA Toilet flush rate	4	L/flush *[c]*	
** I arget is 50% reduction in runoff days*	%Full at start	0	%	Total water used	1.515	m3/day	Flushes	5	flush/pers/day *[c]*	
** Assume that if rainwater tank does not overflow on a wet day,*				Water Usage - Car Wash Bay			Total water used	0	m3/day	
this is no longer a 'runoff day'. OF = Overflow Day	Total# days	9611	days	Number units	0		Water Usage - 4A Washing Machines			
** %Reduction in wet days = (wet days - OF days) / wet days*	Total# wet days	3875	days	% of units using car wash	50	%	No. of units w. machines	0		
	Total# OF days	1282	days	Average washes	4	washes/yr/unit	Water use	60	L/wash	
References	%reduction in wet days	66.9	%	Usage Rate	100	L/wash *[b]*	Washes per week	3		
[a] Blacktown Council WSUD guidelines				Total water used	0.000	m3/day	Total water used	0.00	m3/day	
[b] AW / Sydney Water	%of time tank is empty	52	%							
[c] Melbourne Household Water Use calculator	%of time tank is full	13	%	**Total Water usage**	1.515	m3/day				

WATER BALANCE CALCULATION

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT
Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: WSUD DESIGN & DETAILS
Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055
Drawing Number: DA-SW400

Scale: AS NOTED
Date: 30/06/2025
Size: A1
Datum: A.H.D

North Point

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 10 20 30 40 50m
SCALE 1:500 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

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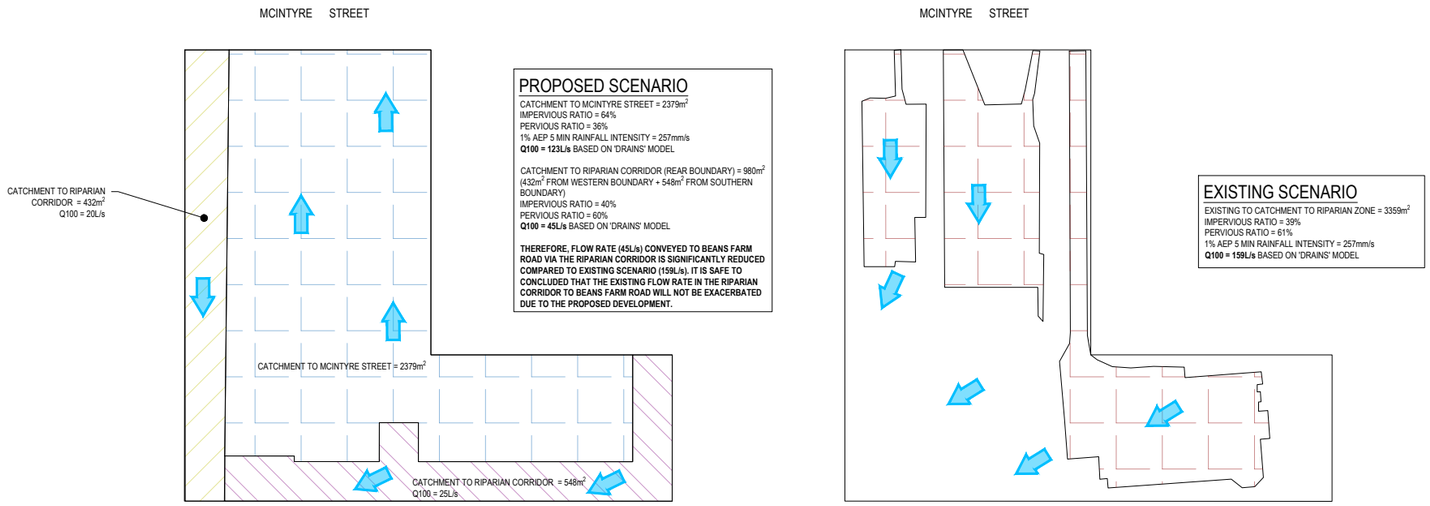

OVERLAND FLOW CATCHMENT (EXISTING & PROPOSED SCENARIOS)
SCALE: 1:400 (A1)



EXISTING RIPARIAN CORRIDOR (SWALE) IN NO.32-34 MCINTYRE STREET

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: EXISTING & PROPOSED FLOW COMPARISON

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW500

Scale: AS NOTED | Date: 30/06/2025 | Size: A1 | Datum: A.H.D

North Point: N

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 10 20 30 40m
SCALE 1:400 @A1

DATE PLOTTED: 30 June 2025 12:29 PM

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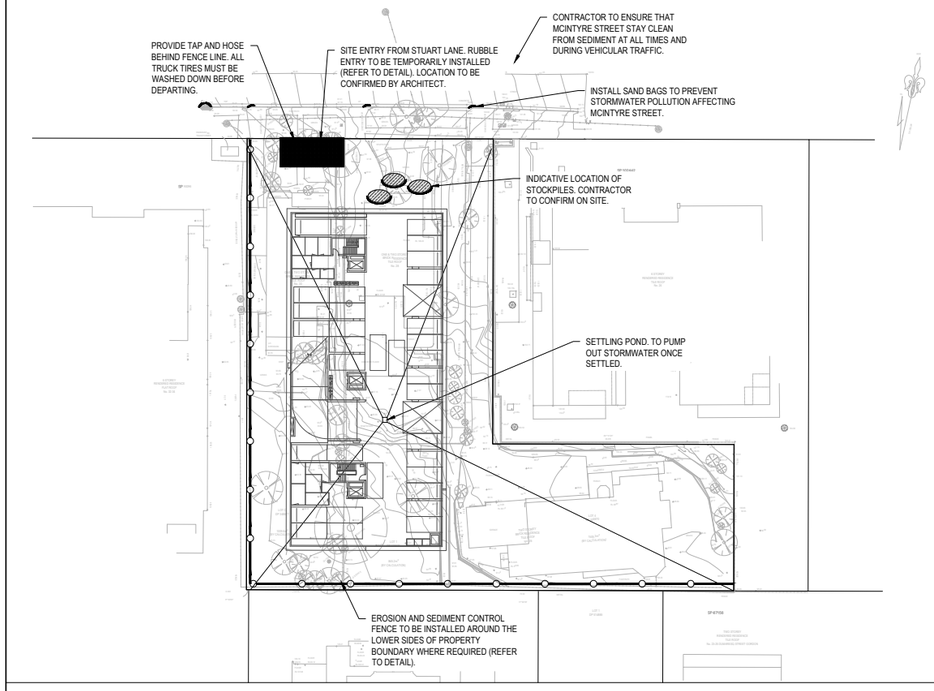
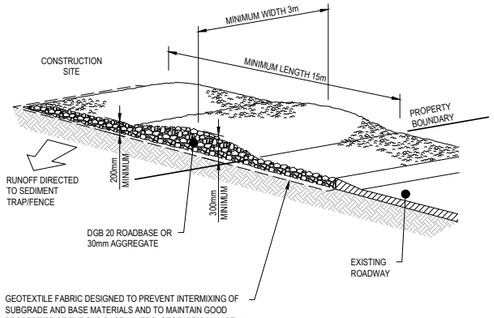
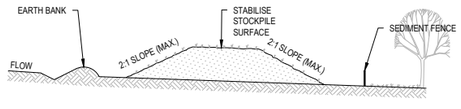




GEOTEXTILE FABRIC DESIGNED TO PREVENT INTERMIXING OF SUBGRADE AND BASE MATERIALS AND TO MAINTAIN GOOD PROPERTIES OF THE SUB-BASE LAYERS. GEOFABRIC MAY BE A WOVEN OR NEEDLE-PUNCHED PRODUCT WITH A MINIMUM CBR BURST STRENGTH (AS3706.4-90) OF 2500 N

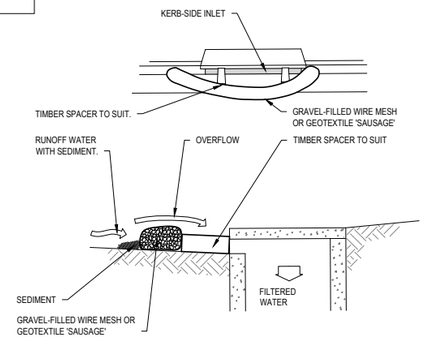
CONSTRUCTION NOTES
1. STRIP THE TOPSOIL, LEVEL THE SITE AND COMPACT THE SUBGRADE.
2. COVER THE AREA WITH NEEDLE-PUNCHED GEOTEXTILE.
3. CONSTRUCT A 200mm THICK PAD OVER THE GEOTEXTILE USING ROAD BASE OR 30mm AGGREGATE.
4. ENSURE THE STRUCTURE IS AT LEAST 15 METRES LONG OR TO BUILDING ALIGNMENT AND AT LEAST 3 METRES WIDE.
5. WHERE A SEDIMENT FENCE JOINS ONTO THE STABILISED ACCESS, CONSTRUCT A HUMP IN THE STABILISED ACCESS TO DIVERT WATER TO THE SEDIMENT FENCE.

STABILISED SITE ACCESS (SD 6-14)



CONSTRUCTION NOTES
1. PLACE STOCKPILES MORE THAN 2m (PREFERABLY 5m) FROM EXISTING VEGETATION, CONCENTRATED WATER FLOW, ROADS AND HAZARD AREAS.
2. CONSTRUCT ON THE CONTOUR AS LOW, FLAT, ELONGATED MOUNDS.
3. WHERE THERE IS SUFFICIENT AREA, TOPSOIL STOCKPILES SHALL BE LESS THAN 2m IN HEIGHT.
4. WHERE THEY ARE TO BE IN PLACE FOR MORE THAN 10 DAYS, STABILISE FOLLOWING THE APPROVED ESCP OR SWMP TO REDUCE THE C-FACTOR TO LESS THAN 0.10.
5. CONSTRUCT EARTH BANKS (STANDARD DRAWING 5-5) ON THE UPSLOPE SIDE TO DIVERT WATER AROUND STOCKPILES AND SEDIMENT FENCES (STANDARD DRAWING 6-8) 1 TO 2m DOWNSLOPE.

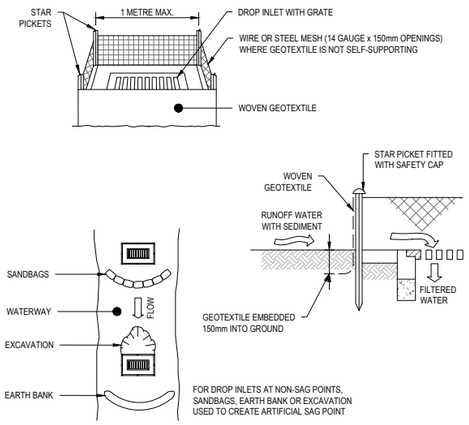
STOCKPILES (SD 4-1)



NOTE:THIS PRACTICE ONLY TO BE USED WHERE SPECIFIED IN APPROVED SWMP/ESCP.

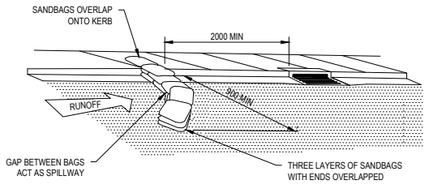
CONSTRUCTION NOTES
1. INSTALL FILTERS TO KERB INLETS ONLY AT SAG POINTS.
2. FABRICATE A SLEEVE MADE FROM GEOTEXTILE OR WIRE MESH LONGER THAN THE LENGTH OF THE INLET PIT AND FILL IT WITH 25mm TO 50mm GRAVEL.
3. FORM AN ELLIPTICAL CROSS-SECTION ABOUT 150mm HIGH x 400mm WIDE.
4. PLACE THE FILTER AT THE OPENING LEAVING AT LEAST A 100mm SPACE BETWEEN IT AND THE KERB INLET. MAINTAIN THE OPENING WITH SPACER BLOCKS.
5. FORM A SEAL WITH THE KERB TO PREVENT SEDIMENT BYPASSING THE FILTER.
6. SANDBAGS FILLED WITH GRAVEL CAN SUBSTITUTE FOR THE MESH OR GEOTEXTILE PROVIDING THEY ARE PLACED SO THAT THEY FIRMLY ABUT EACH OTHER AND SEDIMENT-LADEN WATERS CANNOT PASS BETWEEN.

MESH AND GRAVEL INLET FILTER (SD 6-11)

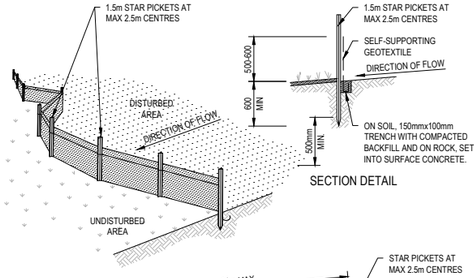


CONSTRUCTION NOTES
1. FABRICATE A SEDIMENT BARRIER MADE FROM GEOTEXTILE OR STRAW BALES.
2. FOLLOW STANDARD DRAWING 6-7 AND STANDARD DRAWING 6-8 FOR INSTALLATION PROCEDURES FOR THE STRAW BALES OR GEOFABRIC. REDUCE THE PICKET SPACING TO 1 METRE CENTRES.
3. IN WATERWAYS, ARTIFICIAL SAG POINTS CAN BE CREATED WITH SANDBAGS OR EARTH BANKS AS SHOWN IN THE DRAWING.
4. DO NOT COVER THE INLET WITH GEOTEXTILE UNLESS THE DESIGN IS ADEQUATE TO ALLOW FOR ALL WATERS TO BYPASS IT.

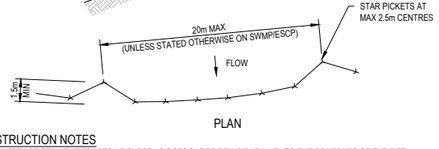
GEOTEXTILE INLET FILTER (SD 6-12)



SANDBAG SEDIMENT TRAP



SECTION DETAIL



PLAN

CONSTRUCTION NOTES
1. CONSTRUCT SEDIMENT FENCES AS CLOSE AS POSSIBLE TO BEING PARALLEL TO THE CONTOURS OF THE SITE, BUT WITH SMALL RETURNS AS SHOWN IN THE DRAWING TO LIMIT THE CATCHMENT AREA OF ANY ONE SECTION. THE CATCHMENT AREA SHOULD BE SMALL ENOUGH TO LIMIT WATER FLOW IF CONCENTRATED AT ONE POINT TO 50 LITRES PER SECOND IN THE DESIGN STORM EVENT, USUALLY THE 10-YEAR EVENT.
2. CUT A 150mm DEEP TRENCH ALONG THE UPSLOPE LINE OF THE FENCE FOR THE BOTTOM OF THE FABRIC TO BE ENTRENCHED.
3. DRIVE 1.5 METRE LONG STAR PICKETS INTO GROUND AT 2.5 METRE INTERVALS (MAX) AT THE DOWNSLOPE EDGE OF THE TRENCH. ENSURE ANY STAR PICKETS ARE FITTED WITH SAFETY CAPS.
4. FIX SELF-SUPPORTING GEOTEXTILE TO THE UPSLOPE SIDE OF THE POSTS ENSURING IT GOES TO THE BASE OF THE TRENCH. FIX THE GEOTEXTILE WITH WIRE TIES OR AS RECOMMENDED BY THE MANUFACTURER. ONLY USE GEOTEXTILE SPECIFICALLY PRODUCED FOR SEDIMENT FENCING. THE USE OF SHADE CLOTH FOR THIS PURPOSE IS NOT SATISFACTORY.
5. JOIN SECTIONS OF FABRIC AT A SUPPORT POST WITH A 150mm OVERLAP.
6. BACKFILL THE TRENCH OVER THE BASE OF THE FABRIC AND COMPACT IT THOROUGHLY OVER THE GEOTEXTILE.

SEDIMENT FENCE (SD 6-8)

REV.	DATE	AMENDMENT	INT.	APP.
1	30/06/2025	ISSUED FOR SNPP	J.L	J.L

Client: RUDDER DEVELOPMENT

Architect: GILES TRIBE ARCHITECTS

JCO CONSULTANTS PTY LTD
SUITE 801C, No.1 RIDER BOULEVARD, RHODES NSW 2138
EMAIL: Jason@jcoconsultants.com.au

Project: PROPOSED MULTI-RESIDENTIAL DEVELOPMENT
26-30 MCLNTYRE STREET
GORDON NSW 2072

Drawing Title: EROSION AND SEDIMENT CONTROL PLAN & DETAILS

Design: J.L | Drawn: P.O | Validate: J.L

Job Number: 20220055

Drawing Number: DA-SW600

Scale: 1:400

Date: 30/06/2025

Size: A1

Datum: A.H.D

North Point: N

Status: DEVELOPMENT APPROVAL
NOT FOR CONSTRUCTION

Scale: 0 10 20 30 40m
SCALE 1:400 @A1

CAD File: P:\2022\20220055-26-30 McIntyre Street, Gordon\Civil\cad\New DA submission\DA-SW600.dwg

DATE PLOTTED: 30 June 2025 12:29 PM

Clause 4.6 Variation Request

Clause 16 of State Environmental Planning Policy (Housing) 2021

26-30 McIntyre Street, Gordon

Submitted to Ku-ring-gai Council
on behalf of Rudder Group Pty Ltd

11 July 2025

gyde.com.au

GYDE

Acknowledgment of Country



Towards Harmony by Aboriginal Artist Adam Laws

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.

This report was prepared by:

Approver:	Georgia Sedgmen
Author:	Ingrid Shelton, Gannon Cuneo, Rebecca Crockett
Project:	Clause 16 of State Environmental Planning Policy (Housing) 2021
Report Version:	Final

This report was reviewed by: Gannon Cuneo

Disclaimer

This report has been prepared by Gyde Consulting with input from a number of other expert consultants (if relevant). To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Gyde Consulting accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

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GYDE

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GYDE

Glossary and Abbreviations

Term/Acronym	Description
Council	Ku-ring-gai Council
DA	Development Application
DCP	Development Control Plan
EP&A Act	*Environmental Planning and Assessment Act 1979*
The Regulations	Environmental Planning and Assessment Regulations 2021
ESD	Ecologically Sustainable Development
FSR	Floor Space Ratio
GFA	Gross Floor Area
LEP	Local Environmental Plan
LGA	Local Government Area
SEPP	State Environmental Planning Policy

GYDE

1. Introduction

This formal request has been prepared in accordance with Clause 4.6 of the *Ku-ring-gai Local Environmental Plan 2015* (KLEP) to justify a variation to Clause 16 of *State Environmental Planning Policy (Housing) 2021* (Housing SEP) which relates to additional floor space ratio and building height in relation to the development of 26-30 McIntyre Street, Gordon. This request seeks to vary the maximum building height permitted under this clause.

This request accompanies a development application (DA) to Ku-ring-gai Council which seeks consent for two residential flat buildings containing 53 apartments, together with landscaping, car and bicycle parking and associated development works.

The DA is made subject to the provisions of Chapter 6 Low and Mid Rise Housing and Chapter 2 Affordable Housing of the Housing SEPP. Chapter 6 of the Housing SEPP provides the development standards that allow for higher density development in key locations that are located within walking distance of specified town centres or public entrances to railway, metro or light rail stations. In addition, Chapter 2 of the Housing SEPP, which relates to development for in-fill affordable housing, provides for up to 30% additional building height and floor space for development that incorporates the minimum required floor space for affordable housing. Therefore, whilst the KLEP is the primary environmental planning instrument (EPI) applying to the site, the proposed development is made pursuant to the provisions of the Housing SEPP.

Clause 4.3 of the KLEP requires that the height of buildings for the site does not exceed 17.5m when measured from existing ground level. As noted above, the proposal seeks consent for a development that relies on the provisions in both Chapter 6 and Chapter 2 of the Housing SEPP, which permit greater density than envisaged under the KLEP. The provisions in Chapter 6 allow for a building height of up to 22m and a floor space ratio (FSR) of 2.2:1. Chapter 2 allows for an additional FSR of up to a maximum of 30%, based on the proposed affordable housing component. The proposal provides 10.11% affordable housing and therefore seeks an additional 20% FSR and building height. As such, the maximum permissible FSR and building height are 2.64:1 and 26.4m respectively.

Notwithstanding the bonus FSR and building height being sought in response to providing 10.11% affordable housing, the proposed development seeks consent for a building up to 30.48m in height at its maximum. Therefore, the proposal exceeds the maximum permissible building height by 4.08m or 15.45% when measured from existing ground level. The departure from the standard is set out further in Section 3 (Extent of variation) of this request. No variation is proposed to the maximum permissible FSR.

This request should be read in conjunction with the documents prepared in support of the DA lodged for the site, including the Statement of Environmental Effects (SEE) prepared by Gyde and the accompanying architectural drawings prepared by Giles Tribe Architects. This request has been prepared having regard to the NSW Department of Planning and Environment's Guidelines to Varying Development Standards (November 2023) and various recent decision in the New South Wales (NSW) Land and Environmental Court (LEC) and the NSW Court of Appeals (Appeals Court).

The objectives of Clause 4.6 are to provide an appropriate level of flexibility in applying a certain development standard to particular development, and to achieve better outcomes for and from development, by allowing flexibility in particular circumstances.

This request has been prepared having regard to the Department of Planning and Environment's Guidelines to Varying Development Standards (November 2023) and various recent decision in the New South Wales (NSW) Land and Environmental Court (LEC) and the NSW Court of Appeals (Appeals Court).

In summary, the requirement to comply with the development standard is unreasonable and unnecessary in the circumstances as:

- The proposed variation enables the orderly and economic use and development of land through the redevelopment of an underutilised site for much needed housing in accordance with the low and mid rise housing development program established by the NSW Government.

- The proposal will maximise the number of residential dwellings possible in response to the current housing crisis with little to no unacceptable, or adverse environmental impacts. Specifically, the areas above the height plane do not cause adverse amenity impacts.
- The proposal will retain and expand the current residential land use through providing a total of 53 apartments within walking distance to Gordon Railway Station.
- The proposal responds to the NSW Governments strategic and statutory planning initiatives to encourage private developers to provide additional housing, particularly though the provision of 872.9sqm (10.11%) of gross floor area as affordable housing.
- The proposal will continue to achieve the objectives of Clause 4.3 including using the existing topography of the site to provide a development with an appropriate density, scale and intensity, and ensuring the buildings are compatible with the bulk and scale of the locality.
- The development responds to the sloping nature of the site and the existing residential developments surrounding the site.
- The design and massing of the building, including the exceedance in height, directly responds to the site's context including topography, orientation and the adjacent residential apartment buildings.
- The proposal does not result in any overshadowing to public recreation areas and does not have any unacceptable overshadowing and privacy impacts of adjoining residential development when compared to a compliant building envelope.

This Clause 4.6 Variation Request demonstrates that compliance with the height of buildings development standard is unreasonable and unnecessary in the circumstances of the project, and there are sufficient environmental planning grounds to justify the contravention. Further, the proposal is consistent with the objectives of the R4 High Density Residential zone for the site and the development standard itself and is, therefore, in the public interest.

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2. Site Context

2.1 Existing Context

The site is located at 26-30 McIntyre Street, Gordon, within the Ku-ring-gai Local Government Area (LGA). The site comprises three parcels of land, legally known as Lot 4 in DP 525670 (26 McIntyre Street), Lot 1 in DP 525670 (28 McIntyre Street) and Lot C in DP 348677 (30 McIntyre Street) and currently contains three detached dwellings. The site has a combined total area of 3,360.1sqm.

An aerial image of the site and its surrounding context is provided below in Figure 1.



Figure 1 Local context of the site (source: Google maps and Gyde)

The site is zoned R4 High Density Residential zone pursuant to KLEP. The context of the site is transitioning from low density to high density residential flat buildings.

2.2 Emerging Context

As noted above, the site is located in an area currently undergoing significant growth and change. The area surrounding the Gordon Train Station, in this circumstance, was identified by the Department of Planning, Housing and Infrastructure (DPHI) as a Transport Oriented Development (TOD) Area, that is, a site that has the potential to accommodate additional growth. These provisions provided increased maximum FSR and height controls, subject to the required criteria being achieved.

The TOD provisions have been 'turned off' by DPHI as Council did not support the proposed changes to increase density around key train stations. As such, they independently prepared alternative options to support increased density around Gordon Train Station (as well as Roseville, Lindfield and Killara Train Stations) in lieu of the State Government's initiative.

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At an Extraordinary Council Meeting on 5 June 2025, Council adopted an alternative plan to the TOD provisions. The alternative plan for the Gordon Town Centre and Gordon Train Station is illustrated below in Figure 2.

This alternative plan has been submitted to DPHI. DPHI is currently reviewing the alternative plan and until such time as the Minister decides whether the plan is acceptable.

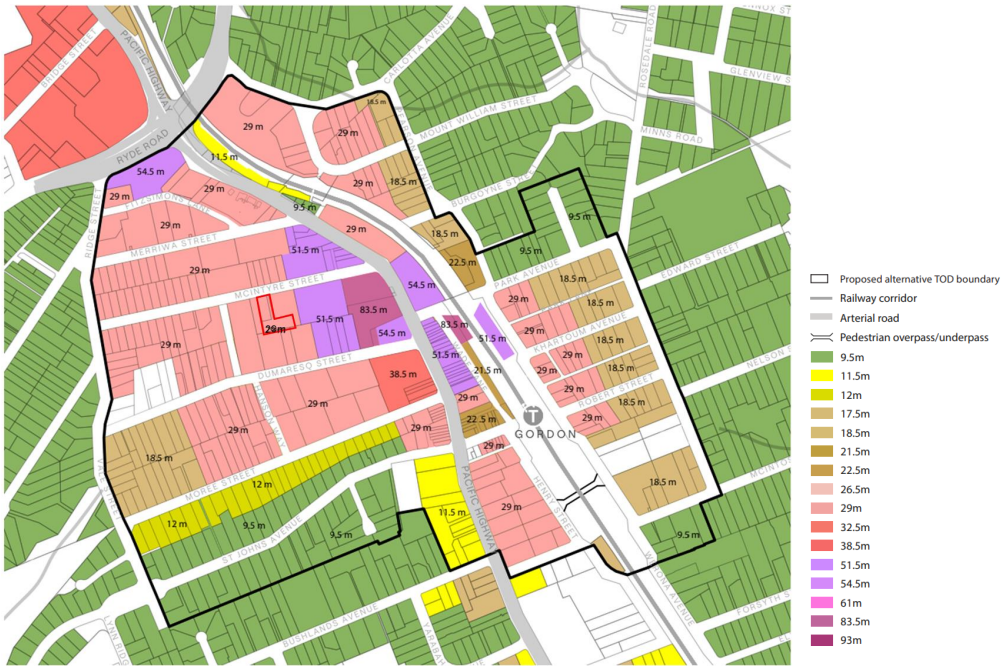

Figure 2 **Extract from the Ku-ring-gai Council TOD Exhibition (Gordon) – Preferred Scenario. The site is shown in red (Source: Ku-ring-gai Council - https://krg.engagementhub.com.au/projects/download/20425/ProjectDocument)**

As such, under the alternative plan for the area around the Gordon Train Station (as identified in black line in Figure 2), the site has the following development characteristics:

- Land use zoning – R4 High Density Residential
- Maximum building height – 29m
- Floor space ratio – 1.8:1
- Affordable housing rates – 3%.

Furthermore, reforms to the Housing SEPP were undertaken to broaden the ability of low and mid rise (LMR) housing to be constructed within 800m from nominated town centres and train stations. The mid rise housing provisions enable 3-6 storey apartment buildings to be constructed in R3 Medium Density Residential and R4 High Density Residential zones. The Gordon Town Centre and Gordon Train Station are included within the accompanying maps to the LMR provisions.

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3. Standard to be Varied

The environmental planning instrument (EPI) to be varied is the Housing SEPP.

In mid-2024, the NSW Government announced the introduction of Chapter 6 of the Housing SEPP, which commenced on 28 February 2025. Clause 180 in Chapter 6 of the Housing SEPP establishes a maximum building height of 22m and a maximum FSR of 2.2:1 for the site as it is located within the *low and mid rise housing* ***inner area***, as follows:

180 Non-discretionary development standards—residential flat buildings and shop top housing in Zone R3 or R4

1) This section applies to development for the purposes of residential flat buildings or shop top housing on land in a low and mid rise housing area in Zone R3 Medium Density Residential or R4 High Density Residential.

2) The following non-discretionary development standards apply in relation to development on land in a low and mid rise housing inner area—

a) a maximum floor space ratio of 2.2:1,

b) for residential flat buildings—a maximum building height of 22m,

c) for a building containing shop top housing—a maximum building height of 24m.

The proposed development seeks to also utilise the in-fill affordable housing provisions in Chapter 2, Part 2, Division 1 of the Housing SEPP which provide opportunity for up to 30% additional building height and FSR for developments that incorporate at least 10% affordable housing. Clause 16 in Chapter 2 of the Housing SEPP provides the following:

16 Affordable housing requirements for additional floor space ratio

1) The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the development on the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).

2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—

$$\text{affordable housing component} = \frac{\text{additional floor space ratio (as a percentage)}}{2}$$

3) If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).

Example—
Development that is eligible for 20% additional floor space ratio because the development includes a 10% affordable housing component, as calculated under subsection (2), is also eligible for 20% additional building height if the development involves residential flat buildings or shop top housing.

4) This section does not apply to development on land for which there is no maximum permissible floor space ratio.

The proposal seeks to provide 10.11% (872.9sqm) of the total gross floor area of the development as affordable housing floor space, which equates to 8 apartments within the development. Based on this, the maximum permissible FSR for the development is 20% additional FSR on top of the maximum permissible FSR for development that includes residential development. The maximum permissible FSR for a building on the subject site is 2.2:1 and with an additional 20% FSR, the maximum permissible FSR on the site is 2.64:1.

The proposal seeks consent for a development with an FSR of 2.64:1 and therefore relies on the additional floor space provided by Clause 16.

In accordance with Clause 16(3), the maximum building height for a building that is a residential flat building is the maximum permissible building height for the development on the land plus an additional building height of up to 30%. However, as the proposal seeks to provide an additional FSR of 20%, then an additional 20% to the maximum building height may be sought. This results in a maximum permissible building height of 26.4m. The proposal seeks consent for a building with a height of up to 30.48m measured from existing ground level, resulting in an exceedance of 4.08m or 15.45% of the development standard. Therefore, the standard that is proposed to be varied is the maximum height of building standard under Clause 16(3) of the Housing SEPP.

The development standard to be varied is not excluded from the operation of Clause 4.6 of the KLEP and therefore can be varied.

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4. Extent of Variation

The standard that is proposed to be varied is the maximum height of buildings under Clause 16(3) of the Housing SEPP. The Clause states:

> 3) *If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height for the development on the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).*

According to Clause 16(3) of the Housing SEPP bonus height provisions, and as discussed in section 3 above, the maximum building height prescribed for the site is 26.4m. The proposal seeks consent for a development that breaches the maximum building height development standard by 4.08m, or 15.45%, at its greatest extent, as illustrated below.



Figure 3 **East elevation at face of Building A showing proposed height variation (source: Giles Tribe Architects)**

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1 DA301 **SOUTH ELEVATION**
1 : 150

Figure 4 East elevation showing proposed height variation (source: Giles Tribe Architects)



2 DA301 **WEST ELEVATION**
1 : 150

Figure 5 West elevation showing proposed height variation (source: Giles Tribe Architects)

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Figure 6 **North elevation showing proposed height variation (source: Giles Tribe Architects)**

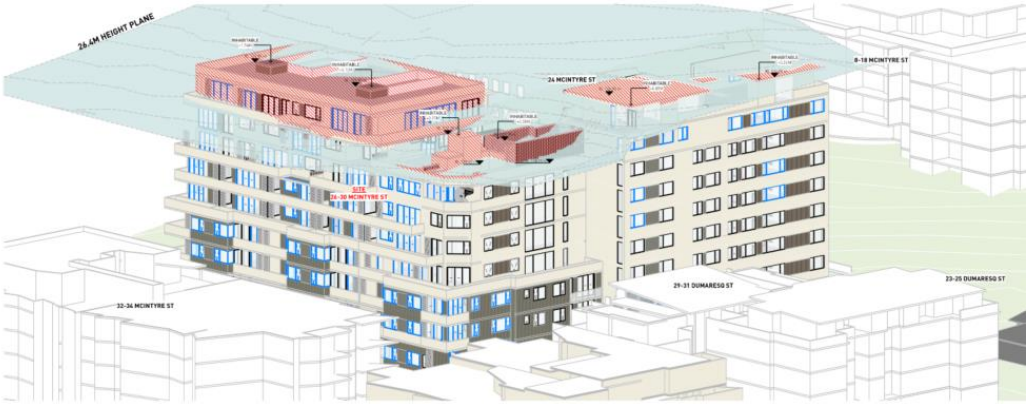

Figure 7 **Height plan diagram (Source: Giles Tribe Architects)**

This extent of variation is as a result of:

- The irregular shape and the sloping topography of the site has resulted in a development that has been designed to minimise potential impacts on neighbouring properties with respect to solar access, overshadowing and privacy.
- The provision of additional housing, in particular in-fill affordable housing, on a site that has good access to the Gordon Town Centre and Gordon Train Station.
- It provides a suitable transition in scale between the Gordon local centre and the adjoining lower density residential west of the site.
- The provision of plant enclosures, including lift overruns and air conditioning condenser units, on the roof of the buildings.
- It provides a development with a built form that is compatible with the size of the land to be developed.

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5. Unreasonable or Unnecessary

In this section it is demonstrated why compliance with the development standard is unreasonable or unnecessary in the circumstances of this case as required by Clause 4.6(3)(a) of the LEP.

The Court held that there are at least five different ways, and possibly more, through which an applicant might establish that compliance with a development standard is unreasonable or unnecessary. *See Wehbe v Pittwater Council [2007] NSWLEC 827 (Wehbe).*

The five ways of establishing that compliance is unreasonable or unnecessary are:

1) The objectives of the development standard are achieved notwithstanding non-compliance with the standard; (First Test)
2) The underlying objectives or purpose is not relevant to the development with the consequence that compliance is unnecessary; (Second Test)
3) The objectives would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable; (Third Test)
4) The development standard has been virtually abandoned or destroyed by the Council's own actions in granted consents departing from the standard hence the standard is unreasonable and unnecessary; (Fourth Test) and
5) The zoning of the land is unreasonable or inappropriate. (Fifth Test)

It is sufficient to demonstrate only one of these ways to satisfy Clause 4.6(3)(a) *(Wehbe v Pittwater Council [2007] NSWLEC 827, Initial Action Pty Limited v Woollahra Municipal Council [2018] NSWLEC 118 at [22] and RebelMH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130 at [28]) and SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112 at [31]).*

Nonetheless, we have considered each of the ways as follows.

5.1 The objectives of the development standard are achieved notwithstanding non-compliance with the standard.

The following considers whether the objectives of the development standard are achieved notwithstanding the proposed variation (First Test under *Wehbe*).

To help determine whether compliance with the development standard is unreasonable or unnecessary, an assessment of the objectives and aims of the relevant Chapters of the Housing SEPP is undertaken below.

LMR provisions (Chapter 6 of the Housing SEPP)

The basis for the proposed height is the LMR provisions in Chapter 6 of the Housing SEPP. Clause 162 of the Housing SEPP relates to the aim of the LMR provisions, which is:

> *162 The aim of this chapter is to encourage the development of low and mid rise housing in areas that are well located with regard to goods, services and public transport.*

The proposed development involves the construction of a mid-rise residential flat building in that is about 139m walking distance west from the Gordon Town Centre (as identified on the Town Centres Map in the Housing SEPP) and about 697m walking distance west of the Gordon Train Station. The site is located within the ***inner area*** which applies to land located in an R4 High Density Residential zone and allows for additional height in these accessible areas. As such, the proposal complies with the aim of Chapter 6 of the Housing SEPP which relates to LMR provisions.

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In-fill affordable housing provisions (Chapter 2 of the Housing SEPP)

Clause 15A of the Housing SEPP establishes the objective for Division 1 In-fill affordable housing of the Housing SEPP. The objective is:

> *15A The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.*

The proposal responds to this objective by providing 8 affordable housing units to meet the needs of very low, low and moderate income households. These affordable housing units provide a range of housing types and sizes (1 x 1 bedroom unit, 1 x 2 bedroom unit and 6 x 3 bedroom units) through the proposed residential flat buildings that will directly address the demand for affordable housing. The larger apartments will also cater for demand for family-sized apartments in close proximity to local services and facilities and public transport options.

Housing SEPP

Notwithstanding compliance with the aim of Chapter 2 and the objective of Chapter 6, for completeness although not required, an assessment of the proposal against the principles (Clause 3) of the Housing SEPP has been undertaken as part of this Clause 4.6 statement.

Table 1 below indicates how the proposal is considered to be consistent with the principles of the overall Housing SEPP.

Table 1 Consistency with the Principles of the Housing SEPP (Clause 3 of the Housing SEPP)

Principle	Consistency
(a) Enabling the development of diverse housing types, including purpose-built rental housing.	Consistent. Although the project does not facilitate the provision of purpose-built rental housing, it does provide 45 x 3 bedroom units and 6 x 4 bedroom units which directly cater for family accommodation. There is also 1 x 1 bedroom unit and 1 x 2 bedroom unit, which are suitable for smaller households. The provision of family-sized units in such an accessible location meets the principles of diverse housing in catering for this part of the housing market, in both a market and affordable housing capacity.
(b) Encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability.	Consistent. This proposal includes the provision of 8 affordable housing units which will respond to the needs of the more vulnerable members of the community in providing more affordable houses.
(c) Ensuring new housing development provides residents with a reasonable level of amenity.	Consistent. The new apartments have been designed to align with the Chapter 4 Design of residential apartment development and Schedule 9 Design principles for residential apartment development of the Housing SEPP. This design approach ensures that the maximum number of apartments in the development meet minimum amenity requirements. For example, 41 (77.4%) apartments receive at least 2 hours of solar access to their living rooms, 43 (81.1%) of the apartments receive at least 2 hours of solar access to their private open spaces and 37 (70%) of the apartments receive at least 2 hours of solar access to both their living rooms and private open spaces. All

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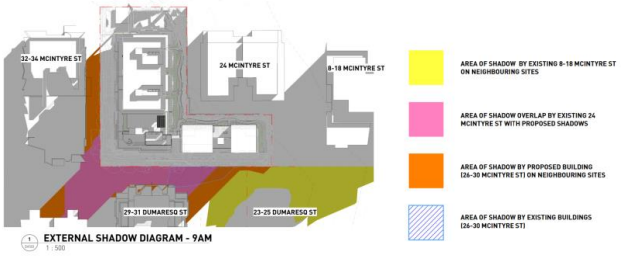
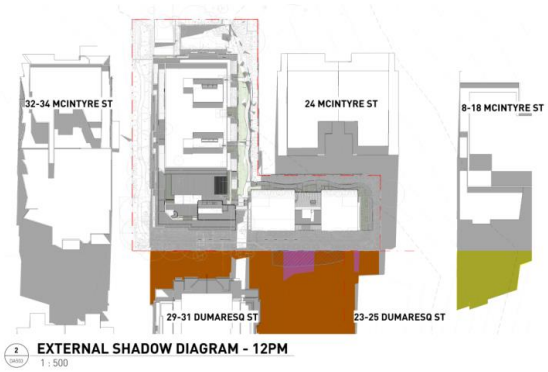
Principle	Consistency
	apartments enjoy cross-through ventilation. Furthermore, all apartments enjoy both private and communal open spaces. As such, the proposal provides future residents with a reasonable level of amenity.
(d) Promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services.	Consistent. The proposal is located about 139m walking distance west of the Gordon Town Centre and about 697m walking distance from the Gordon Train Station. The future residents of the site will be able to take advantage of being close to services, facilities and public transport opportunities.
(e) Minimising adverse climate and environmental impacts of new housing development.	Consistent. **Bulk and scale** The proposal complies with the bonus FSR permitted under Clause 16 of Chapter 2 of the Housing SEPP. To deliver this bonus FSR, the proposal is seeking a variation to the bonus building height resulting from the provision of 10% affordable housing floor area. The bulk and scale of the proposed development is considered appropriate as: • The site is zoned R4 High Density Residential which facilitates and encourages high density residential flat buildings, as is proposed in this application. • The site is located in an area currently undergoing significant growth and uplift in density by being located close to the Gordon Town Centre and Gordon Train Station and being identified as an area of growth under Chapter 6 of the Housing SEPP, and the future alternative TOD provisions being prepared by Council. • The proposed residential flat buildings are consistent with the existing land use and built form in the neighbourhood. • A large portion of the building form that exceeds the maximum building height permitted under Chapter 2 of the Housing SEPP will not be discernible from the public domain as it results in a consistent and regular building. **Amenity and liveability** The variation to the maximum building height development standard stems from the existing steeply sloping site, maximising the number of affordable housing units, providing roof level communal open space and from encroachment of roof level services and plant. The variation in building height ensures the internal amenity in each apartment is maximised so that appropriate internal solar access and cross-ventilation is achieved. **Visual privacy** The proposed roof level communal space in the south-west corner of the site has been designed to be well setback from the western and southern boundaries. This will reduce potential of overlooking and privacy impacts to adjoining properties. Further, privacy screens and planter boxes are proposed for the northern, western and eastern sides of the roof top communal space to reduce impacts. **Views** No significant views are available from adjoining properties or public domain. As such, the proposal will not result in any undesirable view loss.

Principle	Consistency
	Overshadowing and solar access The proposed building form will result in additional overshadowing being cast on the properties to the immediate south, on Dumaresq Street. This is due to building form being introduced in the southern part of the site, where it has been previously for garden uses (at 28 & 30 McIntyre Street). There is currently building bulk in the rear of 26 McIntyre Street, due to the lot being an access handle shape. The existing developments at 8-18, 24 & 32-34 McIntyre Street already cast overshadows on to the properties in Dumaresq Street. However, the new buildings at 26-30 McIntyre Street will increase the amount and extent of overshadowing on to these properties. Notwithstanding, the increase in overshadowing of these southern neighbouring properties from the height variation is not considered to be excessive, when compared to the shadowing resulting from a compliant scheme. The accompanying architectural drawings, prepared by Giles Tribe Architects, clearly show the extent of the proposed overshadowing from the overall buildings. Excerpts of the overshadowing diagrams are included below:  **Figure 8** **Overshadowing of the proposed buildings at 9am (source: Giles Tribe Architects)**  **Figure 9** **Overshadowing of the proposed buildings at 12pm (source: Giles Tribe Architects)**

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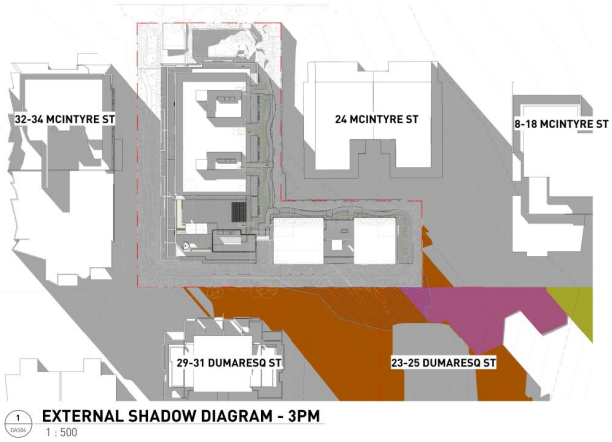
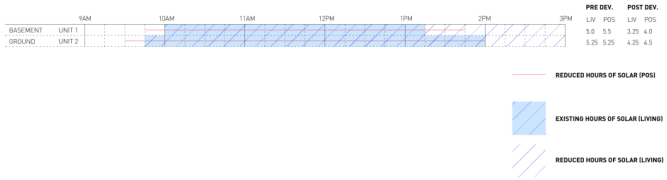
Principle	Consistency
	 **Figure 10 Overshadowing of the proposed buildings at 3pm (source: Giles Tribe Architect)** Giles Tribe Architects have also undertaken a closer analysis of the overshadowing impacts on the affected units at 23-25 Dumaresq Street. This analysis indicates that the units will experience increased overshadowing between 9:45am and 3pm to their living rooms and an increase in overshadowing to their areas of private open space during 9:30am to 2pm at winter solstice.  **Figure 11 Solar table – impact on 23-25 Dumaresq Street (source: Giles Tribe Architects)** The increase in the overshadowing cast on to 23-25 Dumaresq Street due to the height variation is reasonable considering the existing steeply sloping topography and the addition of building bulk within the southern part of the site. **Conclusion** The proposal minimises adverse climate and environmental impacts by appropriately designing the residential buildings to limit their impact on surrounding properties, in particular, those to the south on Dumaresq Street.
(f) Reinforcing the importance of designing housing in a way that reflects and enhances its locality.	Consistent. The proposed buildings are designed to be compatible with the existing and future character for this part of Gordon. The proposed building form and appearance is consistent with the newer residential flat buildings along McIntrye Street, in particular to the west of the site along McIntyre Street.

Principle	Consistency
	The design of the buildings clearly reflect their role in providing housing close to services and facilities in the Gordon Town Centre and public transport opportunities at the Gordon Train Station. Further, the design of the buildings highlights the desire of the State Government to provide housing in these accessible areas. The design of the building does not differentiate between the location of the market and the affordable housing units, which will aid social cohesion within the building.
(g) Supporting the short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use.	N/A The proposal does not directly seek to create opportunities for the establishment of short-term rental accommodation. However, future owners and occupants of the apartments may establish these home-sharing activities if they wish to derive secondary income from the residential apartments.
(h) Mitigating the loss of existing affordable rental housing.	N/A The existing development comprises privately-owned single residential dwellings. Their demolition will not result in any loss of affordable rental housing.

5.2 The underlying objectives or purpose is not relevant to the development with the consequence that compliance is unnecessary.

The underlying objective or purpose is relevant to the development and therefore is not relied upon.

5.3 The objective would be defeated or thwarted if compliance was required with the consequent that compliance is unreasonable.

The objective would not be defeated or thwarted if compliance was required. This reason is not relied upon.

5.4 The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary.

Given the recent commencement of Chapter 6 of the Housing SEPP and in-fill affordable housing provisions, there are no examples where consent has been granted to a variation to the building height development standard.

5.5 The zoning of the land is unreasonable or inappropriate.

The zoning of the land is not relevant in this case as the proposal relies on the provisions in Chapter 6 of the Housing SEPP, which prevail over the land zoning and relevant development standards established in KLEP.

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6. Sufficient Environmental Planning Grounds

In *Initial Action Pty Ltd v Woollahra Council [2018] NSWLEC 118*, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under Clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole.

In *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*, Plain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

The environmental planning ground to justify the departure of the affordable housing requirements for additional floor space ratio development standard are as follows:

- Despite the numerical non-compliance with the additional height for in-fill affordable housing development standard, the development provides a scale and form of development that is compatible with surrounding existing and approved developments and one that is expected under the Housing SEPP provisions, in particular those relating to LMR and in-fill affordable housing provisions. The overall development will be compatible with the existing and emerging character of Gordon Town Centre, noting the current provisions of the Housing SEPP together with the alternative TOD provisions being pursued by Council. Consequently, the proposed development will not be out of character with this scale.
- Despite the proposed development causing additional overshadowing on the properties to the immediate south, in the context of Council's preferred scenario for TOD development, significant overshadowing will likely result from the scale of development envisaged for the area surrounding Gordon Station. This would include additional shadow falling directly on the site from the preferred planning controls enabling 50-80m buildings immediately to the east of the site, at the top of McIntyre Street. As such, any additional overshadowing caused by the proposed development, including any resultant shadow impacts from the height variation, will be negligible compared to the resultant shadow of 50-80m high buildings. Consequently, given the desired future context of this area, the additional overshadowing is considered to be acceptable.
- The proposed height variation maximises the future amenity of the residential dwellings proposed in response to the current housing crisis with no unacceptable, additional, adverse environmental impacts. The proposed height exceedance enables the delivery of a high quality communal open space at roof level and generous floor to floor heights. In this regard, the height variation is directly consistent with the aims of the development standards provided within the Housing SEPP.
- The height variation is in part a direct consequence of the slope of the site, the orientation of the site and the introduction of building form in the southern part of the site. The site is one of the last sites to be redeveloped along McIntyre Street within the R4 High Density Residential zone
- The additional height enables the provision of a high-quality residential development that also provides for additional affordable housing units. There is an inherent public benefit in providing additional residential dwellings including affordable housing on the site, particularly given the proximity of the site to the Gordon Town Centre and Gordon Train Station.
- The proposed development responds to the NSW Government's strategic and statutory planning initiatives to encourage private developers to boost diversity of housing choice and deliver more market housing. Namely, the breach reflects the objectives and development standards provided in the Housing SEPP for infill affordable housing and LMR housing.
- The proposed development will contribute to the viability and attractiveness of the Gordon Town Centre.

The proposed development achieves the objects in Section 1.3 of the EP&A Act, specifically:

- The development will deliver affordable housing, with more than 872.9sqm of gross floor area of the development being provided as affordable housing for the wider Gordon community. The development

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is well placed to maximise the benefits of this type of housing, being near the Gordon Town Centre and Gordon Train Station, providing access to the wider Sydney region.

- The proposal promotes the orderly and economic use and development of land through the redevelopment of underutilised sites for an appropriate residential development.
- The proposed development promotes the construction of a building which exhibits good design and amenity of the built environment. Giles Tribe Architects have designed the buildings with consideration of the context and have incorporated various architectural elements to create a high quality design outcome.

For completeness, we note that the size of the variation is not in itself, a material consideration as whether the variation should be allowed. There is no constraint on the degree to which a consent authority may depart from a numerical standard under clause 4.6: *GM Architects Pty Ltd v Strathfield Council [2016] NSWLEC 1216 at [85]*.

For the reasons outlined above, it is evident that there are sufficient substantive environmental planning grounds which justify contravening the building height development standard.

In short, Clause 4.6 is a performance-based control, so it is possible (and not uncommon) for variations to be approved in the right circumstances.

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7. Conclusion

The objectives of Clause 4.6 are to provide an appropriate degree of flexibility in applying certain development standards and to achieve better outcomes for and from development in particular circumstances. This Clause 4.6 variation is necessary to provide the required flexibility in the bonus height permissible in response to providing in-fill affordable housing development standard under Section 16 of the Housing SEPP to enable the proposed residential development.

The request concludes that strict compliance with the numerical standard of the height limit is unnecessary and unreasonable, and satisfies the tests under Clause 4.6 for the following reasons:

- Strict compliance with Clause 16 of the Housing SEPP would be unreasonable and unnecessary in the circumstances.
- There are sufficient environmental planning grounds to justify the minor contravention of the development standard.

Overall, the objectives of Clause 4.6(1) are to provide an appropriate degree of flexibility to achieve a better outcome for and from development. Strict compliance with the minimum dimension standard would prevent the proposed development proceeding and delivering the benefits and enhancements described. The proposal will have minimal impact on the community and is compatible with the local character of the area.

The relevant tests under Clause 4.6 are satisfied and there are sufficient environmental planning grounds to justify the minor non-compliance with the development standard relating to additional floor space when providing in-fill affordable housing.

Filed: 13 November 2025 4:45 PM

D00029FDL7

Statement of Facts and Contentions

COURT DETAILS	
Court	Land and Environment Court of NSW
Division	Class 1
Registry	Land and Environment Court Sydney
Case number	2025/00371070

TITLE OF PROCEEDINGS	
First Applicant	MCINTYRE DEVELOPMENT PTY LTD
First Respondent	Ku-ring-gai Council ABN 86408856411

FILING DETAILS	
Filed for	Ku-ring-gai Council,Respondent 1
Legal representative	CECILIA ROSE
Legal representative reference	
Telephone	0292993311
Your reference	660461

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Lodge Document, along with any other documents listed below, were filed by the Court.

Statement of Facts and Contentions (SOFAC Clean.pdf)

[attach.]

Filed: 13/11/2025 16:45 PM

STATEMENT OF FACTS AND CONTENTIONS

COURT DETAILS	
Court	Land and Environment Court of New South Wales
Class	1
Case number	25/371070
TITLE OF PROCEEDINGS	
Applicant	**McIntyre Development Pty Ltd**
Respondent	**Ku-ring-gai Council**
PREPARATION DETAILS	
Filed for	**Ku-ring-gai Council**, Respondent
Legal representative	Cecilia Rose, Wilshire Webb Staunton Beattie Lawyers
Legal representative reference	Ref: CR: 660385
Contact name and telephone	Cecilia Rose, (02) 9299 3311
PART A - FACTS	

THE PROPOSAL

1. This is an appeal against the deemed refusal of development application, Council reference eDA0371/25, under which the Applicant seeks consent for the alterations, additions and associated works to an approved residential flat building (an amending Development Application to DA0038/23) under the provisions of SEPP (Housing) 2021 on land at 26-30 McIntyre Street, Gordon (**the Site**).

2. Specifically, the application seeks to amend the approved development in the following way:

DEVELOPMENT SCHEDULE COMPARISON 26-30 Mcintyre St Gordon			
	Approved S34	**Proposed**	***Difference***
GFA *(including basement car park area)*	4938.26 sqm	9114.10 sqm	*4175.84 sqm*
FSR *(including basement car park area)*	1.47 : 1	2.712 : 1	*1.242*
Total Units	32	53 *inclusive of 8 Affordable Units*	*21 Units*
Unit Mix	1 Bed - 1 2 Bed - 1 3 Bed - 28 4 Bed - 2	1 Bed - 1 2 Bed - 1 3 Bed - 45 4 Bed - 6	*3 Bed - 17* *4 Bed - 4*
Communal Open Space	1841.52 sqm (54.8%)	1767.7 sqm (52.6%)	*- 73.82 sqm*
Site Coverage	1283.2 sqm (38.2%)	1417.7 sqm (42.2%)	*134.5 sqm*
Solar Access	26 out of 32 Units (81%)	37 out of 53 Units (70%)	*-11%*
Cross Ventilation	31 out of 32 Units (96.9%)	52 out of 53 Units (98.1%)	*1.20%*
Deep Soil	1684.7 (50.1%)	1572.7 sqm (46.8%)	*- 112 sqm*
Levels	5 Storey with 4 Level Basement	8 Storey with 4 Level Basement	*3 Storey*
Car Parking	*69 Residential* *6 Visitor* *1 Car Wash Bay* *1 Car share* **TOTAL = 77 Car Spaces**	*92 Residential* *9 Visitor* *1 Car Wash Bay* *1 Car share* **TOTAL = 103 Car Spaces**	*26 spaces*

Figure 1: Development Schedule Comparison (prepared by applicant)

3. The applicant describes the resulting development as including:

a) Basement level 4: 33 car parking spaces, 15 storage cages and 4 bicycle parking spaces

b) Basement level 3: 27 car parking spaces, 15 storage cages and 2 bicycle parking space

c) Basement level 2:

i. 21 car parking spaces, 11 storage cages and 5 bicycle parking spaces

ii. One 2 bedroom affordable apartment located in the south-western corner of this level

d) Basement level 1:

i. 18 car parking spaces, 1 carshare parking space, 1 car parking space for a removalist van/car wash space, 13 storage cages and 6 bicycle parking spaces. This level also contains storage for the general waste and recycling bins

ii. There are two affordable housing units at this level – one 1 bedroom unit and one 3 bedroom unit. Both of these units are in the south-western corner of the level

e) Ground level: five 3 bedroom market units and three 3 bedroom affordable units

f) Level 1: seven 3 bedroom market units and one 3 bedroom affordable unit

g) Level 2: five 3 bedroom market units, one 4 bedroom market unit and one 3 bedroom affordable unit
h) Level 3: six 3 bedroom market units and one 4 bedroom market unit
i) Level 4: seven 3 bedroom market units
j) Level 5: four 3 bedroom market units and two 4 bedroom market units.
k) Level 6:
    i. two 3 bedroom market units and one 4 bedroom market unit in Building A
    ii. the roof level communal open space is also located at this level in the southern part of Building A
    iii. Building B, this level contains the ground floor level for two 3 bedroom market units.
l) Level 7:
    i. one 3 bedroom market unit and one 4 bedroom market unit in Building A
    ii. Building B, this floor level contains the upper level of two maisonette 3 bedroom units
i) Roof level: Plant including condensers.

4. Properly characterised the application is for 21 additional units including the change of use to permit 8 affordable housing units, an additional 4175.84 sqm of GFA, a reduction of approximately 74 sqm in communal open space, 112 sqm less of deep soil planting and an additional 134.5 sqm of site coverage. The proposal increases the RFB from an approved 5 storeys to a proposed 8 storeys.

THE SITE

2. The Site comprises 3 lots, which are described as follows (refer to Figure 2):
    a) 26 McIntyre Street: Lot 4 in DP525670:
        i. This battle-axe allotment contains a 1-2 storey dwelling house of brick construction. The allotment accommodates an informal garden, including a large tree adjacent to the western boundary and a large vehicle manoeuvring area forward of the dwelling.
    b) 28 McIntyre Street: Lot 1 in DP525670:
        i. This lot has direct frontage to McIntyre Street and contains a 1-2 storey dwelling house of brick construction and incorporates a single space garage.
    c) 30 McIntyre Street: Lot C in DP348677:

i. This lot has direct frontage to McIntyre Street and contains a 1-2 storey dwelling house of brick construction and includes a single space garage within the western side setback.

3. The three lots comprise a combined site area of 3,360.1sqm. The site is 'L' shaped with a northern frontage of 37.295m to McIntyre Street, a site depth along the straight western boundary of 68.360m, a rear boundary length of 73.84m, an eastern boundary length towards the rear of 22.185m, a return boundary length parallel to the street frontage of 36.575m, and an eastern boundary length towards the street frontage of 46.205m.

4. The site has an overall fall from northeast to southwest, from highest point to lowest point, of approximately 10.81m (14%). The site falls along the street frontage from east to west approximately 5.51m (14.8%), a fall from north to south along the straight western boundary of approximately 2.98m (4.4%), a fall from east to west along the rear boundary of approximately 6.35m (8.9%), a fall from north to south along the eastern boundary towards the rear of approximately 3.46m (15.6%), a fall from east to west along the return boundary parallel to the street frontage of approximately 3.64m (10.0%), and a fall from north to south along the eastern boundary towards the street frontage of 2.32m (5.0%).

5. The rear of the Site forms a part of a watercourse which is predominantly located on 23-35, 27 and 29-33 Dumaresq Street. The watercourse flows into Blackbutt Creek to the west adjacent to Vale Street. Refer to Ku-ring-gai Local Environmental Plan 2015 (**KLEP**) riparian lands and watercourse map at Figure 3.

6. The native vegetation existing at the rear of the Site was determined to be representative of the Blue Gum High Forest (BGHF), which is listed as a Critically Endangered Ecological Community (CEEC) under the *Biodiversity Conservation Act 2016* (**BC Act**).

7. The existing BGHF within the Site has been mapped as an area of "biodiversity significance" under KLEP.

8. The Site is vegetated with a variety of endemic and exotic species.

9. The Site is zoned R4 High Density Residential under the Ku-ring-gai Local Environmental Plan 2015 ("LEP").

10. The Site benefits from a previous development consent (as amended) approved by the Court (DA0038/23 modified by MOD0078/24) in proceedings 2024/375019, for layout changes to the basement levels, an increase of one apartment from 31 to 32 apartments, layout and design changes to some apartments, changes to the

proportions of some communal open space areas, provision of additional rooftop private open space areas and building envelope changes.



Figure 2 Aerial photograph of the Site and surrounding area.

THE LOCALITY

11. The local area in the vicinity of the Site is primarily characterised as a high-density residential locality. The Site is within 140m walking distance of the land mapped as 'Town Centre' and 620m from Gordon Railway Station.

12. Development adjoining the Site to the east at 20 McIntyre Street comprises a recently completed residential flat building.

13. Development to the north of the Site consists of low density residential dwellings and a range of residential flat buildings.

14. To the south and immediately adjacent to the rear portion of the Site, are a 5 storey residential flat building at 29-31 Dumaresq Street, a dwelling house at 27 Dumaresq Street, and a seniors housing development at 23-25 Dumaresq Street.

15. Development adjoining the Site to the west comprises residential flat buildings on land at 32-34 McIntyre Street.

THE STATUTORY CONTROLS

16. *Environmental Planning and Assessment Act 1979* (**EP&A Act**)
17. *Environmental Planning and Assessment Regulation 2021* (**Regulation**)
18. *Biodiversity Conservation Act 2016* (**BC Act**)
19. *State Environmental Planning Policy (Housing) 2021*
20. Apartment Design Guide (**ADG**) is a matter for consideration under section 147(1) of State Environmental Planning Policy (Housing) 2021
21. *State Environmental Planning Policy (Sustainable Buildings) 2022 – Chapter 2 Standard for Residential Development - BASIX*
22. *State Environmental Planning Policy (Resilience and Hazards) 2021*
23. *State Environmental Planning Policy (Biodiversity & Conservation) 2021* - Chapter 6 Water Catchments.
24. *Ku-ring-gai Local Environmental Plan 2015* (**KLEP**)
25. *Ku-ring-gai Development Control Plan* (**KDCP**)
26. *Ku-ring-gai Contributions Plan 2010*



Figure 3: LEP zoning map



Figure 4: LEP Riparian lands and watercourse map



Figure 5: LEP Biodiversity map

ACTIONS OF THE RESPONDENT

Date	Action
7/8/2025	eDA0371/25 was lodged with the Council.
18/08/2025	DA0371/25 was notified to neighbouring property owners and advertised on Council's website in accordance with the Ku-

	ring-gai Community Participation Plan. At the conclusion of the notification period, a total of 1 submission had been received. Issues raised in submissions include the following: • Traffic and parking impacts
21/08/2025	An email was sent to the applicant to clarify the proposed development as the application was lodged as an amending DA, however the documents submitted with the development application indicated the application sought approval for the whole development as the cost of works and plans were for the whole development.
29/08/2025	Additional information was received clarifying the proposed development including: • Compliance schedule showing the comparison between the approved and proposed works. • Comparison plans and elevations • Amended Estimated Development Cost Report • Amended SNPP portal form
10/9/2025	The application was renotified to neighbouring properties in accordance with the Ku-ring-gai Community Participation Plan. Two further submissions were received which raised the following issues: • Traffic and parking impacts • Acoustic impacts • Acoustic and dust impacts during construction • Impacts to footpath and safety • Blockages to McIntyre street during construction • Increased density • Lack of infrastructure to support increased density
26/9/2025	The Applicant filed the Class 1 Application with the Land and Environment Court of NSW.

PART B – CONTENTIONS -

The Respondent contends that the following facts, matters and circumstances require or should cause the Court, in exercising the functions of the consent authority, to refuse eDA0371/25.

B1 – CONTENTIONS THAT THE APPLICATION BE REFUSED

1. The gross floor area of the development does not comply.

The proposed gross floor area (GFA) does not comply and the maximum floor space ratio (FSR) for the proposal and has not been calculated in accordance with Section 16 of SEPP (Housing) 2021.

Particulars:

a) The SEE states that the maximum floor space ratio is 2.64:1 applying a GFA uplift of 20% based on a 10% affordable housing component.

b) The maximum GFA / FSR is shown on DA400, issue A, as 9114.1m^2 / 2.712:1.

c) DA000, issue A nominates the affordable housing GFA as 872.8sqm. The affordable housing GFA of 872.8sqm is less than 10% (911.4sqm of the total GFA).

d) The proposal is not subject to an uplift in FSR under Section 16(2) of SEPP (Housing) 2021 as the affordable housing component is less than 10% of the total GFA.

16 (2) The minimum affordable housing component, which must be at least 10%, is calculated as follows—

e) The GFA calculation diagrams are incorrect in the following ways:

a. the thickness of walls to common vertical circulation such as lifts and stairs (where not external) and the thickness of walls to risers, which should be included in the calculation of GFA. i.e. this has been excluded on basement levels 1 and 2, building B fire stair

b. level 2 northern foyer what appears to be voids for services have been included as GFA.

c. 'shaded' areas of GFA do not follow wall alignments, i.e. level 6 plan

f) Development consent cannot be granted as the proposal does not comply with the maximum floor space ratio development standard. A request to vary the development standard pursuant to clause 4.6 'Exceptions to development' standards of Ku-ring-gai LEP 2015 has not been provided.

2. Non-Compliant Building Height, Insufficient Information to Demonstrate the Extent of Non-Compliance, and Unsatisfactory Clause 4.6 Variation Request

The proposed building height is unclear. The non-compliant building height is not supported by a well-founded Clause 4.6 Variation Request to Section 18(2) of SEPP Housing.

Particulars:

a) In accordance with Section 175 (2) of SEPP Housing the site is subject to a maximum building height of 22 metres. Section 16(3) permits additional building height of up to 30% (6.6 metres) only if affordable housing is at least 15% of the overall gross floor area, this results in a maximum building height of 28.6 metres.

b) In this case the extent of GFA and proposed affordable housing is unclear and therefore the permitted maximum building height in accordance with Section 18(2) of SEPP housing is unclear.

c) The Clause 4.6 variation has stated that the building has a maximum height of 30.48 metres with a breach of (at least) 4.08m. It further states that the maximum building height permitted is 26.4 metres (which includes an additional 20%). This is inconsistent with the height plane diagram DA402 Issue A which identifies a maximum breach of 3.03 metres.

d) The building height diagram does not include RL's to all elements such as privacy screens and ground level RL's to demonstrate the proposed building height. Accordingly, the full extent of non-compliance cannot be determined.

e) Absent detailed plans demonstrating the proposed building height from existing ground levels, the full extent of impact arising from the non-compliance cannot be determined.

(f) The Clause 4.6 written request submitted in support of the variation is unsatisfactory as it fails to demonstrate that strict compliance with the height control is unreasonable or unnecessary, or that sufficient environmental planning grounds exist to justify the contravention of the standard.

(g) The written variation request seeks to demonstrate that the proposal is consistent with the overarching aims of SEPP Housing and the aim of chapter 6. These aims do not expressly relate to building height. Clause 4.3 (1) in KLEP, contains specific building height objectives. In this regard, the Clause 4.6 variation request is unacceptable as it has not considered the relevant objectives of the development standard.

3. Desired future character

The proposal is inconsistent with the desired future character, contrary to Section 20(3) of SEPP Housing.

Particulars:

a) Section 20(3) of SEPP Housing provides that 'development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with:

   i. … for precincts undergoing transition, the desired future character of the area' .

b) Council's draft alternative planning controls, which have been adopted by Council and forwarded to the Department of Planning for endorsement (TOD Alternative Scheme), envisage a future character which permits a maximum building height of 29m and FSR of 1.8:1. Notwithstanding the TOD Alternative Scheme is in draft form, they should be taken into consideration in the assessment of the Development Application.

c) The proposal is not compatible with the desired future character of the precinct because:

   i) The stated maximum building height is 30.48 metres. This exceeds the maximum building height of 26.4m under SEPP Housing. It also exceeds the future height control under the alternate scheme. The areas that exceed the maximum building height plane contribute towards the overshadowing of neighbouring properties at 29-33 Dumaresq Street, 35-39 Dumaresq Street and 27 Dumaresq Street (on its own, or possibly with redevelopment of 23-25 Dumaresq Street). The proposed 8 storey residential flat building will have an impact on adjoining properties and is not capable of existing in harmony together with the adjoining development.

   ii) 'Compatibility' under SEPP Housing section 20 also requires consideration of physical impacts including overshadowing and constraining development potential.

   iii) Insufficient deep soil landscaping resulting in adverse visual and residential amenity impacts.

4. Solar access

The proposed development does not provide adequate solar access to neighbouring properties or the site inconsistent with Housing SEPP and the objectives and design criteria of the ADG and KDCP.

Particulars:

(a) The ADG controls for solar access requires apartment development to receive solar access over the life cycle of the development.

   a. ADG 3B-2 (1) requires living areas and private open space of neighbouring properties to receive solar access to 70% of dwellings.

   b. ADG 3B-2 (2) requires solar access to living rooms and private open spaces of neighbours to be considered.

   c. ADG 3B-2 (4) requires building separation to be increased beyond minimums if the proposal will significantly reduce the solar access of neighbours, and

   d. ADG 3B-2 (5) requires overshadowing to the south and down hill to be minimised by increased upper level setbacks.

   e. 7A.2 (11) of KDCP states overshadowing should not compromise the development potential of the adjoining yet to be redeveloped sites.

(b) The In-fill Affordable Housing Practice Note (p11) states: 'The full extent of the in-fill affordable housing bonuses may not be achieved on all sites, due to site constraints and local impacts. The in-fill affordable housing bonuses should not be treated as an entitlement'.

(c) The proposal reduces existing levels of solar access to 29-33 Dumaresq Street to 19 of 35 (54%) units and reduces existing levels of solar access to 35-39 Dumaresq Street to 24 of 40 (60%) units inconsistent with ADG 3B.2 (1), (2), (4) and (5).

(d) Insufficient consideration has been given to the potential for the proposal to overshadow the redevelopment of the single residence at 27 Dumaresq Street (on its own, or possibly with redevelopment of 23-25 Dumaresq Street) which may constrain its development potential inconsistent with the Practice Note and KDCP 7A.2 (11).

(e) The proposed principal usable part of the communal open space located on Level 6 of Building A does not receive a minimum of 2 hours direct sunlight to a minimum 50% of its area between 9am and 3pm on 21 June. This does not meet the requirements of ADG 3D-1 (1) and KDCP 7C.2 (8).

5. SEPP Housing Design Principles

The proposed development is unsatisfactory when having regard to the Design Principles under the Housing SEPP and the objectives and design criteria of the ADG, as well as related provisions within KDCP.

Particulars:

(a) The proposed principal usable part of the communal open space located on Level 6 of Building A cannot be directly or equitably accessed from the units in Building B which accommodates 14 of 53 (26%) units in the development. This is contrary to 3D-1 (6) of the ADG and 7C.2 (3) of KDCP.

(b) The development does not achieve the minimum building separation distances required by the Design Criteria to Part 3F of the ADG.

a. The proposal has habitable room windows setback 6m from the southern boundary at the fifth to eighth storeys of Building B (units B401, B402, B501, B502, B601, B602). This is contrary to 3F-1 (1) of the ADG that requires a minimum of 9m setback for the fifth to eighth storeys. This may unreasonably constrain the redevelopment of 27 Dumaresq Street to redevelop to a similar scale on its own, or potentially with 23-25 Dumaresq Street (12 strata dwellings) contrary to objective 3F-1 (1) of the ADG which seeks to equitably share building separation distances between neighbouring sites.

b. The proposal has balconies and habitable room windows set back 6m to approximately 7.5m from the northern return boundary at the fifth to eighth storeys which is inconsistent with 3F-1 (1) of the ADG which requires a minimum 9m setback for the fifth to eighth storeys.

c. The proposal has habitable room windows set back 6m from the long eastern boundary at the fifth storey (units A401, A402, A403, A404), and balconies setback 6m from the eastern boundary at the sixth storey (units A501, A502, A503). This is inconsistent with 3F-1 (1) of the ADG which requires a minimum 9m setback for the fifth and sixth storeys.

d. The proposed building separation between balconies and habitable windows/balconies across the corner between Building A and Building B at Levels 1 to 5 is approximately 4.5m and does not meet the requirements of 3F-1 (1) of the ADG which requires a minimum of 12m separation for the first four storeys, and 18m separation for the fifth and sixth storeys. This also does not meet the requirements of ADG 3F-1 (6) for direct lines of sight to be avoided across corners.

e. The proposed windows to bedroom 1 and bedroom 2 of Unit A602 are not sufficiently separated from the principal usable part of the communal open space on Level 6 of Building A and does not meet the requirements of 3F-2 (1) of the ADG.

(c) Several proposed units do not appear to have screening between balconies (units A501, A502, A503, A601, A603, A701, A702). This does not meet the requirements of 3F-2 (5) of the ADG which requires screening between adjacent balconies.

(d) The proposal does not provide a building entry visible from the public domain and fails to meet the requirements of 3G-1 (1), 3G-1 (2) and 3G-1 (4) of the ADG and Part 7C.5 (2)(ii) of KDCP which requires clear sight lines to the primary street address and pathways to secondary building entries, entries which activate the street edge and relate to the street and subdivision pattern.

(e) The proposed living room balconies to several 3 bedroom and 4 bedroom units are less than 12m2 and/or less than 2.4m wide (units A301, A302, A303, A304, A305, A401, A402, A403, A404, A405, A502, A503, A601 and A603). This does not meet the requirements of 4E-1 (1) of the ADG for primary balconies of 3+ bedroom apartments to be a minimum area of $12m^2$ and a minimum depth of 2.4m wide.

(f) In some instances primary balconies are not located adjacent to the living room, dining room or kitchen to extend the living space inconsistent with ADG 4E-2 (1).

(g) The proposed bedroom balconies to several units are deeper than they are wide (units A104 (and typicals over), A105 (and typicals over), and A602) inconsistent with the requirements of 4E-2 (3) of the ADG.

(h) Many proposed common circulation corridors are internalised (Building A Level 5 and 7 and Building B Level 1 to 6). This does not meet the requirements of 4F-1 4 of the ADG which requires daylight and natural ventilation to be provided to all common circulation spaces.

(i) The proposed facades of Building B, particularly the southern rear facade which will be visible from Dumaresq Street, are large and flat and relatively unarticulated. This does not meet the requirements of Part 7C.6 (2) of KDCP which requires no single wall plane to exceed $81m^2$ in area, the requirements of KDCP 7C.6 (3)(i) to avoid large flat walls, and the requirements of KDCP 7C.6 (11) for facades to be articulated with wall planes varying in depth by not less than 0.6m supplemented with architectural elements.

(j) The proposed top storey of Building A is larger in gross floor area than the storey immediately below. This does not meet the requirements of Part 7C.8 (1) of KDCP for the top storey to not exceed 60% of the gross floor area of the storey immediately below.

(k) The proposed top storey of Building A and the top storey of Building B are not set back a minimum of 2.4m from the outer face of the floors below on all sides. This does not meet the requirements of Part 7C.8 (2) of KDCP.

(l) The proposed southern mechanical plant room / screens on Level 6 of Building A is not considered to be integrated into the building design and will be visible from surrounding development. This is inconsistent with the requirements of 7C.8 (4) of KDCP which requires service elements to be integrated into the overall design of the roof and ADG 4M-1 (2).

(m) When considered cumulatively, the failure to achieve compliance with the ADG demonstrates the inability of the proposal to satisfy the Design Principles under Schedule 9 of SEPP, in particular:

- Principle 1: Context and neighbourhood character
- Principle 2: Built form and scale
- Principle 3: Density
- Principle 4: Sustainability
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 8: Housing diversity and social interaction
- Principle 9: Aesthetics

6. Affordable housing units

The residential amenity to the affordable housing units is unsatisfactory and inequitable.

Particulars:

(a) The In-fill Affordable Housing Practice Note (p15) states, 'Residential amenity is one of the design quality principles under Chapter 4 of the Housing SEPP that must be considered in the assessment of residential apartment development. Good residential amenity (includes)… access to sunlight… It is important that amenity is maximised across a development, and that affordable dwellings are not subject to a lower standard.

(b) Eight proposed units are nominated as being affordable (units LG03, LG01, LG02, AG06, BG01, BG02, B102 and B202). Three of eight affordable units (38%) appear to receive a minimum of 2 hours direct sunlight to both living rooms and private open spaces between 9am and 3pm at mid winter. Five of eight (62%) affordable units appear to receive no direct sunlight between 9am and 3pm at midwinter.

(c) The solar access of dwellings nominated as being affordable is significantly less than the building overall and do not meet the requirements of 4A-1 (1) and 4A-1 (3) of the ADG in their own right and is considered to be inequitable.

7. Accessibility

The proposed development does not provide suitable access within the building inconsistent with the Livable Housing Design Guide (LHDG), the Apartment Design Guide (AGD) and the National Construction Code (NCC).

Particulars:

(a) The corridor to unit A601 is less than 1m wide and is inconsistent with Element 3 of LHDG.

(b) The central entry ramp to Building A is less than 1.2m wide and is inconsistent with Element 1 LHDG.

(c) Most proposed common circulation corridors have portions that are less than 1.5m wide [DA205A to DA211A]. This does not meet the requirements of 4F-1 (3) 4F-2 (2) of the ADG. This may also not meet the requirements of NCC D4D2(4)(c)(i) for common areas to be accessible to the entrance doorway of each sole-occupancy unit.

8. Site coverage and deep soil landscape area

The proposed development does not comply with the minimum deep soil landscape area or site coverage, resulting in adverse visual and residential amenity impacts.

Particulars:

(a) Control 1 in Part 7A.6 of KDCP requires a minimum deep soil landscape area of 50% of the site area which is to be provided within common areas only. The stated deep soil landscaping area is 1,572.8m2 or 46.8% however the plans do not accurately indicate all the non-compliant areas in accordance with the definitions listed in Part 1B.1 of the DCP, reducing deep soil to approximately 1540.5m2 (45.8%).

(b) The proposed site coverage is stated as being 42.2% This does not meet the requirements of Section 7A.5 (1) of KDCP, requiring a maximum site coverage of 30%. The calculation diagram incorrectly excludes the footprint of enclosed areas of upper level floor plans.

(c) The development does not provide consolidated deep soil zones inconsistent with objective 2 of Part 7A.6 of KDCP which restricts growth of vegetation.

9. Inadequate BASIX certificate

The BASIX Certificate is not consistent with the plans for the proposed development.

Particulars:

a) The BASIX certificate states that 2.5sqm of garden and lawn is provided to Unit 504, however no garden and lawn for this unit is shown on the plans.

b) The BASIX certificate states that units A304 and A305 have no areas of garden and lawn, however the plans show planter boxes for these units.

10. Section 4.15(1)(b), (c), (d) and (e) of the *Environmental Planning & Assessment Act 1979* and the public interest

The development application should be refused because approval of the proposed development would not be in the public interest.

Particulars:

(a) The public interest is demonstrated by conformity with the applicable planning controls the subject of other contentions hereto.

(b) The public interest also is demonstrated by matters which have been raised by the objectors.

(c) The development application should be refused having regard to the matters listed in section 4.15(1) (a)(iii)(iv), (b), (c), (d) and (e) of the Act as detailed in the objectors' submissions in Part A hereto where they are consistent with the contentions.

11. Insufficient ecological assessment

Particulars:

a) No ecological impact assessment (5-part test) has been provided in accordance with Section 7.3 of the Biodiversity Conservation Act 2016 (BC Act).

   i. Section 7.3 of the BC Act requires a Test of Significance to be undertaken to determine whether a proposed development is likely to significantly affect threatened species, populations, or ecological communities, or their habitats.

   ii. The submitted material does not include this mandatory assessment, and therefore fails to demonstrate that the ecological impacts of the proposal have been properly considered under the BC Act.

b) The previously approved Development Application DA0038/23 was supported by a Biodiversity Assessment Report (BAR) prepared by Travers Environmental, which identified the Plant Community Type (PCT 1237) corresponding with Blue Gum High Forest, a Critically Endangered Ecological Community (CEEC) under the BC Act.

   i. The presence of this listed ecological community on the site reinforces the requirement for a BAR to accompany this new application.

c) In the absence of a Test of Significance, the application fails to adequately assess or quantify biodiversity impacts, resulting in non-compliance with Sections 7.2 and 7.3 of the *Biodiversity Conservation Act 2016* and the *Biodiversity Conservation Regulation 2017*.

12. The submitted landscape plan is inadequate

Particulars:

a) The landscape plan is to be amended in accordance with Part 17.4 – Category 3: Bed and Bank Stability of the Development Control Plan (DCP). The following issues are to be addressed:

b) Open space treatment within the riparian corridor is inconsistent with the objectives and controls of Part 17.4 of the DCP.

   i. Open space within the riparian area is to be limited to a soft landscape walking track with seating, ensuring the protection, stability, and ecological function of the riparian zone are maintained in accordance with the bed and bank stability provisions of Part 17.4.

c) Proposed planting within the riparian corridor must comply with the relevant controls under Part 17.4 of the DCP, including:

   i. Control 7, which requires planting within the channel and within two metres of the top of the bank to comprise 100% locally native species representative of the relevant vegetation community, with an appropriate mix of groundcovers, shrubs, and trees; and

   ii. Control 8, which requires planting within Category 3 lands (more than two metres from the top of the bank) to consist of not less than 70% locally native trees and 30% locally native understorey species, with monocultures excluded.

d) The proposed planting must reflect the local riparian plant community type, and species selection is to be certified by a suitably qualified ecologist as being of local provenance and consistent with the vegetation community to be restored within the riparian area.

13. Inadequate information regarding affordable housing

There is insufficient detail to confirm compliance with Section 21 of SEPP Housing.

Particulars:

a) Section 21 of SEPP Housing states that development consent under Part 2, Division 1 of SEPP Housing must not be granted unless the consent authority is satisfied that for a period of 15 years commencing on the day the Occupation Certificate is issued, the development will include the affordable housing component required under Sections 16, 17 or 18 and the affordable housing component will be managed by a registered community housing provider.

b) A statement has not been provided addressing Section 21 of the SEPP.

B2 – CONTENTIONS THAT MAY BE RESOLVED BY CONDITIONS OF CONSENT

NIL

B3 – CONTENTIONS THAT THERE IS INSUFFICIENT INFORMATION TO ASSESS THE APPLICATION

14. Inadequate information regarding acoustic impacts

The submitted acoustic impact assessment contains errors and inconsistencies.

Particulars:

(a) The acoustic report prepared by Acouras Consultancy dated 8 July 2025 states that air-conditioning condensers will be located in plantrooms on Basement Levels 1–4, as well as within a rooftop plantroom screened by acoustic louvres. The acoustic report also refers to architectural plans dated 17 April 2025.

(b) The architectural plans provided with the application are dated 25 August 2025 and do not identify any plantrooms on Basement Levels 1–4. Instead, the plans show approximately 38 condenser units located on the rooftop, surrounded by 1100 mm high louvres, with no provision for basement plant.

(c) This inconsistency makes it difficult to confirm whether the acoustic engineer assessed the current proposal and satisfactorily was able to conclude compliance with the relevant noise criteria and Council's DCP requirements.

15. Architectural plans, survey and related information

Particulars:

(a) There are no areas identified for clothes drying as required by Part 7C.9 (1) and (2) of KDCP and Part 4U of the ADG.

(b) No information is provided to depict how services are well integrated into the design of the development.

(c) Identify garden maintenance storage is provided in accordance with Part 7C.2 of KDCP.

(d) Apartment LG02 balcony states 'external louvres for fresh air to basement'.

(e) Mechanical certification has not been provided to demonstrate that the nominated area/plantroom will be large enough to accommodate the number of proposed condenser units, that the likely required supply/extraction air flow within the plant room have been sufficiently incorporated into the basement design and that there is sufficient service ducting incorporated into the development so that the systems operate efficiently.

(f) Privacy louvres should be indicated on the floor plans.

(g) Dimensions are not provided to all edges of the building, for example western elevation.

SIGNATURE	
Signature of authorised officer of respondent consent authority	
Name of authorised officer	Belinda Newell
Capacity	Executive Assessment Officer
Date of signature	13/11/2025

DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE:	74 RIDGE STREET, GORDON - TORRENS TITLE SUBDIVISION OF ONE LOT INTO TWO LOTS, ALTERATIONS AND ADDITIONS TO EXISTING DWELLING AND ASSOCIATED WORKS.
ITEM/AGENDA NO:	GB.3

APPLICATION NO:	eDA0479/25
ADDRESS:	74 Ridge Street, Gordon
WARD:	Gordon
DESCRIPTION OF PROPOSAL:	Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works.
APPLICANT:	Andrew Owens
OWNER:	LH Owens, A Owens
DATE LODGED:	4 September 2025
SUBMISSIONS:	No Submissions
ASSESSMENT OFFICER:	Bonnie Yue
RECOMMENDATION:	Refusal

KLPP REFERRAL CRITERION:	Departure from a development standard in excess of 10%. Demolition (partial) of a heritage item including the removal of trees that will have more than a minimal impact on the integrity of the heritage item

PURPOSE OF REPORT

To determine Development Application No eDA0479/25 for Torrens Title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works.

This application is reported to the Ku-ring-gai Local Planning Panel for determination in accordance with the Minister's Section 9.1 Local Planning Panels Direction as:

1. it proposes a departure from a development standard in excess of 10%

2. the development involves demolition (partial) of a heritage item including the removal of trees that, in the opinion of Council's Heritage Advisor, will have more than a minimal impact on the integrity of the heritage item.

RECOMMENDATION

A. THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refuse development consent to eDA0479/25 for Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works - Heritage Item on land at 74 Ridge Street GORDON NSW 2072, for the reasons provided in the Development Assessment Report **(Attachment A1)**.:

Bonnie Yue
Senior Development Assessment Officer

Selwyn Segall
Team Leader Development Assessment

Brodee Gregory
Team Leader Development Assessment

Shaun Garland
Manager Development Assessment Services

Attachments:

A1⇩	Assessment Report	2025/344108
A2⇩	Location Sketch	2025/381241
A3⇩	Zoning Sketch	2025/381244
A4⇩	Site analysis	2025/277881
A5⇩	Existing site and proposed subdivision plan	2025/277878
A6⇩	Proposed floor plans	2025/277874
A7⇩	Proposed elevation	2025/277866
A8⇩	Proposed street elevation	2025/277865
A9⇩	Proposed section plan	2025/277873
A10⇩	Drainage layout plan	2025/277857
A11⇩	Landscape plan	2025/277858
A12⇩	Arborist report	2025/277862
A13⇩	Clause 4.6 Variation Request - Minimum Lot Size	2025/277868
A14⇩	Survey plan	2025/277886

DEVELOPMENT APPLICATION

ASSESSMENT REPORT

REPORT TITLE	74 Ridge Street, Gordon - Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works.

APPLICATION NO	eDA0479/25
PROPERTY DETAILS	74 Ridge Street, Gordon Lot A DP 328175 1100.00m^2 R2 Low Density Residential
WARD	Gordon
PROPOSAL/PURPOSE	Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works - Heritage Item
TYPE OF DEVELOPMENT	Local
APPLICANT	Andrew Owens
OWNER	LH Owens, A Owens
DATE LODGED	4 September 2025
RECOMMENDATION	Refusal

PURPOSE OF REPORT

To determine Development Application No. eDA0479/25 for Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works.

This application is reported to the Ku-ring-gai Local Planning Panel for determination in accordance with the Minister's Section 9.1 Local Planning Panels Direction, as it proposes:

1. a departure from a numerical development standard greater than 10%

2. involves the demolition (partial) of a heritage item including the removal of trees that, in the opinion of Council's Heritage Advisor, will have more than a minimal impact on the integrity of the heritage item.

INTEGRATED PLANNING AND REPORTING

Places, Spaces & Infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai.	Applications are assessed in accordance with state and local plans.	Assessments are of a high quality, accurate and consider all relevant legislative requirements.

EXECUTIVE SUMMARY

Issues	Minimum lot size Minimum lot width Tree impact Impacts on the heritage item
Submissions	No submissions
Land and Environment Court	N/A
Recommendation	Refusal

HISTORY

Site history

The site has a history of residential use.

Previous applications history

Council's records show previous applications relating to the site as follows:

Type	Application	Description	Decision	Date
eDA	eDA0179/24	New driveway, verandah refurbishment and fence renewal - Heritage Item	Returned	15/5/2024
eDA	eDA0204/24	New driveway, driveway crossing, vehicular gate, and footpath - Heritage Item	Approved	7/6/2024
eDA	eDA0446/25	Subdivision of property, alterations and additions to existing dwelling, removal of trees and new landscaping	Returned	20/8/2025

Current Development Application History

Date	Action
4 September 2025	Application lodged.
12 September 2025	The application was notified to neighbouring property owners between 19/09/2025 to 3/10/2025, no submissions were received.

5 November 2025	Council sent a letter to the applicant advising that the application was unsatisfactory for the following reasons:
	• insufficient information in relation to tree impacts, in particular T10 – Liquidambar styraciflua (Liquidambar).
	• unacceptable tree impacts and insufficient landscape design.
	  • *Removal of T35, T36, T37, T39, T40, T41 is not supported, as they are in good condition. The trees are located within the indicative building footprint, however, given that the proposed subdivision does not include consent for a dwelling, the removal of these trees at this stage is considered unwarranted.*
	  • *Removal of Trees T48 and T50 is not supported, as both are in good condition. These trees are located within the proposed indicative driveway footprint. Relocating the driveway to the northern boundary to minimise impacts on Trees T47 and T49 will also enable the retention of Trees T48 and T50.*
	• removal of significant heritage-contributing features, including T10 – Liquidambar styraciflua (Liquidambar) and the curved stone flagging path within the front setback
	• adverse impacts on the heritage item and the heritage items in the vicinity.
	• inadequate Clause 4.6 variation request to vary the development standards, being Clause 4.1(3) minimum lot size and Clause 4.1(3A) minimum lot width.
	• insufficient side setback from the proposed garage
	
	Council advised in the letter that the amendments and/ or information required to consider the proposal acceptable are substantial. Consequently, Council will not be requesting a response to these issues and will finalise the assessment of the application based on the plans and information provided to date.

THE PROPOSAL

The proposal is for Torrens title subdivision of one lot into two and alterations and additions to the existing dwelling, which is a locally listed heritage item.

The proposed lots are as follows:

i) 74 Ridge Street (with existing dwelling):
- site area- 624.2m^2
- frontage- 15.24m

ii) 51 Holford Crescent
- site area- 476.7m^2
- frontage 15.45m

The proposal seeks to vary the minimum 930m^2 lot size and 18 metres lot width development standards under Ku-ring-gai LEP 2015.

The proposed works to the existing dwelling house includes:

i. demolition of the existing living/ dining area and bedroom at the rear
ii. demolition of existing pathway and driveway
iii. convert the existing kitchen in the heritage item to a new study and bathroom
iv. remove existing lounge room window and replace with two new windows to the south elevation
v. new bedroom windows to the north and south elevation
vi. new single storey rear addition consisting of kitchen, living room, dining area, master bedroom, powder, laundry, single garage and covered deck
vii. end panels and the posts of the front verandah to make good and repainted
viii. repaint façade

The proposal also includes a new vehicular crossing from Holford Crescent, 1.2 metres high front gate for the pathway and driveway, removal of 25 trees and landscape works.



Figure 1: Proposed subdivision including alterations and additions to the existing dwelling house.

THE SITE AND SURROUNDING AREA



Figure 2: Aerial photograph of subject site highlighted in red and surrounding properties.

Site description

The site is legally described as Lot A in DP 328175 and is known as No. 74 Ridge Street, Gordon **(Figure 2)**. The subject site is a located on the north-western side of Ridge Street, it has dual frontage with its primary frontage to Ridge Street and its western rear (secondary) frontage to Holford Crescent. The site is irregular in shape, having a width of 15.24 metres to Ridge Street and a site width of 15.455 metres to Holford Crescent. The site has an average depth of 72.24 metres, with a site area (by survey) of 1100.9m^2.

The existing development on the site comprises a single storey dwelling house with a detached garage within the rear setback. Vehicular access to the detached garage is via a concrete driveway adjacent to the northern side boundary.

Constraint:	**Application:**
Visual character study category	Pre - 1920
Easements/rights of way	No
Heritage Item - Local	Yes - Item No. I236
Heritage Item - State	No
Heritage conservation area	No
Within 100m of a heritage item	Yes - No. 84 Ridge Street, No. 72 Ridge Street, No. 64 Ridge Street, No. 65 Ridge Steet and No. 57 Ridge Street, Gordon Heritage Items

	
Bush fire prone land	No
Natural Resources Biodiversity	No
Natural Resources Greenweb	No
Natural Resources Riparian	No
Within 25m of Urban Bushland	No
Contaminated land	No



Figure 3: The subject site when viewed from Ridge Street



Figure 4: The existing Liquidambar (T10) within the front setback



Figure 5: The rear of the subject site



Figure 6: The rear of the existing dwelling

Surrounding development

The site is surrounded by low density residential development. The subdivision pattern in the immediate locality is predominantly rectilinear allotments, though some battle-axe and irregularly shaped allotments exist.

The adjoining property to the south-west is known as No. 72 Ridge Street. Development on this site comprises a two-storey dwelling house which is also a locally listed heritage item.

The other heritage items in the vicinity:

- No. 64 Ridge Street representatives a modest cottage on single long lot.
- No. 65 Ridge Street occupied by a cottage on an irregular lot at the corner of Ridge Street and Vale Street.

Properties further to the north-east and south at Nos. 76, 76A, 78, 80 Ridge Street and 68 Ridge Street, Gordon, were formally larger lots which were later developed as dual occupancies and then Torrens title subdivided.



Figure 7: Subdivision pattern and site area of the surrounding properties.

CONSULTATION

Community

In accordance with Appendix 1 of the Ku-ring-gai Community Participation Plan, owners of surrounding properties were given notice of the application. In response, no submissions were received.

Internal Referrals

Heritage

Council's Heritage Advisor commented on the proposal as follows:

Planning Instruments:

Ku-ring-gai Local Environmental Plan (KLEP) 2015

Clause 5.10 of the KLEP 2015 requires that before granting consent to the proposed works Council must consider the effect of the works on the heritage item, nearby items or conservation area concerned. Clause 5.10 (5) allows Council to require a Heritage Impact Statement before granting consent.

Heritage Status

Local Heritage Item	***YES***
Heritage Conservation Area	***NO***
Immediate vicinity of a heritage item	***YES, 65 and 72 Ridge Street***

Statement of Significance

Council's heritage inventory sheet has the following statement of significance for ***the Heritage Item.***

"The place has local significance as one of a group of modest cottages in Gordon all forming part of an early settlement and local community.

The dwelling is aesthetically distinctive within the streetscape for its important contribution to the group of dwellings on Ridge Street which were constructed in the same period.

The dwelling displays the language, form and detailing that is attributed to the Federation Bungalow architectural style of the early twentieth century Federation period. The dwelling is of masonry construction with simple geometry, having a hipped roof form which is clad with colour bond and painted external walls.

Prominent features of the dwelling include the late Victorian-style bull-nose verandah to the front facade, the chimney projecting off the side elevation and the timber joinery including windows, internal doors and fireplace surrounds.

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

Description

Council's heritage database sheet has the following description.

"The dwelling on the site is a simple Federation era brick cottage. It has a hipped colour bond roof with one brick chimney and a late Victorian-style bull-nose verandah to the front facade. The face brick has been painted in a pale pink. The symmetrical front façade features a central four-panelled front door set within a small arched recess. Either side of the front door is an original timber double hung sash window with three coloured panels at the top/bottom of each sash. The verandah has simple timber posts, although it appears that the house had a brick veranda balustrade which was at some point removed.

Internally, the house features a central hallway from the front of the house through to the rooms at the rear. Upon immediate entry, there is one bedroom to the left (with a closed-off corner fireplace with a timber fireplace surround with mirror insert) and one bedroom to the right. Each have a window opening to the front verandah. Beyond the bedroom is a plain arch leading to the lounge room, with a corner fireplace (with timber fireplace surround with mirror insert), and a 10-panel patterned plaster ceiling. Across from the lounge room is a bathroom and kitchen, and across the back of the house is a

further living room, leading to a further bedroom. Windows throughout the house are simple four-panelled timber double hung sash. Internal doors appear to be original cedar four panelled.

The house is set on 1100m^2. This is one of the largest lots in the street, with many being subdivided twice or three times from their original form, and very few having dual frontage to Ridge Street and the rear street as this property does.

The site contains mature plant and tree specimens, being quite densely planted. The front fence appears to be a hedge to the Ridge Street frontage and low landscaping. There are no separate outbuildings."

Controls

The following objectives and controls of the Ku-ring-gai Development Control Plan 2024 (KDCP) apply:

Development Controls	***Complies***
19A. SUBDIVISION AND SITE CONSOLIDATION OF A HERITAGE ITEM	
19A.2. Subdivision and site consolidation of a heritage item	
1. Subdivision of a Heritage Item will only be supported where: *i) the subdivision does not adversely affect the cultural significance of the Heritage Item.* *ii) evidence of the historical setting, landscape and subdivision pattern can be recognised and/or retained.*	***NO*** ***NO***
2. Subdivision or consolidation will not be permitted where the curtilage and setting of a Heritage Item and significant buildings within or adjoining the site, would be compromised.	***NO***
Note: Applications for subdivision and site consolidation of a Heritage Item will require a curtilage analysis within the Heritage Impact Statement with particular emphasis on the potential impact on garden settings.	

Clause 19A.2. Subdivision and site consolidation of a heritage item

Objectives

1. *To ensure new subdivisions and lot consolidations do not have an adverse impact upon the curtilage and setting of Heritage Items.*
2. *To encourage the incorporation of Heritage Items into larger consolidated development sites.*
3. *To ensure that new development respects and conserves the Heritage Item, its garden setting, its streetscape and important views.*
4. *To avoid isolation of Heritage Items within new developments.*
5. *To provide a visual transition between medium/high density residential development and the Heritage Item.*

For the following reasons the objectives of the controls are not achieved:

Clause19A.2.1(i), (ii), 2:

i. *Curtilage is defined as the area of land surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. The subject heritage item is located on a long narrow lot. The*

curtilage of this site includes the house, garden, driveway and brick paving. The proposed subdivision would result in a smaller lot size that would encroach on the rear of the original dwelling resulting in a much smaller garden with the loss of the rear garden area including some mature trees. This would disrupt the original setting and views to and from the heritage item.

ii. *The curtilage of the heritage item includes the house, garden shrubs and trees, driveways and brick paving. The rear garden area which includes mature trees and shrubs will be greatly reduced by the proposed subdivision and will have a significant adverse impact on it.*
iii. *The subdivision line along the north-western boundary of the existing house is less than 7.5 metres from the rear of the proposed additions. The subdivision line will greatly reduce the area available for the rear garden and will not provide enough area for planting in the available curtilage. The proposed subdivision line is not supported from a heritage perspective.*
iv. *The proposed indicative dwelling footprint will be located approximately 7.8 metres from the proposed subdivision line and is not acceptable because there is insufficient separation from the heritage item and it will intrude on its original landscaped setting.*

Development Controls	***Complies***
19B. DEMOLITION WITHIN HCAs AND DEMOLITION RELATED TO A HERITAGE ITEM	
Partial Demolition of a Heritage Item	
4. In considering applications for partial demolition of a Heritage Item (including parts of buildings and other structures, trees and landscape features), Council will assess:	
i) the significance of the building part or structure and/or landscape features and whether its retention is considered necessary;	***NO***
ii) its contribution to the significance of the Heritage Item as a whole;	***NO***
iii) whether all alternatives to demolition have been considered with reasons provided as to why the alternatives are not acceptable.	***NO***

An assessment of the variations to the controls identified in the compliance table is provided below:

Clause 19B.2 Demolition related to a Heritage Item

Objectives

1. *To ensure that Heritage Items and all significant elements of Heritage Items are retained and conserved.*
2. *To provide a photographic record of a Heritage Item before and during major works including demolition.*

*For the following reasons the objectives of the controls are **not** achieved:*

Clause19B.2.4.(i), (ii), (iii)

i. *The existing Liquidambar at the front of the property has high heritage significance and contributes to the setting of the dwelling and the streetscape and should be retained.*
ii. *The proposed central front path is not acceptable. The existing pedestrian path is to be retained because of its heritage importance.*

iii. The proposed pathway along the northern boundary, sweeping into the front and rear yards is not acceptable as it covers a large area and is to be reduced to stepping stones.

*For the following reasons the objectives of the controls **are achieved** despite the variation to the design control:*

Clause 19B.2.4.(i), (ii), (iii)

i. The proposed removal of the rear skillion, which has been modified over time, is not well built and is in a poor condition. The removal is acceptable because this part of the dwelling is located at the rear of the building and has less significance in the overall design and fabric of the dwelling and may be demolished.
ii. The water-closet was added well after the cottage was built- in the 1940s/1950s- and has little heritage significance and may be demolished.

19D. HERITAGE ITEMS	
Development Control	***Complies***
19D.2 Setbacks	
1. In addition to the side and rear setback controls in Section A of the KDCP, new development on the site of a Heritage Item is to comply with the following:	
i) building separation requirements to the nearest Heritage Item building element.	***YES***
ii) new adjacent development is not to exceed a facade height of 8m from existing ground level, including balustrades.	***YES***

New Development Height	*Building Separation Requirement*
1 or 2 levels	*Minimum 6m*
3 or more levels	*Minimum 12m*

YES

Development Control	***Complies***
19D.3 Gardens and Landscaping	
1. Trees, and garden elements and structures which contribute to the significance of the Heritage Item are to be retained and conserved. Examples of historic garden elements and structures can include, but are not limited to, tennis courts, croquet lawns, grottos, ferneries, garden terracing, lawn edgings etc.	***NO***
2. New gardens should be horticulturally and stylistically sympathetic to the period of the Heritage Item. The use of similar materials such as sandstone, brick and gravel is encouraged.	***NO***
3. The use of a variety of plant species to avoid mono-cultural plantings along street frontages and as screen planting is encouraged.	***NO***
4. High solid hedges that screen buildings from the street are not permitted	***YES***
5. New driveways are to provide landscaping on side boundaries.	***YES***
6. Front boundary hedges are to be a maximum 1.2m.	***N/A***

An assessment of the variations to the controls identified in the compliance table is provided below:

Clause 19D.3 Gardens and Landscaping

Objectives:

1. *To retain and conserve the significance of a Heritage Item in its setting.*
2. *To retain and conserve the significant garden elements and structures of Heritage Items and to retain an appropriate garden setting.*
3. *To provide landscape screening to neighbouring properties.*

For the following reasons the objectives of the controls are not achieved:

Clause 19D.3.1, 2, 3

i. *The existing Liquidambar at the front of the property has high heritage significance and contributes to the setting of the dwelling and the streetscape and should be retained.*
ii. *The proposed central straight front path is not acceptable as it is not a traditional element. The existing pedestrian path must be retained.*
iii. *The proposed pathway along the northern boundary, sweeping into the front and rear yards will create additional hardstand areas that is not acceptable.*
iv. *The proposed hedges along the rear and rear side boundaries are not acceptable because of the monoculture which is not reflective of the heritage item's character.*

Development Control	***Complies***
19D.4 Access and Parking	
Driveways	
4. New parking areas, garages and driveways are to be designed carefully so that they do not dominate.	***YES***
5. Double garages should only be accessed by a single driveway. Finishes to new or refurbished driveways are to match original driveway finishes or be appropriate to the architectural style of the HCA. Painted, coloured, stamped or stencilled concrete, pavers, aggregate, pebblecrete or cobblestones are not to be used for new driveways or driveway elements.	***YES***
6. Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street	***NO***
New Garages and Carports	
9. Where it is physically possible, new car parking is to be consistent with the historic placement of parking structures on the site.	***NO***
10. Garages and carports are not permitted forward of the building line and are to be located at least 1m minimum behind the existing front building line, preferably to the rear of the main building.	***YES***
14. Original existing building fabric, including verandahs and balconies, are not to be altered to provide a carparking structure or hard stand area.	***YES***

Clause 19D.4 Access and Parking

Objectives

Driveways

2. *To allow for on-site car parking where possible while retaining the character of the property*

New Garages and Carports

6. *To ensure that new garages and carports do not have any adverse impact on the curtilage or setting of the heritage item.*
7. *To ensure that car parking structures do not challenge the mass or bulk or mimic the architectural detailing of the heritage item.*
9. *To conserve the streetscape by preventing level changes to the street presentation of Heritage Item buildings and their gardens.*
10. *To retain the existing street presentation of buildings and their gardens.*

For the following reasons the objectives of the controls are not achieved:

Clause 19D.4.6

i. *The proposed sliding gate is not acceptable as it is not a traditional element of the heritage item. Swing gates are traditional elements and will be acceptable.*

Clause 19D.4.9

i. *The proposed garage will be set behind the principal building line but will be located almost on the side boundary line and is not acceptable. It is contrary to Part 19D.4 Control 9 of KDCP where new car parking is to be consistent with the historic placement of parking structures on the site, being to the rear of the site*

Development Control	***Complies***
19D.5 Building Design	
Alterations and Additions – External	
1. All works to a Heritage Item are to comply with the controls in this section regardless of whether the property is located in an HCA or not.	***NO***
2. Development applications for works to a Heritage Item require a materials board and details of the colour scheme and finishes to be submitted.	***YES***
3. New work to Heritage Items may be identifiable as new; however, works are to respect and have minimal impact on the property heritage significance.	***NO***
4. All significant built features of a Heritage Item are to be retained and conserved.	***YES***
5. Original materials, finishes and details are to be retained and their repair using traditional techniques in encouraged.	***NO***
6. Alterations and additions are to respect the scale, form, height, materials and colours of the Heritage Item.	***NO***
7. Alterations and additions are be located at the rear or side of the building to maintain the integrity of the prominent elevations and streetscape contribution.	***YES***
8. Extensions, alterations and additions are not to visually dominate or compete with the original scale of the existing building.	***YES***
9. Alterations and additions to a Heritage Item are to respect the heritage significance and predominant architectural character of the heritage item by having similar massing, style, form, proportions and arrangement of parts to the building itself. Extensions and additions are to be kept at or below the existing roof ridge height.	***YES***

Development Control	Complies
19D.5 Building Design	
10. The re-instatement of missing elements and details, where known, and the removal of past unsympathetic changes, is encouraged.	***YES***
Alterations and Additions - Internal	
11. Major internal alterations resulting in the loss of significant interior details, finishes, built fabric, room layout and original floor plan are unlikely to be supported unless it can be demonstrated that there is no adverse impact.	***YES***
12. All significant interior spaces and fabric of heritage items are to be retained and conserved.	***NO***
13. Original materials, finishes and details are to be retained and their repair using traditional techniques in encouraged.	***NO***
14. The re-instatement of missing elements and details, where known, and the removal of past unsympathetic changes, is encouraged.	***YES***
Views	
15. New development on the site of a heritage item is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.	***YES***
Verandahs	
17. Original verandahs and porches to the front and side elevations of contributory properties are to be retained where contributing to the significance of the property.	***YES***
Doors and Windows	
21. Original doors and windows to front and side elevations of heritage items are to be retained where contributing to the significance of the property.	***NO***
22. The repair and restoration of original doors and windows to front and side elevations of heritage items is encouraged. Authentic reconstruction of missing doors and windows using traditional materials, styles and craftsmanship is encouraged.	***NO***
23. New doors and windows in additions and alterations are to be compatible with the proportions, position, size and detailing of existing doors and windows.	***NO***
24. New windows to front and visible side elevations of heritage items are to be appropriate in form and material for the style of the house (based on original fabric or photographic evidence or on the evidence of original houses of the same style in the streetscape).	***NO***

Clause 19D.5 Building Design

Alterations and Additions

Objectives

1. *To ensure the significant external features of a Heritage Item and its setting are retained and new development is sympathetic in terms of bulk, form, style, character, scale, and materials.*
2. *To encourage the reinstatement of missing elements, where known, and the removal of later unsympathetic changes.*
3. *To ensure that the materials, finishes, and colours of new work enhances the identified significance of the Heritage Item.*
4. *To ensure alterations and additions do not dominate the Heritage Item.*

5. *To ensure the significant internal spaces and features of a Heritage Items are identified, retained and conserved.*
6. *Encourage the re-instatement of missing elements, where known, and the removal of later unsympathetic changes.*
7. *To prevent excavation and alteration to existing ground levels in the front setbacks of heritage items that alter the street presentation of the house and garden.*
8. *To prevent the introduction of uncharacteristic elements, including basements and basement garages, on heritage item sites.*
9. *To ensure the retention and encourage reinstatement of early verandah and balcony forms.*
10. *To protect the original fabric and details of doors and windows of heritage items.*

For the following reasons the objectives of the controls are not achieved:

Clauses19D.5.3 and 6

i. *The proposed smokey dark grey metal cladding for the external walls is too dark and is not sympathetic with the original building.*
ii. *The proposed light grey roof is not sympathetic with the original building.*
iii. *A materials schedule has not been provided to include the paint colour of bricks for the original building.*

Clauses 19D.5.21, 22, 23, 24

1. *The windows in the existing lounge room, kitchen and bathroom must be retained, and repaired as they are original fabric.*
2. *The proposed new windows are not acceptable as the original windows and wall fabric need to be retained in accordance with the provisions of the KDCP.*

*For the following reasons the objectives of the controls **are achieved** despite the variation to the design control:*

Clauses 19D.5.5, 19D.5.12 and 13

i. *The proposed removal of the rear skillion, which has been modified over time, is not well built and is in a poor condition. The removal is acceptable because this part of the dwelling is located at the rear of the building and has less significance in the overall design and fabric of the dwelling and may be demolished.*
ii. *The water-closet was added well after the cottage was built- in the 1940s/1950s- and has little heritage significance and may be demolished.*
iii. *The fireplaces will be restored.*

Development Control	***Complies***
19D.7 Roof Forms and Structures Attached to Roofs	
Roofs, Chimneys, Dormers, and Skylights	
1. Fireplaces and chimneys are important building elements within HCAs and are to be retained.	***YES***
3. The existing principal roof form is to be retained to the extent that it can be interpreted. The roofs of alterations and additions are to have a separate linked section. New roof forms for new work will be considered where they are complementary in design, not visible from the public domain (No pop tops) and follow historic practices, such as rear skillion roofs.	***YES***

Development Control	Complies
19D.7 Roof Forms and Structures Attached to Roofs	
7. Appropriate roofing materials are profiled terracotta tiles, slate and other original roofing materials. Replica flat slate and concrete roof tiles are not permitted.	***YES***
8. On heritage items, new or replacement roof materials are to match, like-for-like, original roof materials in texture, pattern and colour.	***NO***

Clause 19D.7 Roof Forms and Structures Attached to Roofs

Objectives

3. To ensure that structures attached to roofs do not have an adverse impact on the character and significance of individual buildings, the immediate streetscape and the heritage item.

For the following reasons the objectives of the controls are not achieved:

Clause 19D.7.8

i. Proposed new roof is Shale Grey in Mini orb. The proposed metal roof material is acceptable as it is sympathetic with the building design, but the proposed Shale Grey colour is unacceptabel as it is too dark and not reflective of the period of the dwelling.

Development Control	Complies
19D.8 Fencing	
New Front Fences	
5. Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.	***YES***
7. Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style of the house, the period of construction and the character of the immediate streetscape.	***YES***
8. No metal panel fencing is to be constructed on any boundary within an HCA.	***YES***
9. New vehicular access gates must promote views to all properties, especially to battle-axe allotments with reduced visual permeability.	***YES***
10. Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street.	***NO***

Clause 19D.8 Fencing

Objectives

1. To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape.
2. To retain those streetscapes where front and side fencing do not form part of the original streetscape.
3. To encourage the reinstatement of the original form of fencing and gates, where known.
4. To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.

5. *To promote visual permeability with sightlines and visibility between the property and the public domain.*

For the following reasons the objectives of the controls are not achieved:

Clause 19D.8.10

i. *The proposed sliding gate is not acceptable as it is not traditional contrary to the provisions of the DCP.*

Conclusion on Demolition (KLPP)

The proposed demolition works (including the pruning or removal of trees) will have more than a minimal impact on the integrity of the heritage item and are not supported for the reasons given within this discussion.

Development Control	***Complies***
19F. DEVELOPMENT IN THE VICINITY OF HERITAGE ITEMS OR HERITAGE CONSERVATION AREAS (HCAS)	
19F.1 Local Character and Streetscape	
General *1. All development in the vicinity of a Heritage Item or HCA is to include a Heritage Impact Statement (HIS). The HIS is to address the effect of the proposed development on a Heritage Item or HCA and demonstrate that the proposed works will not adversely impact upon significance, including any related heritage features within the identified curtilage and setting.*	***YES***
Built Form	
2. Development on sites that either directly adjoin or are in the vicinity of a Heritage Item or an HCA is to have regard to:	
i) the form of the existing building or buildings including height, roofline, setbacks and building alignment;	***YES***
ii) dominant architectural language such as horizontal lines and vertical segmentation;	***YES***
iii) proportions including door and window openings, bays, floor-to-ceiling heights and coursing levels;	***YES***
iv) materials and colours;	***NO***
v) siting and orientation;	***NO***
vi) setting and context;	***NO***
vii) streetscape patterns.	***N/A***
Views	
New development in the vicinity of a Heritage Item or HCA is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.	***YES***

Clause 19F.1 Local Character and Streetscape

Setting/ Views

Objectives

1. *To consider the impact on the historic curtilage and setting of the Heritage Item or HCA and related heritage features such as views, streetscape context, historical subdivisions, garden settings, alienated trees and other landscape features.*

2. *To retain the significance of Heritage Items or HCAs in their settings.*
3. *To ensure that the scale of new development does not dominate, detract from or compete with Heritage Items or HCAs in the vicinity.*
4. *To ensure that new development respects and conserves the significance of any nearby Heritage Items or HCA and their settings.*
5. *To ensure that new development does not visually dominate the adjoining or nearby Heritage Item or HCA.*
6. *To ensure that the scale of new development in the vicinity of a heritage item and HCA is in harmony with the streetscape and does not dominate, detract from or compete with the Heritage Item or HCA.*
7. *To protect significant views and vistas to and from the Heritage Item or HCA.*

For the following reasons the objectives of the controls are not achieved:

Clauses 19F.1.2(v), (vi)

i. *The subject heritage item is located on a long narrow lot. The curtilage of this site includes the house, garden, driveway and brick paving. The proposed subdivision would result in a smaller lot size that would encroach on the rear of the original dwelling resulting in a much smaller garden with the loss of the rear garden area including some mature trees. This would disrupt the original setting and views to and from the heritage item.*
ii. *The curtilage of the heritage item includes the house, garden shrubs and trees, driveways and brick paving. The rear garden area which includes mature trees and shrubs will be greatly reduced by the proposed subdivision and will have an adverse impact on the heritage setting of this item.*
iii. *The subdivision line along the north-western boundary of the existing house is less than 7.5 metres from the rear of the proposed additions. The subdivision line will greatly reduce the area available for the rear garden and will not provide enough area for planting in the available curtilage reflective of the qualities the existing item retains, which contributes to its importance. The proposed subdivision line is not supported from a heritage perspective, as a result.*
iv. *The proposed indicative dwelling footprint will be located approximately 7.8 metres from the proposed subdivision line and is not acceptable because it would encroach the setting of the item and therefore part of the heritage item's importance.*

<table>
<tr><th>Development Control</th><th>Complies</th></tr>
<tr><td colspan="2">Residential Context</td></tr>
<tr><td>3. In addition to the side and rear setback controls in Section A of the KDCP, new development adjacent to a Heritage Item or building within an HCA, is to comply with the following:
i) adjacent developments are to have a minimum 12m building separation to the Heritage Item or building in the HCA (more if setback requirements are not met within the 12m).</td><td>YES</td></tr>
<tr><td>4. Any new development is to provide the following building separation to the building eaves or wall, whichever is closest, of:
i) a neighbouring Heritage Item building; or
ii) a neighbouring building within a Heritage Conservation Area
<table>
<tr><th>New Development Height</th><th>New Development Height</th></tr>
<tr><td>1 or 2 levels</td><td>Minimum 6m</td></tr>
<tr><td>3 or more levels</td><td>Minimum 12m</td></tr>
</table></td><td>YES</td></tr>
</table>

Development Control	Complies
19F.3 Gardens and Landscaping	
Gardens, Setting and Curtilage	
1. Development in the vicinity of a Heritage Item or an HCA is to: *i) retain original or significant landscape features associated with the Heritage Item or HCA, or which contribute to its setting. In particular, garden settings in the vicinity are not to be adversely affected in terms of overshadowing or physical impacts on significant trees;* *ii) retain the established landscape character of the Heritage Item or HCA including height of the tree canopy and density of boundary landscape plantings or otherwise reinstated them in the new development;*	***NO*** ***NO***

Clause 19F.3 Gardens and Landscaping

Objective

1. *To ensure that new development does not impact on the landscape character and garden setting of any nearby Heritage Item or HCA.*

For the following reasons the objectives of the controls are not achieved:

Clauses 19F.3.1 (i), (ii)

i. *The existing Liquidambar at the front of the property has high heritage significance and contributes to the setting of the dwelling and the streetscape and should be retained.*
ii. *The proposed central front path is not acceptable. The existing pedestrian path is to be retained because of its historic importance as part of the heritage item.*
iii. *The proposed pathway along the northern boundary, sweeping into the front and rear yards is not acceptable as it covers a large area reducing soft landscaping setting.*
iv. *The proposed hedges along the rear and rear side boundaries are not acceptable because it creates a monoculture inconsistent with the historical landscape design of the item.*

Development Control	Complies
19F.4 Fencing	
New Front Fences	
5. Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.	***YES***
7. Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style and period of the house.	***YES***
8. No metal panel fencing is to be constructed on any boundary to a heritage item.	***YES***
9. New vehicular access gates are to promote views to all properties, especially to battle-axe allotments with reduced visual permeability.	***YES***
10. Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street	***NO***

Clause 19F.4 Fencing

Objectives

1. *To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape.*
2. *To retain those streetscapes where front and side fencing do not form part of the original streetscape.*
3. *To encourage the reinstatement of the original form of fencing and gates, where known.*
4. *To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences*

For the following reasons the objectives of the controls are not achieved:

Clause 19D.4.10

i. *The proposed sliding gate is not acceptable as it is not a traditional 'swing' gate which reflects the historical front gate design of the dwelling's character, as required in the KDCP.*

Landscaping

Council's Landscape and Tree Assessment Officer commented on the proposal as follows:

LANDSCAPE REFERRAL

SEPP (Sustainable Buildings: BASIX) 2022		
Part 3 Aims	***Proposed***	***Complies***
To encourage sustainable residential development	*BASIX Certificate A1807256 dated 06/08/25 is submitted with the application.* *The proposal is consistent with the landscape outcomes within the BASIX certificate.* *No landscape outcomes are required.*	*YES*

KDCP COMPLIANCE TABLE		
Control	***Proposed***	***Complies***
Part 3A.4 Trees and Vegetation		
C1. Any subdivision or consolidation development is to maximise the retention of and minimise the impacts on existing significant trees and vegetation on or adjacent to the site.	***Tree removal (Subdivision)*** *The proposed subdivision includes the removal of the following 11 trees:* • *T35, T36, T37, T39, T40 – Archontopheonix cunninghamii (Bangalow Palm)* • *T38 – Melaleuca bracteata (Black Tea-tree)* • *T41 – Melaleuca bracteata 'Revolution Gold' (Golden Honey Myrtle)* • *T43 – Fraxinus angustifolia 'Raywood'*	

	(Claret Ash) • *T48 – Corymbia maculata (Spotted Gum)* • *T50 – Tristainiopsis laurina (Water Gum)* *The following tree removal is acceptable:* • *The removal of T43 is acceptable as it is in fair condition and low retention value.* *The following tree removal is not acceptable:* • *Removal of T35, T36, T37, T39, T40, T41 is not supported, as they are in good condition. The trees are located within the indicative building footprint, however, given that the proposed subdivision does not include consent for a dwelling, the removal of these trees at this stage is unwarranted.* *Removal of Trees T48 and T50 is not supported, as both are in good condition. These trees are located within the proposed indicative driveway footprint. Relocating the driveway to the northern boundary would minimise impacts on Trees T47 and T49 will also enable the retention of Trees T48 and T50. (See comments below).* ***Tree impacts (Subdivision)*** *The following trees are impacted by the proposed subdivision:* *<u>T47 – Corymbia maculata (Spotted Gum)</u>* • *The proposed indicative driveway, on-site stormwater detention (OSD) and stormwater pipe will encroach within the* notional root zone *(NRZ) by 26% and within the structural root zone (SRZ) which is a major encroachment under AS4970-2025.* • *The Arborist has stated that the tree will tolerate this level of encroachment provided that all proposed works within the NRZ are constructed in accordance with their recommendations including, elevating the future driveway 150 millimetres above existing grades, and tree sensitive methods to install the stormwater pipe and OSD.*	*YES* *NO* *NO*

	• *Given the poor construction tolerance identified by the Arborist in Appendix 4, the application fails to provide sufficient information including the investigation of an alternative solution i.e. the driveway relocation to the northern boundary. The application fails to prevent encroachment within the SRZ and reduce the overall extent of encroachment into the NRZ. The proposal fails to reduce impacts on Tree T49 and facilitate the retention of Trees T48 and T50.* ***Note:*** *The Arborist's comments regarding the condition of the tree are acknowledged. It states: "Stability suspect with sound branching structure. Exhibits multiple small to moderate wounds and dieback in vascular tissue around whole circumference with some kino exudate due to suspected pathogenic fungal infection. Prominent lean to the north."* *While the tree exhibits some health issues, it otherwise appears in good health, is visually significant in the streetscape and therefore priority should be given to minimising impacts on the tree.* *<u>T49 – Quercus palustris (Pin Oak)</u>* • *T49 has high retention value and is located within the adjoining property.* • *The proposed indicative driveway, OSD and stormwater pipe will encroach within the NRZ by 35% and within the SRZ which is a major encroachment under AS4970-2025.* • *The Arborist has stated that the tree will tolerate this level of encroachment provided that all proposed works within the NRZ are constructed in accordance with their recommendations including, elevating the future driveway 150 millimetres above existing grades, and tree sensitive methods to install the stormwater pipe and OSD.*	*NO*

Part 4A.2 Building Setbacks		
C12. Side setbacks are to accommodate a pathway and at least 0.6m of landscaping width for single storey houses, and 1.1m for 2 storey houses.	*The landscape plan does not satisfy this control:* • *The proposed garage, which forms part of the alterations and additions to the existing dwelling, has a nil setback to the southern boundary. Consequently, no planting or access will be possible within this area.* • *Planting will not be possible along the southern side of the proposed garage, as the area is limited in extent and the dwelling is single storey.*	*NO*
C13. Side setbacks are to accommodate shrubs to a height of 3-4m for 2 storey houses, and 2-3m for single storey houses.	*The landscape plan satisfies this control.*	*YES*
Part 4A.4 Landscaping and Part 13 Tree and Vegetation Preservation		
C1. Landscape proposals are to retain existing trees where possible	***Tree removal*** *The proposal includes the removal of 11 trees for the proposed subdivision and 14 trees for the proposed alterations and additions, with a total of 25 trees proposed for removal.* *<u>Subdivision</u>* ***Note**: See comments above at Part 3A.4 regarding the trees proposed for removal in relation to the subdivision.* *<u>Alterations and additions</u>* *The proposed alterations and additions to the existing dwelling and associated landscape works, includes the removal of 14 trees, T10, T11, T15, T17, T19, T20, T21, T22, T23, T26, T27, T28, T29, T30.* • *T10 – Liquidambar styraciflua (Liquidambar)* • *T11 – Leptospermum petersonii (Lemon scented Tea-tree)* • *T15 – Syagrus romanzoffianum (Cocos Palm)* • *T17 - Syagrus romanzoffianum (Cocos Palm)* • *T26 – Archontophoenix cunninghamii (Bangalow Palm)*	

	• *T27 - Syagrus romanzoffianum (Cocos Palm)* • *T28 - Archontophoenix cunninghamii (Bangalow Palm)* • *T29 - Archontophoenix cunninghamii (Bangalow Palm)* • *T30 - Syagrus romanzoffianum (Cocos Palm)* *The following tree removal is acceptable:* • *The removal of T11, T19, T20, T21, T22, T23 is acceptable as they are of low retention value or located within the footprint of the proposed dwelling.* ***Unacceptable tree removal*** *The following tree removal is not acceptable:* • *The removal of T10, T15, T17, T26, T27, T28, T29, T30 is not acceptable.* *<u>T10 – Liquidambar styraciflua (Liquidambar)</u>* • *T10 is 18 metres high with a 22 metres canopy spread with a high retention value. T10 is in the front setback and is visually significant in the streetscape.* • *T10, located within the front setback, has significance to the Heritage Item in its setting, and is visible on the 1943 aerial imagery. The existing dwelling was constructed in 1917 and given the trunk diameter of over one metre and the expansive canopy spread of 22 metres, it is likely that the tree is approximately 100 years old.* • *The proposed driveway and OSD will encroach into the NRZ by 11% which is a moderate level under AS4970-2009 and within acceptable limits.* • *A Structural Condition Report was submitted with the application, providing comments on the possible impact and damage caused to the building by T10.* *<u>Recommendations at Clause 3 extracted from the structural report:</u>*	*YES* *NO*

	"As a result of our visual inspection of the above-mentioned property, we note the following. • *Distinct and significant wall cracking was noted throughout the building.* • *Water damage was noted to the walls and ceiling throughout the building.* • *Heaving to the front patio was evident during our inspection.* • *The existing building is dilapidated and required significant repairs.* • *Wall cracking up to 25mm was noted.* • *Wall crack widths noted on site ranged between hairline to approximately 25mm in width.* *In our opinion, we believe most of the damage noted in our report is directly related to the tree root system of the adjacent tree extending under the building and causing the building to heave, and in turn, resulting in the cracking of the footings and walls.* *Heaving at the footing level may also result in notable movements and possible damage to the roof structure, which may be attributed to the water stains noted throughout the building.* *It would be expected that any further growth in the tree root system may result in further heaving and damage to the existing building.* *As a result of the above mentioned, it is our opinion, the tree roots should be controlled / managed, or the removal of the tree should be considered prior to any remediation and repair works being undertaken on the property."* • *Based on the information provided, and considering the visual and cultural significance of Tree T10, its removal is not supported. In light of the structural engineer's recommendations noted above, strategies to retain the tree through the control and management of tree roots should be investigated. It is important to note that Liquidambars are tolerant to some root disturbance.*	

	The application fails to provide sufficient information to allow a proper assessment: • *To determine the full extent of root encroachment within the front section of the dwelling footprint, it is recommended that the existing front concrete patio be demolished. It is noted in the Schedule of Conservation Works that the tiled concrete patio is recommend to be removed and replaced with a timber deck.* • *The demolition works are to be supervised by the project arborist, who shall prepare a detailed report, including photographic evidence, documenting the roots encountered beneath the patio.* • *The Arborist's report fails to include recommendations identifying any roots that may require removal to facilitate restoration of the front wall of the dwelling.* • *The report fails to outline tree-sensitive construction techniques—such as pier and beam methods—to preserve roots to be retained while ensuring the ongoing protection of the heritage item.* *T15 – Syagrus romanzoffianum (Cocos Palm)* *T17 - Syagrus romanzoffianum (Cocos Palm)* *T26 – Archontophoenix cunninghamii (Bangalow Palm)* *T27 - Syagrus romanzoffianum (Cocos Palm)* *T28 - Archontophoenix cunninghamii (Bangalow Palm)* *T29 - Archontophoenix cunninghamii (Bangalow Palm)* *T30 - Syagrus romanzoffianum (Cocos Palm)* • *The removal of the above palm trees is not supported, as they are located outside the area affected by the proposed development and contribute to the existing heritage landscape character of the site and the adjoining heritage item at 72 Ridge Street, where there are also numerous palms of similar maturity.* ***Tree impacts*** *The following trees are impacted by the proposal:*	*NO* *YES*

	<u>T6 – Archontophoenix cunninghamii (Bangalow Palm)</u> • *The proposed driveway and OSD will encroach into the NRZ by 31% which is a major encroachment under AS4970-2025.* • *While the encroachment exceeds the acceptable limits under the standard, impacts can be minimised as the driveway will be constructed at grade, and with appropriate tree-sensitive construction methods can be implemented for the installation of the OSD system.* *<u>T9 – Camellia japonica (Camellia)</u>* • *The proposed driveway and OSD will encroach into the NRZ by 38% and within the SRZ which is a major encroachment under AS4970-2025.* • *As T6 is only 6 metres high and the high level of impact it is recommended that T9 be removed and replaced. This could be conditioned in the event of an approval.* *<u>T13 – Livistona australis (Cabbage Tree Palm)</u>* *<u>T14 - Archontophoenix cunninghamii (Bangalow Palm)</u>* *<u>T16 – Trachycarpus fortune (Chinese Windmill Palm)</u>* *<u>T18 – Trachycarpus fortune (Chinese Windmill Palm)</u>* • *The proposed brick path and stormwater pipe will encroach within 34%, 47%, 16% and 16%, respectively, which is a moderate to major encroachment under AS4970-2025.* • *Impacts on the palms can be kept to an acceptable level provided the path is constructed at existing grades and root sensitive trenching methods are adopted for the installation of the stormwater pipe.* • *The path will replace an existing paved path.* *<u>T25 – Jacaranda mimosifolia (Jacaranda)</u>* • *The proposed alteration and additions, driveway and stormwater pipe will*	*YES* *YES* *YES*

	encroach into the NRZ by 35% which is a major encroachment under AS4970-2025. • *While the encroachment exceeds the acceptable limits under the standard, it is considered acceptable as the driveway is a strip design constructed at grade, and the stormwater system can be installed in a manner that preserves tree roots. This could be conditioned if the application were to be approved.* *<u>T31 – Jacaranda mimosifolia</u>* • *The proposed dwelling will encroach into the NRZ by 10% which is a minor encroachment under AS4970-2025 and within acceptable limits.* *<u>T47 – Corymbia maculata (Spotted Gum</u>* *<u>T49 – Quercus palustris (Pin Oak)</u>* • *See comments above at Part 3A.4 regarding impacts on the trees because of the proposed subdivision.*	*YES* *NO*
C2. Tree replenishment and planting to be provided.	*The proposal does not satisfy this part.* ***Lot size*** | ***Number of trees*** *Less than 850m2* | *3* *850m2 to 1,000m2* | *5* *1,001 m2 to 1,500m2* | *7* *Over 1,500m2* | *10 or as directed* *The proposed new lot, known as 74 Ridge Street, with a site area of 624.2qm^2 is required to attain a total of 3 trees:* • *The proposal retains 1 tree (T31) capable of attaining a minimum height of 13 metres.* • *The landscape proposal includes 1 tree (Gingko biloba (Maidenhair Tree) capable of attaining a minimum height of 13 metres, therefore, 1 additional tree is required to be planted to satisfy this control.* ***Note:*** *As the new lot, known as 51 Holford Crescent, involves the subdivision only, no tree replenishment is required if the application is approved.*	*NO*

C3. Landscaping to include tall trees, small trees, shrubs and ground cover. Continuous rows of monoculture planting and high hedging to boundaries is to be avoided.	*The landscape plan does not satisfy this control.* • *Non-compliance with Part 4A4 - Insufficient tree replenishment* • *Excessive use of monoculture plantings.*	*NO*
C4. Landscape designs are to reflect the prevailing landscape character of the area.	*The landscape plan satisfies this control.*	*YES*
C5. New trees are to be distributed across the site and are to be located to accommodate the mature growth of both new and existing trees.	*The landscape plan satisfies this control.*	*YES*
C6. Hedges near boundaries are not to impact the amenity of adjoining properties by blocking sunlight, bushland or water views or unreasonably shading neighbours' private open space or living areas in winter. Hedges are not to grow to excessive height and are to be maintained at a height below 2 metres.	*The landscape plan satisfies this control.*	*YES*
Part 19 Heritage Items and Heritage Conservation Areas		
19D.3 Gardens and Landscaping – Heritage Items	*The landscape plan does not satisfy this control.* *i) The proposed removal of T10 and the curved stone flagging path in the front setback does not satisfy Control 1, which requires the retention of trees and garden elements which contribute to the significance of the Heritage Item - See comments above at Part 13 regarding T10.* *ii) The excessive use of monocultural*	*NO*

	plantings indicated on the landscape plan does not satisfy Control 3, which requires the use of a variety of plant species.	
Part 21.1 Earthworks and Slope		
C3. Landscape cut or fill should not be more than 600mm above or below natural ground line.	*The proposal satisfies this control.* • *No landscape cut and fill is proposed.*	*YES*
C4. A minimum 0.6m width is required between retaining walls.	*The proposal satisfies this control.* • *No terraced retaining walls are proposed.*	*YES*
C5. Existing ground level is to be maintained for a distance of 2m from any boundary.	*The proposal satisfies this control.* • *No landscape cut and fill is proposed.*	*YES*
C8. Retaining walls, excavated and filled areas are to be located and constructed to have no adverse impact on iii) trees and vegetation to be retained on site or on adjoining sites.	*The proposal satisfies this control.* • *No retaining walls are proposed*	*YES*
Part 21.2 Landscape Design		
21.2 Landscape Design *To ensure the landscape design and species selection is suitable to the site its context and considers the amenity of residents and neighbours.*	*The landscape plan is not acceptable.* • *The proposal fails to meet Control 2 of Part 4A.4, which requires 3 trees capable of reaching 13 metres in height on the new lot at 74 Ridge Street. With only one existing compliant tree (T31) and one new tree, Gingko biloba (Maidenhair Tree) proposed, one more tree is required.* • *The removal of Trees T15, T17, T26, T27, T28, T29 & T30 does not satisfy Control 1 of Part 4A.4 which requires landscape proposals to retain existing trees, where possible. As the trees are located outside the scope of the proposed works, their removal is not warranted.* • *The proposed removal of T10 and the curved stone flagging path in the front setback does not satisfy Control 1 of*	*NO*

	Part19D.3, which requires the retention of trees and garden elements which contribute to the significance of the Heritage Item. • *The excessive use of monocultural plantings indicated on the landscape plan does not satisfy Control 3 of Part 19D.3, which requires the use of a variety of plant species.* • *T12 is recommended for removal due to significant impacts from the proposed excavation associated with the OSD.*	

The above landscape referral comments have been considered, and it is agreed that the proposal is unsatisfactory in relation to the relevant provisions under the KDCP for the reasons given in compliance table. The proposal therefore does not satisfy the relevant objectives and controls under Parts 3A.4, 4A.2, 4A.4 and 13 of the KDCP and is consequently not supported in this regard. These issues form part of the recommended reasons for refusal.

Engineering

Council's Development Engineer commented on the proposal as follows:

Water Management

The development is a Type 8 – Subdivision, Location 'A' (drains to the street).

The site is not located within a flood prone area and does not benefit from an on-site detention exemption, as per Part 24R.5 - OSD Exemption Map.

The site is 1,100m^2 and is generally flat with a minor slope from Ridge Street to Holford Crescent. The proposed subdivision will result in two lots - Proposed 51 Holford Crescent' = 476m^2 and 'Proposed 74 Ridge Street' = 624m^2.

A drainage layout prepared by Van Der Meer Consulting has been submitted. An on-site detention (OSD) system of 11.4m^3 is located within the driveway is proposed for the existing dwelling. Generally, OSD systems for the existing dwellings is not required, however given the significant change and increase in BUA, the proposal will be treated as a new dwelling for engineering purposes.

No rainwater tank for the created lot fronting Ridge Street has been proposed. There are no BASIX water commitments. According to Part 24C.4 of KDCP, a 2,000 litres rainwater tank is required for any dwelling to be retained on a newly created lot. This can be conditioned if the application were to be approved.

The drainage layout also depicts the drainage concept for the future dwelling fronting Holford Crescent. As the construction of a new dwelling is not part of this DA, the proposed drainage concept shall be deleted from the plan.

A Section 73 (Sydney Water) Compliance Certificate for subdivision and this can be conditioned if the application is approved.

In the event of an approval, a condition should be included requiring the proposed drainage pipes and detention / retentions systems for 74 Ridge Street to be constructed, as part of the subdivision works.

Vehicle Site Access

Both new lots will have vehicular access from a public road. The crossings have been depicted on the drainage plan. If the application is supported, it should be conditioned that the construction of the driveway crossing for each lot shall be part of the subdivision works certificate.

'Proposed 74 Ridge Street'.

A new vehicular crossing serving No. 74 Ridge Street including internal driveway accommodating a new garage has been proposed.

The attached single garage internal dimensions of approximately 5.9 metres x 3.4 metres including garage opening width of approximately 2.4 metres and driveway gradient of approximately 3% are compliant with Australian Standard 2890.1 (2004) - "Off-street car parking".

As per Part 4B.2 'Car Parking Provision' of KDCP, single occupancy dwellings shall provide 2 car spaces on-site as determined by Section A, Part 4B.3(5). For engineering purposes, AS2890.1:2004 requires 2 spaces on site, which in this instance can be provided. The driveway gradient does not exceed the maximum 5% grade permitted for a parked vehicle.

The proposed driveway width at the front site boundary of approximately 2.6 metres is compliant with Part 4B.1 of KDCP requiring a maximum of 3.5 metres.

'Proposed 51 Holford Crescent'

A new vehicular crossing from Holford Crescent has been proposed for the future dwelling. The proposed driveway width at the site boundary of approximately 3.3 metres is compliant with Part 4B.1 of KDCP requiring a maximum of 3.5 metres.

Should the application be approved, a condition is to be included requiring the driveway crossing off Ridge Street and Holford Crescent to be constructed, as part of the subdivision works.

Plan of Subdivision

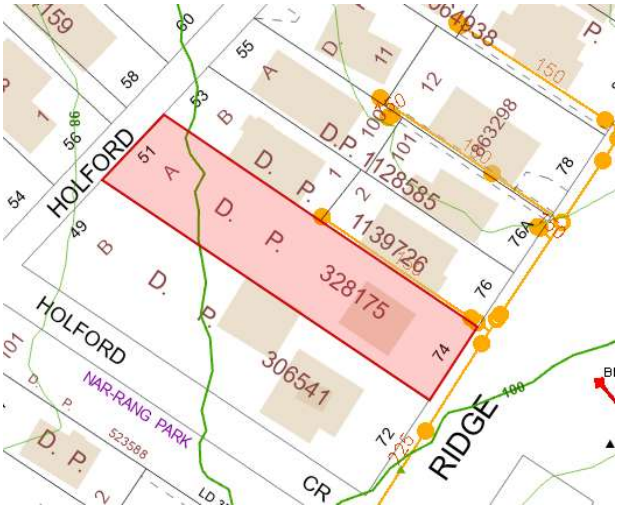
The 'Proposed Subdivision Plan' has been submitted, which is acceptable for DA purposes.

In the event of an approval, submission of an 88B instrument and a Plan of Subdivision need to be created. It is not foreseen that any required easements, right-of-carriageways or other burdens /benefits is applicable to this application.

A Section 73 (Sydney Water) Compliance Certificate for subdivision would be required as part of DA condition in the event of an approval.

Connection to services

Utility services for both lots particularly the sewer main/line to service the allotments can be made available and connected to the existing sewer system located towards Ridge Street. It is recommended that the applicant consult with Sydney Water regarding the extent of works required as part of the compliance certificate. A condition to this effect should be included in the event consent is granted.



The above engineering referral comments have been considered, and it is agreed that the proposed development is satisfactory in relation to the relevant provisions under the KDCP. The development also provides water sensitive urban design measures and services on the subject site and is therefore consistent with Clause 6.5 of KLEP 2015. While certain issues could potentially be resolved by conditions, given the recommendation they form reasons for refusal.

STATUTORY PROVISIONS

State Environmental Planning Policy (Resilience and Hazards) 2021 - Chapter 4 Remediation of land

The provisions of Chapter 4 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and as such, it is unlikely to contain any contamination, and further investigation is not warranted in this case.

Draft State Environmental Planning Policy (Remediation of Land)

The draft SEPP is a relevant matter for consideration as it is an Environmental Planning Instrument that has been placed on exhibition. New provisions will be added in the SEPP to:

- *require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant*
- *categorise remediation work based on the scale, risk and complexity of the work*
- *require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to Council*

The site is unlikely to contain any contamination consequently further investigation is not warranted in this case.

State Environmental Planning Policy (Sustainable Buildings) 2022 – Chapter 2 Standards for residential development – BASIX

A valid BASIX certificate has been submitted. The proposal is consistent with commitments identified in the Certificate. As per the requirements of Clause 2.1(5) the consent authority is satisfied that the application includes information in which the embodied emissions attributable to the development have been quantified.

Local Content

Ku-ring-gai Local Environmental Plan 2015

Clause 1.2 Aims of the Plan

The proposal has been assessed against the relevant Aims of the Plan. The proposal is not consistent with the Aims for the reasons given within the assessment report.

Zoning and permissibility:

The site is zoned R2 Low Density Residential under KLEP 2015.

The proposed development seeks Torrens title subdivision of one lot into two. The Torrens title subdivision and associated works are permissible with development consent pursuant to Clause 2.6 in KLEP 2015.

The remaining proposed works are permissible under the R2 Low Density Residential zoning, as ancillary works to a permissible development within the zone.

Zone objectives:

The objectives of this zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai.*

The proposed subdivision and associated works are unsatisfactory as they fail to meet several of the objectives Clause 5.10 of the KLEP, and associated heritage provisions contained in Part 19 – Heritage Items and Heritage Conservation Areas of the KDCP. The development would adversely impact the curtilage and setting of the heritage item on those within its vicinity. The proposal also results in the loss of trees (T10, T15, T17, T26, T27, T28, T29, T30, T35, T36, T37, T39, T40 and T41) and unacceptable impacts on other trees (T47 and T49). Consequently, the proposal is inconsistent with the third objective of the R2 Low Density Residential zone, as the works are not compatible with the existing environmental character of the site, particularly its heritage significance, as outlined throughout this assessment.

Development standards:

Ku-ring-gai Local Environmental Plan 2015

Development standard	Proposed	Complies
Cl 4.1(3) - Minimum subdivision lot size: Minimum Lot Size - 930 sqm	74 Ridge Street: 624.2m^2 (305.8m^2 or 32.88% variation to the development standard) 51 Holford Crescent: 476.7m^2 (453.3m2 or 48.74% variation to the development standard)	**NO** **NO**
Cl 4.1(3A) – Site width: 18 metres along a line that is 12 metres from the street frontage of the lot, other than a battle-axe allotment	74 Ridge Street: 15.2 metres (2.8 metres or 15% variation to the standard) 51 Holford Crescent: 14.455 metres (3.545 metres or 19.69% variation to the standard)	**NO** **NO**
Cl 4.3 - Height of buildings: Maximum Building Height - 9.5 metres	74 Ridge Street: 6.1 metres (existing dwelling) 5 metres (new rear addition) 51 Holford Crescent: No proposed dwelling	**YES** **N/A**
Cl 4.4 - Floor space ratio (FSR):	74 Ridge Street:	**YES**

Development standard	Proposed	Complies
Maximum Floor Space Ratio = 0.4:1 Gross Floor Area: 74 Ridge Street= 249.68m^2 51 Holford Crescent= 190.68m^2	FSR= 0.272:1 GFA= 169.9m^2 51 Holford Crescent: No proposed dwelling	**N/A**

Note: The proposed site area of 74 Ridge Street = 624.2m^2 and 51 Holford Crescent = 476.7m^2.

Clause 4.6 Exceptions to development standards

The proposed development breaches Clause 4.1(3) 930m^2 minimum allotment size and the Clause 4.1(3A) 18 metres minimum allotment width development standards contained in the KLEP. The applicant has made a submission pursuant to Clause 4.6 seeking to vary the minimum allotment size development standard. Clause 4.6 provides flexibility in applying certain development standards and an assessment of the request to vary the development standard is provided below:

(1) The objectives of this clause are as follows—

a. to provide an appropriate degree of flexibility in applying certain development standards to particular development,
b. to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—

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

It is noted that the Clause 4.6 variation request submitted by the applicant refers to both Clause 4.1 – Minimum Subdivision Lot Size and Clause 4.1(3A) – Site width, however, a detailed assessment of the minimum site width has not been provided. A separate variation request for each development standard is required.

The request must address in detail all the relevant provisions contained under Clause 4.6 of the KLEP 2015. As a result, the failure to provide a specific clause 4.6 variation request for the minimum allotment width, it forms a recommended reason for refusal. Further, in the absence of a Clause 4.6 variation request for the minimum site width development standard, the Panel does not have the power to approve the development because it is a pre-requisite to determining the application.

Whether compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

The applicant states that compliance with the development standard is unreasonable or unnecessary for the following reasons:

> "*Pursuant to clause 4.6(3)(a) of the LEP, the contravention to the minimum subdivision lot size development standard is acceptable in the circumstances of this case and compliance with the development standard is considered unnecessary because the proposed development is consistent with the objectives of the minimum subdivision lot size standard, notwithstanding non-compliance with the standard.*
>
> - *Objectives of the Minimum subdivision lot size Development Standard*
>
> *The objectives of the development standard are at clause 4.1 (1) of the LEP as follows:*
>
> *a. to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls and minimise risk to life and property from environmental hazards, including bush fires,*
> *b. to ensure that lot sizes and dimensions allow development to be sited to protect natural or cultural features including heritage items, remnant vegetation, habitat and waterways, and provide for generous landscaping to support the amenity of adjoining properties and the desired character of the area,*
> *c. to ensure that subdivision of low density residential sites reflects and reinforces the predominant subdivision pattern of the area.*
>
> *The proposed development meets the objectives of Clause 4.1 of the LEP based on the following assessment:*
>
> ***Objective (a) –** The proposed subdivision provides adequate lot sizes that can appropriately support the existing dwelling including the proposed alterations and additions on Lot 1.*
>
> *The proposed subdivision includes a building footprint – Lot 2. The building footprint is consistent with the building envelope controls contained in Part 4 – Dwelling Houses of the DCP. Further, the site is not subject to environmental hazards including bushfire, flooding, biodiversity or riparian land.*
>
> ***Objective (b) –** The proposed lot size and width ensures the retention of the heritage cottage on 74 Ridge Street, and rear alterations and additions that meet the height of buildings and FSR standards and that are consistent with the planning controls at Part 4 – Dwelling Houses and Part 19 – Heritage Items in Heritage Conservation Areas of the DCP.*
>
> *The proposed allotment area and width allows for retention of established trees and landscaped area noting the proposed built upon area of the dwelling – 74 Ridge Street and the building footprint – Holford Crescent, meet the built upon area control at Part 4A.3 – Built Upon Area of the DCP.*
>
> *The proposed lots, existing and future development is compatible with the desired future character for development in the locality.*

Objective (c) – *The proposed subdivision is consistent with the subdivision pattern at 76, 76A, 78 and 80 Ridge Street, and 53, 55, 57 and 59 Holford Crescent which range in lot sizes between approximately 411m^2-676m^2. Further, the proposed cadastral pattern is consistent with the recently approved subdivision of the adjoining dwelling at 72 Ridge Street under eDA0365/24.*

It is unreasonable to require compliance with the minimum subdivision lot size development standard due to the following reasons:

- *The subdivision of the existing lot to provide 2 x allotments allows for a consistent subdivision pattern that is closely aligned with the established cadastral pattern in the immediate locality.*
- *The plans for alterations and addition to the heritage cottage – 74 Ridge Street and indicative building footprint – Holford Crescent confirms the proposed lot sizes can accommodate a built form consistent with the expected building envelope of the applicable planning controls, notwithstanding the numerical contravention to the development standard.*
- *The proposed lot size and width does not preclude the ability for future dwellings to meet the relevant built form development standards and controls contained within the Ku-ring gai LEP and DCP.*
- *The proposed Torrens title subdivision retains the Heritage item which is located within lot 1 and allows for sufficient area to be retained around the item, therefore maintaining the heritage significance of the item.*
- *The subject site has frontage to Ridge Street and Holford Crescent ensuring the proposed Torrens title lots have a street frontage.*
- *The lot arrangement is suitable for the subject site, being orderly and economic development, achieving the objectives of the R2 – Low Density Residential zone. The objectives of the R2 – low density residential zone area addressed within the statement of environmental effects submitted with the development application.*

In line with the decisions in Wehbe v Pittwater Council [2007] NSWLEC 827 the proposal meets the first test as the objectives of the development standard are achieved notwithstanding the non-compliance."

The justification provided within the Clause 4.6 variation request is unacceptable for the following reasons:

i. The non-compliance to the minimum subdivision lot size has an adverse impact on the significance of the heritage item being 74 Ridge Street, as detailed below and is therefore inconsistent with Clause 5.10 (1) (a) and (b) of the KLEP2015 and Part 19A.2, Control 1(i) of the KDCP, which requires that any subdivision must not adversely affect the cultural significance of a heritage item.

   a) The proposed subdivision and new building will have an adverse impact on the heritage values of the existing house and garden. The proposal does not retain the characteristic built form and spacing of the heritage item and will compromise its curtilage.

b) The proposed subdivision would result in the loss of a large portion of the garden area, landscape features and rear significant trees associated with the heritage item.
c) The proposed removal of the Liquidambar and curved pedestrian path at the front of the property will have an adverse impact on the heritage item as the elements have high heritage significance that contributes to the heriage setting of the dwelling and the streetscape.
d) The proposed new windows, pathways, hedges, sliding gates and the colours and are not sympathetic with the original building.

The proposed subdivision, along with the associated tree removal and landscape works, would diminish the curtilage and setting of the heritage item. As such, the proposal does not protect cultural features of the heritage item, which does not satisfy objective (b) of Clause 4.1(1) of KLEP.

ii. The proposed development is contrary to Objective (b) of the development standard which seeks to ensure that lot sizes and dimensions allow development to be sited to protect natural features and provide for generous landscaping to support the amenity of adjoining properties and the desired character of the area.

The Clause 4.6 variation request fails to demonstrate that the proposed new lot, 51 Holford Crescent, has adequate area to accommodate a new dwelling and driveway that is consistent with the relevant development controls under Part 3A.4 Subdivision, Part 13 Tree and Vegetation Preservation, and Part 19 Heritage Item and Heritage Conservation Area of the KDCP, as detailed below:

a. The proposed indicative driveway, on-site stormwater detention (OSD) and stormwater pipe on 51 Holford Crescent will adversely impact on trees, including T47 - Corymbia maculata (Spotted Gum) on site and T49 – Quercus Palustris (Pin Oak) located on adjoining property at 72 Ridge Street.
b. The proposal fails to meet Control 2 of Part 4A.4, which requires 3 trees capable of reaching 13 metres on the new lot at 74 Ridge Street.
c. The removal of Trees T15, T17, T26, T27, T28, T29 & T30 does not satisfy Control 1 of Part 4A.4 which requires landscape proposals to retain existing trees, where possible. Most of the palms are mature specimens contributing to the heritage landscape character of the site and the adjoining Heritage Item at 72 Ridge Steet.
d. Removal of trees T35, T36, T37, T39, T40 and T41 is not supported. These trees are in good condition and given that the subdivision does not include dwelling approval, their removal is unwarranted.

iii. The proposed single garage at 74 Ridge Street has nil side setback to the south-western side boundary which fails to comply with side setback control under Part 4A.2 of the DCP. Furthermore, it is contrary to Part 19D.4 Control 9 of KDCP where new car parking is to be consistent with the historic placement of parking structures on the site, which is traditionally to the rear.

iv. The third objective of the R2 Low Density Residential zone requires the proposed development *to provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai.* The proposal is inconsistent with this objective as the works are not compatible with the existing environmental character of the site, particularly its heritage significance and the impacts on trees, for the reasons outlined above.

The above demonstrates that the proposal is inconsistent with Objectives (a) and (b) of Clause 4.1(1) Minimum subdivision lot size development standard under KLEP 2015; and the third objective of zone R2 Low Density Residential.

While there are smaller lots within neighbouring properties at Nos. 76, 76A, 78, 80 Ridge Street and 68 Ridge Street, Gordon, these lots have resulted from dual occupancy developments and subsequent Torrens title subdivisions approved under the repealed SEPP 53 – Metropolitan Residential Development provisions that no longer apply. It is acknowledged that an approved subdivision at 72 Ridge Street however, the site presents a different context, including three street frontages, a greater site width (21.946 metres - 22.25 metres), and a larger overall lot area 1653m^2, which differentiates the site from those in the current application.

For the reasons outlined above, the Council is not satisfied that the requirements of Clause 4.6(3)(a) have been met.

Whether there are sufficient environmental planning grounds to justify contravening the development standard.

The Clause4.6 variation request states that the following environmental planning grounds justify contravening the development standard:

> *"Pearson C held in Four2Five vs Ashfield Council [2015] NSWLEC 1009 that to satisfy clause 4.6(3)(b), a clause 4.6 variation must identify environmental planning grounds that are particular to the circumstances of the proposed development on the particular site. That decision was upheld on appeal by Pain J ([2015] NSWLEC 90) and the Court of Appeal ([2015] NSWCA 248).*
>
> *Preston CJ noted in Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118, that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the aspect of the development that contravenes the development standard should be the focus (as opposed to the development as a whole) of any analysis.*
>
> *In the case where the development standard to be contravened is site area, the environmental planning grounds of such a contravention are tied to the ability of the site, with a reduced area, to accommodate built forms that are consistent with the expected building envelope as directed by the relevant provisions within the LEP and DCP, achieving the objectives, of the standard.*
>
> *Pursuant to Clause 4.6(3)(b) of the LEP, there are sufficient environmental planning grounds to justify the variation to the site area development standard because:*
>
> - *The contravention to the minimum subdivision lot size standard results in the subdividing an existing lot to provide 2 x allotments that are consistent with the established cadastral pattern in the vicinity of the site. The subdivision pattern seen at 76, 76A, 78 and 80 Ridge Street, and 53, 55, 57 and 59 Holford Crescent range in lot size approximately 411m^2 – 676m^2 reflect similar lot sizes to that which is proposed under this application.*
>
>   *The proposed subdivision is consistent with the cadastral pattern of 76 Ridge Street and the approved subdivision – Development Application eDA0365/24 at the 72 Ridge Street.*

- *The plans for alterations and additions on Lot 1 – Ridge Street and the indicative building footprint Lot 2 – 53 Holford Crescent confirms the proposed lot sizes can accommodate a built form consistent with the building envelope controls, notwithstanding the numerical contravention to the lot size and width development standard. Compliance with the site specific standards, therefore, infers the development is appropriate and is not likely to result in adverse impacts upon adjoining properties beyond that accepted by Council for the site. This is a recognised environmental planning ground. Randwick City Council v Micaul Holdings Pty Ltd [2016] NSWLEC 7 at 34.*

- *The proposed lot size and maximum building footprint are consistent with development in the surrounding locality, as shown in the map extract below:*



- *The proposed development meets the relevant objects of the Environmental Planning and Assessment Act, 1979 as follows:*

    - *1.3(c) - The proposal is an orderly and economic use and development of land being a site outcome that is compatible with the future development envisioned for the R2 Low Density zone.*
    - *1.3(f) – The proposal allows for the retention of the heritage item at 74 Ridge Street, whilst allowing for future development on Lot 2 that will not adversely impact on its significance.*
    - *1.3(g) - The proposed lot size and maximum building footprint ensure a scale for future development that is compatible with development in the locality, and will protect the amenity of the built environment.*

- *The proposed development meets the relevant aims of the Ku-ring-gai LEP as follows:*

    - *1.2(2)(a) – The proposal allows for the development of land whilst maintaining and managing the environmental, social, economic and cultural resources within Ku-ring gai.*

    - *1.2(2)(i) – The proposed subdivision allows for the future development of an additional dwelling which may encourage variety of housing types.*

- *1.2(2)(o) – The proposal allows for the protection of the R2 Low Density Residential area whilst allowing for a future dwelling at the site."*

The environmental planning grounds advanced in the Clause 4.6 variation request in relation to breaching the minimum subdivision lot size development standard are considered below:

i. It is acknowledged that Nos.76, 76A, 78 and 80 Ridge Street, and 53, 55, 57 and 59 Holford Crescent have a smaller lot size. Those lots are not listed as heritage items under Schedule 5 of the KLEP 2015, and they were approved under a repealed instrument being SEPP 53 - Metropolitan Residential Development. The adjoining heritage item, which was subdivided at 72 Ridge Street has a different site context with a larger lot size and width.
ii. Council's Heritage Advisor is of opinion that the proposed subdivision, side setback of the garage and associated works will have an adverse impact on the heritage item and the heritage items in the vicinity. It is agreed for the reasons as detailed by Council's Heritage Advisor, that the extent of non-compliance does not retain the characteristic built form spacing of the heritage item and will compromise its curtilage.
iii. The proposed subdivision, indicative driveway, stormwater management and associated works on 51 Holford Crescent, will result in unacceptable impact on trees. The proposal fails to demonstrate that the subdivision can accommodate future development while retaining trees worthy of retention and minimising impacts on trees both on the site and on adjoining properties.
iv. The proposed single garage has a nil setback to the south- western side boundary and does not comply with the side setback control under Part 4A.2 of the DCP. The proposal fails to demonstrate that the lot resulting from a subdivision of land are able to accommodate development consistent with relevant development controls.

As a result of the above, it is not agreed that the reasons advanced within the Clause 4.6 variation request provides sufficient environmental planning grounds to support the variation to the minimum subdivision lot size. The Clause 4.6 request fails to demonstrate that the contravention of the minimum subdivision lot size and width development standard will result in a better outcome for the site therefore Council is not satisfied that the requirements of Clause 4.6(3)(b) have been met.

The applicant's Clause 4.6 variation request is not well founded.

Authority to determine variation

Any variation to a numerical standard that exceeds 10% or relates to a non-numerical standard must be considered by the Ku-ring-gai Local Planning Panel. As the variation to the numerical standard is greater than 10% the application is required to be referred to the Ku-ring-gai Local Planning Panel for determination.

Development standards that cannot be varied.

The variation to the development standard is not contrary to the requirements in subclauses (6) or (8) of clause 4.6.

Part 5 Miscellaneous provisions

Clause 5.10 – Heritage conservation

The subject site contains a heritage item, is located within 100 metres of heritage items (72 Ridge Street and 65 Ridge Street, Gordon) however is not within a heritage conservation

area. The proposed works do not affect any known archaeological or Aboriginal objects or Aboriginal places of heritage significance.

The proposal would have a significant adverse impact on the heritage significance of the dwelling and its setting. The application fails to meet the relevant objectives and provisions of Clause 5.10 for the reasons detailed in the Heritage referral.

Part 6 Additional local provisions

Clause 6.2 - Earthworks

The proposed development will not restrict the existing or future use of the site, adversely impact on neighbouring amenity, the quality of the water table or disturb any known relics.

Clause 6.5- Stormwater and water sensitive urban design

The objectives of this clause seek to avoid or minimise the adverse impacts of urban stormwater on the land on which development is to be carried out, adjoining properties, native bushland, waterways and groundwater systems.

The proposal has been considered against the objectives of this clause. The stormwater design adequately manages stormwater runoff, with no anticipated adverse impacts of stormwater runoff on adjoining properties. The proposal is consistent with the objectives of this clause.

Policy Provisions (DCPs, Council policies, strategies and management plans)

Ku-ring-gai Development Control Plan

Part 1A.5 General aims of the DCP

The proposed development has been assessed against the general aims of this DCP and is not found to be acceptable in all relevant respects for the reasons given throughout this report.

Part 2: Site analysis

A site analysis which identifies the existing characteristics of the site and the surrounding area has been provided as part of the development application. The site analysis is considered to satisfy the objectives of this part of the DCP.

Part 3: Land consolidation and subdivision

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
Part 3 land Consolidation and Subdivision		
3A – General Controls for Consolidation and Subdivision		
3A.1 Lot Shape, Orientation and Design		
1. The lot shape, orientation and design of consolidated and subdivided lots is to demonstrate the following:		
i. Ability for the lot to support the land use permitted under the zoning.	The proposed lots are unable to support	**YES**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
	development in accordance with the R2 Low Density Residential zone for the reasons provided by Council's Heritage Advisor and Senior Landscape Officer.	
ii. Sharing of views.	The proposal does not impact views.	**YES**
iii. Protection and enhancement of the amenity, solar access, privacy, open space and views of the neighbouring lots.	The proposal does not protect and enhance the amenity of the adjoining lots due to the loss of trees	**YES**
iv. Minimisation of impacts of the development (including any asset protection zones required) on riparian or Greenweb lands. Note: SEPP (Biodiversity & Conservation) 2021 - Chapter 6 Water catchment may also apply.	The site is not mapped as riparian or greenweb lands.	**YES**
v. Incorporation of the principles of water sensitive urban design.	The development provides water sensitive urban design measures to achieve the objectives of Clause 6.5 'Stormwater and water sensitive urban design.	**YES**
vi. Easements and servicing requirements.	74 Ridge Street: 2,000 litres rainwater tank is required for any dwelling to be retained on a newly created lot. This can be conditioned. The proposed drainage pipes and detention / retention systems for 74 Ridge Street would need to be constructed as part of the subdivision works, which should be conditioned in the event of an approval Lot 2: No proposed dwelling.	**YES** **N/A**
vii. Vehicular, pedestrian and bicycle access.	74 Ridge Street: new vehicular crossing and internal driveway.	**YES**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
	51 Holford Crescent: new vehicular crossing. The driveway crossing off Ridge Street and Holford Crescent are to be constructed as part of the subdivision works, which should be conditioned in the event of an approval.	**YES**
viii. Respect for and conservation of cultural heritage including any Aboriginal place or site of heritage significance. Note: Refer to Part 20 for Subdivision and Consolidation for new development on a Heritage Item or a HCA.	The proposed subdivision and associated works result in an adverse impact on the heritage item and existing trees. Refer to the Heritage referral comments for more detail in this regard.	**NO**
2. The block width, dimension, orientation and layout are to consider the existing subdivision pattern of the locality.	The proposed subdivision layout is partly consistent with the surrounding subdivision pattern that contains various regular and irregular shaped allotments including Torrens title subdivision for the established dual occupancy and battle axe allotments that has resulted in similar shaped and sized lots as can be seen in **Figure 6**. However, these were approved under different circumstances. The proposed subdivision and associated works cannot be supported on heritage and landscape grounds for the reasons detailed in this report. It is noted that the site width is non-compliant with Clause 4.1. The Clause 4.6 variation request has failed to demonstrate that:	**YES**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
	compliance is unreasonable and/ or unnecessary in the circumstances to comply with the standard and that there are sufficient environmental planning grounds to satisfactorily justify the non-compliances contrary to the provisions of Clause 4.6 of KLEP.	
3. New lot/s created are to be such that each lot with street frontage allows for the siting of a development which will address the street.	The lots have front boundary to address Ridge Street and Holford Crescent.	**YES**
3A.3 Building Footprint		
1. Potential building footprints are to be identified on the site plan of all consolidations and subdivisions.	The proposal demonstrates a potential building footprint for proposed 51 Holford Crescent. The existing dwelling/ heritage item on the proposed 74 Ridge Street is to be retained.	**YES**
2. Building footprints are to be located outside areas of ecological or heritage significance and to avoid the loss of trees.	The site is listed as a heritage item with the existing dwelling to be retained within proposed 74 Ridge Street. The proposed subdivision and the proposed garage cannot be supported due to significant detrimental heritage impacts including the loss of trees within the site and on adjoining property, along with the curtilage of the heritage item. Refer to the heritage and landscape comments earlier in the report for further discussion in this regard.	**NO**
3. The footprint is to be located in an accessible and practical location, preferably	74 Ridge Street: The proposed garage with nil	**NO**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
with relatively flat terrain, stable soil and geology. Note: A geotechnical report may be required for steeper sites.	setback cannot be supported. Further discussion on this non-compliance is detailed in the below Part 4 discussion. The indicative driveway and building footprint are not appropriately located on the proposed 51 Holford Crecent as it will result in adverse impact to trees on site and on adjoining property.	**NO**
4. The building footprint must be located and designed to allow useable open space that satisfies the open space requirements of the particular development type.	The nominated building footprint and retention of the existing dwelling will cater for adequate open space requirements for dwelling houses.	**YES**
5. The footprint is to be applied in accordance with the minimum building setbacks. Lot 2: Front setback 12m (min) Secondary frontage 3.8m (min) Side setback 2m (single storey)/ 2.67 (upper floor) rear setback 8.97m	74 Ridge Street: existing dwelling with alterations and addition and new single garage. A nil side setback from the garage is proposed, which is unacceptable, as discussed within this report. A discussion regarding this non-compliance is contained below in the Part 4 assessment. 51 Holford Crescent: The future dwelling on the new lot is to be subject to future development approval, which will require: Front setback- 12 metres (min) Side setback – 1.5 metres Rear setback – 7.82 metres	**NO**
6. Practical and suitable access is to be provided from a public road to the building footprint.	74 Ridge Street: vehicle crossing and driveway approved under eDA0204/24.	**YES**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
	51 Holford Crescent: Vehicle crossing and new driveway to Holford Crescent. Notwithstanding the issues raised in relation to tree impacts discussed elsewhere in this report.	**YES**
7. The building footprint must be located in accordance with the requirements in Part 24 of the KDCP.	The driveway and building footprint are not appropriately located to satisfy these requirements due to impacts to trees.	**NO**
3A.4 Trees and Vegetation		
Any subdivision or consolidation proposal must demonstrate that the location and design of: i. building footprints; ii. access ways; iii. roadways, including perimeter roads or trails; iv. services; v. inter-allotment drainage easements; and vi. asset protection zones maximises the retention of and minimises impacts on existing significant trees and vegetation on or adjacent to the site.	The proposal does not demonstrate that the design and location of the driveway, services and water management will minimise tree impacts on site and on adjoining properties. The proposed removal of the Liquidambar (T10) at the front of the property will have an adverse impact on the heritage item because it has high heritage significance and contributes to the item's setting of the dwelling and the streetscape. Further discussion is detailed in the heritage and landscape assessment detailed earlier in the report.	**NO**
For the purposes of control 1 above, significant trees and vegetation includes but is not limited to cultural plantings, large and visually prominent trees, bushland and endangered ecological communities.	Removal of T35, T36, T37, T39, T40, T41 is not supported, as they are in good condition. The trees are located within the indicative building footprint, however, given that the proposed subdivision does not include consent	**NO**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
	for a dwelling, the removal of these trees at this stage is considered unwarranted. Removal of Trees T48 and T50 is not supported, as both are in good condition. These trees are located within the proposed indicative driveway footprint. Relocating the driveway to the northern boundary to minimise impacts on Trees T47 and T49 will also enable the retention of Trees T48 and T50. For a more detailed understanding of this issue please refer to the earlier discussion under the Landscape Referral comments.	
Species are to be selected to minimise leaf drop and to avoid blockage of drainage systems.	Satisfactory	**YES**
3A.5 Access		
Each lot must provide access from a constructed or dedicated public road. Where access is proposed to a section of unconstructed public road, the newly created lot will need to provide lawful, constructed access to Council's satisfaction.	Each lot offers clear vehicular and pedestrian access from the street.	**YES**
The maximum number of lots to be served by a single access handle connected to a public road is 3 lots.	Each proposed lot is serviced by a proposed single driveway.	**YES**
Access for service vehicles, emergency vehicles and waste collection vehicles must be available. Note: If access is to be provided from a main road it must be in compliance with Transport for NSW requirements.	Access for emergency vehicles is available via the proposed driveway. Waste collection vehicles can service the allotments from each street frontage.	**YES**
Movement areas are to incorporate convenient, obvious and safe pedestrian and bike links from the lot to public transport services and local facilities.	Each lot has clear pedestrian access from the street.	**YES**

COMPLIANCE TABLE		
Development control	**Proposed**	**Complies**
The design and location of footpaths and driveways are to provide opportunities for surveillance and allow safe movement of residents and visitors.	Satisfactory	**YES**
3A.6 Infrastructure		
All lots shall be provided services such as electricity, gas, town water supply, sewerage and communications. Such services must be located underground where new road construction occurs, and in bush fire prone lands. Services are to be located in accordance with Figures 3A.6-1 & 3A.6-2 of the DCP. Note: In Bush fire Prone Lands, services are to be provided in accordance with the requirements of Planning for Bush Fire Protection (PBP).	Utility services for both lots particularly the sewer main/line to service the allotments can be made available and connected. To ensure this outcome, in the event of an approval it can be conditioned.	**YES**
Water management facilities, such as: • Inter-allotment drainage for low level lots; • on site detention for new roads and driveways; • rain gardens or bio retention basins; are to be provided as required by Part 24 of the DCP.	The plans demonstrate that each lot can implement its own water management system as part of any future residential development without affecting the other lots; along with a controlled drainage system in accordance with Part 24 of the KDCP.	**YES**

Part 4: Dwelling Houses

The table below addresses the assessment criteria contained under Part 4 of the DCP.

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
4A – Site Design		
4A.1 Local Character and Streetscape		
Visual Character Design components of new development are to be based on the existing predominant and high quality visual character of the local neighbourhood.	The development is unacceptable in this regard for the reasons provided by Council's Heritage Advisor and Senior Landscape Officer.	**NO**
The appearance of the dwelling is to maintain the local visual character by considering the following elements: i) visibility of on-site development when viewed from the street, public reserves and adjacent properties; and	The development is unacceptable because of adverse heritage and tree impacts. 51 Holford Crescent: N/A as no proposed dwelling.	**NO**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
ii) relationship to the scale, layout and character of the tree dominated streetscape of Ku-ring-gai.		
The prominent and high quality characteristics of the neighbourhood are to be identified and considered as part of the site analysis.	A satisfactory site analysis was provided.	**YES**
Public Domain and Communal Space Development is to integrate with surrounding sites by: i) being of an appropriate scale retaining consistency with the surrounds when viewed from the street, public domain or adjoining development and not exceeding two storeys; ii) minimising overshadowing; and iii) integrating built form and soft landscaping (gardens and trees) within the tree canopy that links the public and private domain throughout Ku-ring-gai.	The proposed development is unacceptable for the reasons detailed in the Heritage and Landscape referral comments earlier in the report. Lot 2: N/A, as no proposed dwelling.	**NO**
Visually Prominent Sites Development on visually prominent sites is to: i) be integrated into the existing landscape through the site planning process and avoid tall and bulky structures; ii) have a selection of external colours and finishes that are sensitive to the site and locality; iii) retain significant landscape and vegetation elements; iv) consider views to the site as well as those from the site; and v) soften visual impact by extensive landscaping including larger trees and shrubs.	The proposed colour and finishes of the metal cladding and roof are not sympathetic with the original building. The existing Liquidambar (T10), which is prominent within the streetscape and pathway at the front of the property have high heritage significance and contributes to the setting of the dwelling and the streetscape and should be retained. The removal of Trees T15, T17, T26, T27, T28, T29 & T30 cannot be supported, as detailed earlier in the report. One more replenishment tree is required. The excessive use of monocultural plantings is inconsistent with the expected outcomes,	**NO**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
	especially for a heritage item. There is also an unacceptable detrimental impact to T47 from the proposed driveway, OSD and pipeline. Refer to landscape and heritage comments for further details in this regard.	
Colours of materials used in sites adjoining or in close proximity to bushland areas and conservation areas must be in harmony with the built and natural landscape elements of the area.	The proposed smokey dark grey metal cladding is too dark for the external finishes to the proposed wall of the addition, and the proposed Shale Grey of the Mini orb roof is not sympathetic with the original building, which is unacceptable Refer to heritage comment for more discussion in this regard. 51 Holford Crescent: N/A	**NO**
4A.2 Building Setbacks		
Building Line (Front Setback)		
The location of development on the site is to demonstrate its consideration of: i) The existing setback of adjoining properties; ii) The setback patterns of its street block; and iii) Council's minimum and average setback requirements.	The existing front setback of the dwelling house on 74 Ridge Street and its relationship to the street and adjoining properties remains unchanged. 51 Holford Crescent: N/A	
<u>Two storey</u> Low side – 9m (11m average) High side – 12m (14m average)	74 Ridge Street: Front setback remains unchanged (9.86m) 51 Holford Crescent: N/A (high side - indicative 12 metres)	
Building Line (Rear Setbacks)		
Where sites have a depth of less than 48m, a minimum rear setback of 25% of the average site depth is to be provided.	74 Ridge Street: 7.5 metres 51 Holford Crescent: N/A	**NO** **N/A**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
74 Ridge Street: 10.24 metres 51 Holford Crescent: 7.82metres	(indicative 7.82m)	
Building Line (Side Setbacks)		
<20m width - 1.5m single storey elements - 2m two storey	74 Ridge Street: 1.8 metres (living room to north-eastern side boundary) Nil (garage to south-western side boundary) 51 Holford Crescent: N/A (indicative 1.5m)	**YES** **NO** **N/A**
Side setbacks are to accommodate a pathway and at least 0.6m of landscaping width for single storey buildings, and 1.1m for 2 storey houses. Where sites are of greater widths (over 20m) larger side setbacks should be progressively provided.	74 Ridge Street: no pathway and landscape can be provided at the south-western side of the proposed garage due to the nil side setback. 51 Holford Crescent: N/A	**NO**
4A.3 Built-Upon Area		
Max BUA 60% 74 Ridge Street: 374.52m^2 51 Holford Crescent: 286.02m^2	74 Ridge Street: 56.28% (351.3m^2) 51 Holford Crescent: N/A	**YES** **N/A**
The BUA of the front setback is to be maximum 30%	74 Ridge Street: 32.06% (48/ 149.725m^2) 51 Holford Crescent: N/A	**NO** **N/A**
Side setbacks are to accommodate shrubs to a height of 3-4m for two storey houses, and 2-3m for single storey houses.	74 Ridge Street: There is no proposed landscape and pathway to the south-western side of garage. 51 Holford Crescent: N/A	**NO** **N/A**
Landscape designs are to reflect the prevailing landscape character of the area and relate to the existing streetscape in terms of scale and planting style.	The proposed landscaping is not reflective of the character, as detailed earlier in the report within the referral discussion. This is a non-compliance with Part 4A4 because of insufficient tree replenishment and excessive use of monoculture plantings	**NO**
Tree replenishment Less than 850m^2 — 3 trees ~~850m^2 to 1,000m^2 — 5 trees~~	74 Ridge Street: with a site area of 624.2m^2 is required to attain a total of	**NO**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses			
Development control		**Proposed**	**Complies**
~~1,001m^2 to 1,500m^2~~	~~7 trees~~	3 trees: - The proposal retains 1 tree (T31) capable of attaining a minimum height of 13 metres. - The landscape proposed includes 1 tree (Gingko biloba (Maidenhair Tree) capable of attaining a minimum height of 13 metres, therefore, 1 additional tree is required to be planted to satisfy this control. As the new lot, known as 51 Holford Crescent, involves the subdivision only, tree replenishment is not required if the application were to be approved, however it is noted that the proposal seeks to remove trees without suitable justification	
~~Over 1,500m^2~~	~~10 trees or as directed~~		
4B – Access and Parking			
4B.1 Vehicle access			
Vehicular Access			
Wherever possible, driveways must be located so that driver and pedestrian sight lines are clear.		The driveways can achieve acceptable lines of sight.	**YES**
Driveways			
Not more than one driveway is to be provided on any property with a street frontage width of less than 18m.		74 Ridge Street: one driveway approved under eDA0204/24. 51 Holford Crescent: one indicative driveway to Holford Crescent	**YES** **YES**
The maximum crossing width for any driveway, as measured at the front site boundary, is 3.5 metres. Council may allow a narrower width where trees may be adversely affected. Council may allow a		74 Ridge Street: The width of the crossing is 2.675 metres. 51 Holford Crescent:	**YES** **YES**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
wider width if site conditions require car parking accommodation to be provided close to the street boundary.	indicative driveway is 3.3 metres.	
The location and construction of driveways and driveway crossings are to avoid disturbance (including altered soil level) to the root zones beneath the canopy of trees protected by Part 13 of the DCP.	The proposed indicative driveway, OSD and stormwater pipe impact on T47 – Corymbia maculata (Spotted Gum) at 51 Holford Crescent and T49 – Quercus palustris (Pin Oak) located within the adjoining property. The impacts are unacceptable, please refer to landscape comment for further discussion in this regard.	**NO**
Driveways designed in accordance with AS 2890.1 (2004) Off Street-Car Parking	Satisfactory	**YES**
4B.2 Car Parking Provision		
Single occupancy dwellings are to provide 2 spaces on-site as determined by Part 4B.3(5) of the DCP.	74 Ridge Street: 2 spaces proposed via new single garage and hardstand. 51 Holford Crescent: N/A	**YES**
The minimum dimensions of a residential parking space are to be: i) open carport 2.7 x 5.4 metres ii) unobstructed single garage 3.0 x 5.4 metres iii) double garage 5.4 x 5.4 metres	74 Ridge Street: 3.3 metres x 5.9 metres with 2.4m opening 51 Holford Crescent: N/A	**YES**
The area of garages in excess of $31m^2$ is included in floor space calculations.	The gross floor area of the garage is less than $31m^2$ and is excluded from the floor space calculation.	**YES**
4B.3 Carports and Garages		
The car parking spaces, whether covered or uncovered, are to be located at or behind the required front setback as specified in Part 4A.2(2) & (15) of the DCP, or behind the front building line defined by the existing dwelling where the dwelling is being retained, whichever is the lesser.	74 Ridge Street: the proposed garage and handstand are located behind the front building line of the existing dwelling. 51 Holford Crescent: N/A	**YES**
The scale and design of carport and garage structures are:	Single garage with nil setback to the south-western side boundary cannot be supported on	**NO**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
i) to be sympathetic to existing development on-site; ii) to consider adjacent buildings; iii) to consider proximity to drainage systems; iv) to be integrated into the building design; and v) not to dominate the site, dwelling and landscape, or the streetscape.	planning and heritage grounds for the reasons detailed earlier in the report under the respective referral comments.	
Width of any carport/garage visible from the street is not to be greater than 6 metres (measured to the outer face of the exterior walls/columns/posts)	3 metres	**YES**
If the site has frontage to more than one road or lane vehicle access is to be obtained from the road/lane that is lower on the road hierarchy or carries a lower volume of traffic	Complies	**YES**
4C – Building Design and Sustainability		
4C.1 Building Envelopes		
The maximum height of a dwelling is 9.5 metres (including any garage, basement or the like) and present as a 2 storey dwelling house.	74 Ridge Street: 6.1 metres for the existing dwelling, which remains unchanged and 5 metres for the proposed rear addition. 51 Holford Crescent: N/A	**YES**
The following matters are to be considered with regard to the potential impact on neighbouring properties and local character: i) opportunities to minimise overshadowing of living and private open space areas and solar panels; ii) opportunities to minimise overlooking of living and private open space areas; iii) opportunities to minimise adverse impacts on any significant bushland, or distant views; iv) the relationship with the streetscape.	74 Ridge Street: the proposed new rear addition is single storey and will not result in an overshadowing or overlooking impact to the adjoining properties. Nor will the proposed development result in view impacts. 51 Holford Crescent: N/A	**YES**
Development is to avoid the creation of an overbearing effect upon adjoining development by:	The existing dwelling and proposed new addition and garage are within the building height plane.	**YES**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
i) ensuring appropriate side setbacks and landscaping are incorporated in the design; ii) ensuring all built structures are within the building height plane as illustrated in Figure 4C.1-2 of the DCP (4m @ 45°); iii) the relationship with the streetscape.		
4C.2 Building facades		
Extensive blank or unarticulated walls to street frontages will not be permitted.	No change to the existing facade to the street in relation to the existing dwelling.	**YES**
4C.3 First Floor Design and Roof Forms		
Roof line		
Roof structures are to be designed to minimise bulk and overshadowing of neighbouring buildings and open spaces by: i) considered selection of material, colour and pitch; ii) use of low-angled pitched roofs providing that they are compatible with existing development and the streetscape character; or iii) inclusion of habitable rooms within the roof space.	74 Ridge Street: Existing roof is to be retained and new metal skillion roof over the proposed rear additions, which is not contrary to this control. Lot 2: N/A	**YES**
4C.4 Private Open Space		
At least one area of useable private open space (POS) which has a minimum depth of 5m and a minimum area of 50m^2 is to be provided on each site. On steep sites Council may consider a reduction in the minimum depth requirement.	74 Ridge Street: 5.8 metres in depth and 81.55m^2 POS, which complies. 51 Holford Crescent: depth >5m and area > 50m².	**YES**
Private open space is to constitute at least one north facing area providing adequate solar access.	Each lot has a northernly facing open space.	**YES**
4C.5 Solar Access		
Solar access to habitable areas, recreational space and solar collectors on the site and on neighbouring sites is to be preserved by: i) consideration of siting and orientation of buildings; ii) use of setbacks which increase with building heights;	Proposed addition is single storey and will have no significant solar access impact to adjoining properties.	**YES**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
iii) landscape design and location of vegetation including deciduous or tall trees; iv) consideration of window locations and size.		
4C.6 Natural Ventilation		
Building design is to incorporate measures for natural cross ventilation as specified in Control 1.	Cross ventilation provided via windows and opening.	**YES**
Other Site Facilities		
The location and design of facilities such as mailboxes, utility poles, bin storage and enclosures, clothes drying areas are to be an integrated and sympathetically designed as part of the site design and development. This may be achieved by: i) the undergrounding of utilities; ii) ensuring that clothes lines are not visible from the street; and iii) provision of bin enclosures.	74 Ridge Street: A mailbox is located adjacent to the front pathway and other measures are as existing. 51 Holford Crescent: This could be managed under a future application.	**YES**
For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of the DCP.	Conditions can be included in the event of an approval to ensure compliance with this control.	**YES**
4C.8 Fencing		
Front fences		
Fences are to: i) restrict visually solid forms (such as masonry, lapped and capped timber or brushwood) to 0.9m in height above existing ground level; and ii) restrict the height of visually transparent fences (such as metal grille or timber picket) to 1.2m. (a transparent fence has an open to solid ratio of not less than 1:3).	74 Ridge Street:1.25 metres high wire infill and timber posts fence. No fence is proposed for 51 Holford Crescent.	**YES**
Front fences in excess of 1.2m will only be permitted in areas where they are compatible and consistent with the streetscape. All such fences are to be set back at least 1m from the street boundary with provision of low maintenance screen planting in the setback area.	74 Ridge Street: The proposed front fence and consistent with the streetscape of Ridge Street.	**YES**
Front fencing is to enable outlook from dwellings to the street for safety and surveillance and should be generally low and visually permeable.	Satisfactory	**YES**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
High hedges along the entire front boundary are not encouraged, although shrub plantings are desirable.	A high hedge is not proposed.	**YES**
The footings of a fence within the structural root zone of a tree is not to adversely affect the health of the tree.	Acceptable.	**YES**
4C.9 Waste Management		
During the design of the development, construction waste is to be minimised by: i) using recycled materials, selecting materials that reduce waste or do not require disposal, or can be reused or recycled in the future; ii) designing with minimal site disturbance by avoiding unnecessary excavation or fill.	A satisfactory waste management plan has been submitted with the development application.	**YES**
Developments must allocate, within each property boundary, an area for storing Council waste and recycling bins, (1 X 120L, 2 x 240L, 1 x 360L) preferably located at the rear of the premises to minimise visual clutter. The storage area is to be a minimum of 3m from openable windows and integrated with the landscaping.	Sufficient space is available to accommodate waste and recycling bins.	**YES**
An area is to be nominated for on-site composting.	Sufficient area is provided within the rear part of the site for on-site composting.	**YES**
4C.10 Materials and Finishes		
External walls must be constructed of high quality and durable materials and finishes.	Satisfactory	**YES**
Large, unbroken expanses of any single material and finish (rendered or not) to building facades must be avoided.	Avoided single material and finish.	**YES**
New development is to avoid extensive use of highly reflective or gloss materials on the exterior of buildings.	Highly reflective and gloss materials are not proposed.	**YES**
The exterior finish material (e.g. sandstone or brick) must be integral to the overall building façade design and must not appear to be cosmetic.	The exterior zinc cladding is integral to the façade design and does not appear cosmetic.	**YES**
Where additions and alterations are proposed, external materials and finishes must complement the existing building.	The proposed external colours and finishes do not complement the existing building/ heritage item. Refer to the reasons detailed in the heritage referral.	**NO**
Colours		
The selection of a colour scheme for new development and in the restoration of	Proposed addition in dark grey colour is inconsistent	**YES**

DCP COMPLIANCE TABLE SECTION A - Part 4 Dwelling houses		
Development control	**Proposed**	**Complies**
existing facades is to comply with the guidelines in Control 8.	with the control. Refer to Heritage referral.	

An assessment of the variations to the design controls identified in the compliance table is provided below.

Part 4A.2 Building Setbacks

The KDCP requires a minimum side setback of 1.5 metres and Control 12 requires side setbacks to accommodate a pathway and at least 600 millimetres of landscaping width. Control 13 requires side setbacks to accommodate shrubs to a height of 2-3 metres.

The objectives of Part 4A.2 of KDCP are:

1. *To ensure that the appearance of new development is of a high visual quality, enhances the streetscape and complements good quality surrounding development.*
2. *To ensure development is appropriately located on site and*
   - *i) maintains streetscape character;*
   - *ii) ensures the amenity of neighbouring properties is maintained or enhanced;*
   - *iii) allows for the provision of landscaping and provide room for additional tree plantings to grow to maturity;*
   - *iv) facilitates solar access, daylight access and ventilation;*
   - *v) protects significant vegetation;*
   - *vi) facilitates efficient use of the site; and*
   - *vii) minimises bush fire hazard by preserving a "fuel free" zone (where development is adjacent to high bush fire hazard areas).*
3. *To enable landscaping to be provided between neighbouring buildings, particularly where there are two storey structures.*
4. *To provide privacy and soften the visual appearance when viewed from the street and from the neighbouring property.*
5. *To maintain visual amenity and solar access of private open space.*
6. *To ensure that side setbacks provide adequate solar access and day light access.*
7. *To ensure dwellings on battle-axe lots are sited to have minimum impact on the amenity of private open spaces and living areas on neighbouring properties.*
8. *To ensure adequate privacy and amenity for each dual occupancy dwelling.*

Side setback

The proposal will provide a minimum of 1.5 metres side setback with garden beds except for a portion of the south-western side setback adjacent to the proposed garage, as outlined in yellow in **Figure 7** below:

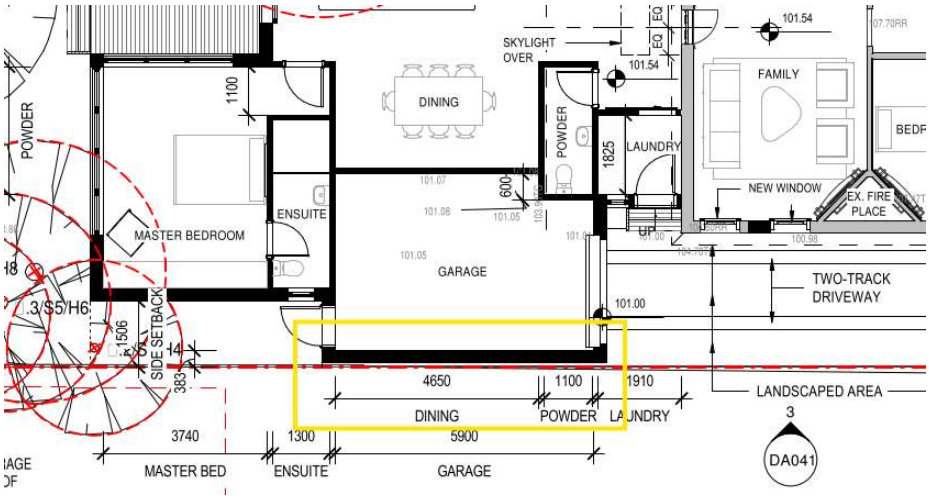


Figure 8: Area within south-western side setback which contains non-compliant side setback.

The proposal does not comply with the abovementioned controls and their objectives for the following reasons:

i) The proposed nil garage side setback does not accommodate a pathway and landscaping width along the south-eastern elevation of the garage, which is non-compliant with Control 11, 12 and 13 of Part 4A.2 Building setbacks. To the south-west of the site is 72 Ridge Street, which is also listed as a heritage item. Building setback and screen planting are therefore particularly important for the proposed development in the context of the heritage setting. The proposal does not allow for the provision of built form - spacing and landscaping needed to maintain the amenity between the properties.

ii) The proposal fails to demonstrate that the non-compliance with the minimum subdivision lot size and width would still allow for adequate soft landscaping. The proposal fails to satisfy with Control 5 and objectives under Part 3A.3 Building footprint of DCP.

Rear setback

The objectives of the control are to ensures the amenity of neighbouring properties is maintained or enhanced; and allows for the provision of landscaping and provide room for additional tree plantings to grow to maturity. The proposal does not comply with the setback controls and its objectives for the following reasons:

i) The proposed rear addition at 74 Ridge Street has a rear setback of 7.5 metres to the proposed boundary and does not comply with 10.24 metres rear setback requirement as specified under Control 10 of Part 4A.2 Building setback.

ii) It is acknowledged that the rear setbacks of the neighbouring properties—76 and 76A Ridge Street, and 53 and 55 Holford Crescent—range from approximately 6.7 metres to 7.7 metres. However, these reduced rear setbacks arise from dual occupancy developments that were approved under a now-repealed SEPP 53 Metropolitan Residential Development. Further, those sites are not listed as heritage items under the KLEP, which adds greater complexity to the consideration and differentiates the proposed development with those.

iii) The subdivision line along the north-western boundary of the existing house is 7.5 metres from the rear of the proposed additions. Council's Heritage Advisor is of opinion that the subdivision line will greatly reduce the area available for the rear garden and will not provide enough area for planting in the available curtilage. It is agreed for the reasons given by Council's Heritage Advisor that the proposed rear setback, because of the addition, there will be a significant detrimental impact on the subject heritage item. Therefore, the rear setback non-compliance cannot be supported.

Part 4A.3 Built-Upon Area

Control 4 specifies that the front setback is to have a maximum BUA of 30%. The proposed BUA in the front setback is calculated to be approximately 32.05% which does not comply.

The objectives of Part 4A.3 of KDCP are:

1. *To ensure that development is consistent with the local built and landscape character.*
2. *Ensure the built form is in scale with the tree canopy.*
3. *To provide sufficient soft landscaped area for the planting and retention of tall trees.*
4. *To provide an appropriate balance between the natural and built elements of the site.*
5. *To retain areas for habitat, connectivity and locally occurring native vegetation.*
6. *To minimise impervious surfaces generating storm water runoff.*
7. *To provide useable high quality open space.*
8. *To provide adequate space for screen planting between buildings.*

The proposed variation does not comply with the objectives of the control and therefore cannot be supported for the following reasons:

i) The Liquidambar (T10) located within the front setback, has significance to the Heritage Item's setting and contribute positively to the streetscape. The removal of the Liquidambar does not meet the objective of the control which requires that the development is consistent with the local built and landscape character, the retention of tall trees, and an appropriate balance between natural and built elements of the site. Consequently, the removal of this tree cannot be supported as it is inconsistent with the local built and landscape character and contrary to the objective of the control.

ii) The proposed two pedestrian paths within the front setback is excessive and does not provide appropriate balance between the natural and built elements within the front setback of the site. This does not meet the objective of the control and cannot be supported for this reason.

Part 4B.1 Vehicle Access

The indicative driveway and associated stormwater works will result in an adverse impact to trees on site and on adjoining property, which fails to comply with Control 6 of Part 4B.1 which specifies that *the location and construction of driveways and driveway crossings are to minimise disturbance (including altered soil level) to tree protection zones (TPZ's) beneath trees protected under Part 13 of this DCP.*

The objectives of Part 4B.1 of KDCP are:

1. *To encourage the integrated design of vehicle access and functional car parking facilities to minimise adverse visual and environmental impacts on the streetscape.*

2. *To minimise stormwater run-off from driveway surfaces.*
3. *To minimise the extent of hard surfaces forward of the building line.*
4. *To reduce potential conflict with street traffic and pedestrians and optimise safety of vehicular movement.*
5. *To create functional, safe driveways that*
    i) minimise hard surface run off from the site;
    ii) are not visually intrusive on the existing streetscape; and
    iii) have minimal impact on existing trees.
6. *To avoid excavation and alteration of existing ground lines.*

As detailed in the Landscape referral, the indicative driveway, on-site detention tank and stormwater pipe on the new lot (51 Holdford Crescent) will result in unacceptable impacts to the existing trees T47 and–T48 both are – Corymbia maculata (Spotted Gum), T50 – Tristainiopsis laurina (Water Gum); and T49 – Quercus palustris (Pin Oak) located on the adjoining property. These trees are in good health and visually significant in the streetscape. Due to the impacts to these trees from the driveway design and associated works, the proposed development does not minimise adverse visual, and environment impacts to the streetscape. The proposal therefore fails to comply with Control 6 and Objectives 1 and 5 of Part 4B.1.

Ku-ring-gai Development Control Plan

Section B

Part 15 – Land Contamination

The site is not mapped as being contaminated and has a history of residential use and as such, it is unlikely to contain contamination, and further investigation is not warranted in this case.

Part 19 – Heritage and Conservation Areas

The site is a locally listed heritage item and is also located within 100 metres of other heritage items at Nos. 72 Ridge Street and No. 65 Ridge Street. The site however is not within a heritage conservation area. The proposed works do not affect any known archaeological or Aboriginal objects or Aboriginal places of heritage significance.

The site's heritage listing and its location near heritage items, along with its significant adverse impacts have been considered against the relevant provisions of Part 19 of the DCP. The proposal results in unacceptable in this regard, as detailed earlier in the report. As a result, the proposal results in adverse impacts on the heritage item and cannot be supported. In addition, the proposal fails to satisfy the heritage considerations under Clause 5.10 of the KLEP, notably its inconsistency with objectives 1(a) and (b) of the KLEP, which is also detailed earlier in the report.

Ku-ring-gai Development Control Plan

Section C

Development Control	Proposed	Complies
Part 21 General Site Design		
21.1 – Earthworks and slope		
Development consider site topography, drainage, soli landscapes, flora, fauna and bushfire hazard by: • Stepping buildings down the site • Locate finished ground level as close to the natural ground level as practicable • Level changes to occur primarily within building footprint • Minimum 0.6 metres width between retaining walls • Maintain existing ground level within 2 metres from any boundary • Limit slope for embankments to 1:6 (grassed) and 1:3 (soil stabilising vegetation) • No fill and excavation within sensitive environments • Minimise altered groundwater flows	Landscape cut and fill, and retaining walls are not proposed. Existing ground level has been maintained for 2 metres from any boundary.	**YES**
Dwelling houses Excavation within building footprint must not exceed 1 metre • 0.9 metre maximum fill • 1.8 meters maximum level difference across the building footprint • Retaining walls maximum 0.9 metre above NGL	550 millimetres fill for the new addition on 74 Ridge Street.	**YES**
23.7 – Waste Management		
Efficient, effective and sustainable waste management practices	An adequate waste management plan has been submitted.	**YES**
23.9 – Visual Privacy		
Visual privacy maintained for occupants and for neighbouring dwellings.	The single storey rear addition is not considered to result in significant adverse impacts regarding visual privacy.	**YES**

24 – Water Management		
This Part facilitates development in achieving the requirements of the clause titled '*Stormwater and water sensitive urban design' in* KLEP 2015.	An assessment of the proposal against the controls in Part 24 has been undertaken.	**YES**

Ku-ring-gai Contributions Plan 2010

The application proposes the Torrens title subdivision of 1 lot into 2 lots, which results in an increased demand for community infrastructure. In accordance with the Ku-ring-gai Contributions Plan 2010, the proposal would require a Section 7.11 contribution of **$30,863.00** for the 1 additional residential lot created, via condition if the proposed development were to be approved.

As per Part 5.3 of the Ku-ring-gai Council Section 7.12 Local Levy Contributions Plan 2023, a contribution for the construction work is not payable under that Plan, as a consent cannot be subject to more than one contribution plan and in the event of a conflict the Ku-ring-gai Contributions Plan 2010 prevails.

Housing Productivity Contribution

A Housing and Productivity Contribution (HPC) applies to the proposed development as it is for the subdivision of land on which development for the purposes of residential accommodation, which exists and is permitted. The contribution will assist in delivering essential state infrastructure such as schools, hospitals, major road and public transport infrastructure.

The application was lodged after 1 July 2024, therefore the new Ministerial Order applies. The proposed development generates a contribution rate of **$12,974.61** which is required to be paid prior to issue of a Subdivision Works Certificate, if the proposed development were to be approved.

REGULATION

Section 61(1) of the Environmental Planning & Assessment Regulation 2021 requires the consent authority to consider the provisions of *Australian Standard AS 2601-2001: The demolition of structures.* The partial demolition of the existing structure(s) will be carried out in accordance with a work plan and statement of compliance that will be required to be submitted to the Principal Certifier prior to the commencement of any works.

LIKELY IMPACTS

The likely impacts of the development have been considered within this report and are not acceptable, as detailed in the body of the report.

SUITABILITY OF THE SITE

The site is not suitable for the proposed development for the reasons detailed within this report.

PUBLIC INTEREST

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by the Panel ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the relevant environmental planning instruments and is deemed to be unacceptable. On this basis, the proposal is not considered to be in the public interest.

CONCLUSION

Having regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposed development is not considered to be satisfactory.

RECOMMENDATION

PURSUANT TO SECTION 4.16(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

A. THAT the Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refuse development consent to eDA0479/25 for Torrens title subdivision of one lot into two lots, alterations and additions to existing dwelling and associated works on land at 74 Ridge Street, Gordon NSW 2072, for the following reasons:

1. Adverse Impacts on the Heritage Item

Particulars:

a) The subject site 74 Ridge Street, Pymble is an item of local heritage significance in Schedule 5 of the Ku-ring-gai Council Local Environmental Plan 2015 (KLEP). The significance of the item includes its streetscape presentation as a modest cottage and its landscape qualities as well as its historical links to the early establishment of Gordon.

b) The proposed development is inconsistent with Clause 5.10 (1) (a) and (b) of the KLEP, which seeks to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings, and views.

c) The proposed subdivision will have an adverse impact on the significance of the heritage item and is contrary with Part 19A.2 Control 1(i) of the Ku-ring-gai Development Control Plan (KDCP) which requires that any subdivision to not adversely affect the cultural significance of the heritage item.

d) The proposed subdivision and new building works will have an adverse impact on the heritage values of the existing house and its garden setting and is therefore inconsistent with of Part 19A.2, Control 2 of the KDCP, which requires the curtilage and setting of the heritage item not to be compromised.

e) The proposal does not retain the characteristic built form spacing of the heritage item and will compromise its curtilage, consequently it is contrary to Objectives 1 and 3 and Control 2 in Part 19A.2 of the KDCP because of significantly reducing the dwelling's rear setback.

f) The proposed removal of the Liquidambar at the front of the property will have a significant adverse impact on the heritage item as it has high heritage significance and contributes to the setting of the dwelling and the streetscape, which is inconsistent with of Part 19B.2 Controls 4 (i), (ii) and (iii) of the KDCP which requires all alternatives to demolition be considered if those elements are significant to the Heritage Item.

g) The proposed subdivision would result in the loss of a large portion of the garden area associated with the house. The loss of landscape features, such as the front Liquidambar and rear significant trees is contrary to Part 19D3.1 of the KDCP which requires trees, and garden elements and structures which contribute to the significance of the heritage item to be retained and conserved.

h) The existing curved pedestrian path is proposed to be replaced with a central straight path and is contrary to Part 19D.3 Control 1 of KDCP, which seeks to retain garden elements and structures which contribute to the significance of the Heritage Item.

i) The proposed pathway along the northern boundary, sweeping into the front and rear yards will cover a large area is contrary to Part 19D.3 Control 2 of KDCP, which seeks to use similar materials sympathetic with the heritage item.

j) The proposed hedges along the rear and rear side boundaries are contrary to Part 19D.3 Control 3 of KDCP, which seeks to use of a variety of plant species to avoid mono-cultural plantings along street frontages and as screen planting.

k) The proposed modern sliding gates are contrary to Part 19D.4, Control 6 and Part 19D.8 Control 10 of KDCP, which prefers swing gates to sliding gates as they are a traditional element of a heritage item.

l) The proposed garage will be located close to the side boundary line and is contrary to Part 19D.4 Control 9 of KDCP where new car parking is to be consistent with the historic placement of parking structures on the site.

m) The proposed smokey dark grey metal cladding for the external walls is too dark and is not sympathetic with the original building and is inconsistent with Part 19D.5 Controls 3 and 6 new work to respect the materials and colours of the Heritage Item.

n) The proposed Shale Grey of the Mini orb roof is not sympathetic with the original building and is inconsistent with Part 19D.5, Controls 3 and 6 and 19D.7, Control 8, which requires new work to respect the materials and colours of the Heritage Item.

o) The proposed new windows at the north-eastern and south-western side elevations are not sympathetic with the original building inconsistent with Part 19D.5, Controls 5, 21,22 and 23, which require original windows on the front and side elevation of a heritage item to be retained

2. Adverse impacts on the heritage items in the vicinity.

Particulars:

a) The subject site is located within the immediate vicinity of heritage items, Nos. 65 and 72 Ridge Street listed in Schedule 5 of KLEP. Nos. 64, 65 and 74 Ridge Street are all heritage items which are representative of modest cottages in the streetscape on single long allotment. The proposed subdivision will alter the setting of No. 74

contrary to Part 19F.1 Control 2(vi) of KDCP, which seeks development on adjoining sites to have regard to their setting and curtilage

b) The proposed garage will effectively abut the side boundary contrary to Part 19F.1, Control 2(i) of KDCP where new car parking is to be consistent with the historic placement of parking structures on the site, which in this instance is to the rear of the site.

c) The proposed smokey dark grey metal cladding of the proposed external walls and light grey roof is not sympathetic with the original building and is inconsistent with Part 19F.1 Controls 2(iv) which require materials and colours to have regard to Heritage Items in the vicinity.

d) The proposed loss of the front Liquidambar and rear significant trees, changes to the front path and northern pathway and proposed hedges along the rear and side boundaries associated with the heritage item will alter the existing garden setting which is contrary to Clause 19D3.1, Controls 1(i) and (ii) of the KDCP. These controls require trees, and garden elements and structures which contribute to the significance of the heritage item to be retained and conserved.

e) The proposed modern sliding gates are contrary to Part 19F.4, Control 10 of KDCP which prefers swing gates to sliding gates as they are traditional elements of a heritage item.

3. The proposed subdivision will result in unacceptable impact on trees contrary to the relevant objectives and controls under Part 3A.4. of the *Ku-ring-gai Development Control Plan* (DCP) and the standards under AS4970-2025 – *Protection of trees on development sites.*

Particulars:

a) The proposal results in unacceptable impacts on Tree T47 - Corymbia maculata (Spotted Gum) on the western boundary, contrary to Control 1 of Part 3A.4 which states that:

any subdivision or consolidation proposal must demonstrate that the location and design of: i) building footprints; ii) access ways; iii) roadways, including perimeter roads or trails; iv) services; v) inter-allotment drainage easements; and vi) asset protection zones maximises the retention of and minimises impacts on existing significant trees and vegetation on or adjacent to the site,

and the standards under AS4970–2025.

i) While T47 exhibits some health issues, identified by the arborist, it otherwise appears in good health, and condition, is visually significant in the streetscape and therefore priority should be given to minimising impacts on the tree.

ii) The proposed indicative driveway, on-site stormwater detention (OSD) and stormwater pipe will encroach within the notional root zone (NRZ) by 26% and within the structural root zone (SRZ) which is a major encroachment under the standard.

iii) Although the arborist states the tree could tolerate the encroachment if the driveway is raised 150 mm and tree-sensitive methods are used for the stormwater and OSD works, the subdivision provides no detailed design

requirements to ensure these measures will be implemented. Therefore, acceptable impact levels on T47 cannot be guaranteed.

iv) Given the poor construction tolerance of this species, also identified by the arborist in Appendix 4, an alternate design solution should be explored to minimise impacts on T47.

v) In addition, there is insufficient information to determine the impacts on T47 of the proposed driveway crossover from Holford Crescent. No engineering plans detailing the driveway crossover has been provided, including longitudinal sections along both the northern and southern sides of the crossing indicating existing and proposed levels.

b) The proposal results in unacceptable impacts on Tree T49 – Quercus Palustris (Pin Oak), located on the neighbouring property, contrary to Control 1 of Part 3A.4 and the standards under AS4970-2025.

i) T49 has high retention value, and due to its location within the adjoining property, an alternate design solution should be explored to minimise impacts on T49.

ii) The proposed indicative driveway, OSD and stormwater pipe will encroach within the NRZ by 35% and within the SRZ which is a major encroachment under the standard.

iii) Although the arborist states the tree could tolerate the encroachment if the driveway is raised 150 mm and tree-sensitive methods are used for the stormwater and OSD works, the subdivision provides no detailed design requirements to ensure these measures will be implemented. Therefore, acceptable impact levels on T49 cannot be guaranteed.

c) Removal of T35, T36, T37, T39, T40 and T41 is not supported. These trees are in good condition and given that the subdivision does not include dwelling approval, their removal is unwarranted.

4. Insufficient information has been provided to justify the removal of Tree T10, a tree of visual and heritage significance, contrary to the relevant objectives and controls of Part 13 and Part 19D.3 of the *Ku-ring-gai Development Control Plan* (DCP).

Particulars:

a) The proposed removal of Tree T10 does not satisfy Objectives of Part 13, which seeks to recognise, protect and enhance the aesthetic and heritage values of trees; to secure and maintain local character and amenity and to sustain and enhance the tree canopy. It also fails to comply with Control 1 of Part 19D.3, which requires the retention of trees that contribute to the significance of the Heritage Item.

b) T10, located within the front garden of the Heritage Item, has significance to the Item in its setting, and is visible on the 1943 aerial imagery. The existing dwelling was constructed in 1917 and given the trunk diameter of over one metre, height of 18 metres and a canopy spread of 22 metres, it is likely that the tree is approximately 100 years old.

c) A Structural Condition Report was submitted with the application, providing comments on the possible impact and damage caused to the building by T10.

Recommendations at Clause 3 extracted from the structural report:

"As a result of our visual inspection of the above-mentioned property, we note the following.

- *Distinct and significant wall cracking was noted throughout the building.*
- *Water damage was noted to the walls and ceiling throughout the building.*
- *Heaving to the front patio was evident during our inspection.*
- *The existing building is dilapidated and required significant repairs.*
- *Wall cracking up to 25mm was noted.*
- *Wall crack widths noted on site ranged between hairline to approximately 25mm in width.*

In our opinion, we believe most of the damage noted in our report is directly related to the tree root system of the adjacent tree extending under the building and causing the building to heave, and in turn, resulting in the cracking of the footings and walls.

Heaving at the footing level may also result in notable movements and possible damage to the roof structure, which may be attributed to the water stains noted throughout the building.

It would be expected that any further growth in the tree root system may result in further heaving and damage to the existing building.

As a result of the above mentioned, it is our opinion, the tree roots should be controlled / managed, or the removal of the tree should be considered prior to any remediation and repair works being undertaken on the property."

d) Based on the information provided, and considering the visual and cultural significance of Tree T10, its removal is not supported. Considering the structural engineer's recommendations noted above, The application fails to investigate and provide strategies to retain the tree through the control and management of tree roots.

5. The landscape proposal fails to satisfy the relevant objectives and controls under Part 4A.4, 13.3, Part 19D.3, Part 21.2 of the DCP.

Particulars:

a) The proposal fails to meet Control 2 of Part 4A.4, which requires 3 trees capable of reaching 13 m on the new lot at 74 Ridge Street. With only one existing compliant tree (T31) and one new tree, Gingko biloba (Maidenhair Tree) proposed, one more tree is required.

b) The removal of Trees T15, T17, T26, T27, T28, T29 & T30 does not satisfy Control 1 of Part 4A.4 which requires landscape proposals to retain existing trees, where possible. Most of the palms are mature specimens contributing to the heritage landscape character of the site and the adjoining Heritage Item at 72 Ridge Steet. As the trees are located outside the scope of the proposed works, their removal is not warranted.

c) The proposal fails to meet Control 2 of Part 4A.4, which requires 3 trees capable of reaching 13 m on the new lot at 74 Ridge Street. With only one existing compliant tree (T31) and one new tree, Gingko biloba (Maidenhair Tree) proposed, one additional tree is required.

d) The proposed removal of the curved stone flagging path in the front setback does not satisfy Control 1 of Part19D.3, which requires the retention of garden elements which contribute to the significance of the Heritage Item.

e) The excessive use of monocultural plantings indicated on the landscape plan does not satisfy Control 3 of Part 19D.3, which requires the use of a variety of plant species.

f) T12 is recommended for removal due to significant impacts from the proposed excavation associated with the OSD.

g) Planting on the nature strip is to be deleted from the plans.

6. Inadequate Clause 4.6 variation request – Minimum subdivision lot size and width standard

The proposed development fails to meet the minimum allotment size and minimum allotment width requirements under Clause 4.1 of the Ku-ring-gai Local Environmental Plan 2015 (KLEP). The submitted Clause 4.6 variation request is not well founded.

Particulars:

a) Clause 4.1 of the KLEP constitutes a development standard. Clause (3) of the KLEP states that the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land. Clause 4.1(3A) of the KLEP requires that development consent must not be granted for the subdivision of land unless the subdivision would result in each lot, other than a battle-axe lot, having a width of at least 18 metres along a line that is 12 metres from the street frontage of the lot.

b) Clause 4.1(3) and the Clause 4.1(3A) in KLEP state that the minimum lot size for this site is 930m^2 and the minimum lot width is 18 metres.

c) The proposed lot area for 74 Ridge Street is 624.2m^2 having a variation of 305.8m^2 or 32.88%; and the proposed lot area for 51 Holford Crescent is 476.7m^2 having a variation of 453.3m2 or 48.74%.

d) The site width for the proposed lots (74 Ridge Street is 15.2 metres and 51 Holford Crescent is 14.455 metres) do not meet Clause 4.1(3A)(a) such that, a variation of 2.8m or 15% and 3.545m or 19.69% are created.

e) The Clause 4.6 variation request submitted by the applicant refers to both Clause 4.1 – Minimum Subdivision Lot Size and Clause 4.1(3A) – Site width; however, it doesn't provide an assessment against the minimum allotment width requirement. A separate variation request for the minimum allotment width is required and in its absence a consent authority does not have the power to approve the application because it is a prerequisite requirement.

f) The non-compliance to the minimum subdivision lot size is considered to have an adverse impact on the significance of the heritage item on 74 Ridge Street and is

therefore inconsistent with Clause 5.10 (1) (a) and (b) of the KLEP and Part 19A.2, Control 1(i) of the KDCP, which requires that any subdivision must not adversely affect the cultural significance of a heritage item. The proposed subdivision, along with the associated tree removal and landscape works, would diminish the curtilage and setting of the heritage item. As such, the proposal does not protect cultural features of the heritage item on site and contrary to Clause 4.1(1) Objective (b) of the KLEP.

g) The applicant fails to demonstrate that the proposed new lot, 51 Holford Crescent, has adequate area to accommodate a new dwelling and driveway that is consistent with the relevant development controls, being Part 3A.4 Subdivision, Part 13 Tree and Vegetation Preservation; and Part 19 Heritage Item and Heritage Conservation Area of the KDCP. The proposed development is contrary to Clause 4.1(1) Objective (b) of KLEP, which seeks to ensure that lot sizes and dimensions allow development to be sited to protect natural features and provide for generous landscaping to support the amenity of adjoining properties and the desired character of the area.

h) The proposed single garage on 74 Ridge Street has nil side setback to the south-western side boundary which fails to comply with side setback control under Part 4A.2 of the DCP. Furthermore, it is contrary to Part 19D.4, Control 9 of KDCP where new car parking is to be consistent with the historic placement of parking structures on the site. The proposal fails to demonstrate that the lot resulting from a subdivision of land can accommodate development consistent with relevant development controls and fails to satisfy Clause 4.1 Objective (a) of the KLEP.

i) The proposal is inconsistent with Objectives (a) and (b) of Clause 4.1(1) Minimum subdivision lot size development standard under KLEP 2015; and the third objective of zone R2 Low Density Residential. As a result, it is not agreed that the reasons advanced by the applicant is a sufficient environmental planning ground to support the variation to the minimum subdivision lot size and width.

j) The Clause 4.6 request fails to demonstrate that the contravention of the minimum subdivision lot size and width development standard will result in a better outcome for the site.

k) The consent authority is not satisfied that the requirements of Clause 4.6(3)(a) and (b) have been met as the applicant's variation request fails to demonstrate that compliance with the development standard is unreasonable or unnecessary nor that there are sufficient environmental planning grounds to justify contravening the development standard.

7. Visual impact from the nil side setback of garage

Particulars:

a) The proposed garage provides nil side setback to the south-western side boundary. The side setbacks do not accommodate a pathway and landscaping width along the south-eastern elevation of the garage, which is inconsistent with Controls 11, 12 and 13 of Part 4A.2 Building setbacks.

To the south-west of the site is 72 Ridge Street, which is also listed as a heritage item. Building setback and screen planting are therefore particularly important for the proposed development. The proposal does not allow for the provision of the built form spacing and landscaping needed to maintain the amenity of adjoining property.

b) The proposal fails to demonstrate that the non-compliance with the minimum subdivision lot size and width would still allow for adequate on-site car parking and soft landscaping. The proposal fails to satisfy with Control 5 and its objectives under Part 3A.3 Building footprint of DCP.

8. Proposed works outside of property's boundary

The sandstone paving and landscape works are proposed outside of the south-eastern front boundary of the subject site.

Particular:

a) The landscape plan (drawing no. LA01 Amendments D, dated 25.06.25 and prepared by Fiona Cole Design) shows proposed works encroaching beyond the property boundary. In the absence of owner's consent for the proposed works the application cannot be lawfully approved.

9. Public interest

The proposed development is not in the public interest.

Particulars:

a) The public interest is demonstrated by compliance with the controls and objectives of the environmental planning instruments and policies relevant to the assessment of the application.

b) The proposal does not comply with relevant provisions of KLEP and numerous controls of KDCP and fails to demonstrate achievement of the objectives of these controls. Therefore, approval of the non-compliances, would set a poor precedent for any future applications in the street which is not in the public interest.

c) Approval of the development application is not in the public interest as an assessment of the application, having regard to the matters listed in Section 4.15 of the Environmental *Planning and Assessment Act 1979*, has been undertaken and the proposal has been found to be unsatisfactory in this regard.

LOCATION SKETCH

74 Ridge Street GORDON NSW 2072

DEVELOPMENT APPLICATION No. eDA0479/25



Legend

- SUBJECT LAND
- CIRCULATED AREA
- HERITAGE ITEM
- CONSERVATION AREA

Scale 1 : 3000

14/11/2025

Ku-ring-gai Council accepts no responsibility for any misprints, errors, omissions or inaccuracies in these maps or damages resulting from use of this information.

NORTH

60 0 30 60

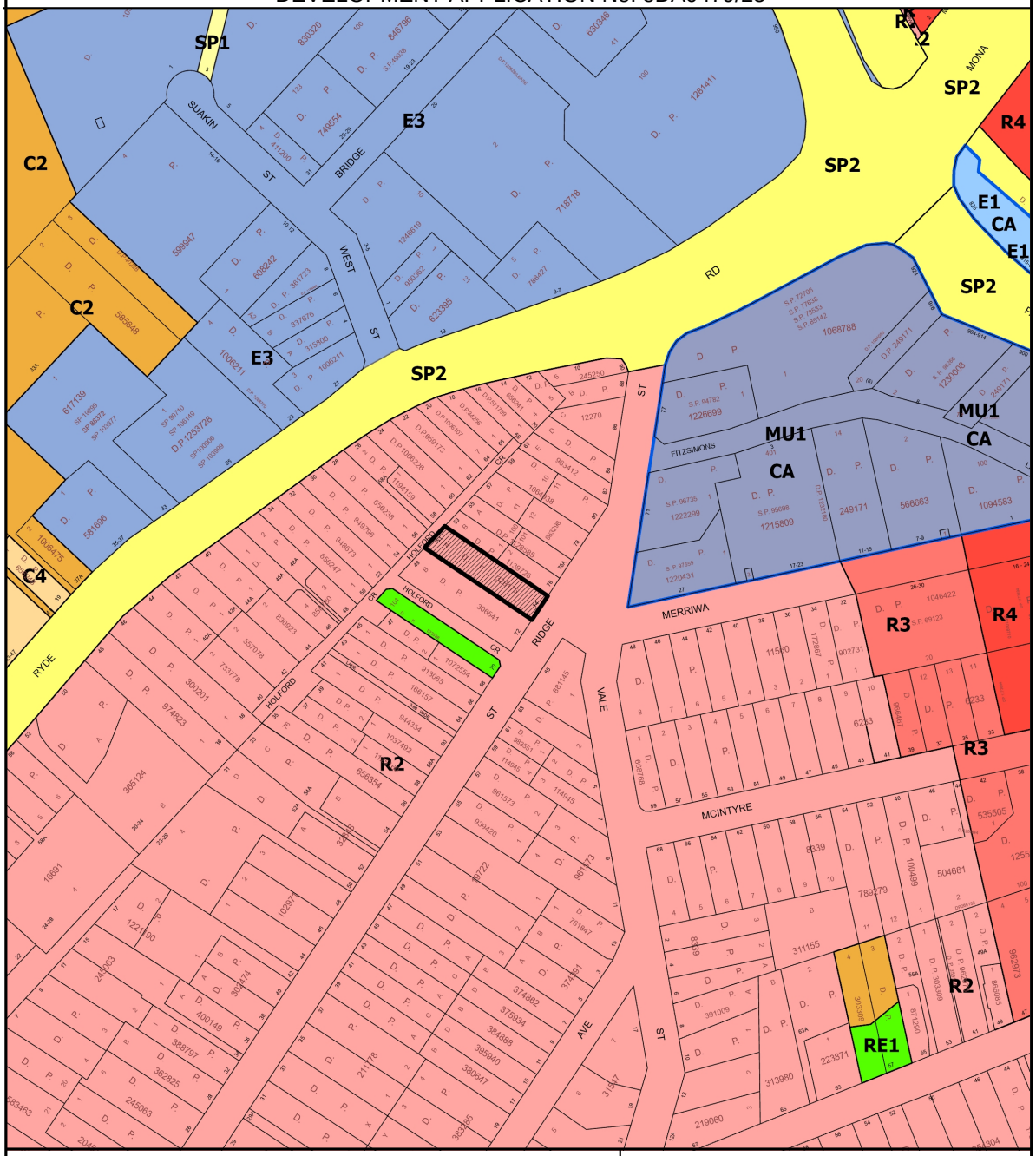
Meters

Ku·ring·gai Council

KU-RING-GAI LEP 2015 ZONING EXTRACT

74 Ridge Street GORDON NSW 2072

DEVELOPMENT APPLICATION No. eDA0479/25



Legend

Subject Land

Zoning

E1	Local Centre	C4	Environmental Living	RE1	Public Recreation
E3	Productivity Support	R1	General Residential	RE2	Private Recreation
MU	Mixed Use	R2	Low Density Residential	SP1	Special Activities
C1	National Parks & Reserves	R3	Medium Density Residential	SP2	Infrastructure
C2	Environmental Conservation	R4	High Density Residential	W1	Natural Waterways
C3	Environmental Management	R5	Large Lot Residential		

Scale 1 : 3000

Date: 14/11/2025

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NORTH

0 60 120

Meters

Ku·ring·gai Council



SITE FEATURES

A: EXISTING SINGLE STOREY DWELLING
B: EXISTING REAR PRIVATE OPEN SPACE (755m2)
C: EXISTING CHAIN MESH FENCE
D: GRASSED NATURE STRIP

NEIGHBOURHOOD FEATURES

01: RYDE RD (100m)
02: GORDON STATION (900m)
03: MACQUARIE PARK COMMERCIAL CENTRE (250m)
04: PYMBLE STATION (1km)
05: GORDON COMMERCIAL VILLAGE (720m)
06: BLACKBUTT CREEK RESERVE (285m)
07: RICHMOND PARK (1062m)
08: ADJOINING TWO STOREY DWELLING
09: ADJOINING TWO STOREY DWELLING
10: ADJOINING PRIVATE OPEN SPACE
11: ADJOINING TWO STOREY DWELLING
12: ADJOINING CROSS OVER/ VEHICLE ENTRY INTO No.72 RIDGE ST
13: PACIFIC HIGHWAY (315m)

1 SITE ANALYSIS
1 : 200

N

A1

Issue	Date	Description
A	2025.06.12	PRELIMINARY
B	2025.07.25	DA Submission

Key Plan

Project Manager

Construction Manager

Client

Greenbox
+61 2 8069 8930
LEVEL 22
68 PITT STREET
SYDNEY NSW 2000 AUSTRALIA

GREENBOX ARCHITECTURE PTY LTD
ABN: 79 139 779 098
ISO 9001 CERTIFIED QUALITY SYSTEM

Notes
- Use written dimensions only
- Do not scale from drawing
- Contractors shall confirm all dimensions on-site prior to commencing any work or producing any shop drawings
- All materials to be used in accordance with the manufacturer's specifications and instructions and shall comply with the relevant Australian Standards
- Copyright of this drawing and design remain the property of Greenbox Architecture Pty Ltd
- Nominated Architect - Gerard Page; NSW reg No.7247, Vic reg No.17664, QLD reg No.4538

Client: ANDREW OWENS

Project: BRIGHTON HOUSE
74 RIDGE STREET GORDON NSW 2072

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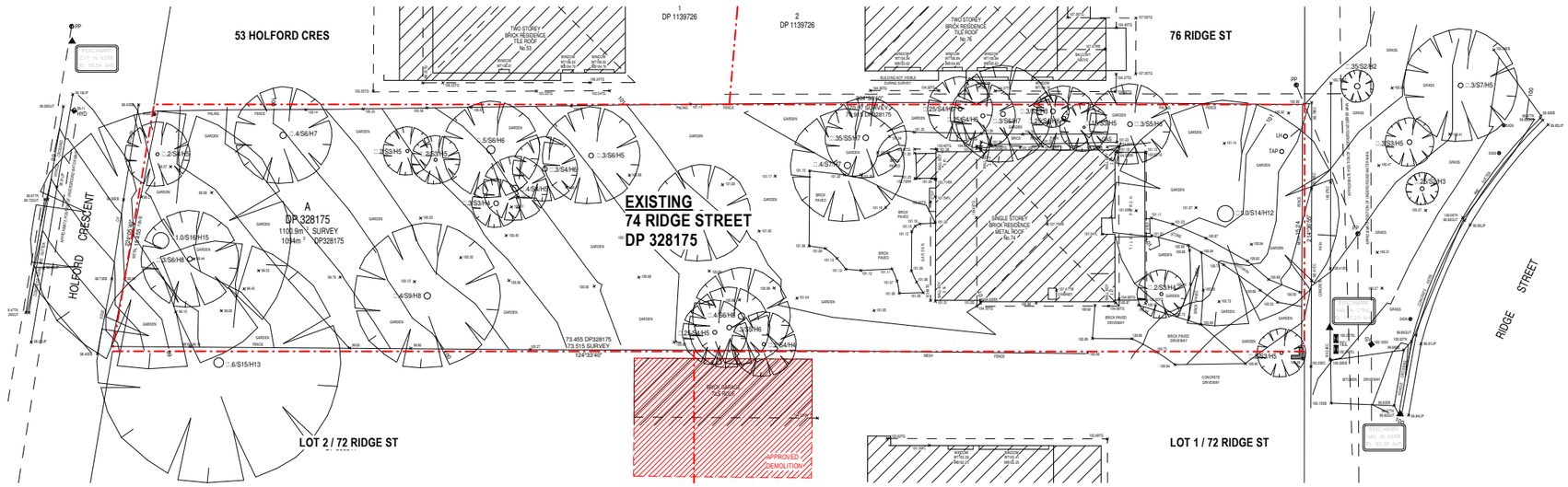
Drawn By: ML
Checked By: AO
Approved By: AO
Project Status
Drawing Title: **SITE ANALYSIS**
Job Number: 230097
Drawing Number: DA011
Issue: B



1 EXISTING SITE PLAN
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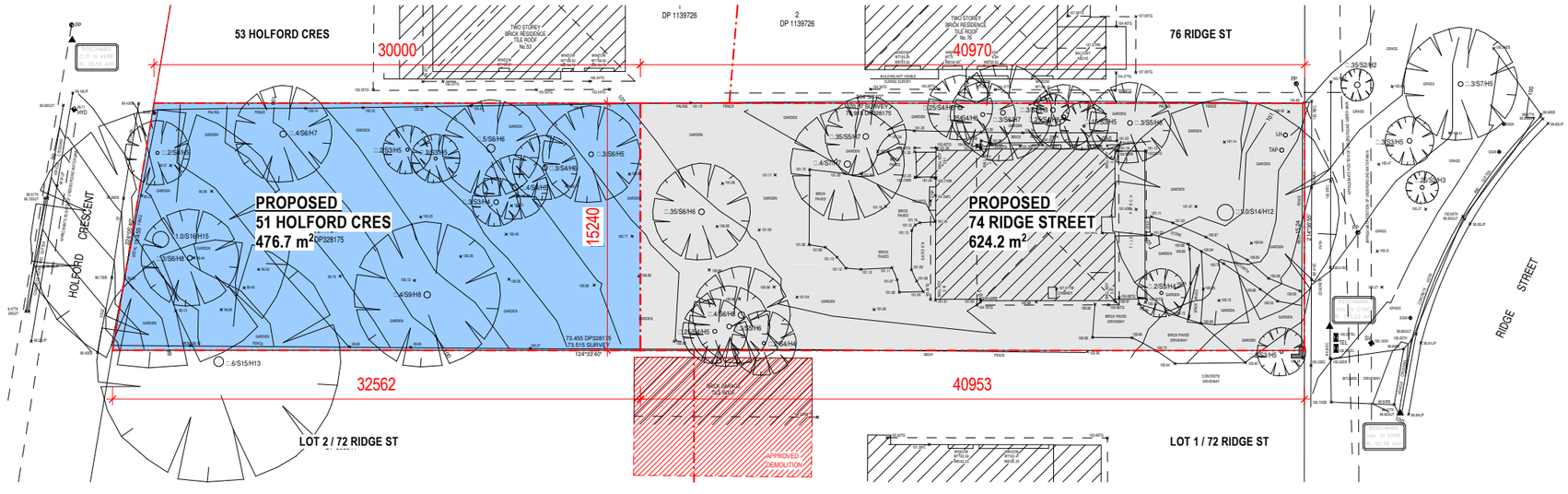

2 PROPOSED SUBDIVISION PLAN
1 : 150

Issue	Date	Description
A	2025.06.12	PRELIMINARY
B	2025.07.25	DA Submission

Key Plan

Project Manager

Construction Manager

Client

Greenbox

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LEVEL 22
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Client
ANDREW OWENS

Project
BRIGHTON HOUSE
74 RIDGE STREET GORDON NSW 2072

Scale	1 : 150
Sheet	
Drawn By	JZ
Checked By	ML
Approved By	DW
Job Number	230097
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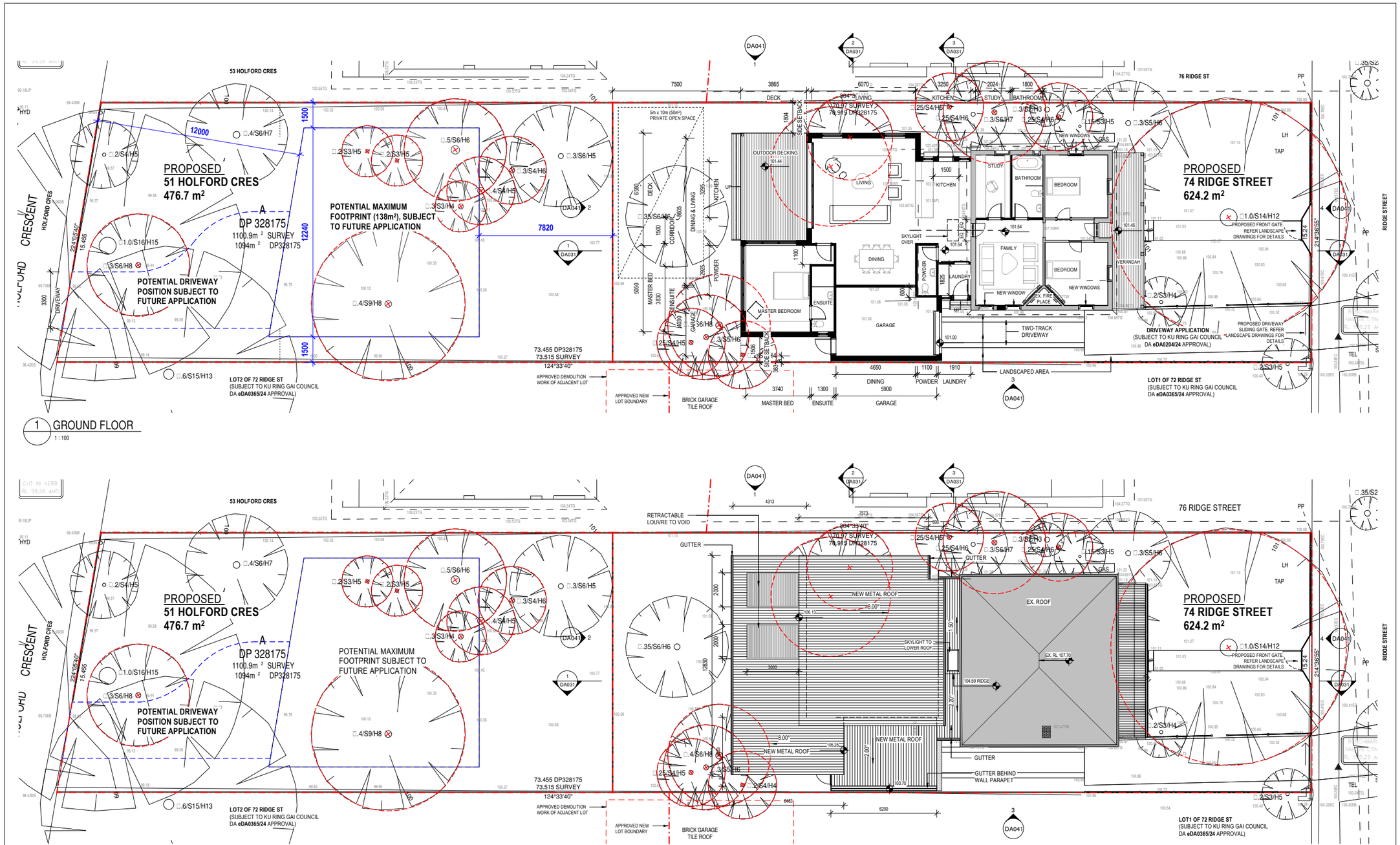
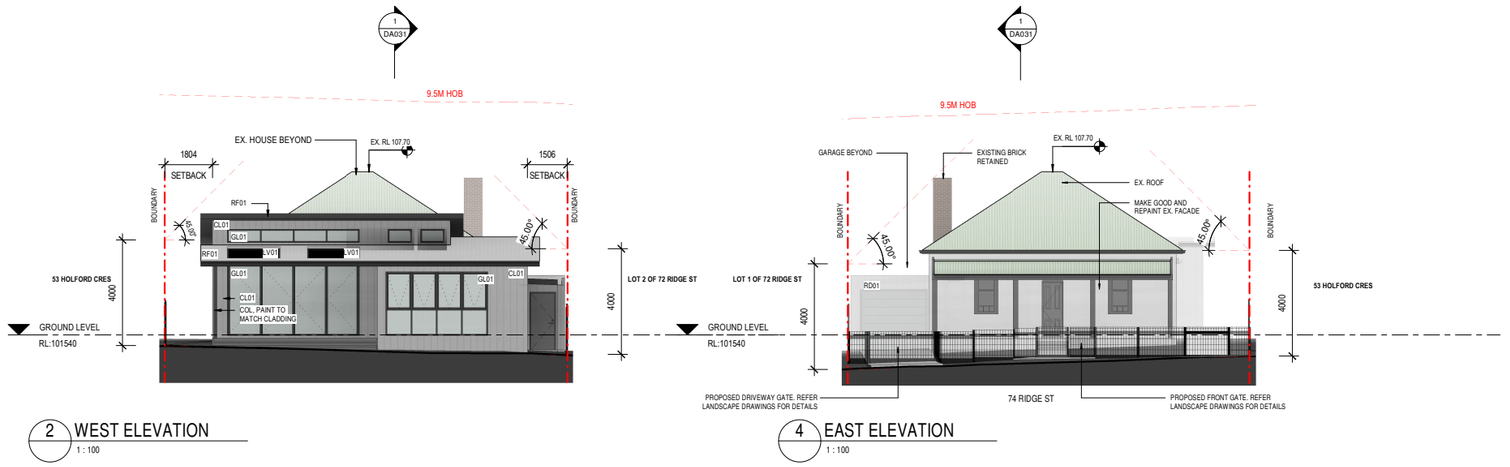
Project Status	
Drawing Title	EXISTING SITE & PROPOSED SUBDIVISION
Drawing Number	DA003
Issue	B

A1



N	Issue / Date / Description A 2025.06.12 PRELIMINARY B 2025.06.27 FOOTPRINT UPDATE C 2025.07.25 DA Submission	Key Plan	Project Manager Construction Manager	Client	Greenbox +61 2 8069 8930 LEVEL 22 68 PITT STREET SYDNEY NSW 2000 AUSTRALIA GREENBOX ARCHITECTURE PTY LTD ABN: 79 139 779 098 ISO 9001 CERTIFIED QUALITY SYSTEM	Notes • Use written dimensions only • Do not scale from drawing • Contractors shall confirm all dimensions on-site prior to commencing any work or producing any shop drawings • All materials to be used in accordance with the manufacturer's specifications and instructions and shall comply with the relevant Australian Standards • Copyright of this drawing and design remain the property of Greenbox Architecture Pty Ltd • Nominated Architect - Gerard Page; NSW reg No.7247, Vic reg No.17664, QLD reg No.4538	Client: ANDREW OWENS Project: BRIGHTON HOUSE 74 RIDGE STREET GORDON NSW 2072	Scale: 1 : 100 · Sheet · Scale Bar 1:100 0 1 2 3 5m Drawn By: ML Checked By: AO Approved By: AO Job Number: 230097	Project Status Drawing Title: **PROPOSED FLOOR PLANS** Drawing Number: DA025 · Issue: C

A1



2 WEST ELEVATION
1 : 100

4 EAST ELEVATION
1 : 100

EXTERNAL FINISHES SCHEDULE



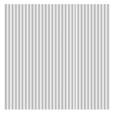
GL01
FRAMED GLAZED WINDOW/ DOOR



CL01
ZINC CLADDING - SMOKEY GREY



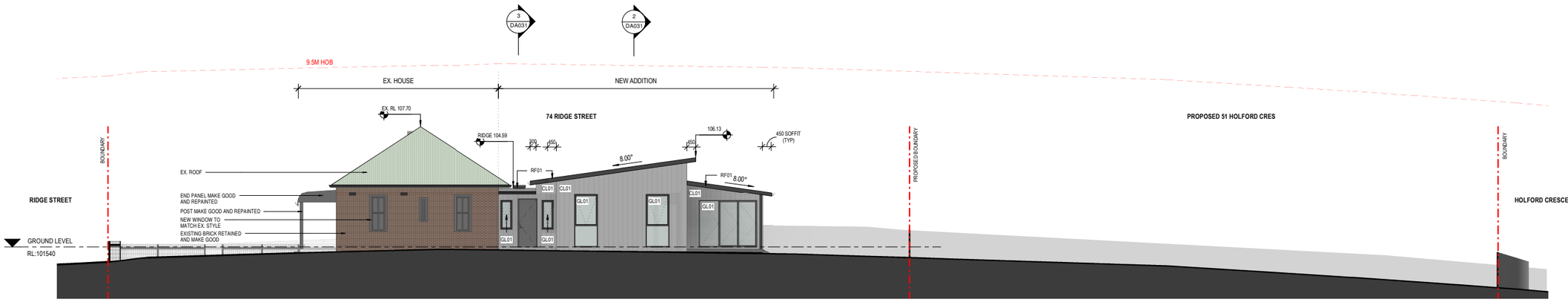
LV01
OPERABLE METAL LOUVRE



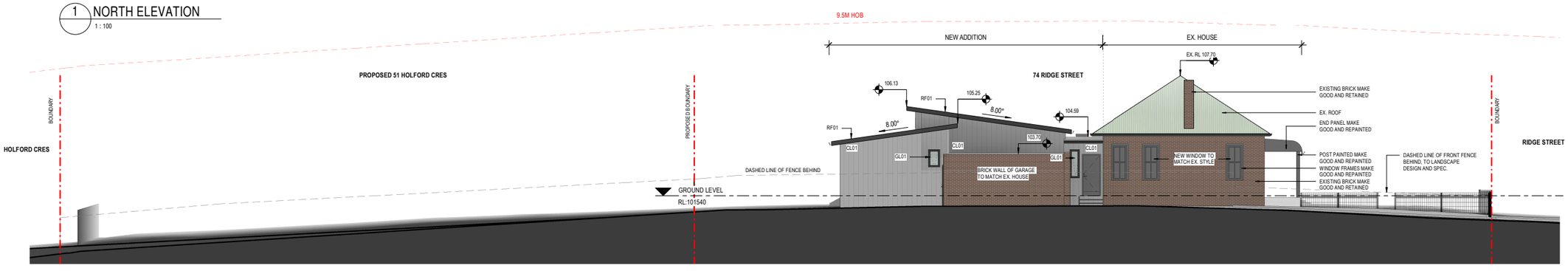
RF01
METAL ROOF - MINI ORB IN SHALE GREY



RD01
DANPALON ROLLER DOOR - TRANSLUCENT



1 NORTH ELEVATION
1 : 100



3 SOUTH ELEVATION
1 : 100

Issue	Date	Description
A	2025.06.12	PRELIMINARY
B	2025.07.25	DA Submission

A1

Key Plan

Project Manager

Construction Manager

Client

Greenbox

+61 2 8069 8930
LEVEL 22
68 PITT STREET
SYDNEY NSW 2000 AUSTRALIA

GREENBOX ARCHITECTURE PTY LTD
ABN: 79 139 779 098
ISO 9001 CERTIFIED QUALITY SYSTEM

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Client: ANDREW OWENS

Project: BRIGHTON HOUSE
74 RIDGE STREET GORDON NSW 2072

Scale: 1 : 100
Sheet:
Scale Bar: 1:100 0 1 2 3 5m
Drawn By: ML
Checked By: AO
Approved By: AO
Project Status:
Drawing Title: **PROPOSED ELEVATIONS**
Job Number: 230097
Drawing Number: DA041
Issue: B



72 RIDGE STREET

SUBJECT SITE
74 RIDGE STREET

76 RIDGE STREET

Issue	Date	Description
A	2025.06.12	PRELIMINARY
B	2025.07.25	DA Submission

A1

Key Plan

Project Manager

Construction Manager

Client

Greenbox

+61 2 8069 8930
LEVEL 22
68 PITT STREET
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Client
ANDREW OWENS

Project
BRIGHTON HOUSE
74 RIDGE STREET GORDON NSW 2072

Scale
Sheet A1

Drawn By
ML

Checked By
AO

Approved By
AO

Job Number
230097

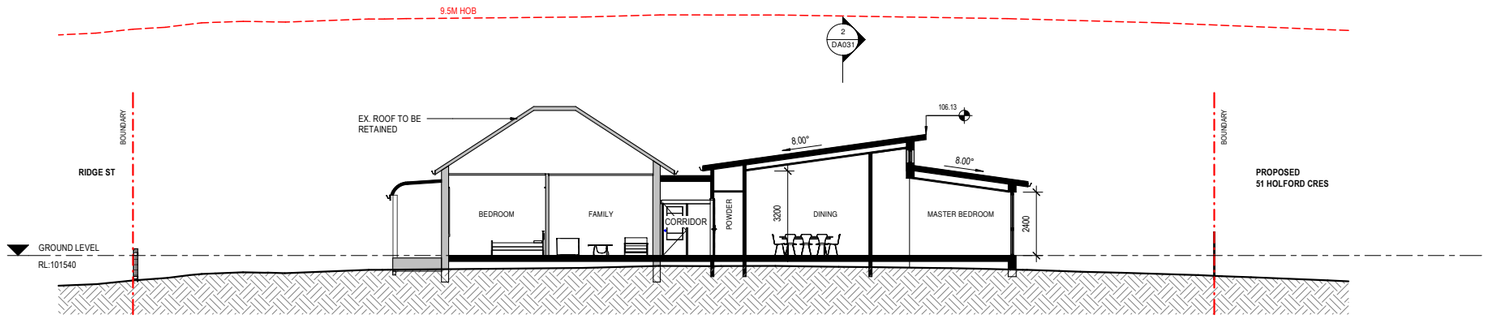
Scale Bar

Project Status

Drawing Title
STREETSCAPE ELEVATION

Drawing Number
DA043

Issue
B



1 LONG SECTION 1
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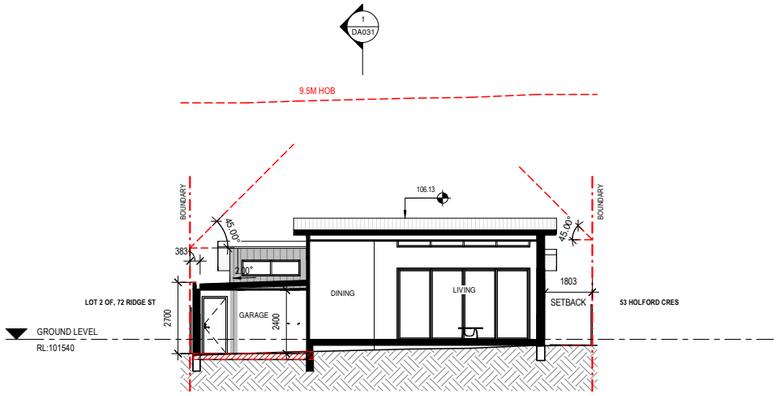

2 PROPOSED SECTION B
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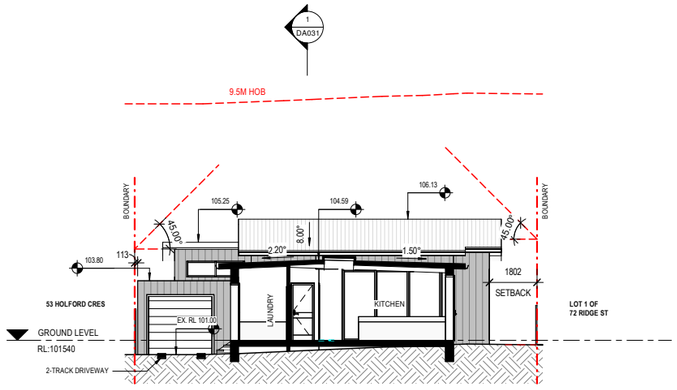
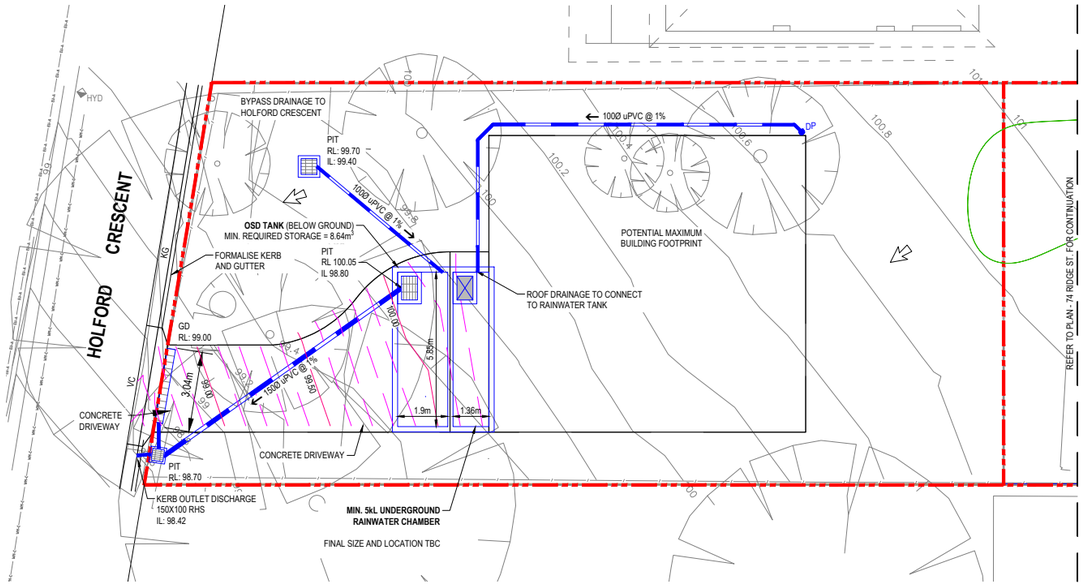
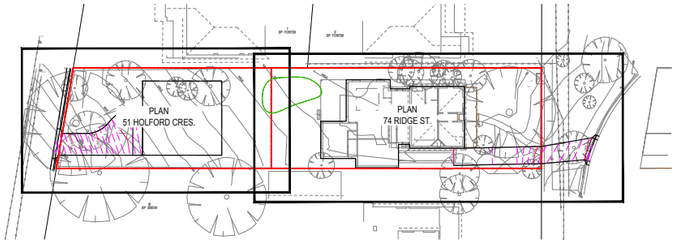


3 PROPOSED SECTION D
1 : 100

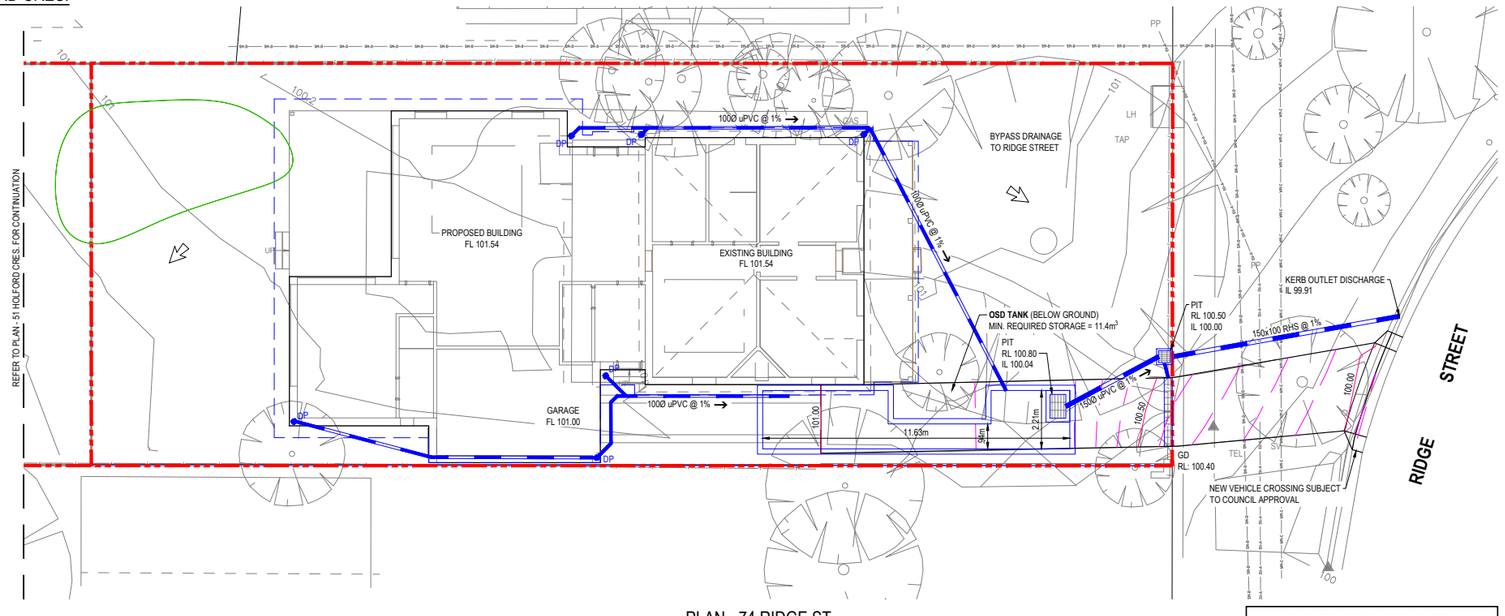
A1	Issue / Date / Description A 2025.06.12 PRELIMINARY B 2025.07.25 DA Submission	Key Plan	Project Manager Construction Manager	Client	Greenbox +61 2 8069 8930 LEVEL 22 68 PITT STREET SYDNEY NSW 2000 AUSTRALIA GREENBOX ARCHITECTURE PTY LTD ABN: 79 139 779 098 ISO 9001 CERTIFIED QUALITY SYSTEM	Notes • Use written dimensions only • Do not scale from drawing • Contractors shall confirm all dimensions on-site prior to commencing any work or producing any shop drawings • All materials to be used in accordance with the manufacturer's specifications and instructions and shall comply with the relevant Australian Standards • Copyright of this drawing and design remain the property of Greenbox Architecture Pty Ltd • Nominated Architect - Gerard Page; NSW reg No.7247, Vic reg No.17664, QLD reg No.4538	Client ANDREW OWENS Project BRIGHTON HOUSE 74 RIDGE STREET GORDON NSW 2072	Scale 1 : 100 / Sheet / Scale Bar 1:100 0 1 2 3 5m Drawn By ML Checked By AO Approved By AO Job Number 230097	Project Status Drawing Title **PROPOSED SECTIONS** Drawing Number DA031 / Issue B



PLAN - 51 HOLFORD CRES.
SCALE 1:100



KEY PLAN
SCALE 1:400



PLAN - 74 RIDGE ST.
SCALE 1:100

LEGEND

- PROPOSED STORMWATER PIT — REFER TO C451 FOR DETAILS
- PROPOSED STORMWATER PIPE — REFER TO C451 FOR DETAILS
- GD — GRATED DRAIN — REFER TO C451 FOR DETAILS
- BOUNDARY LINE
- BUILDING LINE
- ROOF AND BALCONY LINE
- KG — KERB AND GUTTER

WARNING

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REVISIONS:

No.	REVISION DESCRIPTION	DRAWN	DATE
C	PRELIMINARY	AB	18.07.25
B	PRELIMINARY	AB	18.07.24
A	PRELIMINARY	AB	08.04.24

SCALE BAR
0 1 2 3 4 5m 10m
SCALE 1:100

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CLIENT
OWENS INC.

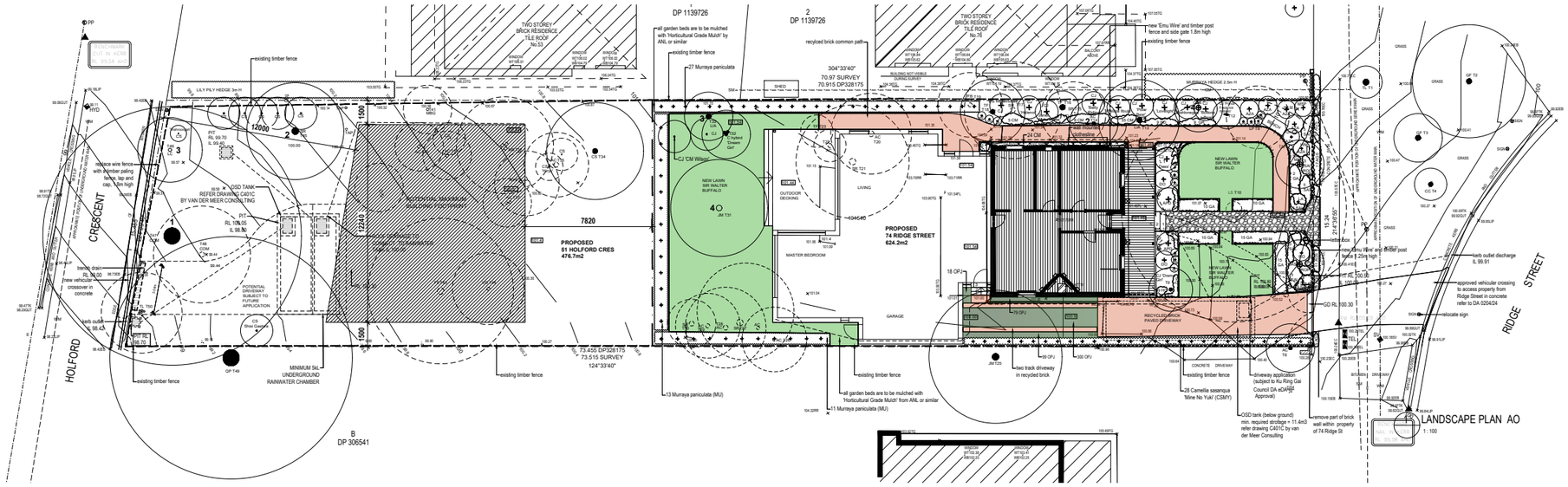
ARCHITECT
GREENBOX ARCHITECTURE
LEVEL 22, 68 PITT STREET, SYDNEY NSW 2000

PROJECT TITLE
BRIGHTON
74 RIDGE STREET
GORDON NSW 2072

DRAWING TITLE
DRAINAGE LAYOUT

DRAWING STATUS
FOR INFORMATION
NOT TO BE USED FOR CONSTRUCTION

PROJECT LEADER	DESIGNER	SIGNATURE	
AW	AB		
DRAFTSPERSON	SCALE	DATE	SHEET SIZE
AB	AS SHOWN	08.04.24	A1
JOB No.		DRAWING No.	REVISION
SY242-008		C401	C



LEGEND

- EXISTING TREE OR SHRUB TO BE REMOVED
- EXISTING TREE TO BE RETAINED
- PROPOSED NEW TREE REFER PROPOSED PLANTING SCHEDULE
- EXISTING SHRUB
- PROPOSED SMALL TREE / LARGE SHRUB
- EXISTING HEDGE
- PROPOSED HEDGE
- PROPOSED SHRUBS OR GROUNDCOVERS
- STEEL GARDEN BED EDGING
- SANDSTONE FLAGGING CRAZY PAVING
- RECYCLED BRICK COMMON PAVING
- SIR WALTER BUFFALO LAWN
- PROPOSED GROUNDCOVER
- TIMBER PALING FENCE
- BOUNDARY
- PROPOSED STORMWATER PIPE
- 101.54 PROPOSED LEVEL
- 100.60 EXISTING LEVEL
- SANDSTONE STEPPING STONE
- 1 TREES NUMBERED 1 - 4 WILL REACH A MINIMUM HEIGHT OF 13M AT MATURITY

PROPOSED TREE AND PLANT SCHEDULE

symbol	qty	size	mat. height (m)	botanical name	common name
TREES					
GBS	1	45 Litre	12	Ginko biloba Princeton Sentry	Maidenhair Tree
MAS	2	45 Litre	6	Malus 'Sutyzam' Sugar Tyme	Sugar Tyme Crab Apple
SHRUBS					
AGS	95	140	0.3	Agapanthus 'Snowstorm'	Minature Agapanthus
APD	2	300	1	Acer palmatum 'Dissectum'	Weeping Japanese Maple
AZA	6	300	1	Azalea indica 'Alba Magnifica'	Large Single White Azalea
CJ	ex	na	3-4	Camellia japonica	Japanese Camellia
CJ 'Betty Ridley'	1	300	3	Camellia japonica 'Betty Ridley'	
CJ 'Dahlonga'	1	300	3	Camellia japonica 'Dahlonga'	
CJ 'Buttons n Bows'	1	300	3	Camellia japonica 'Buttons n Bows'	
CJ 'E.G.Waterhouse'	1	300	3	Camellia japonica 'E.G. Waterhouse'	
CJ 'Helenor'	1	300	3	Camellia japonica 'Helenor'	
CJ 'Janet Waterhouse'	1	300	3	Camellia japonica 'Janet Waterhouse'	
CJ 'Phillipa Rould'	1	300	3	Camellia japonica 'Phillipa Rould'	
CJ 'Polar Bear'	1	300	3	Camellia japonica 'Polar Bear'	
CJ 'Lovelight'	1	300	3	Camellia japonica 'Lovelight'	
CJ 'LT Dees'	1	300	3	Camellia japonica 'LT Dees'	
CM	42	200	0.6	Clivia miniata var. citrina	Yellow Clivia
CS	ex	na	3-4	Camellia sasanqua	Sasanqua
CSMY	28	300	2	Camellia sasanqua 'Mine No Yuki'	Mine No Yuki
DO	2	200	1	Daphne odora var. Rubra	Sweet Daphne
GA	60	200	1	Gardenia augusta 'Florida'	Gardenia
LA	2	200	1	Lavandula angustifolia	English Lavender
LN	1	200	3	Laurus nobilis	Bay Tree
MSP	1	300	2	Michelia yunnanensis 'Scented Pearl'	Scented Pearl Magnolia
MJ	51	300	3	Murraya paniculata	Orange Jessamine
RO	1	200	1	Rosmarinus officianlis	Rosemary
SAI	20	200	1	Salvia 'Indigo Spires'	Indigo Sage
SAL	20	200	0.5	Salvia leucantha 'Red Harry'	Red Harry Sage
symbol	qty	size	mat. height	botanical name	common name
GROUNDCOVERS					
AK	7	200	0.6	Azalea kurume 'Kirin'	Pink Kurume Azalea
AW	6	200	0.6	Azalea kurume 'White Dragon'	White Dragon Kurume
GR	24	200	0.3	Gardenia augusta 'Radicans'	Dwarf Gardenia
HO	27	200	0.4	Helleborus orientalis 'Niger'	Pink and White Winter Rose
OPJ	478	tube	0	Ophiopogon japonicum	Mondo Grass
VO	20	140	50	Viola odorata	Sweet Violet
ROSES					
ROC	1	300	1.5-3.5	Rosa 'Crepuscule'/climbing rose	'Crepuscule' Heritage
ROP	1	300	1.5-3.5	Rosa 'Pierre de Ronsard' pillar rose	'Pierre de Ronsard'

EXISTING TREE SCHEDULE

tree identification number	Species	height (m)	spread (m)	trunk diameter (mm)	recommendation
T1	Tristania laurina (Water Gum)	2	2	350	retain
T2	Glochidon ferdinandi (Cheese Tree)	5	7	300	retain
T3	Glochidon ferdinandi (Cheese Tree)	5	3	300	retain
T4	Callistemon viminalis (Weeping Bottlebrush)	3	2	250	retain
T6	Archontophoenix cunninghamiana (Bangalow Palm)	5	3	200	retain
T9	Camellia japonica (Camellia)	4	3	200	retain
T10	Liquidambar styraciflua (Liquidambar)	12	14	1000	remove
T11	Leptospermum petersonii (Lemon-scented Tea-tree)	3	5	3 x 100	remove
T12	Camellia japonica (Camellia)	3.5	2	100	retain
T13	Livistona australis (Cabbage Tree Palm)	6	5	300	retain
T14	Archontophoenix cunninghamiana (Bangalow Palm)	5	3	150	retain
T15	Syagrus romanzoffianum (Cocos Palm)	6	4	250	remove
T16	Trachycarpus fortunei (Chinese Windmill Palm)	3	2	300	retain
T17	Syagrus romanzoffianum (Cocos Palm)	7	6	300	remove
T18	Trachycarpus fortunei (Chinese Windmill Palm)	6	4	250	retain
T19	Ficus bejamania 'Variegata' (Variegated Weeping Fig)	6	4	250	remove
T20	Archontophoenix cunninghamiana (Bangalow Palm)	7	5	350	remove
T21	Syagrus romanzoffianum (Cocos Palm)	7	7	400	remove
T22	Archontophoenix cunninghamiana (Bangalow Palm)	6	2	250	remove
T23	Trachycarpus fortunei (Chinese Windmill Palm)	5	2	200	retain
T25	Jacaranda mimosifolia (Jacaranda)	6	6	350	retain

Reference: Arboricultural Report by Earthscape Horticultural Services

EXISTING TREE SCHEDULE continued

tree identification number	Species	height (m)	spread (m)	trunk diameter (mm)	recommendation
T26	Archontophoenix cunninghamiana (Bangalow Palm)	4	4	200	remove
T27	Syagrus romanzoffianum (Cocos Palm)	8	6	400	remove
T28	Archontophoenix cunninghamiana (Bangalow Palm)	6	5	300	remove
T29	Archontophoenix cunninghamiana (Bangalow Palm)	5	4	250	remove
T30	Syagrus romanzoffianum (Cocos Palm)	5	4	250	remove
T31	Jacaranda mimosifolia (Jacaranda)	6	6	350	retain
T32	Group of 5 Camellia japonica (Camellia)	3	2	400	retain 3
T33	Livistona australis (Cabbage Tree Palm)	6	3	300	retain
T34	Camellia sasanqua (Sasanqua)	5	6	300	retain
T35	Archontophoenix cunninghamiana (Bangalow Palm)	6	4	300	remove
T36	Archontophoenix cunninghamiana (Bangalow Palm)	5	4	400	remove
T37	Archontophoenix cunninghamiana (Bangalow Palm)	4	3	300	remove
T38	Melaleuca bracteata (Black Tea-tree)	6	6	500	remove
T39	Archontophoenix cunninghamiana (Bangalow Palm)	5	3	200	remove
T40	Archontophoenix cunninghamiana (Bangalow Palm)	5	3	200	remove
T41	Melaleuca bracteata 'Revolution Gold' (Golden Honey Myrtle)	6	3	200	remove
T43	Fraxinus 'Raywood' (Claret Ash)	8	9	400	remove
T44	Viburnum odoratissimum (Sweet Viburnum)	3.5	1.9	200	remove
T45	Syagrus romanzoffianum (Cocos Palm)	7	5	350	remove
T46	Lophostemon confertus (Brushwood)	5	4	200	retain
T47	Corymbia maculata (Spotted Gum)	15	16	1000	retain
T48	Corymbia maculata (Spotted Gum)	8	6	300	remove
T49	Quercus palustris (Pin Oak)	13	15	600	retain
T50	Tristania laurina (Water Gum)	4	3	5 x 100	remove

Reference: Arboricultural Report by Earthscape Horticultural Services

SCHEDULE OF FINISHES



STYLE OF FRONT FENCE WITH TIMBER POSTS IN DULUX TEAHOUSE WITH EMU WIRE PANELS PAINTED IN DULUX LEXICON HALF, 1.25m HIGH



STYLE OF NORTH-EAST SIDE FENCE AND GATE WITH TIMBER POSTS PAINTED IN DULUX TEAHOUSE AND EMU WIRE PANELS IN DULUX LEXICON HALF, 1.8m HIGH



STYLE OF MOTORISED DRIVEWAY GATE AT RIDGE STREET, METAL FRAME PAINTED IN DULUX TEAHOUSE WITH EMU WIRE INFILL PANELS IN DULUX LEXICON HALF, 1.25m HIGH



STYLE OF FRONT PEDESTRIAN PATH TO HOUSE IN SANDSTONE CRAZY FLAGGING



STYLE OF BRICK COMMON PAVING FOR PEDESTRIAN PATH IN FRONT AND BACK GARDEN AND DRIVEWAY IN FRONT GARDEN TO RIDGE STREET



DULUX LEXICON HALF TO BE THE COLOUR OF THE EMU WIRE PANELS TO MATCH THE FACADE OF THE FRONT OF THE HOUSE



DULUX TEAHOUSE TO BE THE COLOUR OF THE TIMBER POSTS AND RAILS OF THE FRONT FENCE TO MATCH THE VERANDAH POSTS AND GUTTERS



STYLE OF FRONT GARDEN WITH FORMAL LAYOUT OF FRONT PATH AND GARDEN BEDS FULL OF INFORMAL PLANTING OF PERENNIALS AND ANNUALS TO COMPLEMENT THE TRADITIONAL FEDERATION COTTAGE FRONT



STYLE OF TIMBER PALING FENCE 1.8m AND RAKED LOWER TO 1.2m IN FRONT OF THE BUILDING LINE



STYLE OF TWO TRACK DRIVEWAY WITH MONDO GRASS PLANTED INSIDE THE TRACKS

fionacoledesign
fionacole ABLA REGISTERED LANDSCAPE ARCHITECT
0423 760 755 t. +612 9416 6456
e. fiona@fionacoledesign.com 10 glen road roseville nsw 2069

Client	Owens Residence
Project	No. 74 Ridge Street, Gordon NSW
Title	Landscape Plan
Date	25.06.25
Scale	1:100 at A0
Sheet	1:100 at A0
DWG NO.	LA01
Authorised by	Fiona Cole
Designed by	Fiona Cole
Amendents	D

EARTHSCAPE HORTICULTURAL SERVICES
Arboricultural, Horticultural and Landscape Consultants

ABN 36 082 126 027

ARBORICULTURAL IMPACT ASSESSMENT REPORT

PROPOSED SUBDIVISION

74 RIDGE STREET, GORDON

July 2025

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1 INTRODUCTION

1.1.1 This report was commissioned by Greenbox Architecture to assess the health and condition of fifty (50) trees located within or immediately adjacent to 74 Ridge Street, Gordon. The report has been prepared to aid in the assessment of a Development Application (DA) for the alterations and additions to the existing dwelling, together with associated landscape works and subdivision of the property to create two (2) new allotments.

1.1.2 This report follows a previous Arboricultural Impact Assessment Report (AIAR) prepared by Earthscape dated 27th May 2024 to accompany a DA [eDA0204/24] for the construction of a new driveway and driveway crossover to provide vehicular access to the site from Ridge Street and previous AIAR prepared by Earthscape (Report No. 24-007, version 3, dated 21st October 2024) to accompany a DA for alterations and additions to the existing dwelling and construction of a secondary dwelling within the site.

1.1.3 The purpose of this report is to assess the potential impact of the proposed development on the subject trees, together with recommendations for amendments to the design or construction methodology where necessary to minimise any adverse impact. The report also provides recommended tree protection measures (Tree Protection Plan and Specification) to ensure the long-term preservation of the trees to be retained where appropriate.

1.1.4 This report has been prepared in accordance with Ku-ring-gai Council's guidelines for preparation of Arborists Reports as outlined in Section 5 of Council's *Development Application Guide* dated May 2019 and Section 2.3.5 of the Australian Standard for *Protection of Trees on Development Sites* (AS 4970:2009).

2 THE SITE

2.1.1 The subject property is a residential allotment known as Lot A in DP 328175, being 74 Ridge Street, Gordon. For the purposes of this report, the subject allotment will be referred to as 'the site'. The total area of the site is approximately 1,094 m². The site is zoned Low Density Residential [R2] under the *Ku-ring-gai Local Environmental Plan 2015* (KLEP).

2.1.2 The site contains an existing dilapidated single-storey cottage in the in the south-eastern portion of the lot. The site has a slight westerly gradient with dilapidated lawns and gardens. The site contains a number of mature and semi-mature trees and palm trees. These include a variety of non-local native and exotic (introduced) species.

2.1.3 The soils of this area are typical of the Lucas Heights Soil Landscape Group (as classified in the *Soil Landscapes of the Sydney 1:100,000 Sheet*), consisting of "moderately deep (500-1500 mm) hardsetting *Yellow Podzolic and Yellow Soloth soils and Yellow Earths"* on the outer edges of crests.[1] The site is located within the transition between Wianamatta Shale and Hawkesbury Sandstone. The landscape of the area is typically gently undulating terrain with level to gently inclined slopes of less than 10% grade.

2.1.4 The original vegetation of this area consisted of tall open forest typical of shale/sandstone transitional areas (Turpentine-Ironbark Forest) which was progressively cleared in the mid to late 19th century for timber getting, then for agriculture (mainly orchards and market gardens) in the early 20th century, then later for urban development.[2] The dominant locally-indigenous tree species found in this area include *Angophora costata* (Sydney Red Gum), *Eucalyptus pilularis* (Blackbutt) and *Syncarpia glomulifera* (Turpentine). Other species occurring in this vegetation community may include *Eucalyptus resinifera* (Red Mahogany), *Eucalyptus paniculata* (Grey Ironbark), *Eucalyptus globoidea* (White Stringybark) and *Allocasuarina torulosa* (Forest Oak).

3 SUBJECT TREES

3.1.1 The subject trees were inspected by Earthscape Horticultural Services (EHS) on the 1st February 2024. Each tree has been provided with an identification number for reference purposes denoted on the attached Tree Location Plan (**Appendix 5**), based on the survey prepared by Urban Surveying, Dwg. Ref No. 23176-1 [00] dated 29/11/2023. The numbers used on this plan correlate with the Tree Assessment Schedule (**Appendix 3**). Tree No.s T11, T12, T22, T23, T25, T30, T33, TT41, T44 & T50 were not shown on the original survey and have been plotted on the drawing in their approximate positions by taking offsets from existing features.

4 HEALTH AND CONDITION ASSESSMENT

4.1 Methodology

4.1.1 An assessment of each tree was made using the Visual Tree Assessment (VTA) procedure.[3] All of the trees were assessed in view from the ground. No aerial inspection or diagnostic testing has been undertaken as part of this assessment.

4.1.2 The following information was collected for each tree:-

- **Tree Species** (Botanical & Common Name);
- **Approximate height**;
- **Canopy spread** (measured using laser distance measurer in four directions and an average taken);
- **Trunk diameter** (measured with a diameter tape at 1.4 metres from ground level);
- **Live Crown Size** (measured by subtracting the total height of the tree from the lowest point of the crown and multiplying by the average crown spread to give a value in square metres);
- **Maturity Class -** the Maturity Class for each tree has been divided into the following categories:-
  - **OM** Over-mature – greater than 80% of the life expectancy for the species;
  - **M** Mature – 50-80% of the life expectancy for the species;
  - **SM** Semi-mature – 20-50% of the life expectancy for the species;
  - **I** Immature – less than 20% of the life expectancy for the species.
- **Health & vigour** (using foliage size, colour, extension growth, presence of disease or pest infestation, canopy density, presence of deadwood, dieback and epicormic growth as indicators),
- **Condition** (using visible evidence of structural defects, instability, evidence of previous pruning and physical damage as indicators); and
- **Suitability** of the tree to the site and its existing location (in consideration of damage or potential damage to services or structures, available space for future development and nuisance issues).

4.1.3 This information is presented in a tabulated form in **Appendix 3**.

4.2 Safe Useful Life Expectancy (SULE)

4.2.1 The remaining Safe Useful Life Expectancy[4] of the tree is an estimate of the sustainability of the tree in the landscape, calculated based on an estimate of the average age of the species in an urban area, less its estimated current age. The life expectancy of the tree has been further modified where necessary in consideration of its current health and vigour, condition and suitability to the site. The estimated SULE of each tree is shown in **Appendix 3.**

4.2.2 The following ranges have been allocated to each tree:-

- Greater than 40 years (Long)
- Between 15 and 40 years (Medium)

- Between 5 and 15 years (Short)
- Less than 5 years (Transient)
- Dead or immediately hazardous (defective or unstable)

4.2.1 SULE ratings are intended to provide a general overview of the long-term sustainability of the trees within the site in consideration of these factors. The allocated ranges are not intended to be absolute. This information is useful in guiding future planning by highlighting the probable lifespan of individual trees, for which a clear pattern may emerge. This information may be helpful in forecasting likely tree senescence and planning for replacement planting to ensure continuity in tree canopy across the site. It should be noted that SULEs *may* be extended or reduced depending on the way trees are managed. Intervention and remedial works may extend the SULE of some trees.

5 LANDSCAPE SIGNIFICANCE

5.1 Methodology for Determining Landscape Significance

5.1.1 The significance of a tree in the landscape is a combination of its environmental, heritage and amenity values. Whilst these values may be fairly subjective and difficult to assess consistently, some measure is necessary to assist in determining the retention value of each tree. To ensure a consistent approach, the assessment criteria shown in **Appendix 1** have been used in this assessment.

5.1.2 A rating has been applied to each tree to give an understanding of the relative significance of each tree in the landscape and to assist in determining priorities for retention, in accordance with the following categories:-

1. **Significant**
2. **Very High**
3. **High**
4. **Moderate**
5. **Low**
6. **Very Low**
7. **Insignificant**

5.2 Environmental Significance

5.2.1 Tree Management Controls

Prescribed trees within the Municipality of Ku-ring-gai are protected under Section A, Part 13 (Tree and Vegetation Preservation) of the Ku-ring-gai Development Control Plan 2015 (KDCP) made pursuant to Part 3, Clause 9 of the *State Environmental Planning Policy (Vegetation in Non-rural Areas) 2017* (Vegetation SEPP) now superseded by Chapter 2, Part 2.3 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity SEPP). The KDCP generally protects all trees of a height of five (5) metres or greater or with a trunk diameter of 150mm or greater. Some exemptions apply. However, all of the subject trees are protected under Council's Tree Management Controls, being located on a site that is listed as a Heritage Item on the KLEP (refer **Section 5.3**).

It should be noted that the removal of T24 [*Cupressus macrocarpa* 'Brunniana Aurea' (Golden Brunnings Cypress)] has been approved in accordance with a Tree Removal Permit issued by Ku-ring-gai Council on 23/01/2024.

5.2.2 Wildlife Habitat

All of the trees are exotic (introduced) or non-local native species that would be of some benefit to native wildlife. However, none of the trees contain cavities that would be suitable as nesting hollows for arboreal mammals or birds. There were no other visible signs of wildlife habitation.

5.2.3 Noxious Plants & Environmental Weeds

None of the subject trees are scheduled as a potential 'Biosecurity Risk' ('Priority Weed' – formerly 'Noxious Weed') within NSW under the provisions of the *Biosecurity Act 2015.*

Syagrus romanzoffianum (Cocos Palm) [**T7, T15, T17, T21, T27, T30 & T45**] is considered to be an undesirable species within the Ku-ring-gai Local Government Area (LGA). However, these trees are protected under Councils Tree Management Controls, being located on a site that is listed as a Heritage Item (refer **Section 5.3**).

Liquidambar styracflua (Liquidambar) [T10] is also considered to be un undesirable species within the Ku-ring-gai LGA. However, this tree is also protected under Councils Tree Management Controls in this instance.

5.2.4 Threatened Species & Ecological Communities

None of the subject trees are listed as Threatened or Vulnerable Species or form part of Endangered Ecological Communities (EECs) under the provisions of the *Biodiversity Conservation Act 2016* (NSW) or the *Environment Protection and Biodiversity Conservation Act 1999*.

The National Parks and Wildlife Service (NPWS) 1:25000 Mapping Series (Native Vegetation of the Cumberland Plain) [5] indicates that there may be remnants of Turpentine-Ironbark Margin Forest (TIMF) within the site and immediate locality. TIMF is a sub-group of Sydney Turpentine-Ironbark Forest (STIF). STIF is listed as a Critically Endangered Ecological Community (EEC) under both the *Biodiversity Conservation Act 2016* (NSW) and the *Environment Protection and Biodiversity Conservation Act 1999*. However, none of the trees within the site are locally indigenous species that are characteristic of the species assemblage for this EEC.

Ku-ring-gai Council's Vegetation Mapping Series (*Vegetation – Complex 2014*) indicates that the all of the vegetation within the site is classified as 'Other Vegetation' (comprised of mainly planted non-local-native and introduced species).

5.2.5 Biodiversity, Bushfire & Riparian Lands

The site does *not* contain any areas of 'Biodiversity' as indicated on Council's Natural Resources Biodiversity Map forming part of the KLEP 2015.

Council's *Greenweb Map* indicates that there are no 'Core Biodiversity Lands' 'Support for Core Biodiversity Lands', 'Biodiversity Corridors and Buffer Areas', 'Landscape Remnants' or 'Canopy Remnants' occurring within the site.

The NSW Office of Environment and Heritage (OEH) *Biodiversity Values Map and Threshold Tool* (refer https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap), indicates that there is no vegetation on or near the site that is subject to the Biodiversity Offset Scheme (BOS).

The site does *not* contain any 'Riparian Land' as indicated on Council's Natural Resources Riparian Land Map forming part of the KLEP 2015.

The site does *not* contain any Bushfire Prone Land as indicated on Council's Bush Fire Prone Land Map (2017).

The site is *not* within a 'Designated Bush Fire Prone Area' as defined by the NSW Rural Fire Service (RFS). The site is *not* within a 'Designated 10/50 Vegetation Clearing Entitlement Area' as defined by the NSW RFS.

5.3 Heritage Significance

5.3.1 Heritage Items

The site is listed as an item of Environmental Heritage [Item 236] under Schedule 5, Part 1 of the *Ku-ring-gai Local Environmental Plan 2015* (KLEP). It is understood that the present cottage was constructed c. 1910-1920, forming part of the 'Ridge Street Cottage Group'.

The adjoining property to the south-west (Lot B in DP 306541, 72 Ridge Street, Gordon), is also listed as an item of Environmental Heritage [Item 235] under Schedule 5, Part 1 of the KLEP.

5.3.2 Heritage Conservation Area

The site is *not* located within a Heritage Conservation Area under Schedule 5, Part 2 of the KLEP 2015.

5.3.3 Significant Tree Register

Ku-ring-gai Council does *not* currently maintain a Register of Significant Trees.

5.3.4 General

The 1943 Aerial Photograph of Sydney (SIX Maps) indicates that site and surrounding properties have been partially cleared, subdivided and developed for residential housing at this time. The present cottage was extant at this time, surrounded by established gardens and some small trees.

Based on analysis of Historical Imagery of the site (NSW Spatial Services), by 1978, T24 (Golden Brunnings Cypress), T10 (Liquidambar), T47 (Spotted Gum), T49 (Pin Oak) and T42 (Himalayan Cedar within the adjoining property, now removed) are visible as young trees. These trees were probably planted c. 1965-1975. None of the other trees have any known or suspected heritage significance. Most of the smaller trees and palms appear to have been planted c.1980-1990.

5.4 Amenity Value

5.4.1 Criteria for the assessment of amenity values are incorporated into **Appendix 1**. The amenity value of a tree is a measure of its live crown size, visual appearance (form, habit, crown density), visibility and position in the landscape and contribution to the visual character of an area. Generally the larger and more prominently located the tree, and the better its form and habit, the higher its amenity value.

6 TREE RETENTION VALUES

6.1.1 The Retention Values shown in **Appendix 3** and **Appendix 5** have been determined on the basis of the estimated longevity of the trees and their landscape significance rating, in accordance with **Table 1**. Together with guidelines contained in **Section 7** (Tree Protection Zones) this information should be used to determine the most appropriate position of building footprints and other infrastructure within the site, with due consideration to other site constraints, to minimise the impact on trees considered worthy of preservation.

TABLE 1 – TREE RETENTION VALUES – ASSESSMENT METHODOLOGY

	Landscape Significance Rating						
Estimated Life Expectancy	**1**	**2**	**3**	**4**	**5**	**6**	**7**
Long - Greater than 40 Years	High Retention Value						
Medium- 15 to 40 Years			Moderate Retention Value				
Short - 5 to 15 years				Low Ret. Value			
Transient - Less than 5 Years				Very Low Retention Value			
Dead or Potentially Hazardous							

6.1.2 The following table describes the implications of the retention values on site layout and design.

TABLE 2 – TREE RETENTION PRIORITES.

RETENTION VALUE	RECOMMENDED ACTION
"High"	These trees considered worthy of preservation; as such careful consideration should be given to their retention as a priority. Proposed site design and placement of buildings and infrastructure should consider the recommended setbacks as discussed in the following section to avoid any adverse impact on these trees (refer also **Appendix 2** for examples of acceptable encroachments) In addition to Tree Protection Zones, the extent of the canopy (canopy drip-line) should also be considered, particularly in relation to multi-storey developments. Significant canopy pruning of the trees to accommodate the building envelope or temporary scaffolding is generally not acceptable.
"Moderate"	The retention of these trees is desirable, but not essential. These trees should be retained as part of any proposed development if possible. However, these trees are considered less critical for retention. If these trees must be removed, replacement planting should be considered in accordance with Council's Tree Replenishment Policy to compensate for loss of amenity (refer also **Section 11**).
"Low"	These trees are not considered to worthy of any special measures to ensure their preservation, due to current health, condition or suitability. They do not have any special ecological, heritage or amenity value, or these values are substantially diminished due to their SULE. These trees should not be considered as a constraint to the future development of the site.
"Very Low"	These trees are considered potentially hazardous or very poor specimens, or may be environmental or noxious weeds. The removal of these trees is therefore recommended regardless of the implications of any proposed development.

7 TREE PROTECTION ZONES

7.1.1 The Tree Protection Zone (TPZ) is a radial distance measured from the centre of the trunk of the tree as specified in **Appendix 4**. These have been calculated in accordance with AS 4970-2009 (Protection of Trees on Development Sites).[6]

7.1.2 The intention of the TPZ is to ensure protection of the root system and canopy from the potential damage from construction works and ensure the long-term health and stability of each tree to be

retained. Incursions to the root zone may occur due to excavations, changes in ground levels, (either lowering or raising the grade), trenching or other forms or soil disturbance such as ripping, grading or inverting the soil profile. Such works may cause damage or loss of part of the root system, leading to an adverse impact on the tree.

7.2 Structural Root Zone (SRZ)

7.2.1 The Structural Root Zone (SRZ) provides the bulk of mechanical support and anchorage for a tree. This is also a radial distance measured from the centre of the trunk as specified in **Appendix 4**. The SRZ has been calculated in accordance with AS 4970-2009 (Protection of Trees on Development Sites).

7.2.2 Incursions within the SRZ are not recommended as they are likely to result in the severance of woody roots which may compromise the stability of the tree or lead to its decline and demise.

7.3 Acceptable Encroachments to the Tree Protection Zone.

7.3.1 Where encroachment to the TPZ is unavoidable, an incursion to the TPZ of not exceeding 10% of the area of the TPZ and outside the SRZ may be acceptable. Examples of acceptable incursions are shown in **Appendix 2**. Greater incursions to the TPZ may result in an adverse impact on the tree.

7.3.2 Where incursions greater than 10% of the TPZ are unavoidable, exploratory excavation using non-destructive methods may be required to evaluate the extent of the root system affected and determine whether or not the tree can remain viable

7.4 Acceptable Encroachments to the Canopy

7.4.1 The removal of a small portion of the crown (foliage and branches) is generally tolerable provided that the extent of pruning required is less than 10% of the total foliage volume of the tree and the removal of branches does not create large wounds or disfigure the natural form and habit of the tree. All pruning cuts must be undertaken in accordance with AS 4373:2007. This generally involves reduction of the affected branches back to the nearest branch collar at the junction with the parent branch, rather than at an intermediate point. The latter is referred to as “lopping” and is no longer an acceptable arboricultural practice. Generally speaking, the minimum pruning as required to accommodate any proposed works is desirable. Extensive pruning can result in a detrimental impact on tree health and may lead to exposure of remaining branches to wind forces that they were previously sheltered from, leading to a greater risk of branch failure.

7.4.2 Clearance to between the building line and canopy should take into account any projecting structures, such as balconies, awnings and the roofline and any requirement for temporary scaffolding to be erected during construction (typically 1-1.5 metres wide). High structures should preferably be located outside the canopy dripline (as shown indicatively on the attached plans) in order to avoid or minimise canopy pruning.

8 PROPOSED DEVELOPMENT

8.1.1 The proposed development includes the alterations and additions to the existing dwelling (Heritage Item), together with associated landscape works and subdivision of the property to create two (2) new allotments (Proposed Lots 1 & 2) of 624.2 m² and 476.7 m² respectively. Vehicular access to Proposed Lot 2 will be obtained from Holford Crescent. An Indicative Building Footprint (IBE) of 200 m² and indicative driveway position are shown within Proposed Lot 2.

9 IMPACT ASSESSMENT

9.1.1 The intention of this assessment is to determine the incursions to the root zones and canopies created by the proposed development and evaluate the likely impact of the proposed works on the subject trees. Details shown on the following plans were used in this assessment:-

Title	Author	Dwg No. [Rev.]	Date
Existing Site and Proposed Subdivision	Greenbox Architecture	230097 DA003 [B]	25/07/2025
Existing House and Demolition Plan	Greenbox Architecture	230097 DA015 [B]	25/07/2025
Proposed Floor Plans (Ground Floor & Roof Level)	Greenbox Architecture	230097 DA025 [B]	25/07/2025
Proposed Sections	Greenbox Architecture	230097 DA031 [B]	25/07/2025
Proposed Elevations	Greenbox Architecture	230097 DA041 [B]	25/07/2025
Stormwater Drainage Layout	Van der Meer Consulting	SYD242-008 C401 [C]	07/2025
Landscape Plan	Fiona Cole Design	LA01 [D]	25/06/2025

9.1.2 A summary of the impact of the proposed development on each tree within the site is shown in **Appendix 4**. The following criteria have been examined as part of this assessment:-

- Existing Relative Levels (R.L.);
- Tree Protection Zone (TPZ);
- Structural Root Zone (SRZ);
- Footprint and envelope of the proposed development and temporary structures (scaffolding, hoardings etc);
- Incursions to the TPZ & SRZ, including estimated cut & fill beyond the building footprint;
- Incursions to the tree canopy from the building envelope and temporary structures; and
- Assessment of the likely impact of the works on existing trees.

9.1.3 The proposed development will necessitate the removal of sixteen (16) trees of low and very low retention value. These include Tree No.s T11 (Lemon-scented Tea-tree), T15, T17, T21, T27 & T30 (Cocos Palm), T19 (Weeping Fig), T23 (Chinese Windmill Palm), T24 (Golden Brunnings Cypress), T22, T29, T35, T36 & T37 (Bangalow Palm), T43 (Claret Ash) & T50 (Water Gum). None of these trees are considered significant or worthy of special measures to ensure their preservation. The removal of these trees to accommodate the proposed development is therefore considered warranted in this instance. It should be noted that consent has been granted for the removal of T24 (Golden Brunnings Cypress) in accordance with a Tree Removal Permit issued by Council on 23/01/2024.

9.1.4 Note that the removal of T5 (Weeping Bottlebrush) has been approved to accommodate the new driveway crossover in accordance with eDA0204/24.

9.1.5 The proposed development will also necessitate the removal of nine (9) trees of moderate retention value. These include Tree No.s T20, T26, T28, T39 & T40 (Bangalow Palm), T38 (Black-Tea-tree), T41 (Golden Honey Myrtle), T44 (Sweet Viburnum) and T48 (Spotted Gum). These trees are not considered significant, but are in good health and condition and make a fair contribution to the amenity of the site and surrounding properties. In order to compensate for loss of amenity resulting from the removal of these trees to accommodate the proposed development, consideration should be given to replacement planting with new trees elsewhere within the site in accordance with **Section 11**.

9.1.6 The proposed development will also necessitate the removal of one (1) tree of high retention value, being T10 (Liquidambar). This tree does not have any special ecological or heritage significance, but is in good health and condition and makes a positive contribution to the amenity of the streetscape and surrounding properties. It should be noted that the roots of the tree are causing substantial damage to the existing building (listed as a heritage item), which is proposed to be maintained and restored. In order to compensate for loss of amenity resulting from the removal of this tree to accommodate the proposed development, consideration should be given to replacement planting with a new tree elsewhere within the site with a new tree in accordance with **Section 11.**

9.1.7 Note that the potential impacts of the approved driveway from Ridge Street on trees T6 (Bangalow Palm), T9 (Camellia) and T25 (Jacaranda) have been previously assessed and included in the previous AIAR submitted with eDA0204/24.

9.1.8 A proposed recycled brick pedestrian pathway is located within the TPZs of trees T12 (Camellia), T13 (Cabbage Tree Palm), T14 (Bangalow Palm) & T16 & T18 (Chinese Windmill Palm). In the case of trees T12, T13, T14, T16 & T18, the encroachment to the TPZs varies from 12% to 27%, which exceeds acceptable limits under AS 4970:2009, which has the potential to result in an adverse impact on these trees. In order to minimise any adverse impact, the finished level of the pavement should be raised a minimum of 100mm above grade in accordance with **Section 10.12** and all excavations for the pavement sub-grade within the TPZs should be undertaken in accordance with **Section 10.9**.

9.1.9 The proposed addition and proposed new driveway (wheel strips) are located within the TPZ of trees T25 (Jacaranda). The cumulative encroachment to the TPZ is approximately 20%, which exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed, provided that all excavation for the addition foundations and driveway pavement sub-grade within the TPZ are undertaken in accordance with **Section 10.9**. In order to minimise any adverse impact, the finished level of the pavement should be raised a minimum of 100mm above grade in accordance with **Section 10.12** and all excavations for the pavement sub-grade within the TPZs should be undertaken in accordance with **Section 10.9**.

9.1.10 Minor canopy pruning of T25 may be required to clear the building envelope. However, this would be limited to the reduction of small descending tertiary branches in the northern sector of the crown. The extent of pruning will not exceed 10% of the overall crown volume, which is considered within acceptable limits under AS4373:2007. This work will not result in any adverse impact on this tree, provided that any required canopy pruning (that essential to clear the building envelope) is undertaken in accordance with **Section 10.14**.

9.1.11 An indicative driveway providing vehicular access to Holford Crescent to Proposed Lot 2 is located within the TPZs of trees T47 (Spotted Gum) and T49 (Pin Oak). The driveway is elevated 500 to 700mm above grade on the south-eastern side (at the garage entry) and at grade at the north-western boundary, with the majority of the driveway above existing surface levels. This will require some excavation and placement of engineered fill (assumed Dense Grade Base [DGB] compacted to 98% dry density) for the pavement sub-grade within the TPZs. This will result in a cumulative encroachment to the TPZ of T47 & T49 of 19% & 21% respectively (inclusive of any

new dwelling), which exceeds acceptable limits under AS 4970:2009. This level of encroachment has the potential to result in an adverse impact on these trees. In order to minimise any adverse impact, the finished level of the driveway should be sited a minimum of 150mm above existing surface levels wherever possible (except at the interface and transition to the street pavement level) in accordance with **Section 10.12** and any required excavation for the pavement sub-grade within the TPZs should be undertaken in accordance with **Section 10.9**.

9.1.12 A future On-site Stormwater Detention (OSD) tank and associated discharge pipeline are located within the TPZs of T47 (Spotted Gum) and T49 (Pin Oak). The encroachment to the root zones created by the OSD is less than 10% of the TPZ, which is considered within acceptable limits under AS4970:2009. This work will not result in any adverse impact on these trees provided that all excavation for the OSD within the TPZs is undertaken in accordance with **Section 10.9** and any required over-excavation / temporary batter (to facilitate construction) is limited to no greater that 500mm from the outer wall of the OSD tank. The future stormwater pipeline will also require open trenching within the TPZs of both trees, which has the potential to result in an adverse impact. In order to avoid any adverse impact, all open trenching for the stormwater pipeline within the TPZs should be carried out using non-destructive excavation methods under the direct supervision of the Project Arborist in accordance with **Section 10.11**.

9.1.13 Proposed On-site Stormwater Detention (OSD) tank is located with the TPZs T6 (Bangalow Palm) & T9 (Camellia). In the case of T6, the level of encroachment to the root zone is less than 10% of the TPZ, which is considered within acceptable limits under AS4970:2009. As such the proposed works will not result in any adverse impact on this tree. In the case of T9, the encroachment to the TPZ is approximately 38%, which exceeds acceptable limits under AS4970:2009. In order to minimise any adverse impact, all open trenching for the stormwater pipeline and bulk excavation for the OSD within the TPZs should be carried out using non-destructive excavation methods under the direct supervision of the Project Arborist in accordance with **Section 10.11**.

9.1.1 Proposed new stormwater pipelines are also located within the TPZs of trees T13 (Cabbage Tree Palm), T14 (Bangalow Palm), T16 & T18 (Chinese Windmill Palm) and T25 (Jacaranda). In the case of T16 & T18, the level of encroachment to the root zone is less than 10% of the TPZ, which is considered within acceptable limits under AS4970:2009. As such, the proposed works will not result in any adverse impact on these trees. In the case of trees T13, T14 & T25, the cumulative encroachment to the TPZs exceeds acceptable limits under AS4970:2009. In order to minimise any adverse impact on these trees, all open trenching for the stormwater pipelines within the TPZs should be carried out using non-destructive excavation methods under the direct supervision of the Project Arborist in accordance with **Section 10.11**.

9.1.2 No other trees will be adversely affected by the proposed development.

10 RECOMMENDED TREE PROTECTION MEASURES

10.1 Tree Protection Plan

10.1.1 The following Tree Protection Measures should be read in accordance with the Tree Protection Plan (**Appendix 6**). The Tree Protection Plan (TPP) indicates the position of tree protection devices and other recommended measures to ensure the protection of trees within the site to be retained as part of the proposed development.

10.2 Prohibited Activities

10.2.1 The following activities should be avoided within specified Tree Protection Zones (refer **Appendix 4 & 6** for extent of the TPZ for each tree):-

- Excavations and trenching (with exception of the approved remediation works, underground services, building foundations or pavement sub-grade);
- Soil disturbance, surface grading, compaction, tyning, ripping or cultivation of soil;
- Mechanical removal of vegetation, including extraction of tree stumps;
- Soil level changes including the placement of fill material (excluding imported validated fill for remediation works or placement of fill for approved works)
- Movement and storage of plant, equipment & vehicles (except within defined temporary haul roads, where ground protection has been installed, or within the footprint of existing floor slabs or paved areas);
- Erection of site sheds (except where approved by the site arborist);
- Affixing of signage, barricades or hoardings to trees;
- Storage of building materials, waste and waste receptacles;
- Stockpiling of spoil or fill;
- Stockpiling of bulk materials, such as soil, sand, gravel, roadbase or the like;
- Stockpiling of demolition waste;
- Disposal of waste materials and chemicals including paint, solvents, cement slurry, fuel, oil and other toxic liquids;
- Other physical damage to the trunk or root system; and
- Any other activity likely to cause damage to the tree.

10.3 Tree Damage

10.3.1 Care shall be taken when operating cranes, drilling rigs and similar equipment near trees to avoid damage to tree canopies (foliage and branches). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy and construction activities, the advice of the Site Arborist must be sought.

10.3.2 In the event of any tree becoming damaged for any reason during the construction period a consulting arborist [Australian Qualification Framework Level 5] shall be engaged to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the arborist.

10.4 Tree Removal

10.4.1 The removal of Trees [**T10, T11, T15, T17, T19, T20, T21, T22, T23, T24, T26, T27, T28, T29, T30, T35, T36, T37, T38, T39, T40, T41, T43, T44, T48 & T50**] shall be carried out by an experienced tree surgeon in accordance with the NSW WorkCover Code of Practice for the Amenity Tree Industry (1998). Care shall be taken to avoid damage to other trees during the felling operation.

10.4.2 Stumps located within the TPZs of trees to be retained shall be grubbed-out where required using a mechanical stump grinder (or by hand where less than 150mm in diameter) without damage to the root system of other trees. Where trees to be removed are within the SRZ of any trees to be retained, consideration should be given to cutting the stump close to ground level and retaining the root crown intact. Stumps within the Tree Protection Zone of other trees to be retained shall **not** be pulled out using excavation equipment or similar.

10.5 Tree Protection Fencing

10.5.1 Trees [**T6, T12, T13, T14, T16, T18, T25, T47 & T49**] shall be protected prior to and during construction from all activities that may result in detrimental impact by erecting a suitable protective fence in the positions as indicated on the Tree Protection Plan (**Appendix 6**). As a minimum, the fence shall consist of temporary chain wire panels of 1.8 metres in height, supported

by steel stakes as required and fastened together and supported to prevent sideways movement using corner braces where required. The fence shall be erected prior to the commencement of any work on-site and shall be maintained in good condition for the duration of construction. Where tree protection zones merge together a single fence encompassing the area is deemed to be adequate. Existing site boundary fences may form part of the enclosure.

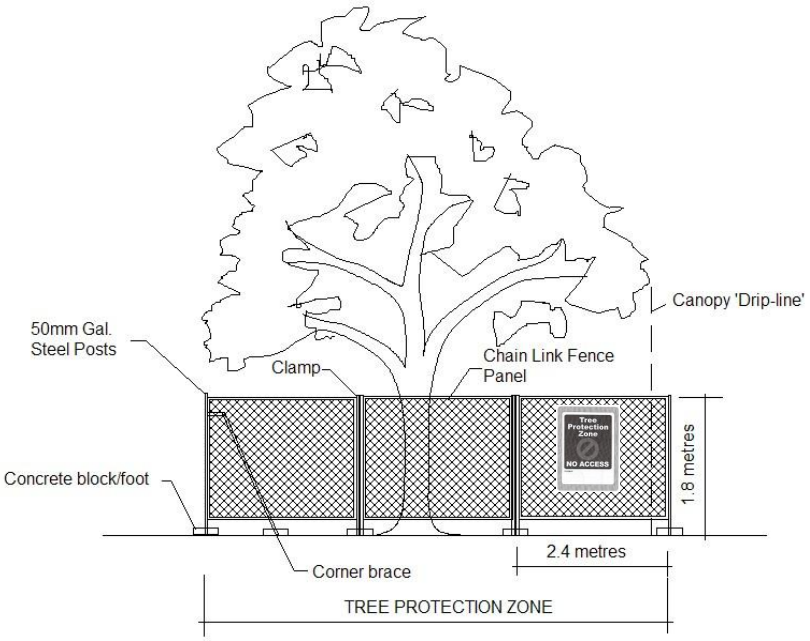

Figure 1 – Detail of Tree Protection Fence

10.6 Tree Protection Signs

10.6.1 Signs shall be installed on the Tree Protection Fence to prevent unauthorised movement of plant and equipment or entry to the Tree Protection Zone. The signs shall be securely attached to the fence using cable ties or equivalent. Signs shall be placed at minimum 10 metre intervals. The wording and layout of the sign shall comply with AS 4970-2009 as shown in **Figure 2**.



Figure 2 – Detail of Tree Protection Sign

10.7 Ground Protection

10.7.1 Construction haul routes shall be confined to existing paved areas wherever possible. Where this is not feasible and construction haul routes or access for plant and equipment must traverse soft landscape areas within TPZs of [**any tree nominated for retention**], 20mm thick marine ply sheets or truck mats (such as Envirex Versadeck® access mats) (refer **Figure 4** shall be placed over the top of the ground surface to minimise compaction and disturbance of the underlying soil profile and root zone.



Figure 4 – Showing typical detail for truck mats.

10.7.2 Ground protection shall be installed prior to any site works and maintained in good condition for the duration of the construction period. On completion of the works, ground protection shall be removed without damage or disturbance to the underlying soil profile.

10.8 Demolition Works within Tree Protection Zones

10.8.1 Existing Turfgrass & Low Vegetation

No mechanical soil cultivation (using ripping tynes, rotary hoes or the like) is permitted within Tree Protection Zones (TPZs). Where existing turfgrass and/or low (groundcover) vegetation is proposed to be removed (demolished) within the TPZs of Trees [**any tree nominated for retention**], the turfgrass shall be first treated with a non-selective herbicide with the active constituent Glyphosate (Round-up ® or equivalent) at the manufacturers recommended rate and allowed to dehisce. Once the turfgrass in the effected area is completely dead, any high grass may be slashed/mown close to ground level.

Any residual vegetation (dead grass etc) may then be carefully scraped-off the surface using a small rubber tracked excavator with a broad sand bucket (i.e. without tynes/teeth), taking care to remove the minimum topsoil necessary (no more than 20mm deep) (refer to **Figure 5**). An observer shall be used to ensure that no woody surface roots of any trees are damaged during this process.



Figure 5 – Showing method for removal of residual surface vegetation from Tree Protection Zones following herbicide treatment and slashing.

10.8.2 Paved Areas

Demolition of paved areas within the Tree Protection Zones (TPZs) of trees [**T9, T13, T14, T16, T18 & T25**] shall be undertaken under the supervision of a qualified Arborist [Australian Qualification Framework (AQF) Level 5].

Concrete pavements shall be demolished by breaking the slab into manageable sections (using a rock hammer or similar) and asphalt pavements shall be removed by breaking the topcoat into manageable pieces. The broken sections shall be carefully lifted and folded over the remaining paved surface to minimise disturbance and compaction of the underlying soil profile (refer to **Figure 6**). Special care shall be taken where underlying woody roots have lifted or displaced the pavement. Any plant or equipment used in demolition work shall operate within the footprint of existing paved areas and avoid traversing soft landscape areas. Where this is unavoidable, suitable ground protection shall first be installed in accordance with **Section 10.7**.



Figure 6 – Showing method for removal of concrete pavement, by carefully lifting sections and folding over the remaining paved surface.

The pavement sub-base within the TPZ shall be gradually removed (where required) in layers of no greater than 50mm thick using a small rubber tracked excavator or alternative approved method to avoid excessive disturbance and compaction of the underlying soil profile and damage to underlying roots and minimise. The machine shall work within the footprint of the existing path footprint to avoid compaction of the underlying soil. The final layer of sub-base material shall be removed using hand tools were required to avoid compaction of the underlying soil profile and avoid damage to any underlying woody roots.

10.8.3 Structures & Retaining Walls

Demolition of existing walls, kerbs and other structures within the TPZ of trees [**T9, T14, T16, T18 & T25**] shall be undertaken under the supervision of a qualified Arborist [AQF level 5]. The structures shall be demolished using equipment on stationed outside the TPZ where possible or within the footprint of existing hardstand areas.

Care shall be taken to avoid the root systems, trunks and lower branches of trees in the vicinity of the structures during demolition works, with special attention required during demolition of the footings and other sub-surface members to avoid damage to woody roots. An observer ('spotter') shall be employed to assist the plant operator in order to detect and avoid damage to underlying woody roots during demolition. Trunk and/or branch protection shall be installed where there is a potential risk of damage to trees in proximity or overhead of the work.

10.9 Excavations within Tree Protection Zones

10.9.1 Prior to any mechanical excavations for building foundations or pavement sub-grade within the TPZs of Trees [**T6, T9, T12, T13, T14, T16, T18, T47 & T49**] exploratory excavation using non-destructive techniques shall be taken along the perimeter of the structure or pavement within the TPZ. Non-destructive excavation techniques may include the use of hand-held implements, air pressure (using an Air-spade® device) or water pressure (hydro-excavation in combination with a vacuum extraction unit). The exploratory excavation shall be undertaken along the perimeter of the foundation or pavement (within the TPZ) to the depth of the foundation or to a maximum of

800mm from surface levels, to locate and expose any woody roots prior to any mechanical excavation.

10.9.2 All care shall be undertaken to preserve woody roots intact and undamaged during exploratory excavation. Any roots encountered of less than 40mm in diameter may be cleanly severed with clean sharp pruning implements at the face of the excavation. The root zone in the vicinity of the excavation shall be kept moist following excavation for the duration of construction to minimise moisture stress on the tree. Where large woody roots (greater than 40mm diameter) are encountered during exploratory excavations, further advice from a qualified arborist shall be sought prior to severance.

10.10 Alternative Construction Methods

10.10.1 Where necessary, (to avoid severing large woody roots) consideration should be given to the installation of an elevated structure (e.g. pier and beam footing, suspended slab or floor supported on piers, cantilevered slab, up-turned edge beam etc) in preference to structures requiring a deep edge beam or continuous perimeter strip footing. The beam section of any pier and beam footing should be placed **above** grade to avoid excavation within the SRZ. Pier footings intersecting large woody roots should be slightly offset where necessary to avoid root severance.

10.10.2 For masonry walls or fences it may be acceptable to delete continuous concrete strip footings and replace with suspended in-fill panels (e.g. steel or timber pickets, lattice etc) fixed to pillars. For retaining walls, consideration should be given to eliminating continuous strip footings and substituting with pier and beam footings, pier footings (using a post and caisson type wall) or mass wall such as gabions or mass stone that can be placed without a structural footing.

10.10.3 For paved areas, consideration should be given to raising the proposed pavement level and using a porous fill material in preference to excavation where large woody roots are found within the sub-base.

10.11 Underground Services

10.11.1 Trenching for underground services and stormwater pipes within the TPZs of Trees [**T9, T13, T14, T16, T18, T25, T47 & T49**], shall be undertaken using non-destructive excavation in accordance with **Section 10.9**. Where large woody roots are encountered during excavation or trenching (root diameter greater than 40mm), these shall be retained intact wherever possible (e.g. by tunnelling beneath roots and inserting the pipeline or conduit beneath or re-routing the service etc). Where this is not practical and root pruning is the only alternative, proposed root pruning should be assessed by a qualified arborist [AQF 5] to evaluate the potential impact on the health and stability of the subject tree.

10.11.2 Installation of underground services and stormwater pipes within the SRZs of Trees [**any tree nominated for retention**], shall only be undertaken by Horizontal Directional Drilling (HDD) (also referred to as sub-surface boring or Micro-tunnelling for large diameter pipes). The Invert Level of the pipe, plus the pipe diameter, must be lower than the estimated root zone depth as specified. At this site a minimum depth of 1 metre to the invert level of the pipe is specified.

10.12 Pavements

10.12.1 Proposed recycled brick pathways and wheel-strip driveway within the TPZs of Trees [**T9, T12, T13, T14, T16, T18 & T25**] shall be placed a minimum of 100mm above grade to minimise excavations for the pavement sub-grade within the root zone and avoid severance and damage of woody roots.

10.12.1 The proposed future concrete driveway within the TPZs of Trees [**T47 & T49**] shall be placed a minimum of 150mm above grade (wherever possible – except and the interface with the road pavement at Holford Crescent) to minimise excavations for the pavement sub-grade within the root zone and avoid severance and damage of woody roots.

10.13 Placement of Fill Material

10.13.1 Any fill material to be installed for new landscape areas within the TPZs of Trees [**T47 & T49**] shall be a well-drained friable material, equivalent in texture to the existing site topsoil material. The fill should be free from rocks, vegetation and other extraneous material complying with AS 4419:2003 (*Soils for Landscaping and Garden Use*).

10.13.2 The fill may be lightly consolidated, but shall not be compacted to engineering standards. No fill material should be placed in direct contact with the trunk.

10.13.3 Plant and equipment used to place and spread fill material should be stationed outside the TPZ where possible. Where not possible, suitable ground protection should be installed in accordance with **Section 10.14** to avoid compaction of the underlying soil profile and root zone.

10.14 Canopy & Root Pruning

10.14.1 Canopy pruning of Trees [**T9 & T25**] (that essential to clear the building envelope and temporary scaffolding or vehicular access) shall be carried out in accordance with Australian Standard 4373-2007 – *Pruning of Amenity Trees*. All pruning work shall be carried out by a qualified and experienced arborist or tree surgeon [Australian Qualification Framework Level 3] in accordance with the NSW WorkCover Code of Practice for the Amenity Tree Industry (1998). No branches of greater than 100mm in diameter should be removed or pruned without further advice from a Consulting Arborist [Australian Qualification Framework Level 5].

10.14.2 Where root pruning of [**any tree nominated for retention**] is required to facilitate construction, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using Hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone containing the active constituents Indol-3-yl-Butric Acid (IBA) and 1-Naphthylacetic Acid (NAA) to stimulate rapid regeneration of the root system.

10.14.3 Any required root pruning shall be carried out in accordance with Australian Standard 4373-2007 – *Pruning of Amenity Trees* by a qualified and experienced arborist or tree surgeon [Australian Qualification Framework Level 3] in accordance with the NSW WorkCover Code of Practice for the Amenity Tree Industry (1998). No roots of greater than 40mm in diameter should be removed or pruned without further advice from a Consulting Arborist [Australian Qualification Framework Level 5].

11 REPLACEMENT PLANTING

11.1.1 In accordance with the Section A, Part 4.3.6 of the KDCP, each new allotment must support a *minimum* number of trees capable of attaining a height of at least twelve (12) metres in accordance with the following table:-

ALLOTMENT SIZE (m²)	NUMBER OF TREES
Less than 850 m²	3
850 to 1,000 m²	5
1,001 to 1,500 m²	7

Greater than 1,500 m²	10 or as directed by Council

11.1.2 Replacement trees should preferably include some locally indigenous species. These will be most appropriate to the site conditions and be most valuable in terms of preserving the landscape character and wildlife habitat of the area. The following species are appropriate to the site conditions and could be considered for replacement planting:-

Locally-indigenous species:-

- *Angophora costata* (Sydney Red Gum)
- *Syncarpia glomulifera* (Turpentine)
- *Elaeocarpus reticulatus* (Blueberry Ash)
- *Eucalyptus paniculata* (Grey Ironbark)
- *Eucalyptus resinifera* (Red Mahogany)
- *Eucalyptus pilularis* (Blackbutt)

Non-local native species:-

- *Acmena smithii* (Lillypilly)
- *Glochidion ferdinandi* (Cheese Tree)
- *Tristaniopsis laurina* (Water Gum)
- *Waterhousea floribunda* (Weeping Lillypilly).
- *Syzygium paniculatum* (Magenta Cherry)
- *Syzygium luehmannii* (Small-leaf Lillypilly)
- *Melaleuca stypheliodes* (Prickly Paperbark)

Exotic (introduced) species:-

- *Jacaranda mimosifolia* (Jacaranda)
- *Fraxinus graffithii* (Evergreen Ash)
- *Magnolia grandiflora* (Bullbay Magnolia)
- *Nyssa sylvatica* (Tupelo)
- *Liriodendron tulipifera* (Tulip Tree)
- *Acer rubrum* (Red Maple)
- *Parrotia persica* (Persian Witch Hazel)
- *Acer buergerianum* (Trident Maple)
- *Fraxinus Raywood* (Claret Ash)
- *Ginko biloba* (Maidenhair tree)



Andrew Morton
EARTHSCAPE HORTICULTURAL SERVICES
30th July 2025

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[2] Benson, Doug & Howell, Jocelyn (1990)
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[3] Mattheck, Dr. Claus & Breloer, Helge (1994) – Sixth Edition (2001)
The Body Language of Trees – A Handbook for Failure Analysis
The Stationery Office, London, England

[4] Barrell, Jeremy (1996)
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Proceedings of the International Conference on Trees and Building Sites (Chicago)
International Society of arboriculture, Illinois, USA

[5] National Parks and Wildlife Service of NSW (October 2002)
Native Vegetation of the Cumberland Plain - 1:25000 Mapping Series (Map 10 of 16)
NPWS, Sydney NSW

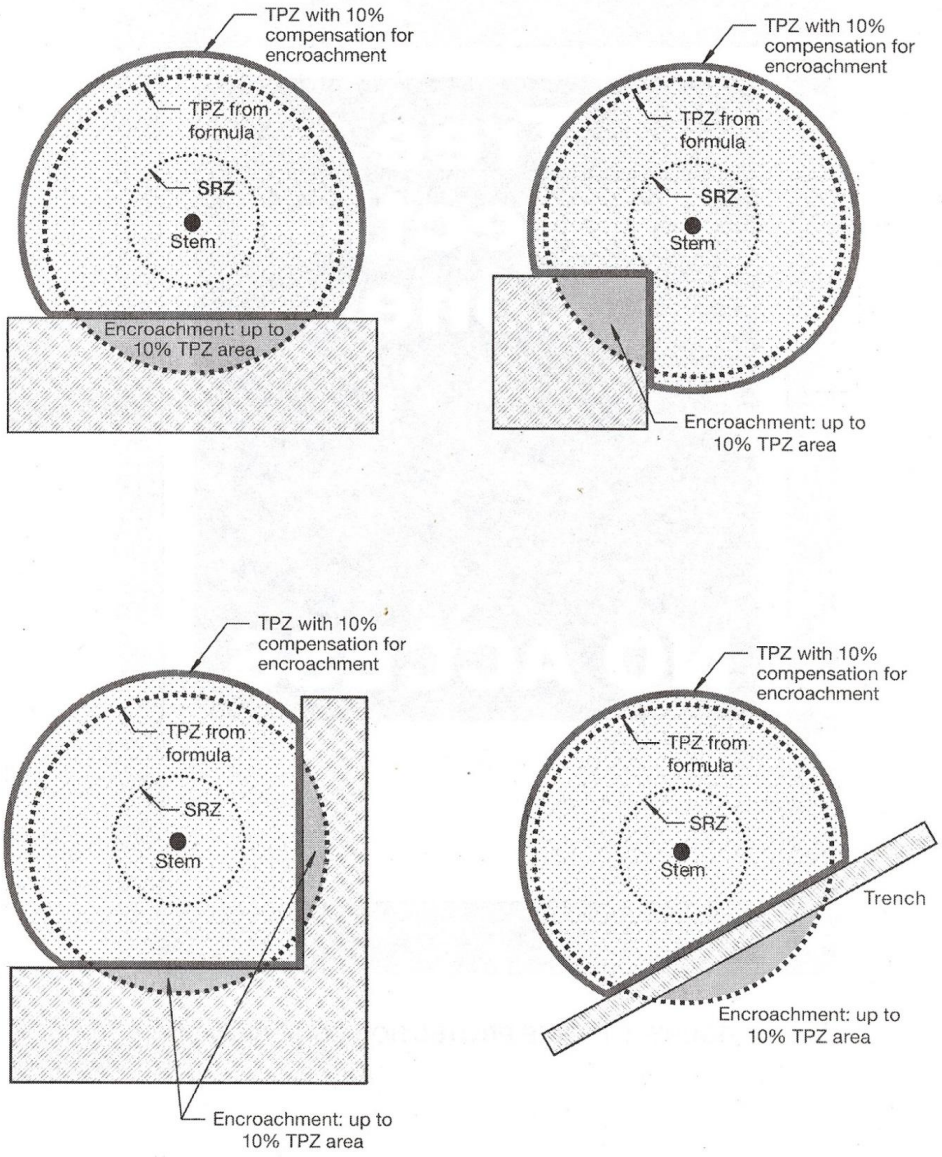
[6] Council of Standards Australia (August 2009)
AS 4970 – 2009 – Protection of Trees on Development Sites
Standards Australia, Sydney

APPENDIX 1 - CRITERIA FOR ASSESSMENT OF LANDSCAPE SIGNIFICANCE

RATING	HERITAGE VALUE	ECOLOGICAL VALUE	AMENITY VALUE
1. SIGNIFICANT	The subject tree is listed as a Heritage Item under the Local Environment Plan (LEP) with a local, state or national level of significance or is listed on Council's Significant Tree Register	The subject tree is scheduled as a Threatened or Vulnerable Species as defined under the provisions of the *Biodiversity Conservation Act 2016* (NSW) or the *Environment Protection and Biodiversity Conservation Act 1999*.	The subject tree has a very large live crown size exceeding 300m² with normal to dense foliage cover, is located in a visually prominent position in the landscape, exhibits very good form and habit typical of the species
	The subject tree forms part of the curtilage of a Heritage Item (building /structure /artefact as defined under the LEP) and has a known or documented association with that item	The tree is a locally indigenous species, representative of the original vegetation of the area and is known as an important food, shelter or nesting tree for endangered or threatened fauna species	The subject tree makes a significant contribution to the amenity and visual character of the area by creating a sense of place or creating a sense of identity
	The subject tree is a Commemorative Planting having been planted by an important historical person (s) or to commemorate an important historical event	The subject tree is a Remnant Tree, being a tree in existence prior to development of the area	The tree is visually prominent in view from surrounding areas, being a landmark or visible from a considerable distance.
2. VERY HIGH	The tree has a strong historical association with a heritage item (building/structure/artefact/garden etc) within or adjacent the property and/or exemplifies a particular era or style of landscape design associated with the original development of the site.	The tree is a locally-indigenous species, representative of the original vegetation of the area and is a dominant or associated canopy species of an Endangered Ecological Community (EEC) formerly occurring in the area occupied by the site.	The subject tree has a very large live crown size exceeding 200m²; a crown density exceeding 70% (normal-dense), is a very good representative of the species in terms of its form and branching habit or is aesthetically distinctive and makes a positive contribution to the visual character and the amenity of the area
3. HIGH	The tree has a suspected historical association with a heritage item or landscape supported by anecdotal or visual evidence	The tree is a locally-indigenous species and representative of the original vegetation of the area and the tree is located within a defined Vegetation Link / Wildlife Corridor or has known wildlife habitat value	The subject tree has a large live crown size exceeding 100m²; The tree is a good representative of the species in terms of its form and branching habit with minor deviations from normal (e.g. crown distortion/suppression) with a crown density of at least 70% (normal); The subject tree is visible from the street and surrounding properties and makes a positive contribution to the visual character and the amenity of the area
4. MODERATE	The tree has no known or suspected historical association, but does not detract or diminish the value of the item and is sympathetic to the original era of planting.	The subject tree is a non-local native or exotic species that is protected under the provisions of the local or state planning controls (Development Control Plan etc).	The subject tree has a medium live crown size exceeding 40m²; the tree is a fair representative of the species, exhibiting moderate deviations from typical form (distortion/suppression etc) with a crown density of more than 50% (thinning to normal); and
			The tree is visible from surrounding properties, but is not visually prominent – view may be partially obscured by other vegetation or built forms. The tree makes a fair contribution to the visual character and amenity of the area.
5. LOW	The subject tree detracts from heritage values or diminishes the value of a heritage item	The subject tree is scheduled as exempt (not protected) under the provisions of the local or state planning controls (DCP etc) due to its species, nuisance or position relative to buildings or other structures.	The subject tree has a small live crown size of less than 40m² and can be replaced within the short term (5-10 years) with new tree planting
6. VERY LOW	The subject tree is causing significant damage to a heritage Item.	The subject tree is listed as an Environment Weed Species in the relevant Local Government Area, being invasive, or is a known nuisance species.	The subject tree is not visible from surrounding properties (visibility obscured) and makes a negligible contribution or has a negative impact on the amenity and visual character of the area. The tree is a poor representative of the species, showing significant deviations from the typical form and branching habit with a crown density of less than 50% (sparse).
7. INSIGNIFICANT	The tree is completely dead and has no known heritage value (or any habitat value)	The tree is scheduled as a potential 'Biosecurity Risk' ('Priority Weed' – formerly 'Noxious Weed') within NSW or within the relevant Local Government Area under the provisions of the *Biosecurity Act 2015*	The tree is completely dead and represents a potential hazard.

Ref:- Morton, A (2006) **Determining the Retention Value of Trees on Development Sites**
TreeNet - Proceedings of the 7th National Street Tree Symposium 2006 Government of South Australia Department for Transport, Energy and Infrastructure

APPENDIX 2 – ACCEPTABLE INCURSIONS TO THE TREE PROTECTION ZONE (TPZ)



NOTE: Less than 10% TPZ area and outside SRZ. Any loss of TPZ compensated for elsewhere.

REF:- Council of Standards Australia (August 2009)
AS 4970 – 2009 – Protection of Trees on Development Sites
Standards Australia, Sydney

APPENDIX 3 - TREE HEALTH AND CONDITION ASSESSMENT SCHEDULE

Tree Identification No.	Species	Height (m)	Spread (m)	Trunk Diameter (mm) at 1.4 metres	Live Crown Size (m^2)	Maturity Class	Condition	Previous Pruning	Health		Remaining Safe Useful Life Expectancy (SULE)	Landscape Significance Rating	Retention Value	Location
									Vigour	Pest & Disease				
1	***Tristaniopsis laurina*** (Water Gum)	3.5	5	200x3	10	M	Appears stable with poor branching structure. Exhibits multiple moderate wounds du to previous pruning.	Topped at 3 metres to clear overhead powerlines	.Fair	Moderate borer infestation	Short 5-15 Years	5	Low	Nature strip
2	***Glochidion ferdinandi*** (Cheese Tree)	9	9	318	67.5	SM	Appears stable with fair branching structure.	Selectively pruned to clear overhead powerlines (south side). Crown lifted to 2 metres.	Good	Moderate foliar insect infestation (Kurrajong Leaf Tier)	Long - more than 40 years	4	Moderate	Nature strip
3	***Glochidion ferdinandi*** (Cheese Tree)	11	5	220 + 160	50	SM	Appears stable with poor branching structure. Exhibits a prominent lean to the north-east. Severe bark inclusion at 0.5 metres at junction of PL.	PL topped at 4 metres to clear overhead powerlines Crown lifted to 2 metres.	Good	No Evidence	Short 5-15 Years	4	Low	Nature strip
4	***Callistemon viminalis*** (Weeping Bottlebrush)	4.5	5	130x2 + 80x2	12.5	SM	Appears stable with poor branching structure. Exhibits multple epicormic sprouts due recent pruning with poor form and habit.	Lopped at 4 metres to clear overhead powerlines Crown lifted to 2 metres.	.Fair	No Evidence	Short 5-15 Years	5	Low	Nature strip
5	***Callistemon viminalis*** (Weeping Bottlebrush)	10	6	200x3 + 150x3	51	M	Appears stable with poor branching structure. Exhibits multple epicormic sprouts due recent pruning. Moderate bark inclusion at 0.5 metres at junction of PLs.	Lopped at 4 metres to clear overhead powerlines Crown lifted to 2 metres.	Good	No Evidence	Short 5-15 Years	4	Low	Nature strip
6	***Archontophoenix cunninghamii*** (Bangalow Palm)	10	4	201	8	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Medium 15-40 Years	5	Low	On-site
7	***Syagrus romanzoffianum*** (Cocos Palm)	13	5	250	25	M	Appears stable with sound branching structure. Located close to existing dwelling.	No evidence	Good	No Evidence	Medium 15-40 Years	6	Low	Adjoining property
9	***Camellia japonica*** (Camellia)	6	5	120 + 70x2	30	M	Appears stable with sound branching structure.	No evidence	Very Good	No Evidence	Long - more than 40 years	5	Moderate	On-site

APPENDIX 3 - TREE HEALTH AND CONDITION ASSESSMENT SCHEDULE

Tree Identification No.	Species	Height (m)	Spread (m)	Trunk Diameter (mm) at 1.4 metres	Live Crown Size (m^2)	Maturity Class	Condition	Previous Pruning	Health		Remaining Safe Useful Life Expectancy (SULE)	Landscape Significance Rating	Retention Value	Location
									Vigour	Pest & Disease				
10	***Liquidambar styraciflua*** (Liquidambar)	18	22	1073	352	M	Appears stable with sound branching structure. Roots causing significant damage to the adjacent dwelling.	Selectively pruned SE side to clear powerlines. Selectively crown thinned & deadwooded	Very Good	Moderate active termite infestation in trunk.	Medium 15-40 Years	2	High	On-site
11	***Leptospermum petersonii*** (Lemon-scented Tea-tree)	6	7	100 + 160	28	SM	Appears stable with fair branching structure. Upper crown suppressed due to overshadowing. Contorted branching habit.	No evidence	.Fair	No Evidence	Short 5-15 Years	5	Low	On-site
12	***Camellia japonica*** (Camellia)	5	3.5	40x3 + 50x2	3.5	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Medium 15-40 Years	5	Low	On-site
13	***Livistona australis*** (Cabbage Tree Palm)	9	5	300	27.5	SM	Appears stable with sound branching structure.	No evidence	Very Good	No Evidence	Long - more than 40 years	4	Moderate	On-site
14	***Archontophoenix cunninghamii*** (Bangalow Palm)	7	4.5	153	13.5	I	Appears stable with sound branching structure. Located close to the existing dwelling (< 3 metres).	No evidence	Good	No Evidence	Medium 15-40 Years	5	Low	On-site
15	***Syagrus romanzoffianum*** (Cocos Palm)	14	6	194	30	SM	Appears stable with sound branching structure. Located close to the existing dwelling (< 3 metres).	No evidence	Good	No Evidence	Long - more than 40 years	6	Low	On-site
16	***Trachycarpus fortunei*** (Chinese Windmill Palm)	4.5	2.5	150	3.75	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	5	Moderate	On-site
17	***Syagrus romanzoffianum*** (Cocos Palm)	12	7	188	28	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	6	Low	On-site
18	***Trachycarpus fortunei*** (Chinese Windmill Palm)	7	3.5	200	10.5	M	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	5	Low	On-site

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 3 - TREE HEALTH AND CONDITION ASSESSMENT SCHEDULE

Tree Identification No.	Species	Height (m)	Spread (m)	Trunk Diameter (mm) at 1.4 metres	Live Crown Size (m^2)	Maturity Class	Condition	Previous Pruning	Health		Remaining Safe Useful Life Expectancy (SULE)	Landscape Significance Rating	Retention Value	Location
									Vigour	Pest & Disease				
19	***Ficus benjamina* 'Variegata'** (Variegated Weeping Fig)	11	5	175	35	I	Appears stable with sound branching structure. Located close to the adjoining dwelling (<3 metres).	No evidence	Good	No Evidence	Short 5-15 Years	5	Low	On-site
20	***Archontophoenix cunninghamii*** (Bangalow Palm)	13	4.5	268	22.5	M	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	4	Moderate	On-site
21	***Syagrus romanzoffianum*** (Cocos Palm)	13	7	245	42	M	Stability suspect with poor branching structure. Exhibits a very prominent lean to the north-west (self-corrected).	No evidence	Good	No Evidence	Short 5-15 Years	6	Very Low	On-site
22	***Archontophoenix cunninghamii*** (Bangalow Palm)	8	3	191	6	SM	Appears stable with poor branching structure. Prominent lean to the north-east. Crown suppressed on the south-west side due to crowding.	No evidence	.Fair	No Evidence	Short 5-15 Years	5	Low	On-site
23	***Trachycarpus fortunei*** (Chinese Windmill Palm)	5	3.5	110	10.5	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Medium 15-40 Years	5	Low	On-site
24	***Cupressus macrocarpa* 'Brunniana Aurea'** (Golden Brunning's Cypress)	17	11	500x3 + 250x5	132	OM	Stability suspect with poor branching structure. Exhibits multiple high bark inclusions at junction of co-dominant PLs from GL to 1 metre. Substantial dieback with 90% deadwood.	No evidence	Poor with sparse crown	Low borer infestation	Transient (less than 5 years)	7	Very Low	On-site
25	***Jacaranda mimosifolia*** (Jacaranda)	7	12	400	48	M	Appears stable with sound branching structure.	.Selectively crown thinned & deadwooded	Good	Epiphyte onPL at 3.5 metres (Elkhorn).	Long - more than 40 years	4	Moderate	Adjoining property
26	***Archontophoenix cunninghamii*** (Bangalow Palm)	5	3	188	6	I	Appears stable with sound branching structure. Located close to existing garage.	No evidence	Good	No Evidence	Long - more than 40 years	5	Moderate	On-site
27	***Syagrus romanzoffianum*** (Cocos Palm)	15	7	360	35	M	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	6	Low	On-site

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 3 - TREE HEALTH AND CONDITION ASSESSMENT SCHEDULE

Tree Identification No.	Species	Height (m)	Spread (m)	Trunk Diameter (mm) at 1.4 metres	Live Crown Size (m^2)	Maturity Class	Condition	Previous Pruning	Health		Remaining Safe Useful Life Expectancy (SULE)	Landscape Significance Rating	Retention Value	Location
									Vigour	Pest & Disease				
28	***Archontophoenix cunninghamii*** (Bangalow Palm)	10	4	287	8	M	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	5	**Moderate**	On-site
29	***Archontophoenix cunninghamii*** (Bangalow Palm)	8	3	309	6	SM	Appears stable with fair branching structure.	No evidence	Good	No Evidence	Medium 15-40 Years	5	**Low**	On-site
30	***Syagrus romanzoffianum*** (Cocos Palm)	10	6	261	12	SM	Stability suspect with poor branching structure. Exhibits a prominent lean to the north-west (self-corrected).	No evidence	.Fair	No Evidence	Medium 15-40 Years	6	**Low**	On-site
31	***Jacaranda mimosifolia*** (Jacaranda)	14	9	350	81	M	Appears stable with fair branching structure. Exhibits a prominent lean to the south-east. Crown suppressed on the SE side due to crowding.	No evidence	Good	No Evidence	Long - more than 40 years	4	**Moderate**	On-site
32	Group of 5 x ***Camellia japonica*** (Camellia)	4 to 8	3 to 6	120x3	20	M	Appears stable with sound branching structure.	No evidence	Very Good	No Evidence	Long - more than 40 years	5	**Moderate**	On-site
33	***Livistona australis*** (Cabbage Tree Palm)	8	4.5	366	18	SM	Appears stable with sound branching structure.	No evidence	Very Good	No Evidence	Long - more than 40 years	4	**Moderate**	On-site
34	***Camellia sasanqua*** (Sasanqua Camellia)	8	7	120x2 + 140	49	M	Appears stable with sound branching structure.	No evidence	Very Good	No Evidence	Long - more than 40 years	4	**Moderate**	On-site
35	***Archontophoenix cunninghamii*** (Bangalow Palm)	11	4	220	8	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Medium 15-40 Years	5	**Low**	On-site
36	***Archontophoenix cunninghamii*** (Bangalow Palm)	10	4	115 + 200	12	SM	Appears stable with fair branching structure. Twin trunked at GL.	No evidence	Good	No Evidence	Short 5-15 Years	5	**Low**	On-site
37	***Archontophoenix cunninghamii*** (Bangalow Palm)	7	4	115 + 185	8	SM	Appears stable with fair branching structure. Twin trunked at GL.	No evidence	Good	No Evidence	Short 5-15 Years	5	**Low**	On-site

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 3 - TREE HEALTH AND CONDITION ASSESSMENT SCHEDULE

Tree Identification No.	Species	Height (m)	Spread (m)	Trunk Diameter (mm) at 1.4 metres	Live Crown Size (m^2)	Maturity Class	Condition	Previous Pruning	Health		Remaining Safe Useful Life Expectancy (SULE)	Landscape Significance Rating	Retention Value	Location
									Vigour	Pest & Disease				
38	***Melaleuca bracteata*** (Black Tea-tree)	13	9	230x2 + 300	81	M	Appears stable with sound branching structure.	No evidence	Fair with slightly thinning crown	No Evidence	Medium 15-40 Years	4	**Moderate**	On-site
39	***Archontophoenix cunninghamii*** (Bangalow Palm)	6	25	140	50	I	Appears stable with fair branching structure. Exhibits multiple moderate bark inclusions at junctions of co-dominant PLs at 0.3 metres.	No evidence	Good	No Evidence	Long - more than 40 years	5	**Moderate**	On-site
40	***Archontophoenix cunninghamii*** (Bangalow Palm)	7	3	178	6	I	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	5	**Moderate**	On-site
41	***Melaleuca bracteata* 'Revolution Gold'** (Golden Honey Myrtle)	9	5	120 + 170	30	SM	Appears stable with fair branching structure. Exhibits a high bark inclusion at junction of co-dominant PLs at 0.3 metres. Located close to existing dwelling.	No evidence	Good	No Evidence	Long - more than 40 years	4	**Moderate**	On-site
42	***Cedrus deodara*** (Himalayan Cedar)	20	14	650	0	OM	Appears stable with sound branching structure. Exhibits severe crown dieback with 95% deadwood due to supected herbicide damage.	No evidence	Poor with sparse crown	No Evidence	Transient (less than 5 years)	7	**Very Low**	Adjoining property
43	***Fraxinus Raywood*** (Claret Ash)	15	9	487	99	M	Appears stable with fair branching structure. Exhibits some dieback with 15% deadwood and 10% epicormic growth.	Selectively pruned & deadwooded.	Fair with thinning crown	No Evidence	Short 5-15 Years	4	**Low**	On-site
44	***Viburnum odoratissimum*** (Sweet Viburnum)	6	7	230	35	M	Appears stable with fair branching structure. Exhibits multiple basal epicormics.	Crown lifted to 2 metres	Good	No Evidence	Medium 15-40 Years	4	**Moderate**	On-site
45	***Syagrus romanzoffianum*** (Cocos Palm)	15	7	312	35	M	Appears stable with fair branching structure. Exhibits a prominent lean to the north-west (self-corrected).	No evidence	Good	No Evidence	Medium 15-40 Years	6	**Low**	On-site
46	***Lophostemon confertus*** (Brushbox)	8	4	250	24	SM	Stability suspect with poor branching structure. Exhibits a large wound (dieback in vascular tissue) in trunk affecting 80% stem circumference with decay evident and epicormic arising from old stump.	Previously cut to stump at 1.2 metres from GL	Good	Moderate borer infestation	Transient (less than 5 years)	5	**Very Low**	On-site

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 3 - TREE HEALTH AND CONDITION ASSESSMENT SCHEDULE

Tree Identification No.	Species	Height (m)	Spread (m)	Trunk Diameter (mm) at 1.4 metres	Live Crown Size (m^2)	Maturity Class	Condition	Previous Pruning	Health		Remaining Safe Useful Life Expectancy (SULE)	Landscape Significance Rating	Retention Value	Location
									Vigour	Pest & Disease				
47	***Corymbia maculata*** (Spotted Gum)	23	16	828	240	M	Stability supect with sound branching structure. Exhibits multiple small to moderate wounds and dieback in vascular tissue around whole circumference with some kino exudate due to suspected pathogenic fungal infection. Prominent lean to the north.	No evidence	.Fair	Suspected Root Rot or Butt Rott infection (possibly Gymnopilus sp.)	Short 5-15 Years	2	**Moderate**	On-site
48	***Corymbia maculata*** (Spotted Gum)	16	12	344	108	SM	Appears stable with sound branching structure.	No evidence	Good	No Evidence	Long - more than 40 years	4	**Moderate**	On-site
49	***Quercus palustris*** (Pin Oak)	23	22	700	396	M	Appears stable with sound branching structure. Exhibits some broken and suspended SLs and TLs and broken branch stubs due to previous storm damage.	No evidence	Very Good	No Evidence	Long - more than 40 years	2	**High**	Adjoining property
50	***Tristaniopsis laurina*** (Water Gum)	7	7	100x2 + 140x2 + 120	35	SM	Appears stable with fair branching structure. Exhibits multiple moderate bark inclusions at junctions of co-dominant PLs (x5) at GL.	No evidence	Good	Moderate vine infestation	Short 5-15 Years	4	**Low**	On-site

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
1	***Tristaniopsis laurina*** (Water Gum)	M	4.8	2.3	3.3	72.3	Proposed bench and associated paved area offset 3.5 metres west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 2%	Encroachment to the root zone is less than 10% of the TPZ, which is considered to be within acceptable limits under AS 4970:2009. No adverse impact.	To be retained - no special tree protection measures required.
2	***Glochidion ferdinandi*** (Cheese Tree)	M	4.5	2.1	3.1	63.6	No proposed works within TPZ.	No adverse impact.	To be retained - no special tree protection measures required.
3	***Glochidion ferdinandi*** (Cheese Tree)	M	3.4	2.0	2.3	35.4	No proposed works within TPZ.	No adverse impact.	To be retained - no special tree protection measures required.
4	***Callistemon viminalis*** (Weeping Bottlebrush)	M	3.4	2.0	2.3	35.4	No proposed works within TPZ.	No adverse impact.	To be retained - no special tree protection measures required.
5	***Callistemon viminalis*** (Weeping Bottlebrush)	M	5.4	2.5	3.7	91.6	Located within footprint of proposed driveway crossover (approved under eDA0204/24).	Proposed works will necessitate removal.	Approved under eDA0204/24. Undertake replacement planting with a new tree elsewhere on the nature strip area to compensate for loss of amenity in accordance with Section 11.
6	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	3.0	N/A	2.0	28.3	Proposed new driveway offset 0.9 metres north-east at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 31%. Proposed OSD offset 2.3 metres north-west at IL100.02 (800mm below grade). Excavations for OSD within TPZ. Cumulative encroachment to TPZ = 31%	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Excavations and compaction for the pavement sub-grade have the potential to result in some adverse impact on this tree. However, any adverse impact can be mitigated by constructing the driveway as recommended.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Undertake all excavation for pavement sub-grade and OSD within the TPZ in accordance with Section 10.9. Construct the finished level of the driveway (excluding crossover) slightly above grade (100mm) to minimise excavation for the pavement sub-grade within the TPZ in accordance with Section 10.12.

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APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
7	***Syagrus romanzoffianum*** (Cocos Palm)	G	3.5	N/A	2.4	38.5	No proposed works within TPZ.	No adverse impact.	To be retained - no special tree protection measures required.
9	***Camellia japonica*** (Camellia)	M	2.5	1.7	1.7	19.6	Proposed new driveway offset 0.4 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ/SRZ (partially within footprint of the existing brick paved area to be demolished. Encroachment to TPZ = 38% (approx. 12% increase from present situation). Some canopy pruning required to clear vehicular access, resulting in 10% crown loss. Proposed OSD offset 0.5 metres south-west at IL100.02 (800mm below grade). Proposed stormwater pipeline offset 1.8 metres east. Excavations for OSD & open trenching for stormwater within SRZ & TPZ.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Excavations for OSD has the potential to result in a significant adverse impact on this tree. Proposed to be retained.	Retain in accordance with recommended Tree Protection Measures (Section 10). Undertake all excavation for pavement sub-grade and OSD within the TPZ in accordance with Section 10.9. Undertake any required canopy pruning (to clear vehicular access) in accordance with Section 10.14.
10	***Liquidambar styraciflua*** (Liquidambar)	M	12.9	3.5	8.8	520.8	Existing dwelling offset 6.7 metres north-west and associated verandah offset 5 metres north-west to be retained and restored. N.B. root system beneath footings and cracking external walls. Proposed new driveway offset 5.4 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 11%. Located within footprint of proposed entry path.	Proposed works will necessitate removal (high retention value),	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.
11	***Leptospermum petersonii*** (Lemon-scented Tea-tree)	M	3.1	2.0	2.1	30.6	Proposed recycled brick footpath offset 0.6 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within SRZ/TPZ. Encroachment to TPZ = 17%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Proposed to be removed to accommodate new landscape works.	Remove tree.

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
12	***Camellia japonica*** (Camellia)	M	2.0	1.3	1.4	12.6	Proposed recycled brick footpath offset 0.5 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within SRZ/TPZ. Encroachment to TPZ = 27%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Proposed works are likely to result in some adverse impact. Proposed to be retained.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Place the pavement above grade (100mm) to minimise excavation for the pavement sub-grade within the TPZ in accordance with Section 10.12. Undertake all excavation for pavement sub-grade within the TPZ in accordance with Section 10.9.
13	***Livistona australis*** (Cabbage Tree Palm)	G	3.6	N/A	2.4	40.7	Existing dwelling and associated verandah offset 1.7 metres north-west to be retained and restored. No increase in present encroachment. Proposed recycled brick footpath offset 0.3 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 19%. Proposed 100mmØ stormwater pipeline offset 1.4 metres west at IL? (assumed 400-600mm below grade). Open trenching within TPZ. Cumulative encroachment to TPZ = 34%	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Proposed works are likely to result in some adverse impact. Proposed to be retained.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Place the pavement above grade (100mm) to minimise excavation for the pavement sub-grade within the TPZ in accordance with Section 10.12. Undertake all excavation for pavement sub-grade within the TPZ in accordance with Section 10.9. Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11.

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
14	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	3.0	N/A	2.0	28.3	Existing dwelling offset 1.4 metres south-west to be retained and restored. No increase in present encroachment. Proposed recycled brick footpath offset 0.1 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 21%. Proposed 100mmØ stormwater pipeline offset 1.0 metres south-west at IL? (assumed 400-600mm below grade). Open trenching within TPZ. Cumulative encroachment to TPZ = 47%	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Proposed works are likely to result in an adverse impact. Proposed to be retained.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Place the pavement above grade (100mm) to minimise excavation for the pavement sub-grade within the TPZ in accordance with Section 10.12. Undertake all excavation for pavement sub-grade within the TPZ in accordance with Section 10.9. Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11.
15	***Syagrus romanzoffianum*** (Cocos Palm)	G	4.0	N/A	2.7	50.2	Existing dwelling offset 1.9 metres south-west to be retained and restored. No increase in present encroachment. Proposed recycled brick footpath offset 0.6 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 16%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed. Proposed to be removed to accommodate new landscape works.	Remove tree.
16	***Trachycarpus fortunei*** (Chinese Windmill Palm)	G	2.0	N/A	1.4	12.6	Existing dwelling offset 2.3 metres south-west to be retained and restored. No increase in present encroachment. Proposed recycled brick footpath offset 1.0 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 16%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed provided that all proposed works within the TPZ are undertaken as recommended.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Place the pavement above grade (100mm) to minimise excavation for the pavement sub-grade within the TPZ in accordance with Section 10.12. Undertake all excavation for pavement sub-grade within the TPZ in accordance with Section 10.9.

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
17	***Syagrus romanzoffianum*** (Cocos Palm)	G	4.5	N/A	3.1	63.6	Existing dwelling offset 2.2 metres south-west to be retained and restored. No increase in present encroachment. Proposed recycled brick footpath offset 1.0 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 23%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed. Proposed to be removed to accommodate new landscape works.	Remove tree.
18	***Trachycarpus fortunei*** (Chinese Windmill Palm)	G	2.4	N/A	1.6	18.1	Existing dwelling offset 2.1 metres south-west to be retained and restored. No increase in present encroachment. Proposed recycled brick footpath offset 0.7 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 26%. Proposed 100mmØ stormwater pipeline offset 1.7 metres south-west at IL? (assumed 400-600mm below grade). Open trenching within TPZ. Cumulative encroachment to TPZ = 30%	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Proposed works are likely to result in some adverse impact. Proposed to be retained.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Place the pavement above grade (100mm) to minimise excavation for the pavement sub-grade within the TPZ in accordance with Section 10.12. Undertake all excavation for pavement sub-grade within the TPZ in accordance with Section 10.9. Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11.
19	***Ficus benjamina* 'Variegata'** (Variegated Weeping Fig)	M	3.0	1.7	2.0	28.3	Proposed recycled brick footpath offset 0.5 metres south-west at RL? (assumed close to existing grade). Excavations for pavement sub-grade within TPZ. Encroachment to TPZ = 20%. Proposed addition offset 1.7 metres west at RL101.54 (200mm above grade). Excavations for building foundations within TPZ. Cumulative encroachment to TPZ = 35%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. Proposed works are likely to result in a significant adverse impact, necessitating removal.	Remove tree.
20	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	3.2	N/A	2.2	32.4	Located within footprint of the proposed additions to existing dwelling.	Proposed works will necessitate removal.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
21	***Syagrus romanzoffianum*** (Cocos Palm)	G	4.5	N/A	3.1	63.6	Located within footprint of the proposed additions to existing dwelling.	Proposed works will necessitate removal.	Remove tree.
22	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	2.3	N/A	1.6	16.5	Located within footprint of the proposed additions to existing dwelling (new deck).	Proposed works will necessitate removal.	Remove tree.
23	***Trachycarpus fortunei*** (Chinese Windmill Palm)	G	2.3	N/A	1.6	16.6	Proposed addition (deck) offset 0.6 metres south-west at RL101.44 (200-300mm above grade). Excavation for building foundations (assumed isolated post footings) within TPZ. Encroachment to TPZ = 32%. Proposed recycled brick pathway offset 0.4 metres south-east.	Proposed works will necessitate removal.	Remove tree.
24	***Cupressus macrocarpa* 'Brunniana Aurea'** (Golden Brunning's Cypress)	M	10.8	3.3	7.3	366.2	Located within footprint of the proposed addition.	Proposed works will necessitate removal.	Remove tree. N.B. consent to remove this tree has been granted by Ku-ring-gai Council in accordance with a Tree Removal Permit issued on 23/01/2024.

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TL = Tertiary Limb. GL = Ground Level

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
25	***Jacaranda mimosifolia*** (Jacaranda)	M	6.0	2.4	4.1	113.0	Existing dwelling offset 3.8 metres north-east to be retained and restored. Rear portion of dwelling to be demolished within TPZ. Proposed new driveway (concrete wheel strips) offset 1.7 metres north-east at RL100.90 -101.00 (close to existing grade) Excavation for pavement sub-grade within TPZ. Encroachment to TPZ = 8%. Proposed addition (garage) offset 2.6 metres north at RL 101.00 (at grade). Excavations for building foundations (assumed slab on ground with deep edge beam) within TPZ. Cumulative encroachment to TPZ = 20%. Minor canopy pruning may be required to clear the building envelope, resulting in less than 10% crown loss. Proposed 100mmØ stormwater pipeline offset 2.7 metres north and 3.4 metres north-west at IL? (assumed 400-600mm below grade). Open trenching within TPZ. Cumulative encroachment to TPZ = 35%	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed provided that all proposed works within the TPZ are undertaken as recommended. Extent of canopy pruning is within acceptable limits under AS4373:2007. No adverse impact.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Undertake all excavation for the addition foundations and pavement sub-grade within the TPZ in accordance with Section 10.9. Undertake any required canopy pruning (that essential to clear the building envelope) in accordance with Section 10.14. Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11.
26	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	2.3	N/A	1.5	16.0	Proposed addition offset 1.0 metre north-east at RL101.54 (700mm above grade). Excavation for building foundations within TPZ. Encroachment to TPZ = 12%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed.	Remove tree. Inappropriate position relative to the dwelling given the ultimate mature dimensions..
27	***Syagrus romanzoffianum*** (Cocos Palm)	G	4.3	N/A	2.9	58.6	Proposed addition offset 1.2 metres south-east at RL101.54 (700mm above grade). Excavation for building foundations within TPZ. Encroachment to TPZ = 12%.	Extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed.	Remove tree. Inappropriate position relative to the dwelling given the ultimate mature dimensions.
28	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	3.4	N/A	2.3	37.1	Proposed addition offset 2.0 metres south-east at RL101.54 (700mm above grade). Excavation for building foundations within TPZ. Encroachment to TPZ = 7%.	Encroachment to the root zone is less than 10% of the TPZ, which is considered to be within acceptable limits under AS 4970:2009. No adverse impact. Proposed to be removed to accommodate new landscape works.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
29	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	3.7	N/A	2.5	43.1	Proposed addition offset 4.0 metres south at RL101.54 (500mm above grade). Excavation for building foundations within TPZ. Encroachment to TPZ <5%.	Encroachment to the root zone is less than 10% of the TPZ, which is considered to be within acceptable limits under AS 4970:2009. No adverse impact. Proposed to be removed to accommodate new landscape works.	Remove tree.
30	***Syagrus romanzoffianum*** (Cocos Palm)	G	3.5	N/A	2.4	38.5	No proposed works within TPZ.	Proposed to be removed to accommodate new landscape works.	Remove tree.
31	***Jacaranda mimosifolia*** (Jacaranda)	M	5.0	2.2	3.4	78.5	Proposed addition offset 2.9 metres south-east at RL101.54 (700mm above grade). Excavation for building foundations within TPZ. Encroachment to TPZ <5%. Proposed addition (deck & associated stairs) offset 3.2 metres south-east at RL101.44 (300mm-400mm above grade). Excavation for deck foundations (assumed isolated post footings) within TPZ. Cumulative encroachment to TPZ = 10%	Encroachment to the root zone is less than 10% of the TPZ, which is considered to be within acceptable limits under AS 4970:2009. No adverse impact.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Undertake all excavations for the addition foundations and deck pad footings within the TPZ in accordance with Section 10.9.
32	Group of 5 x ***Camellia japonica*** (Camellia)	M	2.4	1.7	1.6	18.1	No proposed works within TPZ.	No adverse impact.	Retain in accordance with recommended Tree Protection Measures (Section 10) (TBC). Install Tree Protection Fence in accordance with Section 10.5.
33	***Livistona australis*** (Cabbage Tree Palm)	G	3.5	N/A	2.4	38.5	No proposed works within TPZ.	no adverse impact.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5.
34	***Camellia sasanqua*** (Sasanqua Camellia)	M	3.2	1.8	2.2	32.2	No proposed works within TPZ.	no adverse impact.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5.
35	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	2.6	N/A	1.8	21.8	Indicative Building Envelope (IBE) offset 1.5 metres north-west.	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Remove tree.

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
36	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	3.0	N/A	2.0	28.3	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Remove tree.
37	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	2.6	N/A	1.8	21.9	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Remove tree.
38	***Melaleuca bracteata*** (Black Tea-tree)	M	6.0	2.7	4.1	113.0	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.
39	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	2.0	N/A	1.4	12.6	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.
40	***Archontophoenix cunninghamii*** (Bangalow Palm)	G	2.1	N/A	1.5	14.4	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.
41	***Melaleuca bracteata*** **'Revolution Gold'** (Golden Honey Myrtle)	M	3.0	2.0	2.0	28.3	Indicative Building Envelope (IBE) offset 1.1 metres south-west.	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.
42	***Cedrus deodara*** (Himalayan Cedar)	M	7.8	2.9	5.3	191.0	No proposed works within TPZ.	No adverse impact.	To be retained - no special tree protection measures required.
43	***Fraxinus Raywood*** (Claret Ash)	M	5.8	2.5	4.0	107.4	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Remove tree.
44	***Viburnum odoratissimum*** (Sweet Viburnum)	M	3.2	1.9	2.2	32.2	Located within Indicative Building Envelope (IBE)	Any future dwelling sited within the IBE will necessitate the removal of this tree.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.

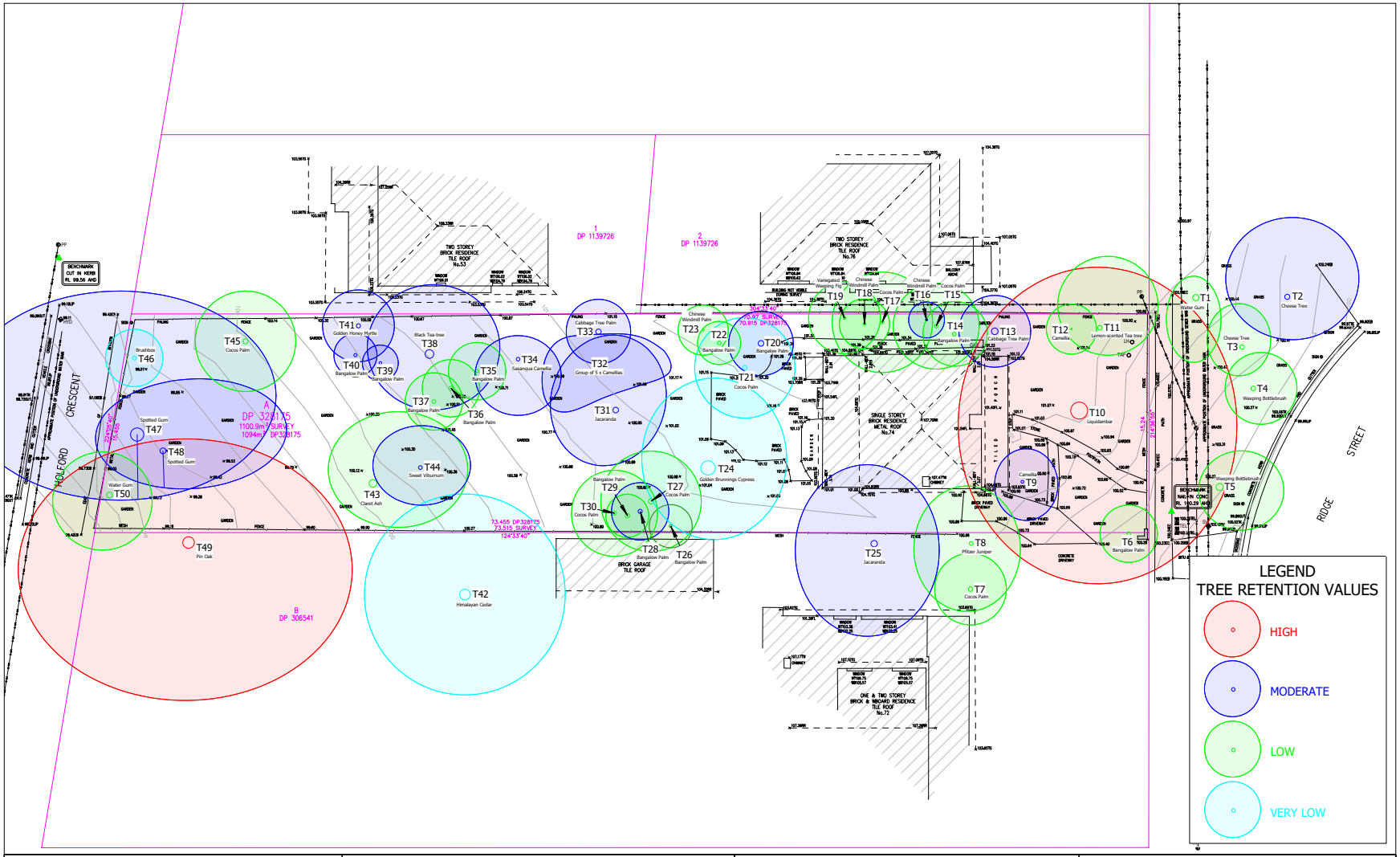
APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
45	***Syagrus romanzoffianum*** (Cocos Palm)	G	3.7	N/A	2.5	44.0	Indicative Building Envelope (IBE) offset 2.5 metres south-east. Proposed 100mmØ stormwater pipeline offset 1.9 metres south-east and 3.4 metres west at IL? (assumed 400-600mm below grade). Open trenching within TPZ. Cumulative encroachment to TPZ = 15%	Extent of encroachment to the TPZ from the proposed stormwater exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encorachment proposed.	Retain in accordance with recommended Tree Protection Measures (Section 10). Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11.
46	***Lophostemon confertus*** (Brushbox)	M	3.0	1.9	2.0	28.3	No proposed works within TPZ.	No adverse impact.	To be retained - no special tree protection measures required.
47	***Corymbia maculata*** (Spotted Gum)	P	9.9	3.2	6.8	310.0	Indicative future driveway offset 1.5 metres south-west and 4.5 metres south-east. Potential encroachment to TPZ = 19%. Proposed 100mmØ stormwater pipeline offset 3.3 metres south and 6.3 metres east at IL? (assumed 600-800mm below grade). Open trenching within TPZ. Proposed OSD offset 6.5 metres south-east at IL98.80 (1.2 metres below grade). Bulk excavation for OSD within TPZ. Cumulative encroachment to TPZ = 26%	Potential extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed provided that all proposed works within the TPZ are undertaken as recommended.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Elevate any future driveway such that the finished level is 150mm above existing grade to minimise excavations within the TPZ in accordance with Section 10.12. Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11. Undertake all excavations for OSD within TPZ in accordance with Section 10.9.
48	***Corymbia maculata*** (Spotted Gum)	P	6.0	2.2	4.1	113.0	No proposed works within TPZ.	Any future driveway and stormwater works is likely to necessitate the removal of this tree.	Undertake replacement planting with a new tree elsewhere within the site to compensate for loss of amenity in accordance with Section 11.

PL = Primary Limb; SL = Secondary Limb;
TL = Tertiary Limb. GL = Ground Level

APPENDIX 4 - IMPACT ASSESSMENT SCHEDULE

Tree Identification No.	Species	Construction Tolerance	Tree Protection Zone (m R)	Structural Root Zone (m R)	Minimum Setback Distance (tangent to root plate)	TPZ (m^2)	Incursions To Root Zone &/or Canopy	Likely Impact	Recommendation
49	***Quercus palustris*** (Pin Oak)	M	11.0	3.0	7.5	379.9	Indicative future driveway offset 2.7 metres north-east. Potential encroachment to TPZ = 17%. Indicative Building Envelope (IBE) offset 7 metres east. Potential encroachment to TPZ = 4%. Proposed OSD offset 4.0 metres east at IL98.80 (1.2 metres below grade). Bulk excavation for OSD within TPZ. Cumulative encroachment to TPZ = 11%. Proposed 100mmØ stormwater pipeline offset 4.8 metres south-east at IL? (assumed 600-800mm below grade). Open trenching within TPZ. Cumulative encroachment to TPZ = 31% (+ future driveway = 35%)	Potential extent of encroachment to the TPZ exceeds acceptable limits under AS4970:2009. However, this tree will tolerate the level of encroachment proposed provided that all proposed works within the TPZ are undertaken as recommended.	Retain in accordance with recommended Tree Protection Measures (Section 10). Install Tree Protection Fence in accordance with Section 10.5. Elevate any future driveway such that the finished level is 150mm above existing grade to minimise excavations within the TPZ in accordance with Section 10.12. Undertake all open trenching for proposed stormwater pipeline within TPZ in accordance with Section 10.11. Undertake all excavations for OSD within TPZ in accordance with Section 10.9.
50	***Tristaniopsis laurina*** (Water Gum)	M	3.6	2.3	2.4	40.7	No proposed works within TPZ.	Any future driveway and stormwater works is likely to necessitate the removal of this tree.	Remove tree.



APPENDIX 5
TREE LOCATION PLAN SHOWING
TREE RETENTION VALUES

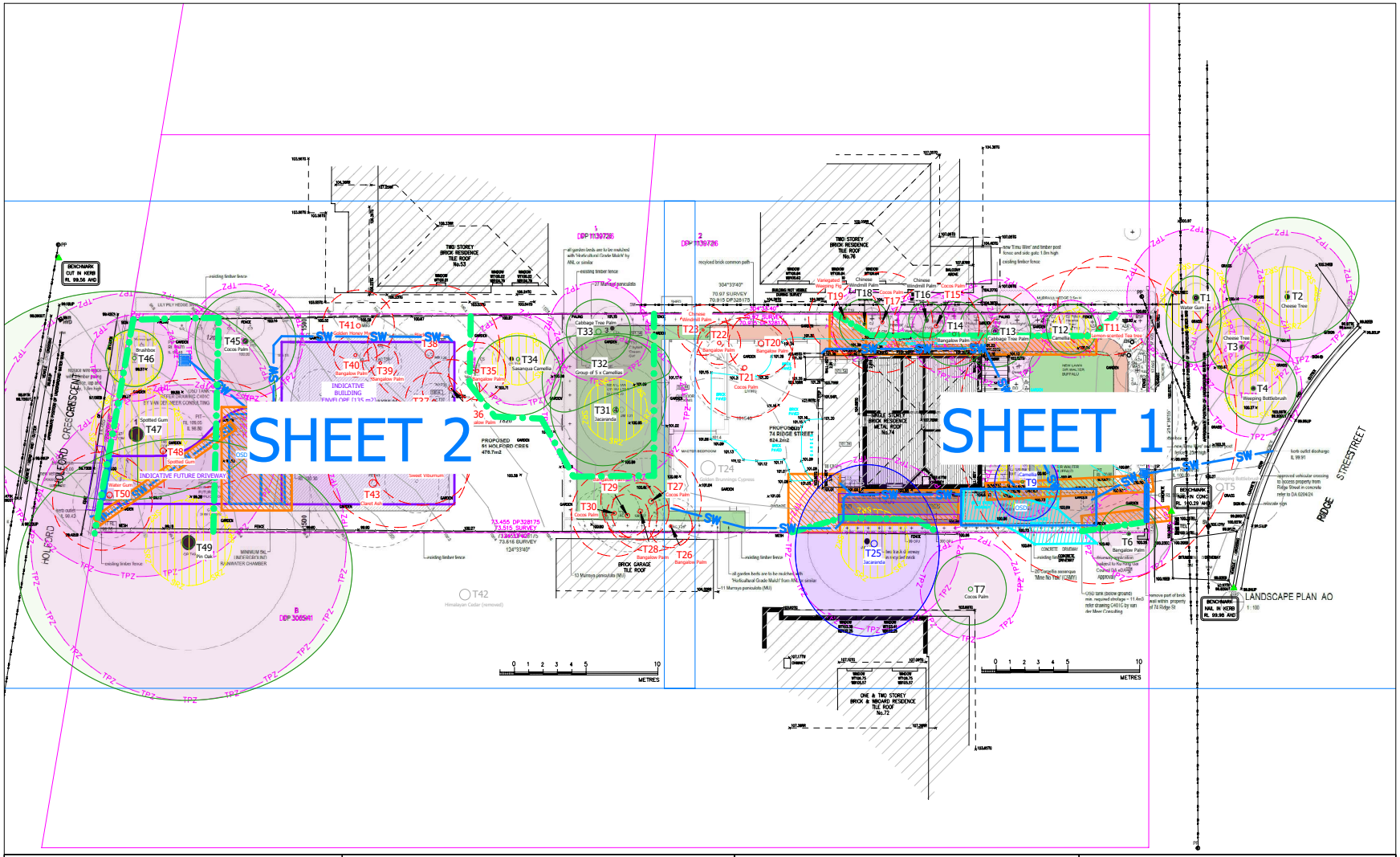
74 Ridge Street, GORDON, NSW

Earthscape Horticultural Services
Arboricultural and Horticultural Consultants
PO Box 364
BEROWRA NSW 2081
Ph: 02 9456 4787
Fax: 02 9456 5757 e: earthscape@iinet.net.au

Based on the Survey Drawing
prepared by Urban Surveying
Dwg Ref No. 23176-1 [00]
Dated 29/11/2023

DWG No. T23-0205/01 [A]

DATE: 05/02/2023



APPENDIX 6
TREE PROTECTION PLAN

74 Ridge Street, GORDON, NSW

Earthscape Horticultural Services
Arboricultural and Horticultural Consultants
PO Box 364
BEROWRA NSW 2081
Ph: 02 9456 4787
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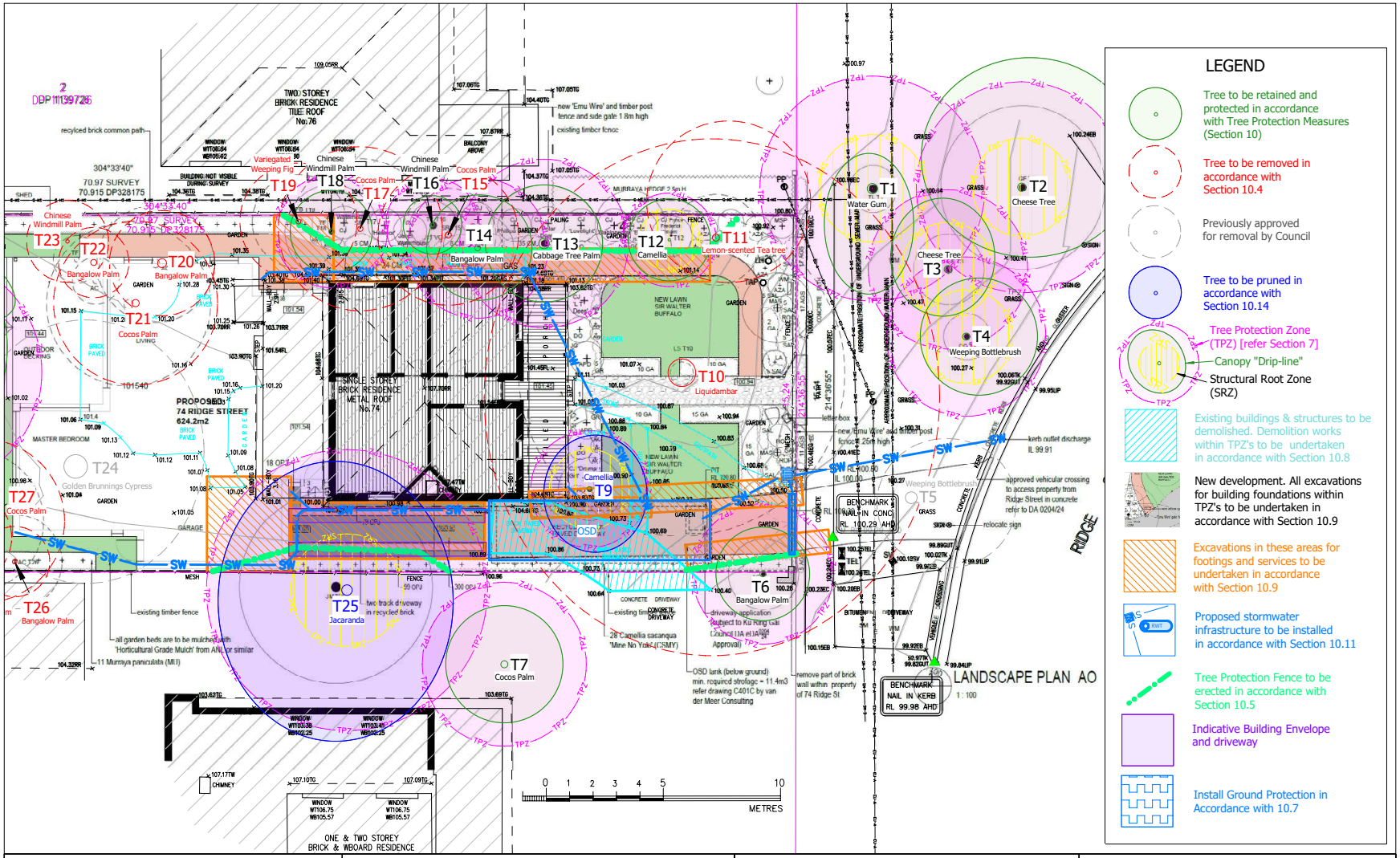
Based on the Survey Drawing
prepared by Urban Surveying
Dwg Ref No. 23176-1 [00]
Dated 29/11/2023

NORTH

DWG No. T24-0205/02 [H]

KEY PLAN

DATE: 30/07/2025



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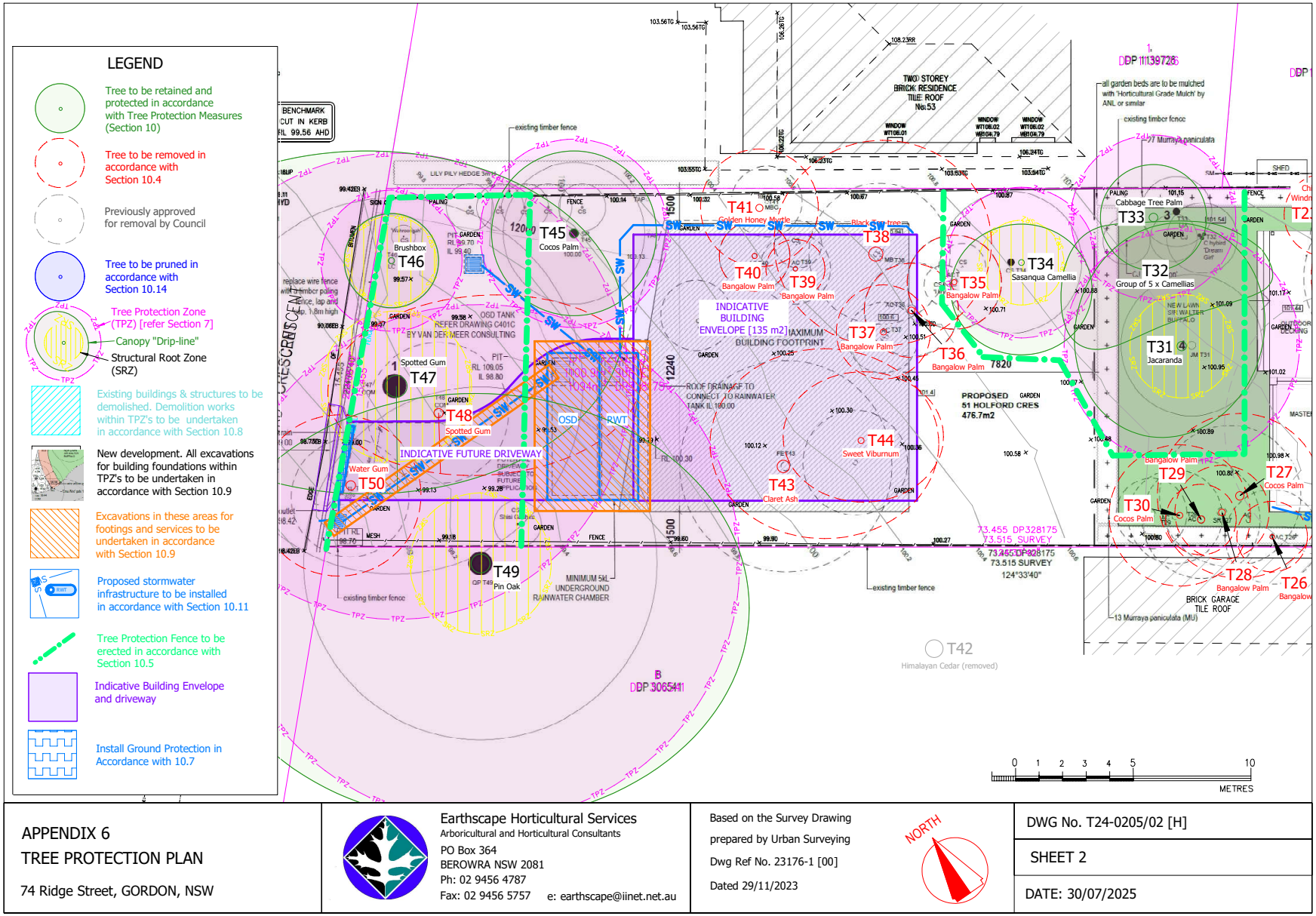
Based on the Survey Drawing prepared by Urban Surveying
Dwg Ref No. 23176-1 [00]
Dated 29/11/2023

DWG No. T24-0205/02 [H]

SHEET 1

DATE: 30/07/2025



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BEROWRA NSW 2081
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Based on the Survey Drawing prepared by Urban Surveying
Dwg Ref No. 23176-1 [00]
Dated 29/11/2023

NORTH

DWG No. T24-0205/02 [H]

SHEET 2

DATE: 30/07/2025

Chapman Planning Pty Ltd

Suite 8/ 88 Mountain Street
ULTIMO NSW 2007

Phone: 9560 1718
www.chapmanplanning.com.au

11 August 2025

Clause 4.6 Request to Contravene a Development Standard

Property Description:	74 Ridge Street, Gordon
Development:	Alterations and additions to the existing dwelling on the site and Torrens Title subdivision of one (1) lot into two (2)
Development Standard:	Minimum subdivision lot size, clause 4.1(3) and (3A) of Ku-ring gai Local Environmental Plan 2015

Introduction

This is a clause 4.6 written request to support the development proposal for alterations and additions to the existing dwelling on the site and Torrens Title subdivision of one (1) lot into two (2) at 74 Ridge Street, Gordon. This clause 4.6 Request seeks contravention to the 930m^2 minimum subdivision lot size and minimum width of development standards contained in clause 4.1(3) and (3A) – Minimum subdivision lot size of the *Ku-ring Gai Local Environmental Plan 2052 (Ku-ring-gai LEP)*.

The subject site is located within the R2 – low density residential land use zone pursuant to the *Ku-ring-gai LEP*. The existing residential allotment is sized 1,100.9m^2 with a 15.24m street frontage to Ridge Street and 15.455m to Holford Crescent.

The proposed subdivision is described as:

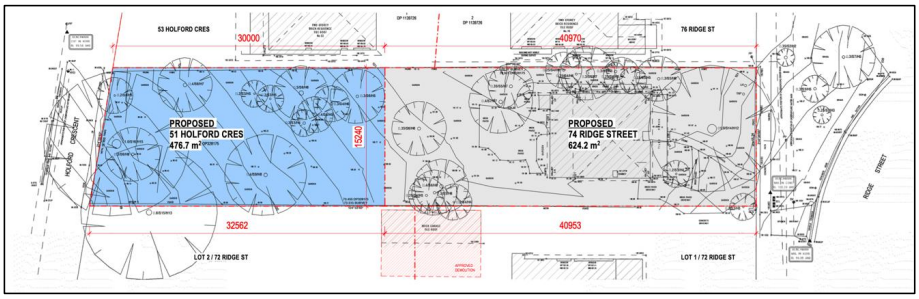
- Ridge Street: Area 624.2m^2 and Width 15.24m
- Holford Crescent: Area 476.7m^2 and Width 15.455m

The proposed lots vary the minimum lots size development standard by 453.3m^2 and 48% (Holford Crescent) and 305.8m^2 and 32% (Ridge Street).

The proposed lots vary the minimum site width development standard by 2.76m and 15% (Ridge Street) and 2.54m and 14% (Holford Crescent).

The proposed lots are referred to a Lot 1 – Ridge Street and Lot 2 -Holford Crescent in this clause 4.6 request.

The proposed subdivision is depicted in the following extract of the Architectural Plans prepared by *Greenbox Architecture*, submitted with the development application:



The fundamental role of clause 4.6 in any local environmental plan is reflected in the recent decision of Commissioner Clay in *SJD DB2 Pty Ltd v Woollahra Municipal Council* [2020] NSWLEC 1112. In particular, Commissioner Clay notes at [73] of his decision that:

> *"First, it should be noted cl 4.6 of WLEP is as much a part of WLEP as the clauses with development standards. Planning is not other than orderly simply because there is reliance on cl 4.6 for an appropriate planning outcome."*

The objectives of clause 4.6 facilitate the flexible application of development standards to particular development in order to achieve an improved environmental planning outcome. This Request has been prepared having regard to the Department of Planning and Environment's Guidelines to Varying Development Standards (November 2023) and various relevant decisions in the Land and Environment Court and Court of Appeal of NSW.

The request to contravene the development standard for the minimum subdivision lot size has been prepared in accordance with the principles applied in relevant case law including:

1. *Winten Property Group Limited v North Sydney Council* (2001) 130 LGERA 79.
2. *Wehbe v Pittwater Council* (2007) 156 LGERA 446.
3. *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009.
4. *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118.
5. *Al Maha Pty Ltd v Huajun Investments Pty Ltd* (2018) 233 LGERA 170.
6. *RebelMH Neutral Bay Pty Limited v North Sydney Council (2019) NSWCA 130.*
7. *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC *7.*

This Clause 4.6 variation request is set out in accordance with the relevant principles established by the Court including:

1. Is the proposed development consistent with the objectives of the development standard which is not met?

2. Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case? (cl 4.6(3)(a))

3. Are there sufficient environmental planning grounds to justify contravening the development standard and therefore the Applicant's written request to vary the development standard is well founded? (cl 4.6(3)(b))

The public interest test has been removed from clause 4.6. Consistency with the objectives of the land use zone consideration under section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act and has been addressed within the statement of environmental effects submitted with the development application.

Matters required to be demonstrated under clause 4.6(3) of the LEP

Compliance with the development standard is unreasonable or unnecessary in this particular case

Pursuant to clause 4.6(3)(a) of the LEP, the contravention to the minimum subdivision lot size development standard is acceptable in the circumstances of this case and compliance with the development standard is considered unnecessary because the proposed development is consistent with the objectives of the minimum subdivision lot size standard, notwithstanding non-compliance with the standard.

- **Objectives of the Minimum subdivision lot size Development Standard**

The objectives of the development standard are at clause 4.1 (1) of the LEP as follows:

(a) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls and minimise risk to life and property from environmental hazards, including bush fires,

(b) to ensure that lot sizes and dimensions allow development to be sited to protect natural or cultural features including heritage items, remnant vegetation, habitat and waterways, and provide for generous landscaping to support the amenity of adjoining properties and the desired character of the area,

(c) to ensure that subdivision of low density residential sites reflects and reinforces the predominant subdivision pattern of the area.

The proposed development meets the objectives of Clause 4.1 of the LEP based on the following assessment:

Objective (a) – The proposed subdivision provides adequate lot sizes that can appropriately support the existing dwelling including the proposed alterations and additions on Lot 1.

The proposed subdivision includes a building footprint – Lot 2. The building footprint is consistent with the building envelope controls contained in Part 4 – Dwelling Houses of the DCP.

Further, the site is not subject to environmental hazards including bushfire, flooding, biodiversity or riparian land.

Objective (b) – The proposed lot size and width ensures the retention of the heritage cottage on 74 Ridge Street, and rear alterations and additions that meet

the height of buildings and FSR standards and that are consistent with the planning controls at Part 4 – Dwelling Houses and Part 19 – Heritage Items in Heritage Conservation Areas of the DCP.

The proposed allotment area and width allows for retention of established trees and landscaped area noting the proposed built upon area of the dwelling – 74 Ridge Street and the building footprint – Holford Crescent, meet the built upon area control at Part 4A.3 – Built Upon Area of the DCP.

The proposed lots, existing and future development is compatible with the desired future character for development in the locality.

Objective (c) – The proposed subdivision is consistent with the subdivision pattern at 76, 76A, 78 and 80 Ridge Street, and 53, 55, 57 and 59 Holford Crescent which range in lot sizes between approximately 411m^2-676m^2. Further, the proposed cadastral pattern is consistent with the recently approved subdivision of the adjoining dwelling at 72 Ridge Street under eDA/0365/24.

It is unreasonable to require compliance with the minimum subdivision lot size development standard due to the following reasons:

- The subdivision of the existing lot to provide 2 x allotments allows for a consistent subdivision pattern that is closely aligned with the established cadastral pattern in the immediate locality.

- The plans for alterations and addition to the heritage cottage – 74 Ridge Street and indicative building footprint – Holford Crescent confirms the proposed lot sizes can accommodate a built form consistent with the expected building envelope of the applicable planning controls, notwithstanding the numerical contravention to the development standard.

- The proposed lot size and width does not preclude the ability for future dwellings to meet the relevant built form development standards and controls contained within the Ku-ring gai LEP and DCP.

- The proposed Torrens title subdivision retains the Heritage item which is located within lot 1 and allows for sufficient area to be retained around the item, therefore maintaining the heritage significance of the item.

- The subject site has frontage to Ridge Street and Holford Crescent ensuring the proposed Torrens title lots have a street frontage.

- The lot arrangement is suitable for the subject site, being orderly and economic development, achieving the objectives of the R2 – Low Density Residential zone. The objectives of the R2 – low density residential zone area addressed within the statement of environmental effects submitted with the development application.

In line with the decisions in *Wehbe v Pittwater Council* [2007] NSWLEC 827 the proposal meets the first test as the objectives of the development standard are achieved notwithstanding the non-compliance.

There are sufficient environmental planning grounds to justify contravening the development standard

Pearson C held in *Four2Five vs Ashfield Council* [2015] NSWLEC 1009 that to satisfy clause 4.6(3)(b), a clause 4.6 variation must identify environmental planning grounds that are particular to the circumstances of the proposed development on the particular site. That decision was upheld on appeal by Pain J ([2015] NSWLEC 90) and the Court of Appeal ([2015] NSWCA 248).

Preston CJ noted in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6, the aspect of the development that contravenes the development standard should be the focus (as opposed to the development as a whole) of any analysis.

In the case where the development standard to be contravened is site area, the environmental planning grounds of such a contravention are tied to the ability of the site, with a reduced area, to accommodate built forms that are consistent with the expected building envelope as directed by the relevant provisions within the LEP and DCP, achieving the objectives, of the standard.

Pursuant to clause 4.6(3)(b) of the LEP, there are sufficient environmental planning grounds to justify the variation to the site area development standard because:

- The contravention to the minimum subdivision lot size standard results in the subdividing an existing lot to provide 2 x allotments that are consistent with the established cadastral pattern in the vicinity of the site. The subdivision pattern seen at 76, 76A, 78 and 80 Ridge Street, and 53, 55, 57 and 59 Holford Crescent range in lot size approximately 411m^2 – 676m^2 reflect similar lot sizes to that which is proposed under this application.

  The proposed subdivision is consistent with the cadastral pattern of 76 Ridge Street and the approved subdivision – Development Application eDA0365/24 at the 72 Ridge Street.

- The plans for alterations and additions on Lot 1 – Ridge Street and the indicative building footprint Lot 2 – 53 Holford Crescent confirms the proposed lot sizes can accommodate a built form consistent with the building envelope controls, notwithstanding the numerical contravention to the lot size and width development standard. Compliance with the site specific standards, therefore, infers the development is appropriate and is not likely to result in adverse impacts upon adjoining properties beyond that accepted by Council for the site. This is a recognised environmental planning ground. *Randwick City Council v Micaul Holdings Pty Ltd* [2016] NSWLEC 7 at 34.

- The proposed lot size and maximum building footprint are consistent with development in the surrounding locality, as shown in the map extract below:



- The proposed development meets the relevant objects of the Environmental Planning and Assessment Act, 1979 as follows:
    - 1.3(c) - The proposal is an orderly and economic use and development of land being a site outcome that is compatible with the future development envisioned for the R2 Low Density zone.
    - 1.3(f) – The proposal allows for the retention of the heritage item at 74 Ridge Street, whilst allowing for future development on Lot 2 that will not adversely impact on its significance.
    - 1.3(g) - The proposed lot size and maximum building footprint ensure a scale for future development that is compatible with development in the locality, and will protect the amenity of the built environment.
- The proposed development meets the relevant aims of the *Ku-ring-gai LEP* as follows:
    - 1.2(2)(a) – The proposal allows for the development of land whilst maintaining and managing the environmental, social, economic and cultural resources within Ku-ring gai.
    - 1.2(2)(i) – The proposed subdivision allows for the future development of an additional dwelling which may encourage variety of housing types.
    - 1.2(2)(o) – The proposal allows for the protection of the R2 Low Density Residential area whilst allowing for a future dwelling at the site.

Conclusion

The proposed Torrens title subdivision presents a contravention to the 930m^2 minimum subdivision lot size and 18m lot width development standards contained in Clause 4.1 (3) and (3A) of the *Ku-ring gai LEP 2015*; notwithstanding, the proposal allows for the subdivision of an existing 1,100.9m^2 allotment to create two allotments that are closely aligned with the established cadastral pattern in the immediate locality.

The contravention does not attempt to affect the planning outcome for the broader locality; rather the proposed contravention accommodates an orderly use of the site, with the development proposal demonstrating the objectives of the standard can be achieved with regards to the minimum lot size requirement.

Consistency with the objectives of the land use zone is consideration under section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act, demonstrating the development is in the public interest and has been addressed within the statement of environmental effects. Notwithstanding, the contravention to the minimum subdivision lot size development standard facilitates consistency with the objectives of the low density residential zone. The contravention will accommodate an additional dwelling to meet the housing demands of the community.

In my opinion, the proposed development for Torrens title subdivision resulting in a contravention to the minimum lot size and lot width development standard contained at clause 4.1(3) and (3A) of the *Ku-ring-gai LEP* is well founded. In accordance with the environmental planning grounds addressed in this clause 4.6 Request, the proposed development can be supported.

Chapman Planning Pty Ltd
Member PIA

NOTE:

BOUNDARIES HAVE BEEN DETERMINED BY SURVEY ON 27-11-2023.

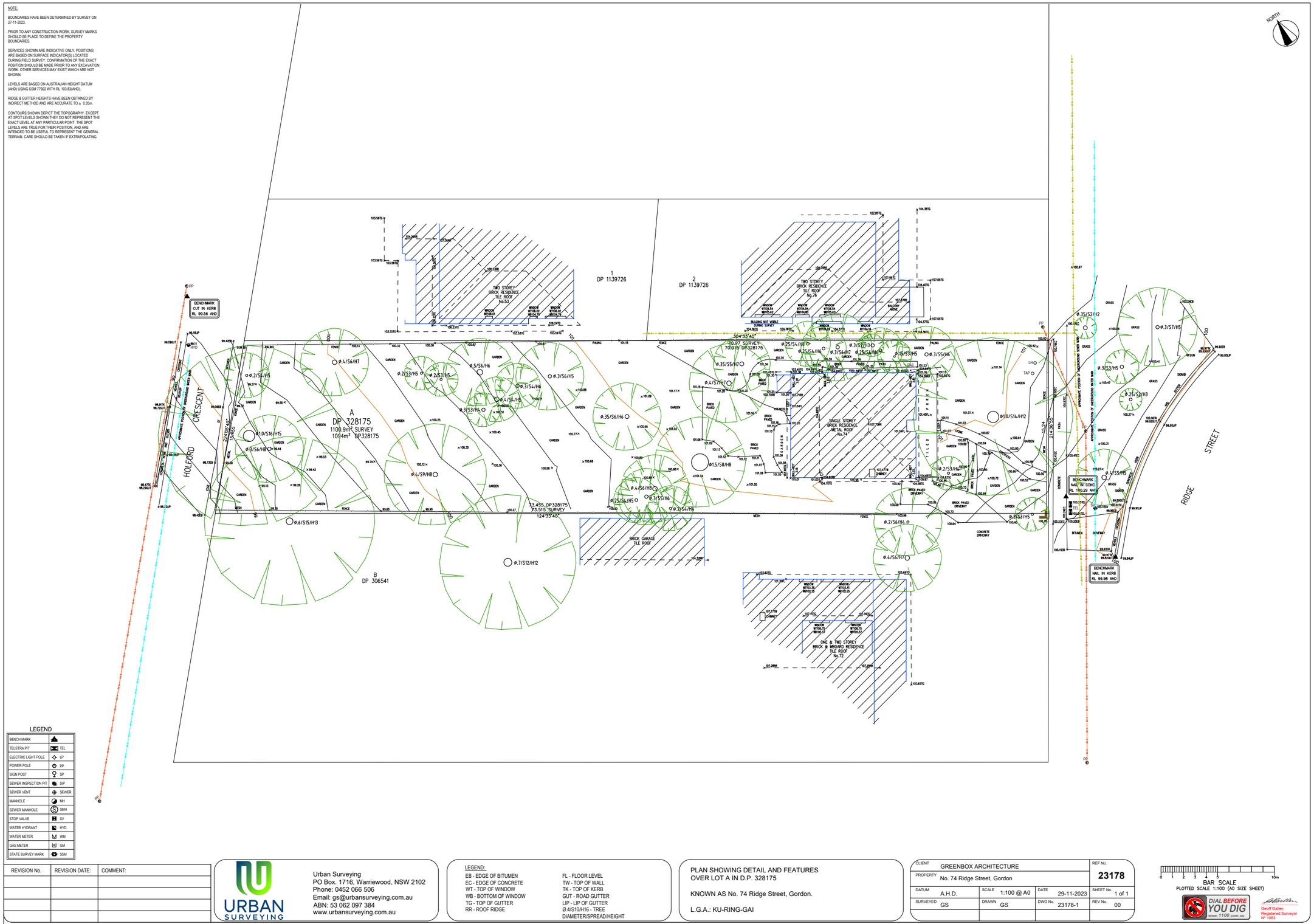
PRIOR TO ANY CONSTRUCTION WORK, SURVEY MARKS SHOULD BE PLACE TO DEFINE THE PROPERTY BOUNDARIES.

SERVICES SHOWN ARE INDICATIVE ONLY. POSITIONS ARE BASED ON SURFACE INDICATOR(S) LOCATED DURING FIELD SURVEY. CONFIRMATION OF THE EXACT POSITION SHOULD BE MADE PRIOR TO ANY EXCAVATION WORK. OTHER SERVICES MAY EXIST WHICH ARE NOT SHOWN.

LEVELS ARE BASED ON AUSTRALIAN HEIGHT DATUM (AHD) USING SSM 77902 WITH RL 103.83(AHD).

RIDGE & GUTTER HEIGHTS HAVE BEEN OBTAINED BY INDIRECT METHOD AND ARE ACCURATE TO ± 0.05m.

CONTOURS SHOWN DEPICT THE TOPOGRAPHY. EXCEPT AT SPOT LEVELS SHOWN THEY DO NOT REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT. THE SPOT LEVELS ARE TRUE FOR THEIR POSITION, AND ARE INTENDED TO BE USEFUL TO REPRESENT THE GENERAL TERRAIN. CARE SHOULD BE TAKEN IF EXTRAPOLATING.



LEGEND

BENCH MARK	
TELSTRA PIT	TEL
ELECTRIC LIGHT POLE	LP
POWER POLE	PP
SIGN POST	SP
SEWER INSPECTION PIT	SIP
SEWER VENT	SEWER
MANHOLE	MH
SEWER MANHOLE	SMH
STOP VALVE	SV
WATER HYDRANT	HYD
WATER METER	WM
GAS METER	GM
STATE SURVEY MARK	SSM

REVISION No.	REVISION DATE:	COMMENT:

URBAN SURVEYING

Urban Surveying
PO Box. 1716, Warriewood, NSW 2102
Phone: 0452 066 506
Email: gs@urbansurveying.com.au
ABN: 53 062 097 384
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LEGEND:

EB - EDGE OF BITUMEN	FL - FLOOR LEVEL
EC - EDGE OF CONCRETE	TW - TOP OF WALL
WT - TOP OF WINDOW	TK - TOP OF KERB
WB - BOTTOM OF WINDOW	GUT - ROAD GUTTER
TG - TOP OF GUTTER	LIP - LIP OF GUTTER
RR - ROOF RIDGE	Ø.4/S10/H16 - TREE DIAMETER/SPREAD/HEIGHT

PLAN SHOWING DETAIL AND FEATURES OVER LOT A IN D.P. 328175

KNOWN AS No. 74 Ridge Street, Gordon.

L.G.A.: KU-RING-GAI

CLIENT	GREENBOX ARCHITECTURE			REF No. 23178
PROPERTY	No. 74 Ridge Street, Gordon			
DATUM	A.H.D.	SCALE 1:100 @ A0	DATE 29-11-2023	SHEET No. 1 of 1
SURVEYED	GS	DRAWN GS	DWG No. 23178-1	REV No. 00

0 1 2 3 4 10m

BAR SCALE
PLOTTED SCALE 1:100 (A0 SIZE SHEET)

DIAL BEFORE YOU DIG www.1100.com.au

Geoff Gallen
Registered Surveyor
N° 1063