



**ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 12 JUNE 2007 AT 7.00PM
LEVEL 3, COUNCIL CHAMBERS**

A G E N D A
**** ** ***

NOTE: For Full Details, See Council's Website –
www.kmc.nsw.gov.au under the link to Business Papers

APOLOGIES

DECLARATIONS OF INTEREST

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

ADDRESS THE COUNCIL

NOTE: Persons who address the Council should be aware that their address will be tape recorded.

DOCUMENTS CIRCULATED TO COUNCILLORS

CONFIRMATION OF MINUTES

Minutes of Ordinary Meeting of Council

File: S02131

Meeting held 22 May 2007

Minutes numbered 157 to 180

MINUTES FROM THE MAYOR

PETITIONS

REPORTS FROM COMMITTEES

Minutes of Ku-ring-gai Traffic Committee

File: S02110

Meeting held 24 May 2007

Minutes numbered KTC1 to KTC3

GENERAL BUSINESS

- i. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to have a site inspection.*
- ii. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to adopt in accordance with the officer's recommendation and without debate.*

| | | |
|------|--------------------------------------------------------------------------------------------|----------|
| GB.1 | Naamaroo Conference Centre Lot B, Lady Game Drive, Lindfield - Supplementary Report | 1 |
|------|--------------------------------------------------------------------------------------------|----------|

File: DA0785/06

Ward: Roseville

To respond to issues raised at the site inspection of 9 May 2007 and seek Council's determination of Development Application No. 785/06.

Recommendation:

Approval.

| | | |
|------|-----------------------------------------------------------|-----------|
| GB.2 | 21 Archbold Road, Roseville - Supplementary Report | 65 |
|------|-----------------------------------------------------------|-----------|

File: DA 859/06

Ward: Roseville

To respond to the issues raised at the Council site inspection and seek Council's determination of development application No. 859/06.

Recommendation:

Approval.

| | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| GB.3 | 2 to 8 Bruce Avenue, Killara - Demolition of Four Existing Dwellings & Construction of Two, Five Storey Residential Flat Buildings Containing Fifty-Two Units | 232 |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|

File: DA1430/06

Ward: Gordon

Applicant: Dugald Mackenzie & Associates

Owner: Mrs Florence Ng & Mr Jerry Ng, Mrs Julie Anne Cowdery & Mr Stephen Deane Cowdery, Mrs Angela May Li, Mrs Sally Anne Hinchcliffe & Mrs Jennifer Bronwyn Howlett

To determine development application No. 1430/06 which seeks consent for demolition of 4 existing dwelling houses, consolidation of 4 lots into 1 and construction of 2 residential flat buildings with basement car parking.

Recommendation:

Approval.

GB.4 Potential Heritage Item Review - Consideration of Submissions 319

File: S04325

For Council to consider the submissions on the non-statutory public exhibition of the potential heritage items and consider a process for the future management of the potential heritage items under the Ku-ring-gai Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

Recommendation:

That Council adopt the recommendations to guide the future planning and management of the potential heritage items as outlined in this report.

| | | |
|------|-----------------------------------------------------------------------------------------|------------|
| GB.5 | 5 Powell Street, Killara - Potential Heritage Review following Exhibition Period | 481 |
|------|-----------------------------------------------------------------------------------------|------------|

File: S04325

For Council to consider the feedback on the non-statutory public exhibition of the potential heritage item (5 Powell Street, Killara) and consider a process for the future management of the potential heritage item under the Ku-ring-gai Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

Recommendation:

That Council adopt the recommendations to guide the future planning and management of the potential heritage item as outlined in this report.

GB.6 Depot Waste & Haulage Contract 501

.
File: S05986 & S06045

To consider tender submissions for the haulage and receipt of Council's depot waste.

Recommendation:

That Council accepts the tender from WSN Environmental Solutions for the provision of bins and transport of waste.

EXTRA REPORTS CIRCULATED AT MEETING

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NM.1 Publication of DA Floor Plans 508

.
File: S06032

Notice of Motion from Councillor T Hall dated 15 May 2007.

I move:

"That Council resolve to permit all floor plans lodged with Development and related Applications (currently confidential), to be available to public viewing and for notification purposes under Council's DCP56 (Notification Policy). In so doing, Council relies on existing Copyright laws that protect the integrity of all building plans made available to Councils for public viewing."

BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 14 OF MEETING REGULATION

QUESTIONS WITHOUT NOTICE

INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS

*** ** ** ** **

Environmental Planning & Assessment Act 1979
(as amended)

Section 79C

1. Matters for consideration - general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- a. The provisions of:*
 - i. any environmental planning instrument, and*
 - ii. any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*
 - iii. any development control plan, and*
 - iv. any matters prescribed by the regulations,*

that apply to the land to which the development application relates,
- b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. the suitability of the site for the development,*
- d. any submissions made in accordance with this Act or the regulations,*
- e. the public interest.*

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NAAMAROO CONFERENCE CENTRE LOT B, LADY GAME DRIVE, LINDFIELD - SUPPLEMENTARY REPORT

Ward: Roseville

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To respond to issues raised at the site inspection of 9 May 2007 and seek Council's determination of Development Application No. 785/06.

BACKGROUND:

- Application lodged on 19 July 2006.
- Application reported to Council on 24 April 2007. Consideration of the application deferred subject to a site inspection.
- Site inspection conducted on 9 May 2007.

COMMENTS:

To address matters raised at the site inspection.

RECOMMENDATION:

Approval

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PURPOSE OF REPORT

To respond to issues raised at the site inspection of 9 May 2007 and seek Council's determination of Development Application No. 785/06.

BACKGROUND

- application lodged on 19 July 2006
- application reported to Council on 24 April 2007, consideration of the application deferred subject to a site inspection
- site inspection conducted on 9 May 2007

COMMENTS

The following issues were raised at the site inspection of 9 May 2007:

1. Existing LPG tank adjoining the machinery shed.

a) Council staff are requested to advise of the capacity of the existing LPG tank.

The tank has a volume of 2.2kl.

b) Council staff are requested to identify the potential impacts in the event of the tank exploding and causing a bushfire.

The applicant has advised that the tank is a certified LPG storage tank installation leased from ELGAS and maintained by them. ELGAS inspect and safety certify the tank annually. The valves on the tank are able to release pressure as the tank heats and the tank is designed to safely survive fire emergencies.

The Rural Fire Service (RFS) has advised that they are not concerned with the location of the existing tank due to its location being at a sufficient distance from any habitable buildings such as cabins. The RFS has required a non-combustible radiant heat shield to be provided between the tank and the machinery shed. The shield will be constructed of Colourbond steel and will act as protection against potential flame and radiant heat, which may be generated in the event of the machinery shed catching alight. The proposed position of the heat shield is shown on the site plan (Drawing ADA.02C).

The existing machinery shed, located adjacent to the LPG tank, is proposed to be rebuilt and expanded to house various items of maintenance equipment, tools and service vehicle parking, together with a new guest laundry and cleaner's store. The RFS has required that the construction of the machinery shed be compliant with Australian Standard 3959 – 1999 for level 1 construction of buildings within bushfire prone areas.

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SUMMARY

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved. The conditions recommended in the report to the Council Meeting of 24 April 2007 have not been modified.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979.

THAT Council, as the consent authority, grant development consent to Development Application No. 785/06 for the upgrade of the Naamaroo Conference Centre comprising the construction of 5 new cabins and 3 teacher's resource rooms, rebuilding of 8 cabins and installation of new fire main on land at Lot B, Lady Game Drive, Lindfield, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

Conditions that identify approved plans:**Approved architectural plans and documentation**

- The development must be carried out in accordance with work shown in colour on the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|------------------------------------------------------------------------------------------|--------------------------------------|---------------------|
| <i>Site plan: Project No. 524.03, Drawing No. ADA.02C</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Roof plan: Project No. 524.03, Drawing No. ADA.03B</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Detail Plans 1: Project No. 524.03, Drawing No. ADA.04B</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Detail Plans 2: Project No. 524.03, Drawing No. ADA.05A</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Elevations 1: Project No. 524.03, Drawing No. ADA.06</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Elevations 2: Project No. 524.03, Drawing No. ADA.07</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Environmental Management Plan: Project No. 524.03, Drawing No. ADA.08B</i> | <i>KDG architects</i> | <i>1/3/06</i> |
| <i>Fire Services Site Fire Hydrant Layout: Job No. 05850, Drawing No. DA-FS01, Rev 1</i> | <i>Northrop Consulting Engineers</i> | <i>5/7/06</i> |

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

Conditions to be satisfied prior to demolition, excavation or construction**Structural adequacy**

- Prior to commencement of any development or excavation works, the Principal Certifying Authority shall be satisfied that those components of the building to be retained and/or altered will be structurally sound and able to withstand the excavation and demolition process.

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Note: Evidence from a qualified practising structural engineer, demonstrating compliance with the above and detailing, where relevant, means of support for those parts of the retained building shall be provided to the Principal Certifying Authority.

Reason: To ensure that the development can be undertaken in accordance with accepted construction practices as indicated on the endorsed development plans, without the need for modification of the consent.

Notice of commencement

3. At least 48 hours prior to the commencement of any development or excavation works, a notice of commencement of building or subdivision work form and appointment of the principal certifying authority form shall be submitted to Council.

Reason: Statutory requirement.

Notification of builder's details

4. Prior to the commencement of any development or excavation works, the Principal Certifying Authority 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.

Construction waste management plan

5. Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

Note: The plan shall be provided to the Certifying Authority.

Reason: To ensure appropriate management of construction waste.

Tree protection fencing

6. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s, is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

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| Tree/Location | Radius in Metres |
|------------------------------------------------------------|------------------|
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 5 | 4m |
| <i>Melia azedarach</i> 'Australasica' (White Cedar) Tree 8 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 12 | 2m |
| <i>Eucalyptus grandis</i> (Flooded Gum) Tree 13 | 4m |
| <i>Corymbia maculata</i> (Spotted Gum) Tree 14 | 3m |
| <i>Allocasuarina torulosa</i> (Forest Oak) Tree 23 | 2m |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 34 | 4m |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 39 | 3m |
| <i>Elaeocarpus reticulatus</i> (Blueberry Ash) Tree 46 | 3m |
| <i>Acacia fimbriata</i> (Fringe Wattle) Tree 47 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 53 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 54 | 4m |

The tree protection fence shall be constructed of star pickets at 2.4 metre spacings and connected by four strands of 2mm wire at 300mm spacings to a minimum height of 1.5 metres prior to work commencing.

Reason: To protect existing trees during the construction phase.

Tree protection signage

7. Prior to works commencing, tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:
 - tree protection zone
 - this fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted
 - any encroachment not previously approved within the tree protection zone shall be the subject of an arborist's report
 - the arborist's report shall provide proof that no other alternative is available
 - the arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council
 - The name, address, and telephone number of the developer.

Reason: To protect existing trees during the construction phase.

Tree protection mulching

8. Prior to works commencing and throughout construction, the area of the tree protection zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood.

Reason: To protect existing trees during the construction phase.

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Tree fencing inspection

9. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Reason: To protect existing trees during the construction phase.

Conditions to be satisfied prior to issue of the Construction Certificate

Sewage management

10. Prior to the issue of the Construction Certificate the Applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details and specifications for provision of the sewage management system within the subject property. Design drawings are to be prepared by a suitably qualified and experienced civil/hydraulic engineer.

Reason: Satisfactory sewage management

Long service levy

11. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by installments, the first installment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

Reason: Statutory requirement.

Builder's indemnity insurance

12. The applicant, builder, developer or person who does the work on this development, must arrange builder's indemnity insurance and submit the certificate of insurance in accordance with the requirements of Part 6 of the Home Building Act 1989 to the Certifying Authority for endorsement of the plans accompanying the Construction Certificate.

It is the responsibility of the applicant, builder or developer to arrange the builder's indemnity insurance for residential building work over the value of \$12,000. The builder's indemnity insurance does not apply to commercial or industrial building work or to residential work valued at less than \$12,000, nor to work undertaken by persons holding an owner/builder's permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

Reason: Statutory requirement.

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External finishes and materials (alterations and additions)

13. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the external finishes of the building are consistent with the character of the existing development and the integrity of the approved development.

Note: Details of the colour, finish and substance of all external materials, including schedules and a sample board of materials and colours, are to be submitted to the Certifying Authority.

Reason: To protect the existing development and the integrity of the approved development.

Stormwater details

14. Prior to issue of the Construction Certificate the Applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details and specifications for provision of the rainwater tank(s) within the subject property. Design drawings are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 (appendix 6), available in hard copy at Council and on the Council website. The design may be generally based on the Northrop Drawing SW-1 submitted with the development application, advanced as necessary for construction purposes.

Reason: To ensure that stormwater disposal and management systems are installed in accordance with the relevant plumbing codes, guidelines and the Building Code of Australia.

Stormwater details

15. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), details for the proposed method of achieving Council requirements for the re-use of water on the property including garden irrigation and toilet flushing. The necessary pumping, housing, filtration and delivery plumbing equipment for re-use shall be shown on this design. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. These details may be incorporated on the overall stormwater management plan.

Reason: To ensure that stormwater disposal and management systems are installed in accordance with the relevant plumbing codes, guidelines and the Building Code of Australia.

Stormwater details

16. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall

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be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 available on the Council website and at Council, and AS 3500.2 - Plumbing and Drainage Code.

Reason: To ensure that stormwater disposal and management systems are installed in accordance with the relevant plumbing codes, guidelines and the Building Code of Australia.

Excavation for services

17. Prior to the issue of the Construction Certificate, the Principal Certifying shall be satisfied that no proposed underground services (ie. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

Note: A plan detailing the routes of these services and trees protected under the Tree Preservation Order, shall be submitted to the Principal Certifying Authority.

Reason: To ensure the protection of trees.

Amendments to landscape plans

18. Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the approved landscape plans, listed below, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|-----------------|-----------------------|---------------|
| <i>LDA.01B</i> | <i>KDG Architects</i> | <i>1/3/06</i> |
| <i>LDA.02A</i> | <i>KDG Architects</i> | <i>1/3/06</i> |

The above landscape plan(s) shall be amended in the following ways:

- Existing levels are to be retained beneath the canopy drip lines of all trees to be retained on site and adjoining properties. Particular attention is given to Trees 35 and 36 where level changes are proposed.
- 20 additional endemic canopy trees capable of attaining a minimum height of 13m are to be planted. 10 of those to be replacement planting to be of same species and planted in approximate same location, for following trees: Trees 1,1B, 3, 4, 6, 10, 11, 29, 31 38, 41. Proposed planting of all canopy trees to be minimum 5 metres from building.

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- As part of fuel management to inner protection area, areas of mulch are to be minimized. It is preferable to have non continuous areas of low fire retardant planting with minimal mulch.
- Proposed access path to southern side of Units 20-22 to be deleted. Existing access path to north of Units 20-22 to be used.
- Top of wall heights to be provided.
- Proposed paths to have minimum 0.5m setback from trunks of trees to be retained

Note: An amended landscape plan, prepared by a landscape architect or qualified landscape designer shall be submitted to the Certifying Authority.

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

Amendments to Vegetation Management Plans

19. Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the Vegetation Management Plans, listed below, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|------------------|---------------------------|----------------|
| <i>Dwg. No 1</i> | <i>Nyranie Consulting</i> | <i>22/1/07</i> |
| <i>Dwg. No 2</i> | <i>Nyranie Consulting</i> | <i>22/1/07</i> |

The above plans shall be amended in the following ways:

- Vegetation Management Plans are to be amended in accordance with approved architectural plans.
- Sediment fence to be shown in accordance with marked up Environment Management Plan, prepared by KDG Architects, dwg ADA.08B, dated 1/3/06.

The works shall be carried out and installed in accordance with the approved Vegetation Management Plans.

Note: Amended Vegetation Management Plans, prepared by an Ecologist or qualified Landscape Manager shall be submitted to the Certifying Authority.

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

Amendment to approved architectural plans

20. To maintain the amenity of the site and to minimise disruption of the landscape, the proposed access path along the southern side of Units 20-22 shall be deleted. The existing path to the

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north of Units 20-22 is to be used. Amended architectural drawings are to be submitted by the applicant and approved by the Principal Certifying Authority (PCA), prior to issue of the Construction Certificate.

Reason: To maintain the amenity of the site and to minimise disruption of the landscape.

Conditions to be satisfied prior to the issue of the construction certificate or prior to demolition, excavation or construction (whichever comes first)

Landscape establishment bond

21. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$10,000 landscape establishment bond with Council. This bond is to provide security that the landscape works are completed and maintained in accordance with the approved landscape plan/s and conditions of development consent. The bond shall be lodged in the form of a deposit or bank guarantee.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily completed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period, it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

Reason: To ensure that the approved landscaping is established and maintained.

Tree protection bond

22. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$2000 tree protection bond with Council. This bond is to provide security that the following trees are maintained in a healthy condition as found prior to commencement of work upon the site.

Schedule

| Tree/location | Bond value |
|---------------------------------------------------|-------------------|
| <i>Angophora costata</i> (Sydney Red Gum) Tree 34 | \$2000 |

The bond shall be lodged in the form of a deposit or bank guarantee. The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged and are in a healthy condition.

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In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Reason: To ensure that the trees are maintained in the same condition as found prior to commencement of work.

Infrastructure restoration bond

23. To ensure that damage to Council Property as a result of construction activity is rectified in a timely manner:
- a) All work or activity undertaken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying adjacent public areas.
 - b) The applicant, builder, developer or any person acting in reliance on this approval 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 Restorations Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
 - d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council property that Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers to be of a minor nature and 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) and (b) above. Restoration work of a minor nature referred to in this condition is work that the Council can perform at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.
 - e) In this condition:

“Council Property” includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees shrubs, lawns, mounds, bushland, and similar structures or features on road reserves or any public place; and

“Infrastructure Restorations Fee” means the infrastructure restorations fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment.

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Reason: To maintain public infrastructure.

Conditions to be satisfied during the demolition, excavation and construction phases

Prescribed conditions

24. The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (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:

- The work must be carried out in accordance with the requirements of the Building Code of Australia,
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

Reason: Statutory requirement.

Statement of compliance with Australian Standards

25. The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by 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 the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

Reason: To ensure compliance with the Australian Standards.

Demolition, excavation and construction work hours

26. Demolition, excavation, 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 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Construction noise

27. During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

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Reason: To ensure reasonable standards of amenity to neighbouring properties.

Site notice

28. 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 Certifying Authority 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 eye level 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.

Dust control

29. 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 erected at right angles to the prevailing wind direction or 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 daily

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

Use of road or footpath

30. 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

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Council beforehand. The pathway 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 against the applicant/owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

Guarding excavations

31. 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.

Reason: To ensure public safety.

Toilet facilities

32. During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Reason: Statutory requirement.

Construction signage

33. 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 2.5m²
 - are removed within 14 days of the completion of all construction works

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

Approved plans to be on site

34. 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 kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

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

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Conditions to be satisfied prior to the issue of an Occupation Certificate

Infrastructure repair

35. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

Reason: To protect public infrastructure.

Certification of drainage works

36. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting civil/hydraulic engineer to the Principal Certifying Authority (PCA), that:
- a. Construction of the stormwater drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) has been carried out by a licensed plumbing contractor, and
 - b. The works have been completed in accordance with the approved Construction Certificate drainage plans and the Plumbing and Drainage Code AS3500,.3.2, and
 - c. All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices, and
 - d. Retained roofwater is available for toilet flushing and irrigation.

A Works-as-Executed (WAE) drawing of the property stormwater drainage system is to be prepared and submitted to the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate. The WAE plan shall show the following as built details, marked in red on the approved construction certificate stormwater drawings:

- a. As built reduced surface and invert levels for all drainage pits and connection points.
- b. As built reduced level(s) at the approved point of discharge to the public drainage system.
- c. Gradients of drainage lines, materials and dimensions.

Reason: To protect the environment.

Completion of landscape works

37. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent with the approved landscape plan(s), specification and the conditions of consent.

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Reason: To ensure that the landscape works are consistent with the development consent.

Conditions to be satisfied at all times

Asbestos

38. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal. The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

Reason: To ensure public safety.

Stormwater retention

39. A rainwater retention and re-use system must be provided generally as shown on Northrop Hydraulic Services Drawing DA-SW1 Rev 1. A minimum of 25 000 litres of rainwater storage is to be provided. Re-use of the collected rainwater is to be for toilet flushing and irrigation.

Reason: To protect the environment.

Drainage to dispersal trench

40. Overflow from the rainwater tanks and runoff from any new paved areas is to be either piped to a dispersal trench system positioned parallel to the contours of the subject site at the highest practicable level or piped to the existing stormwater disposal system. The design of any dispersal trench shall comply with the requirements described in Appendix 6 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website. A typical detail of the trench can be provided by Council development engineers upon request.

Reason: To protect the environment.

Provision of utility services

41. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.

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Reason: Provision of utility services

Use of road or footpath

42. 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 pathway 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 against the applicant/owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

Erosion control

43. 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 Certifying Authority and Council officers.

Reason: To protect the environment from erosion and sedimentation.

Bush Fire Evacuation Plan

44. A Bush Fire Evacuation Plan is to be submitted to the NSW Rural Fire Service - Development Control Services for approval. The evacuation plan is to detail the following:
- a) under what circumstances will the complex be evacuated.
 - b) where will all persons be evacuated to.
 - c) roles and responsibilities of persons co-ordinating the evacuation.
 - d) roles and responsibilities of persons remaining with the complex after evacuation.
 - e) a procedure to contact the NSW Rural Fire Service District Office / NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

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

Inner and Outer Protection Areas

45. The property around the new and existing buildings to a distance of 20 metres, shall be maintained as an 'Inner Protection Area' (IPA) and to the North 40 metres, the West, South West and South 10 metres, shall be maintained as an Outer Protection Area (OPA) as outlined within section 4.2.2 in Planning for Bushfire Protection 2001.

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

46. Construction of new buildings 13-16, 23, 31 & 32 shall comply with AS3959-1999 level 3 'Construction of Buildings in bushfire prone areas'.

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Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

47. Construction of new buildings 24-26 shall comply with AS3959-1999 level 2 'Construction of Buildings in bushfire prone areas'.

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

48. Construction of all other new buildings shall comply with AS3959-1999 level 1 'Construction of Buildings in bushfire prone areas'.

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

49. All new and existing buildings shall incorporate gutterless roofing (or leafless guttering) and valleys are to be screened to prevent the build up of flammable material. Products used shall be non-combustible or have a flammability index of not greater than 5 when tested in accordance with AS 1530.2.

Reason: To protect against bush fire.

Tree retention

50. Removal, or pruning of the following trees is not approved as part of this Development Application. A tree report prepared by Earthscape Horticultural Services, dated April 2006, has been submitted. Tree numbers refer to this report.

Tree/Location

Corymbia gummifera (Red Bloodwood) Tree 5
Melia azedarach 'Australasica' (White Cedar) Tree 8
Allocasuarina torulosa (Forest Oak) Tree 9
Eucalyptus piperita (Sydney Peppermint) Tree 12
Eucalyptus grandis (Flooded Gum) Tree 13
Corymbia maculata (Spotted Gum) Tree 14
Allocasuarina torulosa (Forest Oak) Tree 23
Eucalyptus grandis (Flooded Gum) Tree 33
Angophora costata (Sydney Red Gum) Tree 34
Angophora costata (Sydney Red Gum) Tree 39
Elaeocarpus reticulatus (Blueberry Ash) Tree 46
Acacia fimbriata (Fringe Wattle) Tree 47
Eucalyptus piperita (Sydney Peppermint) Tree 53
Eucalyptus piperita (Sydney Peppermint) Tree 54

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

Approved tree works

51. Approval is given under this development consent for the following tree works to be undertaken to trees within the subject property:

| Tree/Location | Tree Works |
|--------------------------------------------------------|------------|
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 1 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 1A | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 1B | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 3 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 4 | Removal |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 6 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 10 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 11 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 15 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 18 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 19 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 20 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 21 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 22 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 24 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 26 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 29 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 31 | Removal |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 38 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 40 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 41 | Removal |
| <i>Hakea salicifolia</i> (Willow Leaved Hakea) Tree 42 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 55 | Removal |

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

Retention of tall shrubs

52. Prior to any clearing, an Ecologist or Horticulturist should mark any tall shrubs that should be retained as specified in Vegetation Management Plan, prepared by Nyrantie Consulting, dwg 1, dated 22/1/07.

Reason: To protect the environment.

Arborist's report

53. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their

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long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

Tree/location

All existing trees located on site being retained

Time of inspection

Prior to demolition
 At the completion of demolition
 Prior to excavation works
 At the completion of excavation works
 Prior to the start of construction works
 At monthly intervals during construction
 At the completion of construction works
 At the completion of all works on site

Reason: To ensure protection of existing trees.

Canopy/root pruning

54. Canopy pruning of the following tree/s which may be necessary to accommodate the approved building footprint shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate. All other branches are to be tied back and protected during construction as recommended in the arborist report, under the supervision of a qualified arborist.

Tree/Location

Corymbia gummifera (Red Bloodwood) Tree 5
Melia azedarach 'Australasica' (White Cedar) Tree 8
Eucalyptus piperita (Sydney Peppermint) Tree 12
Eucalyptus grandis (Flooded Gum) Tree 13
Corymbia maculata (Spotted Gum) Tree 14
Allocasuarina torulosa (Forest Oak) Tree 23
Eucalyptus grandis (Flooded Gum) Tree 33
Angophora costata (Sydney Red Gum) Tree 34
Angophora costata (Sydney Red Gum) Tree 39
Elaeocarpus reticulatus (Blueberry Ash) Tree 46
Acacia fimbriata (Fringe Wattle) Tree 47
Eucalyptus piperita (Sydney Peppermint) Tree 53
Eucalyptus piperita (Sydney Peppermint) Tree 54

Reason: To protect the environment.

Treatment of tree roots

55. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate

Reason: To protect existing trees.

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Hand excavation

56. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

| Tree/Location | Radius From Trunk |
|------------------------------------------------------------|-------------------|
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 5 | 4m |
| <i>Melia azedarach</i> 'Australasica' (White Cedar) Tree 8 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 12 | 2m |
| <i>Eucalyptus grandis</i> (Flooded Gum) Tree 13 | 4m |
| <i>Corymbia maculata</i> (Spotted Gum) Tree 14 | 3m |
| <i>Allocasuarina torulosa</i> (Forest Oak) Tree 23 | 2m |
| <i>Eucalyptus grandis</i> (Flooded Gum) Tree 33 | 3m |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 34 | 4m |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 39 | 3m |
| <i>Elaeocarpus reticulatus</i> (Blueberry Ash) Tree 46 | 3m |
| <i>Acacia fimbriata</i> (Fringe Wattle) Tree 47 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 53 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 54 | 4m |

Reason: To protect existing trees.

No storage of materials beneath trees

57. The applicant shall ensure that at all times during the site works no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.

Reason: To protect existing trees.

Removal of refuse

58. 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.

Site rehabilitation and landscaping

59. All areas that have been modified during site works, such as around cabins and boardwalks, shall be the first areas for site rehabilitation and landscaping with locally occurring native plants such as *Boronia ledifolia*, *Gahnia clarkei*, *Gleichenia dicarpa* and *Calochlaena dubia* as recommended in Vegetation Management Plan prepared by Nyranie Consulting, dwg 1, dated 22/1/07 and undertaken as part of Landscape works for this application.

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Reason: To protect the environment.

Removal of noxious plants and weeds

60. The following noxious and/or environmental weed species shall be removed from the property prior to completion of the proposed building works

Plant Species

Chlorophytum comosum (Spider Plant)

Conyza sp (Fleabane)

Lantana camara (Lantana - Red Flower)

Paspalum dilatatum (Paspalum)

Phytolacca octandra (Inkweed)

Ligustrum sinense (Small-leaved Privet)

Ochna serrulata (Ochna)

Solanum nigrum (Blackberry Night-shade)

Taraxacum officinale (Dandelion)

Reason: To protect the environment.

Canopy replenishment trees to be planted

61. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

Reason: To maintain the treed character of the area.

Construction of fire main

62. The fire main, as shown on the approved plan by Northrop Consulting Engineers, Job No. 05850, Drawing No. DA-FS01, Revision 1, dated 5/7/06, shall be constructed as an "above ground" service where it passes through bushland, and buried when it reaches the edge of perimeter development. The approved plan only relates to the proposed fire services (mains and hydrants), and not the cabins or pathways.

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

L Chu
Development Assessment
Officer

M Leotta
Acting Manager
Development Assessment Services

M Miocic
Director
Development & Regulation

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Attachments: Report to Council Meeting of 24 April 2007 with attachments - 761770

Naamaroo Conference Centre,
Lot B, Lady Game Drive,
Lindfield
DA0785/06
26 March 2007

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DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE:

NAAMAROO CONFERENCE
CENTRE, LOT B, LADY GAME
DRIVE, LINDFIELD - CONSTRUCT 5
NEW CABINS AND 3 RESOURCE
ROOMS; REBUILD 8 EXISTING
CABINS AND INSTALL NEW FIRE
MAIN

WARD:

Roseville

DEVELOPMENT APPLICATION N^o:

785/06

SUBJECT LAND:

Naamaroo Conference Centre, Lot B,
Lady Game Drive, Lindfield

APPLICANT:

KDG Architects

OWNER:

The Uniting Church in Australia Property
Trust (NSW)

DESIGNER:

KDG Architects

PRESENT USE:

Camp Accommodation & Conference
Centre

ZONING:

IDO 29 (Interim Development Order 29)

HERITAGE:

No

PERMISSIBLE UNDER:

IDO 29

COUNCIL'S POLICIES APPLICABLE:

DCP 31 (Access), DCP 40 (Waste
Management), DCP 47 (Water
Management), Riparian Policy

COMPLIANCE WITH CODES/POLICIES:

Yes

GOVERNMENT POLICIES APPLICABLE:

SEPP 55 (Remediation of Land), SEPP
19 (Bushland in Urban Areas)

COMPLIANCE WITH GOVERNMENT POLICIES:

Yes

DATE LODGED:

19 July 2006

40 DAY PERIOD EXPIRED:

28 August 2006

PROPOSAL:

Construct 5 new cabins and 3 resource
rooms; rebuild 8 existing cabins and
install new fire main

RECOMMENDATION:

Approval

Naamaroo Conference Centre,
Lot B, Lady Game Drive,
Lindfield
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**DEVELOPMENT APPLICATION N^o
PREMISES:**

785/06
NAAMAROO CONFERENCE CENTRE, LOT
B, LADY GAME DRIVE, LINDFIELD

PROPOSAL:

CONSTRUCT 5 NEW CABINS AND 3
RESOURCE ROOMS; REBUILD 8
EXISTING CABINS AND INSTALL NEW
FIRE MAIN

APPLICANT:

KDG ARCHITECTS

OWNER:

THE UNITING CHURCH IN AUSTRALIA
PROPERTY TRUST (NSW)

DESIGNER

KDG ARCHITECTS

PURPOSE FOR REPORT

To determine development application No. 785/06, which seeks consent to construct 5 new cabins and 3 resource rooms, rebuild 8 existing cabins and install a new fire main at the Naamaroo Conference Centre.

This matter has been called to Council by Councillor Shelley.

EXECUTIVE SUMMARY

Issues:

- impact on adjoining National Park land
- riparian zone

Submissions:

One submission received

Land & Environment Court Appeal:

No

Recommendation:

Approval

HISTORY

Site history

10 July 2006

Development Application No. 164/06 approved for the construction of two manager's residences, a meeting room and additional car parking.

24 October 2006

Application for temporary demountable meeting rooms approved under Section 68 (an approval under the Local Government Act 1993 for temporary structures).

Development application history:

Naamaroo Conference Centre,
Lot B, Lady Game Drive,
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| | |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 19 July 2006 | Application lodged. |
| 28 September 2006 | Letter sent to applicant recommending changes to the plans (to reduce encroachment on the bushland by the proposed buildings) and requiring additional information (such as an Arborist report, Flora and Fauna report, Vegetation Management Plan, Revised Statement of Environmental Effects to address Riparian Zone). |
| 24 October 2006 | Meeting held with applicant to discuss issues. |
| 31 January 2007 | Additional plans and documentation received. |
| 7 March 2007 | Applicant advised that plans need to be further amended to reduce impacts on the riparian zone. |
| 20 March 2007 | Final drawings received. |

THE SITE AND SURROUNDING AREA

The site

| | |
|-------------------------|------------------------------------------------------------------|
| Zoning: | IDO 29 (Interim Development Order 29) |
| Lot Number: | Lot B |
| DP Number: | DP 876427 |
| Area: | 61,440sqm |
| Side of Street: | West of Lady Game Drive |
| Cross Fall: | Slopes down from west to east |
| Stormwater Drainage: | Connection to existing drainage system |
| Heritage Affected: | No |
| Integrated Development: | Yes – Authorisation required under s100B of Rural Fires Act 1997 |
| Bush Fire Prone Land: | Yes – Bush Fire Prone Vegetation Category 1 |
| Endangered Species: | Sydney Turpentine Ironbark Forest |
| Urban Bushland: | Yes – National Park to the north, east and south |
| Contaminated Land: | Site remediation successfully conducted in 2001. |

The subject site is an irregular shaped allotment that is located to the west of Lady Game Drive.
The site is accessed from Lady Game Drive.

The site contains the Naamaroo Conference Centre, which is a facility run by the Uniting Church. The facility caters for community youth and adult camps and conferences. The site is developed with cabin style accommodation, separate ablution buildings, an auditorium, dining room, meeting rooms, two manager's cottages, a swimming pool, basketball court, a machinery shed and car park. The cabins and facilities are linked by pathways and are located within a bush setting. The current

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facility contains 14 accommodation buildings and capacity for 213 people. The facility operates at all times of the year.

The proposed works are contained within the area of existing development which is located within the south-western part of the allotment. This portion of the site slopes steeply from west to east.

An ephemeral creek runs through the site, between cabins 23 and 30, and 12a and 13. This area constitutes a riparian zone.

The surrounding area

The site is surrounded by the Lane Cove National Park to the north, east and south of the site. Directly to the east of the site is Little Blue Gum Creek (a tributary of the Lane Cove River), while to the west are residential dwellings located approximately 55m from the nearest cabin.

THE PROPOSAL

The application is for the upgrade of the Naamaroo Conference Centre as follows:

- Demolition of the concrete floor levels of eight existing timber-framed cabin units and subsequent rebuilding to provide en-suite facilities. The ensuites will remove the current risk for children who need to leave the cabins at night to use the facilities in the amenities blocks. The rebuilt cabin units are identified on the site plan as numbers:
 - 6
 - 8
 - 10a & 10b
 - 23
 - 24a & 24b
 - 25a & 25b
 - 26a & 26b and
 - 32.
- Construction of five new cabin units to compensate for the bed loss from the upgrade of the eight existing cabin units. The new cabin units are identified on the site plan as numbers:
 - 9a & 9b
 - 11a & 11b
 - 13 & 14
 - 15 & 16 and
 - 31.
- The conversion of the two existing amenities blocks, which are made redundant by providing en-suites to the cabins, into accommodation units to compensate for the loss of beds from the cabin upgrades. These cabin buildings are identified on the site plan as numbers:
 - 12a & 12b and
 - 27, 28, 29, 30.

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- The construction of three teacher's resource rooms (staff lounges) each to be equipped with a tea preparation facility, two work stations and an informal lounge area for discussion and relaxation.
- The demolition, rebuilding and extension of the machinery shed to include a guest laundry and cleaner's storeroom.
- The construction of new pathways to link the cabins, including the widening of an existing footbridge from 1.25m to 1.8m in width and a suspended pathway.
- The construction of two 10,000 litres rainwater tanks and one 5,000 litres rainwater tank.
- The installation of a 100mm diameter fire main with three hydrant facilities. The hydrants will be located near Cabin 30, at the north-west corner of the carpark and adjacent to the entry driveway near the Dining Room. The fire main will be constructed as an above ground service where it passes through bushland and buried when it reaches the perimeter of development. The fire main will connect to a water main in Booraba Avenue, to the west of the subject site.

The proposal constitutes an upgrade of existing facilities and not an expansion of the centre. The current accommodation capacity of 213 people will not change. The facility operates at all times of year based on availability and this will not change.

The rebuilt and new cabins will provide sleeping for up to five people each, and will provide shower, toilet and hand basin facilities. Cabins 6 and 8 are nominated to be rebuilt as disabled access cabins.

The proposed cabins and staff lounges are approximately 4m in height (from floor to roof ridge). The walls will be constructed of steel frames with Colourbond corrugated zincalume cladding. The skillion roofing will also be of Colourbond material.

The applicant has advised that:

"the proposed accommodation upgrade will bring Naamaroo into line with quality standards which are now the industry benchmark for such facilities and will provide a level of safety and security for client groups (mainly school children) consistent with the "Safe Place for Children" Policy of the Uniting Church. The upgrade will also provide a higher measure of protection against the present Bushfire threat. A number of the existing cabins are timber framed with various combustible and deteriorating external linings, fascias and trims, all requiring constant and costly maintenance."

Twenty-three trees are proposed to be removed as part of this application. An arborist report has been submitted and describes the subject trees as being in poor condition and potentially hazardous.

Amended plans received 31 January 2007

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Preliminary assessment of the application by Council's Landscape Officer and Biodiversity Officer identified concerns regarding the location of the cabins within the riparian zone, the removal of certain trees and the encroachment of the cabins into the existing bushland. As such, the applicant made the following amendments:

- Cabin 31 and the staff lounge to its east were relocated some 3.4m further to towards the east, so that they do not encroach into the existing bushland.

The applicant also submitted the following additional information, as required by Council:

- Revised Arborist report
- Flora and fauna report
- Vegetation Management Plan

Amended plans received 20 March 2007

Council's Landscape Officer and Biodiversity Officer undertook further assessment of the application. They required further adjustments to the location of Cabins 13 & 14 and the staff lounge to the west, as these continued to encroach into the riparian zone. As such, the applicant made the following amendments:

- Relocation of cabins 13 & 14 towards the north, so that encroachment on the riparian zone is minimised to a maximum of 2300mm.
- Cabins 13 & 14 to be suspended on piers where they encroach into the riparian zone.
- Retaining wall for staff lounge has been minimised to reduce encroachment into the riparian zone.

CONSULTATION – COMMUNITY

In accordance with Council's Notification DCP, owners and occupiers of surrounding properties were given notice of the application. One submission was received from:

Department of Environment and Conservation NSW (DEC)

The DEC advises that the subject site adjoins the Lane Cove National Park, and have therefore attached the DEC guidelines for developments adjoining DEC land. It is advised that Council ensure the proposal does not directly or indirectly impact on the National Park.

The DEC Guidelines require consideration of the following issues when assessing proposals adjoining land managed by the DEC:

- a) Corridor values
- b) Erosion and sedimentation
- c) Stormwater runoff to NPWS Land
- d) Management implications and impacts

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- e) Fire
- f) Boundary encroachments, and
- g) Visual impact.

A response to each of the points for consideration is provided below:

a) Corridor values

The location of the new cabins, buildings and pathways avoids the major bushland areas on the site and is within the arc of the existing development, within the areas already modified. The vegetated areas directly adjoining the National Park are retained and habitat corridors will not be impacted upon. Council's Biodiversity Officer has not raised any concern regarding the impact of the proposed development on the adjoining National Park.

b) Erosion and sedimentation

The DEC requires appropriate erosion and sedimentation control measures to be implemented prior to construction and maintained for the duration of construction. The Environment Management Plan submitted with the application proposes siltation barriers around the proposed works. In addition, a standard condition has been recommended by Council's Development Engineer, requiring temporary sediment and erosion control facilities and measures to be installed to eliminate unnecessary erosion and loss of sediment (**Refer to Condition No. 43**).

c) Stormwater runoff to DEC land

Stormwater runoff from the site will not have a negative impact on DEC land. It is proposed to collect all roofwater from the new and upgraded cabins and staff lounges and convey this into rainwater tanks for re-use in toilets, laundry and landscaping. Overflow from the tanks will be connected to the existing site drainage system and discharged to Blue Gum Creek. The proposed method of stormwater disposal is acceptable to Council's Development Engineer.

d) Management implications and impacts

The proposed works are contained within the existing development and will not impact on the management of the adjoining DEC land. The proposed development will not compromise any access to DEC land by the public, staff, or for maintenance purposes.

e) Fire

The application is Integrated Development and was referred to the NSW Rural Fire Service (RFS) for comment. The RFS has undertaken the relevant assessment of the application and has responded with conditions that are included in the recommendation (**Refer to Conditions Nos 44 to 49**). All bushfire protection measures are kept within the boundaries of the subject site.

f) Boundary encroachments

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The proposed development will not encroach onto the Lane Cove National Park.

g) Visual impact

The proposed new cabins are unlikely to be visible from the Lane Cove National Park as they will be hidden behind existing buildings and vegetation. The proposed materials and finishes to be used will complement the existing structures and the bushland environment. In addition, Council's Landscape Officer has recommended conditions to ensure that significant trees are not removed or damaged, including a condition requiring 20 additional endemic canopy trees be planted (**Refer to Condition No. 18**).

Amended plans

The amended plans were not notified to surrounding residents as the proposed amendments do not result in a greater environmental impact than the original proposal.

CONSULTATION - WITHIN COUNCIL

Engineering

Council's Team Leader Development Engineers, Kathy Hawken, commented on the proposal as follows:

Under DCP 47, the development is Type 9 (any other development), and water management is to be determined on the merits of the application. The property location is Location C since Little Blue Gum Creek is actually within the adjoining Lane Cove National Park.

The applicant proposes to provide two 10 000 and one 5 000 litres rainwater tanks. Re-use will be for toilet flushing and irrigation. Overflow from the tanks will be either connected to the existing site drainage system, or else conveyed to a trench system to evenly disperse the flow across the grassed area between the site and Little Blue Gum Creek. On site detention is not required under DCP 47. The proposal outlined in the application is acceptable from an engineering point of view.

The proposed buildings are to be partly suspended structures, with up to 1.2 metres of excavation on the high western sides. Because the works are wholly contained within the subject property, the level of geotechnical input required will be up to the applicant and their structural engineer to determine.

There are no engineering objections to the proposed development. The following conditions are recommended.

(Refer to Conditions Nos 14 to 16, 35 to 36, and 39 to 43).

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Landscaping

Council's Landscape Officer, Tempe Beaven, commented on the proposal as follows:

The proposal is supported with conditions pending further comments from Council's Biodiversity Officer.

Impact on existing trees

A Tree Report prepared by David Ford of Treescan dated May 2006 has been submitted with the application. Additional arborist information prepared by David Ford of Treescan, dated January 2007, has been submitted. Tree numbers refer to these reports. Of the 47 trees assessed by the arborist as being in proximity to the existing and proposed cabins, 23 are proposed to be removed, 10 were not evident on site by arborist report, described as 'gone'. 14 are proposed to be retained.

Rebuilding of eight existing cabins and conversion of two amenity blocks

Several existing trees overhanging existing cabins have been assessed as part of the arborist report. All of the trees proposed to be removed are considered in poor condition and their removal is supported.

Tree vegetation removal

Nine endemic canopy trees are proposed to be removed for the new cabins and teachers rooms. Most are considered in poor condition and their removal is supported. A further 14 trees are to be removed and assessed as being in poor condition.

The significant tree is as follows:

Eucalyptus piperita (Sydney Peppermint) Tree 10/18H, 12S, 400/300DBH, fair condition – to be removed for Staff Lounge. Statement in support of removal of Tree 10, located 9m from existing Cabin 17, has been submitted by KDG Architects. The rationale provided for removal is the likely hazard to Cabin 17. Removal is supported subject to replacement planting.

Number of canopy trees to be planted – 3. Considering 23 trees are to be removed as part of this application alone, an increased number of canopy trees are to be planted. To be conditioned. Similarly the proposed number of shrubs and groundcovers are inadequate considering the areas requiring rehabilitation following proposed works. An extensive list of suitable endemic species have been provided 'for other areas' not included in the proposed works to the new buildings, however the location and quantity of planting has not been provided.

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Overall, the proposal is supported by Council's Landscape Officer. The removal of 23 trees is acceptable, as they are all in poor condition and are potentially hazardous. However, a condition of consent will require 20 replacement trees, of which half are required to be of the same species as those to be removed and planted in similar locations to where they were previously located.

(Refer to Conditions Nos 6 to 9, 17 to 22, 37, and 50 to 61).

Biodiversity

Council's Biodiversity Officer, David Wilks, commented on the proposal as follows:

Silt fences must be maintained throughout the construction phase and long enough after the project is finished so that the soil is stabilized. Areas around cabins and boardwalks etc should be stabilised as soon as possible after any works if there is a risk of erosion and sedimentation into the riparian zone or watercourse. These areas should be permanently stabilised with local native plants.

Conditions to this effect are recommended. **(Refer to Condition Nos. 19, 43 and 59).**

Environmental Health

Council's Environmental Health Officer, David Mitchell, has commented on the proposal as follows:

The following condition is to be included on the consent:

Prior to the issue of the Construction Certificate the Applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details and specifications for provision of the sewage management system within the subject property. Design drawings are to be prepared by a suitably qualified and experienced civil/hydraulic engineer.

(Refer to Condition No. 10).

CONSULTATION - EXTERNAL REFERRAL BODIES

NSW Rural Fire Service (RFS)

The proposal is Integrated Development under the Environmental Planning and Assessment Act 1979, and was referred to the RFS. The RFS has responded advising that they are prepared to grant a Bush Fire Safety Authority, subject to conditions. The conditions include:

- The submission of a Bush Fire Evacuation Plan to the RFS for approval.
- Maintenance of land surrounding the cabins and buildings as Inner and Outer Protection Areas.

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- Construction of buildings to comply with the Australian Standard: *Construction of Buildings in bushfire prone areas*.
- All new and existing buildings to incorporate gutterless roofing.

The conditions recommended by the RFS are included in the recommendation (**Conditions Nos 44 to 49**).

STATUTORY PROVISIONS

State Environmental Planning Policy No 55 - Remediation of Land

SEPP 55 requires Council to consider whether land is contaminated. Council's database indicates that the land has been the subject of a site investigation for buried asbestos material. Remediation of the buried asbestos was successfully conducted in 2001. In addition, there may be a presence of asbestos material within the cladding of some existing buildings. In response, a maintenance plan was prepared in March 2003 by The Uniting Conference Centres.

Should asbestos be identified during the demolition of the buildings, standard removal and disposal procedures should be followed and the WorkCover Authority should be immediately notified. A condition to this effect is included in the recommendation (**Condition No. 38**).

State Environmental Planning Policy No 19 - Bushland in Urban Areas

The aim of this policy is to protect and preserve bushland within urban areas. The proposed development ensures that the bushland is protected by suitably locating the new cabins, buildings and pathways within the arc of the existing development and away from an ephemeral creek (riparian zone). These measures ensure that important flora and fauna habitats are maintained. The development also maintains the scenic value of the site to ensure its continuing use as an educational and recreational facility for school children and adults. While the proposal will result in the loss of some trees, this is acceptable subject to replacement tree planting.

A Species Impact Statement is not required for the proposal. Council's Biodiversity Officer is satisfied with the proposed location of the buildings and the proposed rehabilitation through landscape works of the riparian zone.

Interim Development Order No. 29 (IDO 29)

The proposed development is permissible under Interim Development Order No. 29. IDO 29 was gazetted on 28 January 1972. It suspends the provisions of the Ku-ring-gai Planning Scheme Ordinance to allow certain development on the subject site, as follows:

"Interim development may be carried out only with the consent of the Council, for the purposes of a Church Conference and Youth Training Centre, open space, utility installations other than gas holders or generating works and for no other purpose."

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The proposed development, which includes the upgrade of the existing cabins, the construction of new cabins and staff lounges, are directly related to the purpose of the conference and youth training centre associated with the Uniting Church. The proposed works are therefore permissible on the site.

DCP 30 - Waste Management

A Waste Management Plan has been provided in accordance with DCP 30 and is considered to be satisfactory.

DCP 31 - Access

The proposed development will result in a greater useability by disabled persons with the rebuilding of Cabins 6 and 8 to be compliant with the Australian Standard for disabled access. In addition, a new access ramp is proposed to provide disabled access from Cabins 6 and 8 to other cabins within the eastern cabin zone.

DCP 47 - Water Management

The method of stormwater disposal is acceptable to Council's Development Engineer. The roofwater from the new and rebuilt cabins will be collected and conveyed to rainwater tanks and reticulated to toilets, the guest laundry and to landscaping outlets for re-use. The overflow from the tanks and ground level hard surface run-off will be connected to the existing drainage system and reticulated to Blue Gum Creek. Under DCP 47, the proposal falls under Type 9 development (any other development) and water management is determined on its merits. In this instance, on-site detention is not required by Council's Development Engineer.

Ku-ring-gai Council Riparian Policy

Council's Biodiversity Officer considers the ephemeral creek that runs between Cabins 23 and 30 and 12a and 13 to be a riparian zone. As such, consideration of Council's Riparian Policy (2004) is required. In this instance, the riparian zone falls under Category 3, which requires a buffer of 10m measured from either side of the top of the creek bank.

In order to achieve greater compliance with this requirement, the original site plans submitted with the application were revised and the proposed new cabins relocated so that only very small portions of the cabins encroach into the riparian zone. The degree of encroachment is 2300mm at its maximum, however where it encroaches, the cabins are proposed to be suspended on piers to minimise ground disturbance.

A Vegetation Management Plan has also been submitted which identifies ways of minimising disturbance to the riparian zone by proposing rehabilitation through weed removal and revegetation. The relocation of the proposed cabins and the proposed pathways and landscaping works are acceptable to Council's Biodiversity Officer.

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LIKELY IMPACTS

The proposed development is unlikely to have any negative impact on the environment, landscape or scenic quality of the locality, threatened species, populations or ecological communities or their habitats or any other protected fauna or protected native plants. Due consideration has been given to the design of the development to respond to the riparian zone and minimise encroachment on the bushland within the site. The proposal will not impact on the adjoining Lane Cove National Park.

The proposal involves the removal of 23 trees, however appropriate replacement tree planting is required by a condition of consent. The trees to be removed are in a poor condition and are potentially hazardous. With regard to erosion and sedimentation, siltation fences are proposed to be erected to prevent runoff into watercourses.

There is unlikely to be any negative visual, acoustic or privacy impact on the existing or likely future amenity of the adjoining properties, which includes the Lane Cove National Park to the north, east and south and the residential dwellings to the west located approximately 55m from the closest cabin. The centre is not readily visible from Lady Game Drive and the little view that is available is heavily filtered by the forward vegetation. The proposed new cabins and staff lounges are located primarily behind existing cabins and will be similarly screened from public view. In light of the effective screening measures already in place, there will be no significant detrimental impact from this proposal upon the existing visual and scenic landscape qualities of the local environment.

With regard to accommodation, the capacity is to remain the same. Therefore, no additional on site car parking is required. No additional traffic will be generated and existing access arrangements remain unchanged under this proposal.

SUITABILITY OF THE SITE

The proposed works are in accordance with IDO29, which permits the site to be developed and used for the purposes of a conference and youth training centre and open space. The upgrade of the cabins and the new cabins is for this purpose.

The site is suitable for the proposed works. The proposed cabins are suitably located within the arc of existing development and do not disturb the flora and fauna of the site. The proposal is acceptable to Council's Development Engineer, Landscape Officer and Biodiversity Officer. Although the land is bush fire prone, appropriate measures are required to be implemented to minimise the risks to persons and property. The proposal is also acceptable to the NSW Rural Fire Service, subject to conditions.

ANY SUBMISSIONS

One submission from the Department of Environment and Conservation NSW was received and has been addressed earlier in the report under "Consultation - Community."

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PUBLIC INTEREST

The proposal is in the public interest as the works will improve the facility and has been designed to respond to the natural features and flora and fauna of the site. The upgrade of the facility supports the ongoing work of Uniting Conference Centres, which provide for the camp and conference needs of the wider community. It will have no likely adverse negative social, environmental or economic impacts.

CONCLUSION

After consideration of the development against Section 79C of the Environment Planning and Assessment Act 1979, it is concluded that the proposed development is suitable for the site, subject to conditions.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979.

THAT Council, as the consent authority, grant development consent to Development Application No. 785/06 for the upgrade of the Naamaroo Conference Centre comprising the construction of 5 new cabins and 3 teacher's resource rooms, rebuilding of 8 cabins and installation of new fire main on land at Lot B, Lady Game Drive, Lindfield, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

Conditions that identify approved plans

Approved architectural plans and documentation

- The development must be carried out in accordance with work shown in colour on the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

| Plan no. | Drawn by | Dated |
|-----------------------------------------------------------------------------------|-------------------------------|--------------|
| Site plan: Project No. 524.03, Drawing No. ADA.02C | KDG architects | 1/3/06 |
| Roof plan: Project No. 524.03, Drawing No. ADA.03B | KDG architects | 1/3/06 |
| Detail Plans 1: Project No. 524.03, Drawing No. ADA.04B | KDG architects | 1/3/06 |
| Detail Plans 2: Project No. 524.03, Drawing No. ADA.05A | KDG architects | 1/3/06 |
| Elevations 1: Project No. 524.03, Drawing No. ADA.06 | KDG architects | 1/3/06 |
| Elevations 2: Project No. 524.03, Drawing No. ADA.07 | KDG architects | 1/3/06 |
| Environmental Management Plan: Project No. 524.03, Drawing No. ADA.08B | KDG architects | 1/3/06 |
| Fire Services Site Fire Hydrant Layout: Job No. 05850, Drawing No. DA-FS01, Rev 1 | Northrop Consulting Engineers | 5/7/06 |

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

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Conditions to be satisfied prior to demolition, excavation or construction

Structural adequacy

2. Prior to commencement of any development or excavation works, the Principal Certifying Authority shall be satisfied that those components of the building to be retained and/or altered will be structurally sound and able to withstand the excavation and demolition process.

Note: Evidence from a qualified practising structural engineer, demonstrating compliance with the above and detailing, where relevant, means of support for those parts of the retained building shall be provided to the Principal Certifying Authority.

Reason: To ensure that the development can be undertaken in accordance with accepted construction practices as indicated on the endorsed development plans, without the need for modification of the consent.

Notice of commencement

3. At least 48 hours prior to the commencement of any development or excavation works, a notice of commencement of building or subdivision work form and appointment of the principal certifying authority form shall be submitted to Council.

Reason: Statutory requirement.

Notification of builder's details

4. Prior to the commencement of any development or excavation works, the Principal Certifying Authority 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.

Construction waste management plan

5. Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

Note: The plan shall be provided to the Certifying Authority.

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Reason: To ensure appropriate management of construction waste.

Tree protection fencing

6. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s, is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

| Tree/Location | Radius in Metres |
|------------------------------------------------------------|------------------|
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 5 | 4m |
| <i>Melia azedarach</i> 'Australasica' (White Cedar) Tree 8 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 12 | 2m |
| <i>Eucalyptus grandis</i> (Flooded Gum) Tree 13 | 4m |
| <i>Corymbia maculata</i> (Spotted Gum) Tree 14 | 3m |
| <i>Allocasuarina torulosa</i> (Forest Oak) Tree 23 | 2m |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 34 | 4m |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 39 | 3m |
| <i>Elaeocarpus reticulatus</i> (Blueberry Ash) Tree 46 | 3m |
| <i>Acacia fimbriata</i> (Fringe Wattle) Tree 47 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 53 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 54 | 4m |

The tree protection fence shall be constructed of star pickets at 2.4 metre spacings and connected by four strands of 2mm wire at 300mm spacings to a minimum height of 1.5 metres prior to work commencing.

Reason: To protect existing trees during the construction phase.

Tree protection signage

7. Prior to works commencing, tree protection signage is to be attached to each tree protection zone, displayed in a prominent position and the sign repeated at 10 metres intervals or closer where the fence changes direction. Each sign shall contain in a clearly legible form, the following information:
- tree protection zone
 - this fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted
 - any encroachment not previously approved within the tree protection zone shall be the subject of an arborist's report
 - the arborist's report shall provide proof that no other alternative is available

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- the arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council
- The name, address, and telephone number of the developer.

Reason: To protect existing trees during the construction phase.

Tree protection mulching

8. Prior to works commencing and throughout construction, the area of the tree protection zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood.

Reason: To protect existing trees during the construction phase.

Tree fencing inspection

9. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Reason: To protect existing trees during the construction phase.

Conditions to be satisfied prior to issue of the Construction Certificate

Sewage management

10. Prior to the issue of the Construction Certificate the Applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details and specifications for provision of the sewage management system within the subject property. Design drawings are to be prepared by a suitably qualified and experienced civil/hydraulic engineer.

Reason: Satisfactory sewage management

Long service levy

11. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by installments, the first installment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

Reason: Statutory requirement.

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Builder's indemnity insurance

12. The applicant, builder, developer or person who does the work on this development, must arrange builder's indemnity insurance and submit the certificate of insurance in accordance with the requirements of Part 6 of the Home Building Act 1989 to the Certifying Authority for endorsement of the plans accompanying the Construction Certificate.

It is the responsibility of the applicant, builder or developer to arrange the builder's indemnity insurance for residential building work over the value of \$12,000. The builder's indemnity insurance does not apply to commercial or industrial building work or to residential work valued at less than \$12,000, nor to work undertaken by persons holding an owner/builder's permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

Reason: Statutory requirement.

External finishes and materials (alterations and additions)

13. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the external finishes of the building are consistent with the character of the existing development and the integrity of the approved development.

Note: Details of the colour, finish and substance of all external materials, including schedules and a sample board of materials and colours, are to be submitted to the Certifying Authority.

Reason: To protect the existing development and the integrity of the approved development.

Stormwater details

14. Prior to issue of the Construction Certificate the Applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction details and specifications for provision of the rainwater tank(s) within the subject property. Design drawings are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 (appendix 6), available in hard copy at Council and on the Council website. The design may be generally based on the Northrop Drawing SW-1 submitted with the development application, advanced as necessary for construction purposes.

Reason: To ensure that stormwater disposal and management systems are installed in accordance with the relevant plumbing codes, guidelines and the Building Code of Australia.

Stormwater details

15. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), details for the proposed method of achieving Council

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requirements for the re-use of water on the property including garden irrigation and toilet flushing. The necessary pumping, housing, filtration and delivery plumbing equipment for re-use shall be shown on this design. The plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer. These details may be incorporated on the overall stormwater management plan.

Reason: To ensure that stormwater disposal and management systems are installed in accordance with the relevant plumbing codes, guidelines and the Building Code of Australia.

Stormwater details

16. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 available on the Council website and at Council, and AS 3500.2 - Plumbing and Drainage Code.

Reason: To ensure that stormwater disposal and management systems are installed in accordance with the relevant plumbing codes, guidelines and the Building Code of Australia.

Excavation for services

17. Prior to the issue of the Construction Certificate, the Principal Certifying shall be satisfied that no proposed underground services (ie. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

Note: A plan detailing the routes of these services and trees protected under the Tree Preservation Order, shall be submitted to the Principal Certifying Authority.

Reason: To ensure the protection of trees.

Amendments to landscape plans

18. Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the approved landscape plans, listed below, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

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| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|-----------------|-----------------|--------------|
| LDA.01B | KDG Architects | 1/3/06 |
| LDA.02A | KDG Architects | 1/3/06 |

The above landscape plan(s) shall be amended in the following ways:

- Existing levels are to be retained beneath the canopy drip lines of all trees to be retained on site and adjoining properties. Particular attention is given to Trees 35 and 36 where level changes are proposed.
- 20 additional endemic canopy trees capable of attaining a minimum height of 13m are to be planted. 10 of those to be replacement planting to be of same species and planted in approximate same location, for following trees: Trees 1, 1B, 3, 4, 6, 10, 11, 29, 31, 38, 41. Proposed planting of all canopy trees to be minimum 5 metres from building.
- As part of fuel management to inner protection area, areas of mulch are to be minimized. It is preferable to have non continuous areas of low fire retardant planting with minimal mulch.
- Proposed access path to southern side of Units 20-22 to be deleted. Existing access path to north of Units 20-22 to be used.
- Top of wall heights to be provided.
- Proposed paths to have minimum 0.5m setback from trunks of trees to be retained

Note: An amended landscape plan, prepared by a landscape architect or qualified landscape designer shall be submitted to the Certifying Authority.

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

Amendments to Vegetation Management Plans

19. Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the Vegetation Management Plans, listed below, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|-----------------|--------------------|--------------|
| Dwg. No 1 | Nyranie Consulting | 22/1/07 |
| Dwg. No 2 | Nyranie Consulting | 22/1/07 |

The above plans shall be amended in the following ways:

- Vegetation Management Plans are to be amended in accordance with approved architectural plans.
- Sediment fence to be shown in accordance with marked up Environment Management Plan, prepared by KDG Architects, dwg ADA.08B, dated 1/3/06.

The works shall be carried out and installed in accordance with the approved Vegetation Management Plans.

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Note: Amended Vegetation Management Plans, prepared by an Ecologist or qualified Landscape Manager shall be submitted to the Certifying Authority.

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

Amendment to approved architectural plans

20. To maintain the amenity of the site and to minimise disruption of the landscape, the proposed access path along the southern side of Units 20-22 shall be deleted. The existing path to the north of Units 20-22 is to be used. Amended architectural drawings are to be submitted by the applicant and approved by the Principal Certifying Authority (PCA), prior to issue of the Construction Certificate.

Reason: To maintain the amenity of the site and to minimise disruption of the landscape.

Conditions to be satisfied prior to the issue of the construction certificate or prior to demolition, excavation or construction (whichever comes first)

Landscape establishment bond

21. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$10,000 landscape establishment bond with Council. This bond is to provide security that the landscape works are completed and maintained in accordance with the approved landscape plan/s and conditions of development consent. The bond shall be lodged in the form of a deposit or bank guarantee.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily completed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period, it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

Reason: To ensure that the approved landscaping is established and maintained.

Tree protection bond

22. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$2000 tree

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protection bond with Council. This bond is to provide security that the following trees are maintained in a healthy condition as found prior to commencement of work upon the site.

Schedule

Tree/location

Bond value

Angophora costata(Sydney Red Gum) Tree 34

\$2000

The bond shall be lodged in the form of a deposit or bank guarantee. The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged and are in a healthy condition.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Reason: To ensure that the trees are maintained in the same condition as found prior to commencement of work.

Infrastructure restoration bond

23. To ensure that damage to Council Property as a result of construction activity is rectified in a timely manner:

- a) All work or activity undertaken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying adjacent public areas.
- b) The applicant, builder, developer or any person acting in reliance on this approval 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 Restorations Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
- d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council property that Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers to be of a minor nature and 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) and (b) above. Restoration

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work of a minor nature referred to in this condition is work that the Council can perform at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.

e) In this condition:

“Council Property” includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees shrubs, lawns, mounds, bushland, and similar structures or features on road reserves or any public place; and

“Infrastructure Restorations Fee” means the infrastructure restorations fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment.

Reason: To maintain public infrastructure.

Conditions to be satisfied during the demolition, excavation and construction phases

Prescribed conditions

24. The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (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:

- The work must be carried out in accordance with the requirements of the Building Code of Australia,
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

Reason: Statutory requirement.

Statement of compliance with Australian Standards

25. The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by 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 the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

Reason: To ensure compliance with the Australian Standards.

Item 1

Demolition, excavation and construction work hours

26. Demolition, excavation, 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 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Construction noise

27. During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Site notice

28. 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 Certifying Authority 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 eye level 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.

Dust control

29. 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:

Item 1

- physical barriers shall be erected at right angles to the prevailing wind direction or 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 daily

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

Use of road or footpath

30. 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 pathway 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 against the applicant/owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

Guarding excavations

31. 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.

Reason: To ensure public safety.

Toilet facilities

32. During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Reason: Statutory requirement.

Construction signage

33. All construction signs must comply with the following requirements:

Item 1

- 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 2.5m²
- are removed within 14 days of the completion of all construction works

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

Approved plans to be on site

34. 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 kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

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

Conditions to be satisfied prior to the issue of an Occupation Certificate

Infrastructure repair

35. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

Reason: To protect public infrastructure.

Certification of drainage works

36. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting civil/hydraulic engineer to the Principal Certifying Authority (PCA), that:
- a. Construction of the stormwater drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) has been carried out by a licensed plumbing contractor, and
 - b. The works have been completed in accordance with the approved Construction Certificate drainage plans and the Plumbing and Drainage Code AS3500,.3.2, and

Item 1

- c. All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices, and
- d. Retained roofwater is available for toilet flushing and irrigation.

A Works-as-Executed (WAE) drawing of the property stormwater drainage system is to be prepared and submitted to the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate. The WAE plan shall show the following as built details, marked in red on the approved construction certificate stormwater drawings:

- a. As built reduced surface and invert levels for all drainage pits and connection points.
- b. As built reduced level(s) at the approved point of discharge to the public drainage system.
- c. Gradients of drainage lines, materials and dimensions.

Reason: To protect the environment.

Completion of landscape works

- 37. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent with the approved landscape plan(s), specification and the conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

Conditions to be satisfied at all times:

Asbestos

- 38. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal. The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

Reason: To ensure public safety.

Stormwater retention

- 39. A rainwater retention and re-use system must be provided generally as shown on Northrop Hydraulic Services Drawing DA-SW1 Rev 1. A minimum of 25 000 litres of rainwater

Item 1

storage is to be provided. Re-use of the collected rainwater is to be for toilet flushing and irrigation.

Reason: To protect the environment.

Drainage to dispersal trench

40. Overflow from the rainwater tanks and runoff from any new paved areas is to be either piped to a dispersal trench system positioned parallel to the contours of the subject site at the highest practicable level or piped to the existing stormwater disposal system. The design of any dispersal trench shall comply with the requirements described in Appendix 6 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website. A typical detail of the trench can be provided by Council development engineers upon request.

Reason: To protect the environment.

Provision of utility services

41. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.

Reason: Provision of utility services

Use of road or footpath

42. 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 pathway 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 against the applicant/owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

Erosion control

43. 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 Certifying Authority and Council officers.

Item 1

Reason: To protect the environment from erosion and sedimentation.

Bush Fire Evacuation Plan

44. A Bush Fire Evacuation Plan is to be submitted to the NSW Rural Fire Service - Development Control Services for approval. The evacuation plan is to detail the following:
- a) under what circumstances will the complex be evacuated.
 - b) where will all persons be evacuated to.
 - c) roles and responsibilities of persons co-ordinating the evacuation.
 - d) roles and responsibilities of persons remaining with the complex after evacuation.
 - e) a procedure to contact the NSW Rural Fire Service District Office / NSW Fire Brigade and inform them of the evacuation and where they will be evacuated to.

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

Inner and Outer Protection Areas

45. The property around the new and existing buildings to a distance of 20 metres, shall be maintained as an 'Inner Protection Area' (IPA) and to the North 40 metres, the West, South West and South 10 metres, shall be maintained as an Outer Protection Area (OPA) as outlined within section 4.2.2 in Planning for Bushfire Protection 2001.

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

46. Construction of new buildings 13-16, 23, 31 & 32 shall comply with AS3959-1999 level 3 'Construction of Buildings in bushfire prone areas'.

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

47. Construction of new buildings 24-26 shall comply with AS3959-1999 level 2 'Construction of Buildings in bushfire prone areas'.

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

48. Construction of all other new buildings shall comply with AS3959-1999 level 1 'Construction of Buildings in bushfire prone areas'.

Item 1

Reason: To protect against bush fire.

Construction in accordance with the Australian Standard

49. All new and existing buildings shall incorporate gutterless roofing (or leafless guttering) and valleys are to be screened to prevent the build up of flammable material. Products used shall be non-combustible or have a flammability index of not greater than 5 when tested in accordance with AS 1530.2.

Reason: To protect against bush fire.

Tree retention

50. Removal, or pruning of the following trees is not approved as part of this Development Application. A tree report prepared by Earthscape Horticultural Services, dated April 2006, has been submitted. Tree numbers refer to this report.

Tree/Location

Corymbia gummifera (Red Bloodwood) Tree 5
Melia azedarach 'Australasica' (White Cedar) Tree 8
Allocasuarina torulosa (Forest Oak) Tree 9
Eucalyptus piperita (Sydney Peppermint) Tree 12
Eucalyptus grandis (Flooded Gum) Tree 13
Corymbia maculata (Spotted Gum) Tree 14
Allocasuarina torulosa (Forest Oak) Tree 23
Eucalyptus grandis (Flooded Gum) Tree 33
Angophora costata (Sydney Red Gum) Tree 34
Angophora costata (Sydney Red Gum) Tree 39
Elaeocarpus reticulatus (Blueberry Ash) Tree 46
Acacia fimbriata (Fringe Wattle) Tree 47
Eucalyptus piperita (Sydney Peppermint) Tree 53
Eucalyptus piperita (Sydney Peppermint) Tree 54

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

Approved tree works

51. Approval is given under this development consent for the following tree works to be undertaken to trees within the subject property:

Tree/Location

Eucalyptus piperita (Sydney Peppermint) Tree 1
Eucalyptus piperita (Sydney Peppermint) Tree 1A
Eucalyptus piperita (Sydney Peppermint) Tree 1B
Eucalyptus piperita (Sydney Peppermint) Tree 3
Eucalyptus piperita (Sydney Peppermint) Tree 4
Angophora costata (Sydney Red Gum) Tree 6

Tree Works

Removal
Removal
Removal
Removal
Removal
Removal

Item 1

| | |
|--------------------------------------------------------|---------|
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 10 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 11 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 15 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 18 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 19 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 20 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 21 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 22 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 24 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 26 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 29 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 31 | Removal |
| <i>Angophora costata</i> (Sydney Red Gum) Tree 38 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 40 | Removal |
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 41 | Removal |
| <i>Hakea salicifolia</i> (Willow Leaved Hakea) Tree 42 | Removal |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 55 | Removal |

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

Retention of tall shrubs

52. Prior to any clearing, an Ecologist or Horticulturist should mark any tall shrubs that should be retained as specified in Vegetation Management Plan, prepared by Nyranie Consulting, dwg 1, dated 22/1/07.

Reason: To protect the environment.

Arborist's report

53. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

Tree/location

All existing trees located on site being retained

Time of inspection

Prior to demolition
At the completion of demolition
Prior to excavation works
At the completion of excavation works
Prior to the start of construction works
At monthly intervals during construction
At the completion of construction works
At the completion of all works on site

Item 1

Reason: To ensure protection of existing trees.

Canopy/root pruning

54. Canopy pruning of the following tree/s which may be necessary to accommodate the approved building footprint shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate. All other branches are to be tied back and protected during construction as recommended in the arborist report, under the supervision of a qualified arborist.

Tree/Location

Corymbia gummifera (Red Bloodwood) Tree 5
Melia azedarach 'Australasica' (White Cedar) Tree 8
Eucalyptus piperita (Sydney Peppermint) Tree 12
Eucalyptus grandis (Flooded Gum) Tree 13
Corymbia maculata (Spotted Gum) Tree 14
Allocasuarina torulosa (Forest Oak) Tree 23
Eucalyptus grandis (Flooded Gum) Tree 33
Angophora costata (Sydney Red Gum) Tree 34
Angophora costata (Sydney Red Gum) Tree 39
Elaeocarpus reticulatus (Blueberry Ash) Tree 46
Acacia fimbriata (Fringe Wattle) Tree 47
Eucalyptus piperita (Sydney Peppermint) Tree 53
Eucalyptus piperita (Sydney Peppermint) Tree 54

Reason: To protect the environment.

Treatment of tree roots

55. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate

Reason: To protect existing trees.

Hand excavation

56. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

| Tree/Location | Radius From Trunk |
|------------------------------------------------------------|-------------------|
| <i>Corymbia gummifera</i> (Red Bloodwood) Tree 5 | 4m |
| <i>Melia azedarach</i> 'Australasica' (White Cedar) Tree 8 | 3m |
| <i>Eucalyptus piperita</i> (Sydney Peppermint) Tree 12 | 2m |
| <i>Eucalyptus grandis</i> (Flooded Gum) Tree 13 | 4m |
| <i>Corymbia maculata</i> (Spotted Gum) Tree 14 | 3m |
| <i>Allocasuarina torulosa</i> (Forest Oak) Tree 23 | 2m |

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Eucalyptus grandis (Flooded Gum) Tree 33
Angophora costata (Sydney Red Gum) Tree 34
Angophora costata (Sydney Red Gum) Tree 39
Elaeocarpus reticulatus (Blueberry Ash) Tree 46
Acacia fimbriata (Fringe Wattle) Tree 47
Eucalyptus piperita (Sydney Peppermint) Tree 53
Eucalyptus piperita (Sydney Peppermint) Tree 54

3m
4m
3m
3m
3m
3m
4m

Reason: To protect existing trees.

No storage of materials beneath trees

57. The applicant shall ensure that at all times during the site works no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.

Reason: To protect existing trees.

Removal of refuse

58. 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.

Site rehabilitation and landscaping

59. All areas that have been modified during site works, such as around cabins and boardwalks, shall be the first areas for site rehabilitation and landscaping with locally occurring native plants such as *Boronia ledifolia*, *Gahnia clarkei*, *Gleichenia dicarpa* and *Calochlaena dubia* as recommended in Vegetation Management Plan prepared by Nyranie Consulting, dwg 1, dated 22/1/07 and undertaken as part of Landscape works for this application.

Reason: To protect the environment.

Removal of noxious plants and weeds

60. The following noxious and/or environmental weed species shall be removed from the property prior to completion of the proposed building works

Plant Species
Chlorophytum comosum (Spider Plant)
Conyza sp (Fleabane)
Lantana camara (Lantana - Red Flower)
Paspalum dilatatum (Paspalum)
Phytolacca octandra (Inkweed)

Item 1

Ligustrum sinense (Small-leaved Privet)
Ochna serrulata (Ochna)
Solanum nigrum (Blackberry Night-shade)
Taraxacum officinale (Dandelion)

Reason: To protect the environment.

Canopy replenishment trees to be planted

61. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

Reason: To maintain the treed character of the area.

Construction of fire main

62. The fire main, as shown on the approved plan by Northrop Consulting Engineers, Job No. 05850, Drawing No. DA-FS01, Revision 1, dated 5/7/06, shall be constructed as an "above ground" service where it passes through bushland, and buried when it reaches the edge of perimeter development. The approved plan only relates to the proposed fire services (mains and hydrants), and not the cabins or pathways.

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

L Chu
Development Assessment Officer

M Leotta
Team Leader
Development Assessment - South

M Miocic
Director
Development & Regulation

M Prendergast
Manager
Development Assessment Services

Attachments:

1. Location sketch - 761527
2. Zoning extract - 761527
3. Site plan - 761537
4. Elevation plan 1 - 761537
5. Elevation plan 2 - 761537
6. Environment Management Plan - 761538
7. Landscape Plan 1 - 761533

Item 1

8. Landscape Plan 2 - 761533

Report

Previous

LOCATION SKETCH

Naamaroo Conference Centre - Lady Game Drive, LINDFIELD



SCALE: 1:3000

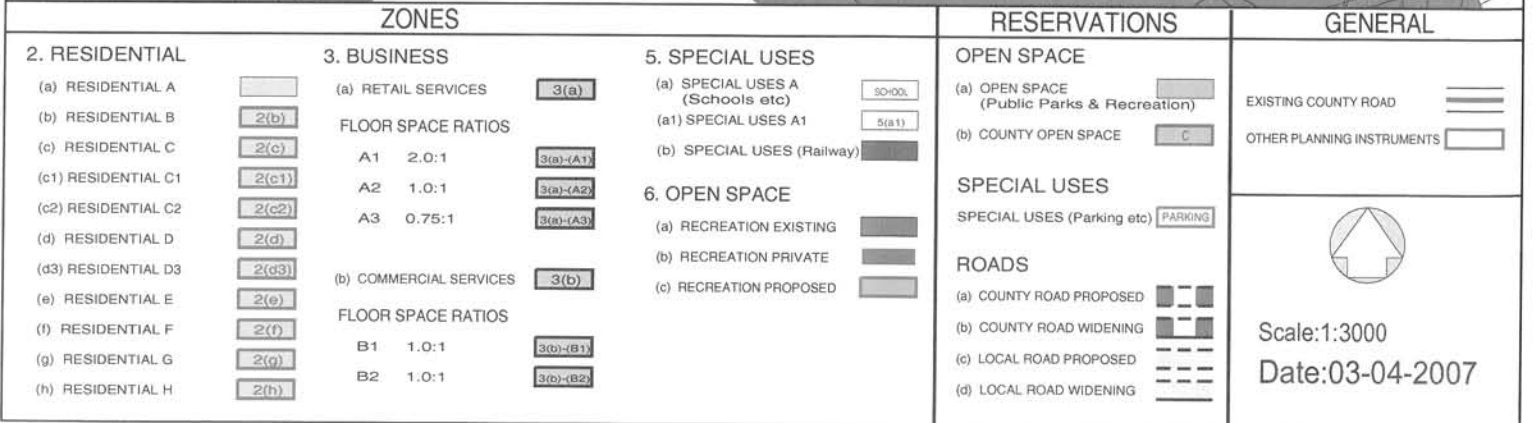
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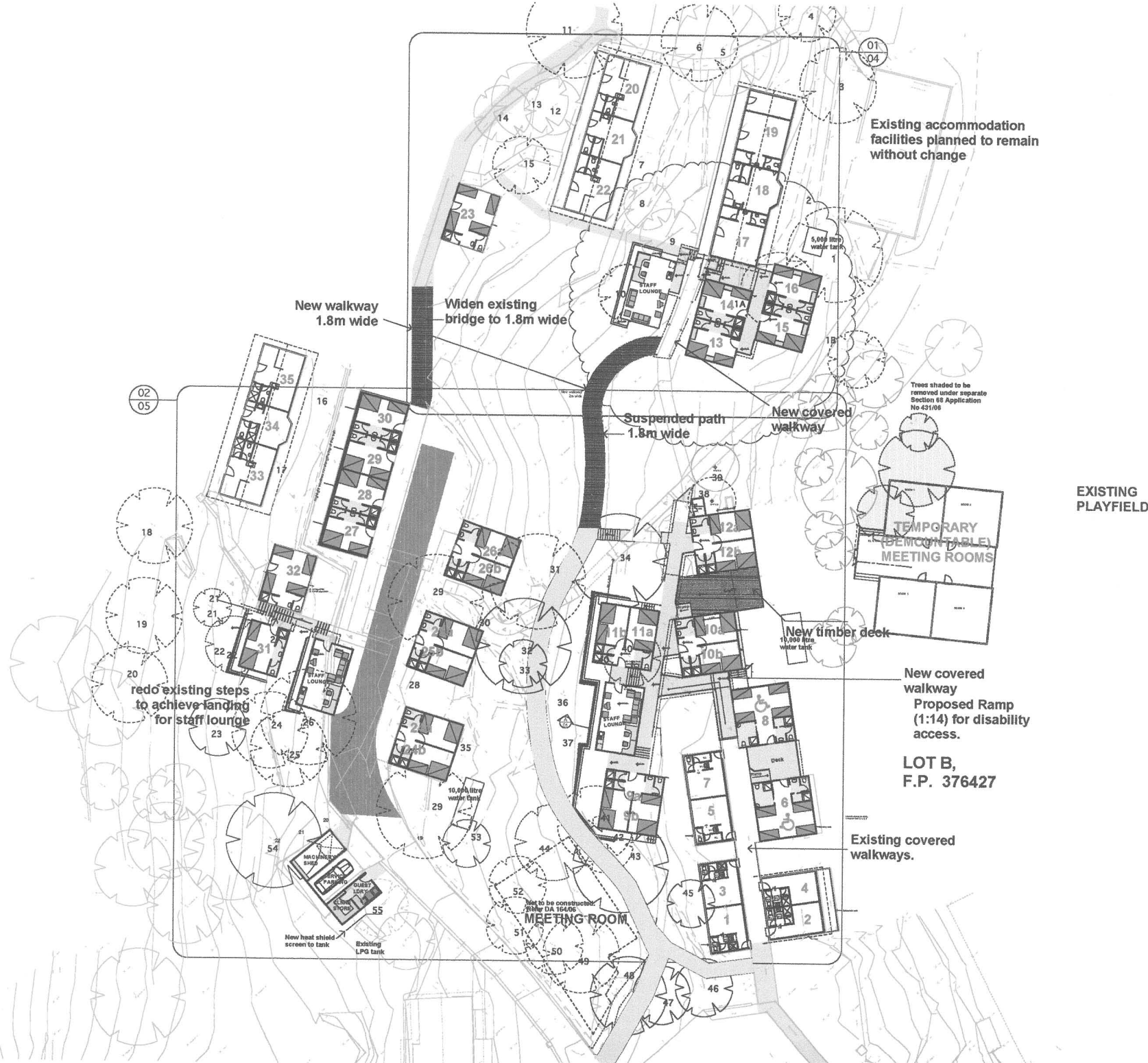
SUBJECT LAND



Naamaroo Conference Centre - Lady Game Drive, LINDFIELD



| AMMENDMENTS | | |
|-------------|----------|-------------------------------------------------------------------------------------------------------------------------------------|
| ISSUE | DATE | DESCRIPTION |
| A | 30.10.06 | Access path and cabin locations adjusted to Council requirements |
| B | 15.01.07 | Supplementary revisions. |
| C | 16.03.07 | Revised 2nd revision proposed under the 1st moved north. Staff Lounge raised 350mm. Staff Lounge accessibility / retention revised. |
| | | |
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| | | |



EXISTING
PLAYFIELD



KDG architects
Design excellence in the built environment
935 OLD NORTHERN ROAD
DURAL NSW 2158
Tel (02) 9651 4811
Fax (02) 9651 4877

DRAWN CD/NW
DATE 1/03/06
SCALE(S) 1:200 @ A1
PLOTTED Monday, 19 March 2007

PROJECT
**Naamaroo
Accommodation
Upgrade**
Lot B, Lady Dore Drive
Chadwood
DRAWING NAME
SITE PLAN
UNITING
CONFERENCE
CENTRES

Check all dimensions on site before commencing. Work to figured dimensions. Report any discrepancies to Architect for decision before proceeding with work. This drawing is copyright and must not be reprinted, copied or used without authority from the Architect.

PROJECT NO. DRAWING NO.

Units 6 & 8
1:100

Elevation 1
1:100

Elevation 2
1:100

Elevation 3
1:100

Elevation 4
1:100

Elevation 5
1:100

Units 9 - 12, 24 - 26
1:100

Elevation (UNIT 11)
1:100

Elevation (UNIT 11)
1:100

Elevation (UNIT 11)
1:100

Elevation (UNIT 11)
1:100

Units 23 & 32
1:100

Elevation (UNIT 23)
1:100

Elevation (UNIT 23)
1:100

Elevation (UNIT 23)
1:100

Elevation (UNIT 23)
1:100

Design excellence in the built environment

935 OLD NORTHERN ROAD
DURAL NSW 2158
Tel (02) 9651 4811

Fax (02) 9651 4877

| | |
|----------|---------|
| DRAWN | CD/NW |
| DATE | 1/03/06 |
| SCALE(S) | 1:100 |
| PLOTTED | 18/7/06 |

PROJECT

Naamaroo Accommodation Upgrade

Upgrade
Lot B, Lady Game Drive,
Chatswood

DRAWING NAME

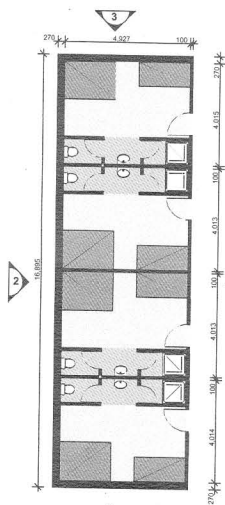
ELEVATIONS 1

ELEVATIONS 1

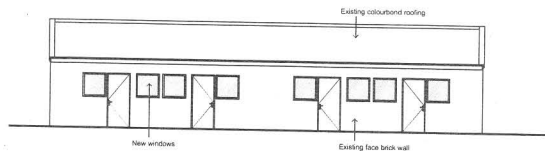
UNITING
CONFERENCE
CENTRES 

Check all dimension on site before commencing. Work to figured dimensions. Report any discrepancies to Architect for decision before proceeding with work. This drawing is copyright and must not be retained.

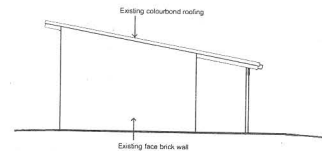
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| PROJECT NO. | DRAWING NO. |
| 524.03 | ADA.06 |



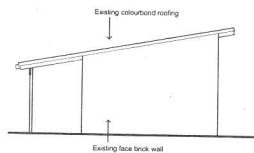
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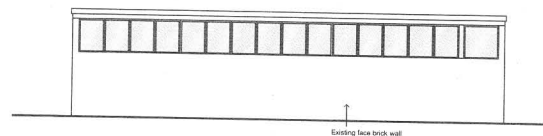
2 Elevation
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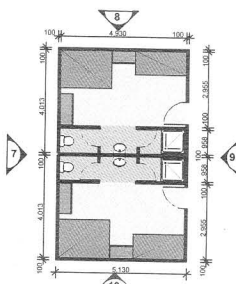
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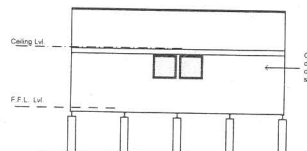
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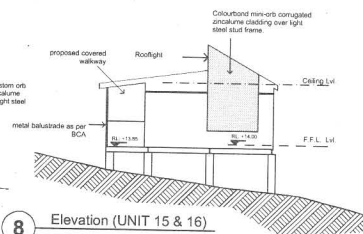
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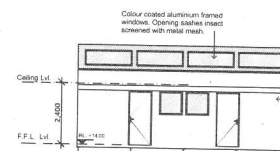
6 Units 13-16, 31
1:100



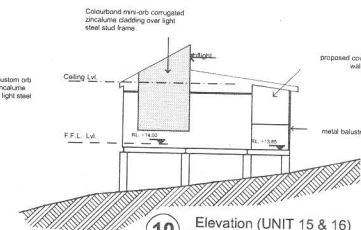
7 Elevation (UNIT 15 & 16)
1:100



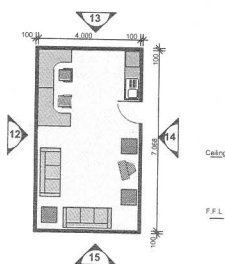
8 Elevation (UNIT 15 & 16)
1:100



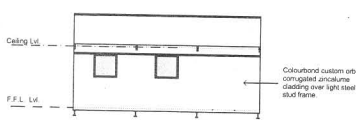
9 Elevation (UNIT 15 & 16)
1:100



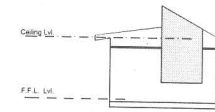
10 Elevation (UNIT 15 & 16)
1:100



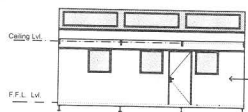
11 Staff Lounges
1:100



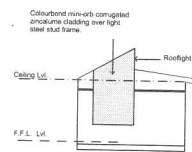
12 Elevation
1:100



13 Elevation
1:100



14 Elevation
1:100



15 Elevation
1:100

| AMMENDMENTS | | |
|-------------|------|-------------|
| ISSUE | DATE | DESCRIPTION |
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KDG architects
Design excellence in the built environment
935 OLD NORTHERN ROAD
DURAL, NSW 2158
Tel (02) 9651 4811 Fax (02) 9651 4877

DRAWN CD/NW
DATE 1/03/06
SCALE(S) 1:100 @ A1
PLOTTED 18/7/06

PROJECT
Naamaroo Accommodation Upgrade
Lot B, Lady Game Drive, Chafferswood
DRAWING NAME
ELEVATIONS 2

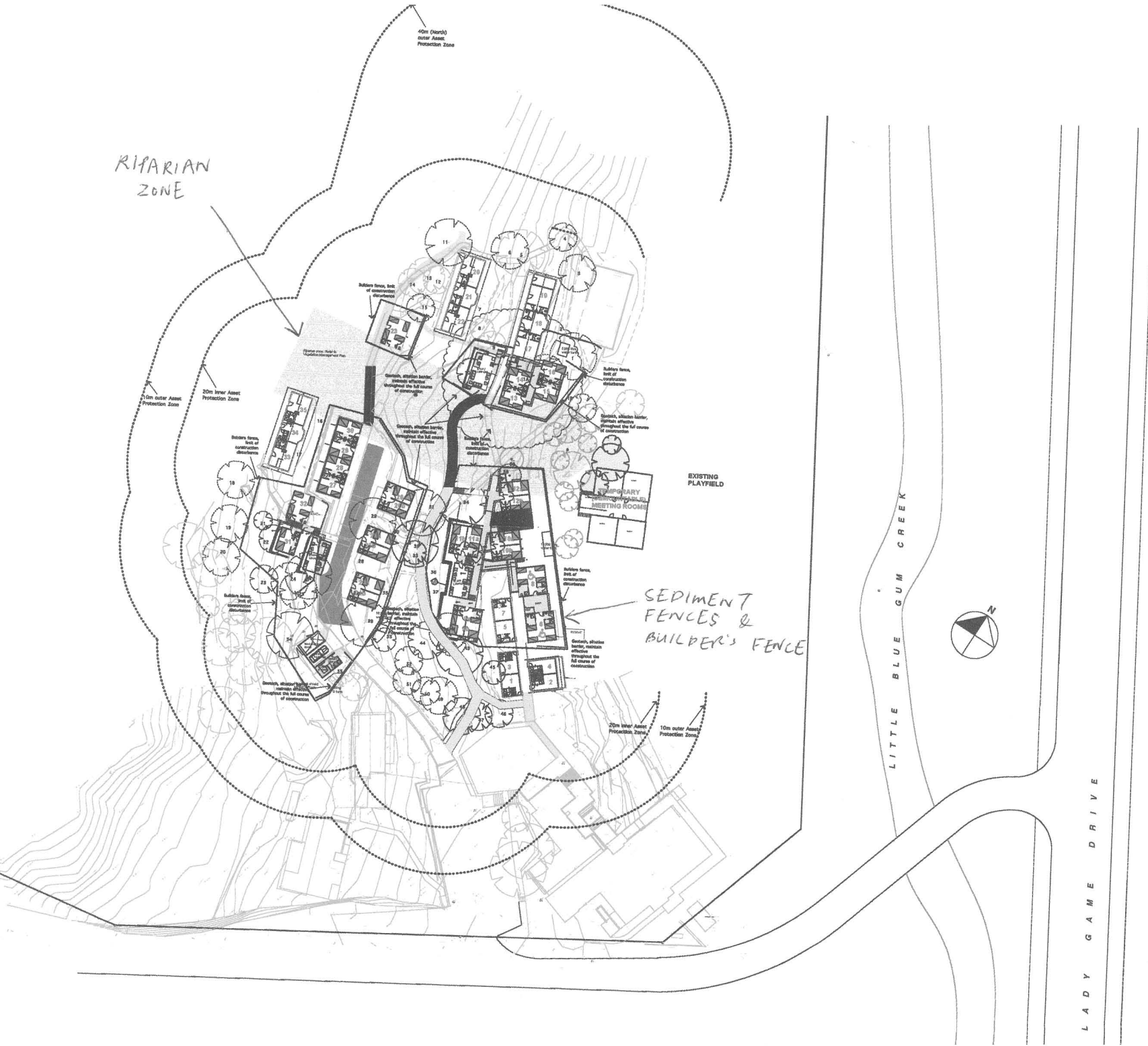


Check all dimension on site before commencing. Work to figured dimensions. Report any discrepancies to Architect for decision before proceeding with work. This drawing is copyright and must not be retained, copied or used without authority from the Architect.

PROJECT NO.
524.03
DRAWING NO.
ADA.07

| AMMENDMENTS | | |
|-------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------|
| ISSUE | DATE | DESCRIPTION |
| A | 12.01.07 | Supplementary revisions |
| B | 16.03.07 | Riparian zone revisions included: Units 135, 14 moved north. Staff Lounge raised 500mm. Staff Lounge re-material / refinish / re-paint. |
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RIPARIAN ZONE







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DRAWN CD/NW
 DATE 1/03/06
 SCALE(S) 1:400 @ A1
 PLOTTED Monday, 19 March 2007

PROJECT Naamaroo Accommodation Upgrade
 Lot B, Lady Game Drive, Chatswood
DRAWING NAME UNITING CONFERENCE CENTRES
ENVIRONMENT MANAGEMENT PLAN

Check all dimensions on site before commencing. Work is figured dimensions. Report any discrepancies to Architect for decision before proceeding with work. This drawing is copyright and must not be retained, copied or used without authority from the Architect.

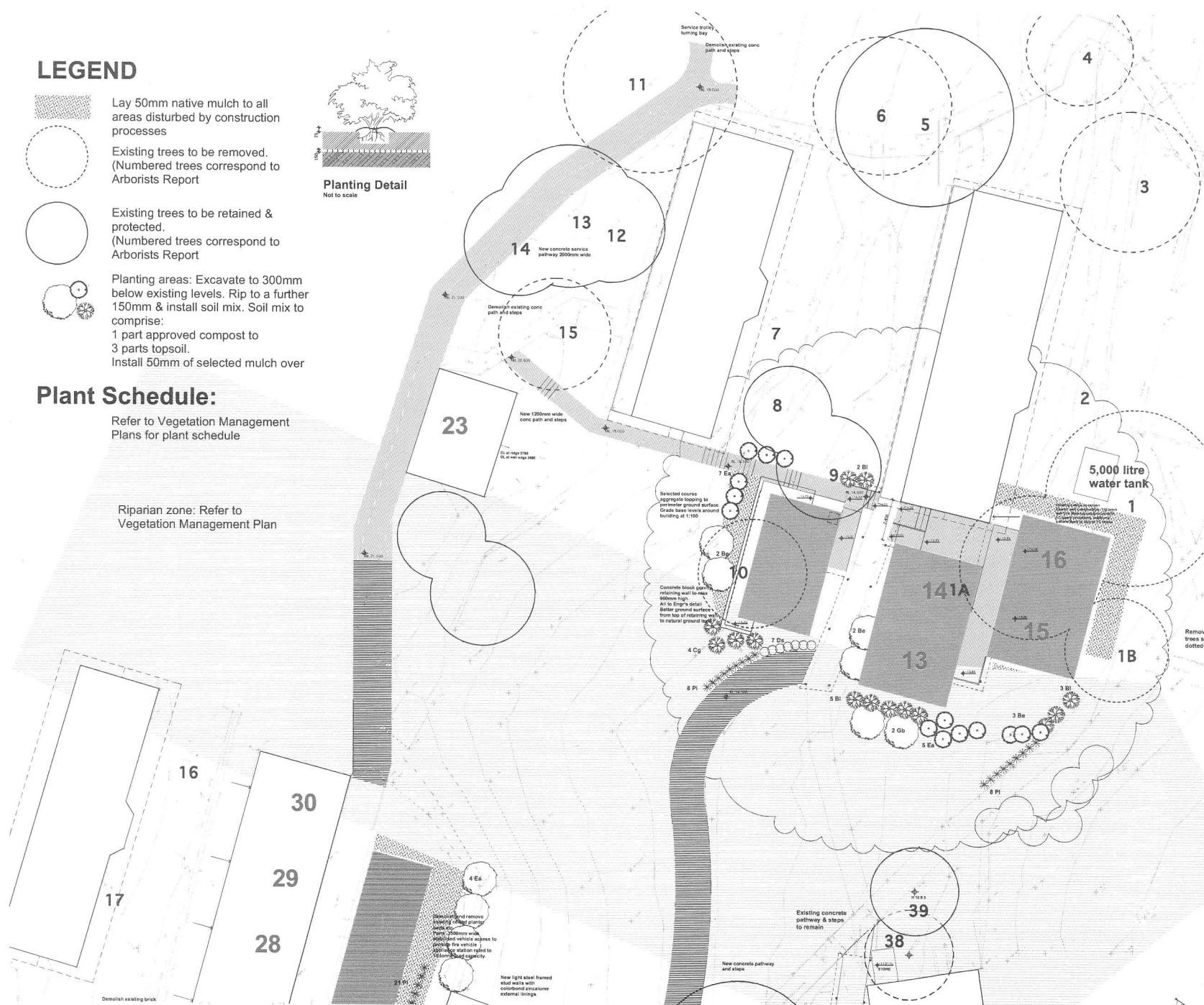
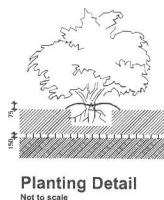
LEGEND

-  Lay 50mm native mulch to all areas disturbed by construction processes
-  Existing trees to be removed. (Numbered trees correspond to Arborists Report)
-  Existing trees to be retained & protected. (Numbered trees correspond to Arborists Report)
-  Planting areas: Excavate to 300mm below existing levels. Rip to a further 150mm & install soil mix. Soil mix to comprise:
1 part approved compost to 3 parts topsoil.
Install 50mm of selected mulch over

Plant Schedule:

Refer to Vegetation Management Plans for plant schedule

Riparian zone: Refer to Vegetation Management Plan



| AMMENDMENTS | | |
|-------------|----------|-----------------------------------------------------------------------------------------------------------|
| ISSUE | DATE | DESCRIPTION |
| A | 15.01.07 | Supplementary revisions |
| B | 16.03.07 | Riparian Zone revisions provided: 100% 15% 1% Riparian zone, 100% 15% 1% Riparian zone, 100% 15% 1% |
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DRAWN CD/NW
DATE 1/03/06
SCALE(S) 1:100 @ A1
PLOTTED Thursday, 12 April 2007

PROJECT
**Naamaroo
Accommodation
Upgrade**
Lot 5, Lady Game Drive,
Chatswood
DRAWING NAME
**LANDSCAPE
PLAN 01**



Check all dimension on site before commencing. Work to figured dimensions. Report any discrepancies to architect for decision before proceeding with work. This drawing is copyright and must not be retained, copied or used without authority from the architect.

PROJECT NO.
524.03
DRAWING NO.
L DA.01B

21 ARCHBOLD ROAD, ROSEVILLE - SUPPLEMENTARY REPORT

Ward: Roseville

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To respond to the issues raised at the Council site inspection and seek Council's determination of development application No. 859/06.

BACKGROUND:

- application lodged on 4 August 2006
- Council deferred the matter on 24 April 2007
- Consideration pending a site inspection
- site inspection took place on 9 May 2007

COMMENTS:

The issues raised at the site inspection are addressed in this report

RECOMMENDATION:

Approval.

PURPOSE OF REPORT

To respond to the issues raised at the Council site inspection and seek Council's determination of development application No. 859/06.

BACKGROUND

- application lodged on 4 August 2006
- Council deferred the matter on 24 April 2007
- Consideration pending a site inspection
- site inspection took place on 9 May 2007

COMMENTS

The following issues were raised at the site inspection of 9 May 2007:

1. ***Council staff are to confirm whether the proposal will exacerbate drainage problems in the area and therefore whether a stormwater management plan is required.***

At the site inspection, a resident suggested that a stormwater management plan is required as the existing drainage system is not adequate for the subject site and the proposal will likely exacerbate existing drainage problems in the area.

Council's Development Engineer, Ross Guerrero, has provided the following comment in this regard:

A stormwater management plan is not required for the following reasons:

- *The property has good natural site fall to Archbold Rd and an adequate stormwater disposal system exists to cater for the disposal of stormwater for the site.*
- *The total BUA of the site will be reduced by 2.4m² as a result of the development. In addition, the transition areas between outdoor and indoor play spaces that are covered with shading structures, are permeable on the ground and will further reduce the runoff generated from the site by 73m². This will significantly improve the existing drainage situation.*
- *Two 500L rainwater tanks have been provided as a storage system which will be reused on site. This further slows the discharge into the existing property drainage system in the event of a storm.*
- *Any surface runoff from the exposed impervious areas (i.e. the carpark area) graded towards adjacent properties is to be drained via the main drainage system which is to be detailed and shown on the Construction Certificate drawings as per **Condition No. 27**.*
- ***Condition No.30*** *of the recommended consent clearly states that, should the existing site drainage system be found to be unsatisfactory, the applicant will need to upgrade*

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the stormwater disposal. The plan shall be prepared by a suitably qualified engineer in accordance with Council's Water Management DCP No.47.

Overall, the development meets all the requirements of Council's Water Management DCP No.47.

2. ***Council staff are to confirm how many street parking spaces in Addison Avenue would be lost as a result of the recommendation of Council's Strategic Traffic Engineer to extend the 'No Stopping' restriction in front of the child care centre.***

Currently, 5 cars can be parked along the kerbside between the existing 'No stopping' sign and the driveway cross over at No 2 Addison Avenue, as it measures 27.5m in length. Extension of the 'No Stopping' area to the power pole located 3.5m east of the eastern boundary of the subject site will create a further 'No Stopping' restriction over an additional 15m of kerbside length. This means that 3 kerbside car parking spaces will be removed as a result of the proposed development not 2 as previously reported..

Two on-street parking spaces will be retained between the new 'No stopping' sign and the driveway cross over for No 2 Addison Avenue, Roseville.

However, the loss of 3 kerbside parking spaces will not detrimentally impact on street parking in Addison Avenue as there are ample parking spaces further to the east and the proposal is compliant with Council's on-site carparking requirements.

3. ***Council staff are to investigate the meaning of 'No Stopping' kerbside restrictions and to advise whether the law would be broken if a motorist is queued in traffic in and adjacent to a 'No Stopping' zone, as a result of relocation of the 'No Stopping' sign recommended by Council's Strategic Traffic Engineer.***

At the site inspection, a resident claimed that the RTA had advised him that the law would be broken if a motorist is caught up in traffic congestion in and adjacent to a 'No Stopping' zone.

Council's Manager Traffic and Transport, George Koolik, has provided the following comments in this regard:

Traffic congestion frequently occurs on major roads and at intersections, for example in 'No Stopping' zones at signals, when the signal is red.

Australian Road Rules state that parallel parking control signs apply only to the 3.0 metres road width adjacent to the kerb (Rule 334 (2)).

These restrictions would therefore not apply to passing traffic, which may be held up by congestion and/or signals (Rule 165 (a) and (e)).

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4. *Council staff are to investigate and advise if the existing 1.8m high brick fence on the Archbold Road frontage can be lowered to improve the streetscape without affecting the amenity of children in care.*

The applicant's acoustic consultant, Renzo Tonin & Associates, has reviewed the proposal and advised that there would be negligible differences in traffic noise level even if the existing masonry fence was reduced to 1.2m in height. Reduction of the fence height was also not expected to affect the acoustic amenity of the outdoor play area located on the western side of the site adjacent to Archbold Road.

The applicant states that the 1.8m brick front fence was erected approximately 25 years ago and has been part of the streetscape for that period. The applicant believes that retention of the fence to the existing height would provide better privacy and protection to the front yard play area.

Accordingly, it is considered that a reduction in fence height will not appreciably improve the overall streetscape amenity within the locality. High solid fences are common along Archbold Road; their purpose being to minimise traffic noise impact. The subject fence is compatible with other fences on adjacent and surrounding properties in Archbold Road and does not unduly detract from the streetscape. There would be no appreciable gain in streetscape amenity by reducing the existing fence height to 1.2m.

SUMMARY

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, grant development consent to DA0859/06 for alterations and additions to an existing dwelling house and its change of use to a child care centre catering for 24 children on land at 21 Archbold Road, Roseville, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

APPROVED ARCHITECTURAL PLANS AND DOCUMENTATION (ALTERATIONS AND ADDITIONS)

1. The development must be carried out in accordance with work shown in colour on the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|-----------------|-----------------------------|---------------|
| DA-01 to DA03 | Fortey & Grant Architecture | 27 March 2007 |

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| <i>Document(s)</i> | <i>Dated</i> |
|-------------------------------------------------------------------------------------|----------------------------------------|
| Revised Statement of Environmental Effects | Received by Council on 1 December 2006 |
| Noise assessment report & supplementary report prepared by Renzo Tonin & Associates | 1 August 2006 & 14 May 2007 |

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

Inconsistency between documents

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

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

Approved landscape plans

3. Landscape works shall be carried out in accordance with the following landscape plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|-------------------|---------------------------|---------------|
| LD/DA 859/06 No 3 | Chris Gohl Landscapes P/L | February 2007 |

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

Building Code of Australia – fire separation

4. The staff room door on the northern elevation is to comply with Part 3.7.1 (Fire Separation) of the BCA.

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

Noise control

5. The development is to be in accordance with the recommendations of the Noise Assessment Report, Report Number TC219-01F02 (REV1), dated 1 August 2006 and the supplementary acoustic report, referenced TC219-02F01 (REV0) TECH MEMO, dated 14 May 2007, prepared by Renzo Tonin & Associates as follows:
 - a) in order to prevent children and staff of the child care centre from being exposed to excessive traffic noise:
 - a sound attenuation fence of 2.4m in height, set back at a distance of 1.5m from the existing masonry boundary fence on the western and south-western side of the site is to be provided

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- the sound attenuation fence is to be constructed of a treated timber paling or be a lapped and capped fence with minimum 35mm overlap or planks
- any grills and openings along the existing masonry fence are to be closed up
- all class room windows on the eastern, southern and western facades of the centre are to be fixed or must remain closed during indoor activities
- windows with standard 4mm glazing are to be provided
- natural ventilation is to be provided during outdoor activities by opening doors and windows, alternatively non indoor play area windows on the northern elevation of the building may be kept open during indoor activities for natural ventilation
- no mechanical ventilation is to be installed on the northern elevation of the building

b) in order to minimise noise impact on the adjoining residential properties:

- noise management techniques are to be employed during the operation of the child care centre. These techniques should include limits on the number of children at play at any one time or limit on the total time of play.
- signs reminding staff and visitors to minimise noise at all times are to be installed at the entry and exit points of the child care centre
- elevated children's climbing equipment is to be restricted to a maximum height of 1.7m above ground level
- hard paved areas and pathways within the children's play area are to be covered with a rubberised-backed material
- external pedestrian gates are to be fitted with appropriate door closers to provide a slow and regulated closing of the gate to prevent the generation of impact sound
- a sound attenuation fence of 2.4m in height is to be provided along the northern boundary
- a sound attenuation fence of 1.8m in height is to be provided along the eastern boundary
- the above sound attenuation fences are to be constructed of a treated timber paling or be a lapped and capped fence with minimum 35mm overlap or planks
- any grills and openings along the existing masonry fence are to be closed up

Mechanical plant

In the instance that air conditioning is required and the calculated noise emissions from mechanical plant items are in excess of the site limits, appropriate acoustic treatment shall be implemented including:

- strategic positioning of plant away from residences, maximising the intervening shielding between the plant and sensitive neighboring premises
- procurement of 'quiet' plant
- installation of a commercially available silencer over noisy fans
- installation of acoustic screens and barriers between plant and sensitive neighbouring premises
- installation of partially-enclosed or fully-enclosed acoustic enclosures over plant

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Reason: To minimise the impact of noise.

Sight lines

6. The southern-most 2m of the eastern boundary fence is to be of transparent fencing material to allow appropriate sight lines for drivers of vehicles exiting from the child care centre.

Reason: To ensure pedestrian safety.

Commercial deliveries

7. Commercial deliveries to the centre are not to be made before 10.00am and after 2.30pm.

Reason: To minimise traffic and parking nuisance in the locality.

Traffic and parking management plan

8. A traffic and parking management plan is to be developed and implemented, requiring the centre management personnel to educate parents to use designated parking spaces provided within the centre or abide by parking and traffic rules in the event of parking overflow. Archbold Road and 'No-Stopping' zone in Addison Avenue must not be used for children drop-off and pick-up. The traffic and parking management plan is to be submitted to and approved by Council's Development Engineer prior to the issue of a Construction Certificate.

Reason: To minimise traffic and parking nuisance in the locality.

Vehicle turning bay

9. The vehicle turning bay is not to be used for parking at any time. This is to allow exiting vehicles from the child care centre to be driven in a forward direction for traffic safety purposes. The turning bay is to be clearly marked "No Parking" "Vehicle Turning Only".

Reason: To ensure traffic and pedestrian safety in the locality.

Outdoor storage shed

10. To maintain the streetscape and residential amenity, the maximum height of the outdoor storage shed located in the north-western corner is not to exceed 2.4m above existing ground level.

Reason: To maintain the streetscape and residential amenity.

Rainwater tanks

11. The proposed rainwater tanks are to have a maximum height of 1.8m above ground level, including any stand for the tank. Any overflow is to be connected and discharged into the

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existing stormwater system. A sign must be affixed to the tank clearly stating that the water in the tank is rainwater and is not for human consumption.

Reason: To prevent adverse visual impact and drainage nuisance to No.23 Archbold Road and to ensure health for the occupants of the child care centre.

Median island

12. A raised median island is to be installed opposite the development driveway in Addison Avenue (including adjustments to linemarking) and the existing 'No Stopping' restriction on the northern side of Addison Avenue is to be extended eastwards to the power pole outside No.2 Addison Avenue. The new installation/alterations to traffic facilities shall be to the satisfaction of the Ku-ring-gai Traffic Committee, including payment of relevant Ku-ring-gai Traffic Committee processing fees as necessary. The costs of installation/modification of the approved traffic facilities shall be at the applicant's expense.

Reason: To ensure traffic safety in the locality.

Garbage bins

13. The garbage bin must be stored in the designated garbage bin area in between the cot room wall and the younger children's store, except for the recycling and green waste bins. Garbage collection must not occur outside the hours of 7.00am – 6.30pm Monday to Friday.

Reason: To minimise odour nuisance to No.23 Archbold Road and to ensure that residential amenity is preserved.

Hours of operation of the child care centre

14. The hours of operation of the child care centre are to be restricted to:

- Monday to Friday: 7am - 6.30pm
- No operation on Saturdays, Sundays and Public Holidays

Reason: To ensure that residential amenity is preserved.

Maximum number of children in attendance

15. The maximum number of children at the child care centre must not exceed 24 at any one time and the age groups and numbers must be comprised of the following:

- 0 - 2 years: 8 children
- 2 - 3 years: 8 children
- 3 - 5 years: 8 children

Reason: To ensure that the development is in accordance with the determination of Council and Children's Services Regulation 2004.

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Outdoor play equipment

16. All outdoor play equipment must comply with AS/NZS 4486 – Playgrounds and playground equipment and AS/NZS 4422– Playground surfacing.

Reason: To ensure that the development is in accordance with the relevant Australian Standards.

Protection of existing trees

17. Removal, or pruning of the following trees is not approved as part of this Development Application. Tree numbers refer to Landscape Plan prepared by Chris Gohl Landscapes, dated February 2007, dwg no. LD/DA 859/06/3.

Tree/ Location

Harpephyllum caffrum (Kaffir Plum) Tree 1

Brachychiton acerifolius (Flame Tree) Tree 2

Callistemons (4) – Street Trees to site frontage along Addison Avenue

Reason: To protect the existing trees.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF A CONSTRUCTION
CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION
(WHICHEVER COMES FIRST)

Long service levy

18. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

Reason: Statutory requirement.

External finishes and materials (alterations and additions)

19. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the external finishes of the building are consistent with the character of the existing house and the streetscape.

Note: Details of the colour, finish and substance of all external materials, including schedules and a sample board of materials and colours, are to be submitted to the Certifying Authority.

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Reason: To protect the streetscape.

Public liability insurance – works on public land

20. Any person or contractor undertaking works on public land must take out public risk insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent.

The policy is to note and provide protection for Ku-ring-gai Council as an interested party and a copy of the policy must be submitted to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The policy must be valid for the entire period that the works are being undertaken on public land.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

Access for people with disabilities

21. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to the child care centre building is 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 Principal Certifying Authority prior to the issue of the 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 1735.2.

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

Infrastructure restorations fee

22. To ensure that damage to Council Property as a result of construction activity is rectified in a timely manner:
- a) All work or activity undertaken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying adjacent public areas.
 - b) The applicant, builder, developer or any person acting in reliance on this approval shall be responsible for making good any damage to Council Property, and for the removal from

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Council Property of any waste bin, building materials, sediment, silt or any other material or article.

- c) The Infrastructure Restorations Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
- d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council Property that Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers to be of a minor nature and 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) and (b) above. Restoration work of a minor nature referred to in this condition is work that the Council can perform at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.
- e) In this condition:

“**Council Property**” includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees shrubs, lawns, mounds, bushland, and similar structures or features on road reserves or any public place; and

“**Infrastructure Restorations Fee**” means the infrastructure restorations fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment.

Reason: To maintain public infrastructure.

Landscape establishment bond

- 23. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$2,000 landscape establishment bond with Council. This bond is to provide security that the landscape works are completed and maintained in accordance with the approved landscape plan/s and conditions of development consent. The bond shall be lodged in the form of a deposit or bank guarantee.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily completed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period, it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

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Reason: To ensure that the approved landscaping is established and maintained.

Construction waste management plan

24. Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

Note: The plan shall be provided to the Certifying Authority.

Reason: To ensure appropriate management of construction waste.

Noise from plant in residential zone

25. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation of an individual piece of equipment or operation of equipment in combination will not exceed more than 5dB(A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm – 6.00 am) when measured at the boundary of the site.

Note: A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction Certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with other plant will comply with the above requirements.

Reason: To comply with best practice standards for residential acoustic amenity.

Driveway crossing levels

26. Prior to issue of the Construction Certificate, driveway and associated footpath levels for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the Roads Act 1993. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings".

Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant development application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment.

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This development consent is for works wholly within the property. Development consent does not imply approval of footpath or driveway levels, materials or location within the road reserve, regardless of whether this information is shown on the development application plans. The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

The construction of footpaths and driveways outside the property in materials other than those approved by Council is not permitted.

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

Drainage of paved areas

27. All new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details of such measures shall be shown on the Construction Certificate drawings, to the satisfaction of the Certifying Authority.

Reason: To control surface run off and protect the environment.

Building Code of Australia - fire safety audit

28. An accredited certifier, building grade 1 or 2 (NSW or equivalent) is to be engaged to carry out a Building Code of Australia audit that is based upon inspections(s) of the building in terms of the deemed-to-satisfy fire safety provisions. (a list of accredited certifiers is available on the Department of Planning website.)

The audit must specifically cover all clauses within Section C, D and E of the Building Code of Australia (as per the most recent amendments) indicating compliance, non-compliance or not applicable in the circumstances.

The results of the audit are to be incorporated into a report and strategy to overcome the non-compliant provisions either by performance solution or adherence to deemed-to-satisfy provisions by satisfying the fire safety objectives of Sections C, D and E of the Building Code of Australia.

A schedule of existing (if applicable) and the proposed essential fire safety measures, including their standard performance must be included in the strategy.

The report and strategy must be submitted to and approved by Council's Compliance Officer prior to issue of any Construction Certificate.

Reason: To ensure an adequate level of fire safety.

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Utility provider requirements

29. Prior to issue of the Construction Certificate, the applicant must make contact with all relevant utility providers whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained. All utility services or appropriate conduits for the same must be provided by the developer in accordance with the specifications of the utility providers.

Reason: To ensure compliance with the requirements of relevant utility providers.

Stormwater drainage system

30. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, written certification from a licensed plumber relating to the placement of additional runoff into the existing site drainage system. The certification must be based on an inspection of the existing site drainage system and must declare:
- a) The satisfactory operating condition of the existing system and satisfactory capacity for additional runoff generated by the development, and
 - b) Acknowledgment that, based on their professional experience, there will be no deleterious effect on the existing, adjacent or downstream properties as a result of the continued use of the existing system.

The inspecting plumber must also include with the certification a sketch plan of the point and method of discharge for the existing stormwater drainage system. Where the existing site drainage system is found to be unsatisfactory for continued use, the applicant is to submit plans and specifications for an upgraded stormwater disposal system, for approval by the Principal Certifying Authority (PCA) **prior** to issue of the Construction Certificate. Plans are to be prepared by a suitably qualified and experienced consulting civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47.

Reason: To ensure the existing drainage system is adequate for the development.

Excavation for services

31. Prior to the issue of the Construction Certificate, the Principal Certifying shall be satisfied that no proposed underground services (ie. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

Note: A plan detailing the routes of these services and trees protected under the Tree Preservation Order, shall be submitted to the Principal Certifying Authority.

Reason: To ensure the protection of trees.

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CONDITIONS TO BE SATISFIED PRIOR TO WORKS COMMENCING

Notice to be given prior to demolition or excavation

32. Council shall be given written notice, at least 48 hours prior to the commencement of any development (including excavation, shoring or underpinning works) on the site.

Reason: Statutory requirement.

Notification of builder's details

33. Prior to the commencement of any development or excavation works, the Principal Certifying Authority 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.

Statement of compliance with Australian Standards

34. The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by 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 the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

Reason: To ensure compliance with the Australian Standards.

Site notice

35. 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 Certifying Authority 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 eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted

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Reason: To ensure public safety and public information.

Erosion control

36. 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 Certifying Authority and Council officers.

Reason: To protect the environment from erosion and sedimentation.

Erosion and drainage management

37. Earthworks and/or demolition of any existing buildings shall not commence until an erosion and sediment control plan is submitted to and approved by the Principal Certifying Authority. The plan shall comply with the guidelines set out in the NSW Department of Housing manual "Managing Urban Stormwater: Soils and Construction" certificate. Erosion and sediment control works shall be implemented in accordance with the erosion and sediment control plan.

Reason: To preserve and enhance the natural environment.

Tree protection fencing

38. To preserve the following tree/s, no work shall commence until the area beneath their canopy is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location

Callistemon salignus (Willow Bottlebrush)
west of proposed driveway

Radius From Trunk

5m

Reason: To protect existing trees during the construction phase.

Tree protection – avoiding soil compaction

39. To preserve the following tree/s and avoid soil compaction, no work shall commence until temporary measures to avoid soil compaction (eg rumble boards) beneath the canopy of the following tree/s is/are installed:

Tree/Location

Harpephyllum caffrum (Kaffir Plum) Tree 1
Brachychiton acerifolius (Flame Tree) Tree 2

Reason: To protect existing trees during the construction phase.

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Tree protection fencing

40. The tree protection fence shall be constructed of galvanised pipe at 2.4 metres spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.

Reason: To protect existing trees during the construction phase.

Tree fencing inspection

41. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Reason: To protect existing trees during the construction phase.

CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION OR CONSTRUCTION PHASES

Approved plans to be on site

42. 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 kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

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

Prescribed conditions

43. The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (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:

- The work must be carried out in accordance with the requirements of the Building Code of Australia,
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

Reason: Statutory requirement.

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Demolition, excavation and construction work hours

44. Demolition, excavation, 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 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Dust control

45. 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 erected at right angles to the prevailing wind direction or 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 daily

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

Use of road or footpath

46. 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 pathway 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 against the applicant/owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

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Guarding excavations

47. 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.

Reason: To ensure public safety.

Toilet facilities

48. During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Reason: Statutory requirement.

Protection of public places

49. If the work involved in the erection, 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, a hoarding is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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

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

Reason: To protect public places.

Drainage to street

50. Stormwater runoff from all new impervious areas and subsoil drainage systems shall be piped to the street drainage system. New drainage line connections to the street drainage system shall conform and comply with the requirements of Sections 5.3 and 5.4 of Ku-ring-gai Water Management Development Control Plan No. 47.

Reason: To protect the environment.

Asbestos removal

51. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body

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for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

Reason: To ensure safe handling and disposal of asbestos.

Lead – based paint

52. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. You are advised to follow the WorkCover's guidelines.

Reason: To prevent personal and environmental contamination.

Tree inspections

53. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

Tree/location

All existing trees
located on site being retained

Time of inspection

Prior to demolition
At the completion of demolition
Prior to excavation works
At the completion of excavation works
Prior to the start of construction works
At monthly intervals during construction
At the completion of construction works
At the completion of all works on site

Reason: To ensure the existing trees are protected during and after completion of development works.

Tree root pruning

54. Root pruning of the following tree/s which may be necessary to accommodate the approved building works shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate:

Tree/Location

Callistemon salignus (Willow Bottlebrush)
west of proposed driveway

Tree Works

Root pruning

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24 May 2007**Reason:** To ensure protection of the above tree.**Tree root cutting**

55. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.

Reason: To ensure protection of existing trees.**Tree root pruning & mechanical excavation**

56. No mechanical excavation for the approved building shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

| Tree/Location | Radius From Trunk |
|-------------------------------------------------------------------------------|--------------------------|
| <i>Callistemon salignus</i> (Willow Bottlebrush) west of proposed driveway | 3m |
| <i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 1 | 3m |
| <i>Brachychiton acerifolius</i> (Flame Tree) Tree 2 | 2m |

Reason: To protect the above trees.**Hand excavation**

57. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

| Tree/Location | Radius From Trunk |
|-------------------------------------------------------------------------------|--------------------------|
| <i>Callistemon salignus</i> (Willow Bottlebrush) west of proposed driveway | 5m |
| <i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 1 | 4m |
| <i>Brachychiton acerifolius</i> (Flame Tree) Tree 2 | 2m |

Reason: To protect the above trees.**Thrust boring for utilities**

58. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system.

| Tree/Location | Radius From Trunk |
|-------------------------------------------------------------------------------|--------------------------|
| <i>Callistemon salignus</i> (Willow Bottlebrush) west of proposed driveway | 5m |

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| | |
|-----------------------------------------------------|----|
| <i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 1 | 4m |
| <i>Brachychiton acerifolius</i> (Flame Tree) Tree 2 | 2m |

Reason: To protect the above trees.

No storage of materials beneath trees

59. No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

Reason: To protect existing trees.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

Mechanical ventilation

60. Following completion, installation and testing of all the mechanical ventilation systems, the Principal Certifying Authority shall be satisfied of the following prior to the issue of any Occupation Certificate:

- 1) The installation and performance of the mechanical systems complies with:
 - The Building Code of Australia
 - Australian Standard AS1668
 - Australian Standard AS3666 where applicable
- 2) The mechanical ventilation system in isolation and in association with other mechanical ventilation equipment, when in operation will not be audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest adjoining boundary.

Note: Written confirmation from an acoustic engineer that the development achieves the above requirements is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To protect the amenity of surrounding properties.

Mechanical ventilation

61. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that all mechanical ventilation systems are installed in accordance with Part F4.5 of the Building Code of Australia and comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building.

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Reason: To ensure adequate levels of health and amenity to the occupants of the building.

Infrastructure repair

62. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

Reason: To protect public infrastructure.

Fire safety certificate

63. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a Fire Safety Certificate for all the essential fire or other safety measures forming part of this consent has been completed and provided to Council.

Note: A copy of the Fire Safety Certificate must be submitted to Council.

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

Removal of refuse

64. 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.

Reinstatement of redundant crossings and completion of infrastructure works

65. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that the following works in the road reserve have been completed:
- new concrete driveway crossing in accordance with levels and specifications issued by Council
 - removal of all redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter (reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials)
 - full repair and resealing of any road surface damaged during construction
 - full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing

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All works must be completed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

Reason: To protect the streetscape.

Certification of drainage works (alts/adds)

66. Prior to issue of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- 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 (2003) and the Building Code of Australia
- the stormwater drainage works have been completed in accordance with the approved Construction Certificate drainage plans and Ku-ring-gai Water Management DCP 47

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

Reason: To protect the environment.

Completion of landscape works

67. Prior to the release of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious and/or environmental weed species, have been undertaken in accordance with the approved plan(s) and conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

J Kim
Development Assessment
Officer

M Leotta
Acting Manager
Development Assessment
Services

M Miocic
Director
Development & Regulation

Attachments: Report to Council meeting of 24 April 2007 with attachments - 761772

DEVELOPMENT APPLICATION

SUMMARY SHEET

REPORT TITLE:

21 ARCHBOLD ROAD, ROSEVILLE -
CONVERSION OF A DWELLING
HOUSE INTO A CHILD CARE
CENTRE

WARD:

Roseville

DEVELOPMENT APPLICATION N°:

0859/06

SUBJECT LAND:

21 Archbold Road, Roseville

APPLICANT:

H Azoulay

OWNER:

M & D Azoulay

DESIGNER:

V Aghan

PRESENT USE:

Residential Dwelling

ZONING:

Residential 2A

HERITAGE:

No

PERMISSIBLE UNDER:

Ku-ring-gai Planning Scheme Ordinance

COUNCIL'S POLICIES APPLICABLE:

DCP 43 - Car parking, DCP57 - Child
care centre, DCP 56 - Notification,
DCP47 - Water Management, DCP40 -
Construction and Demolition, Waste
Management, DCP 28 - Advertising
signs, DCP 31 - Access

COMPLIANCE WITH CODES/POLICIES:

Yes

GOVERNMENT POLICIES APPLICABLE:

COMPLIANCE WITH GOVERNMENT POLICIES:

Yes

DATE LODGED:

4 August 2006

40 DAY PERIOD EXPIRES:

13 September 2006

PROPOSAL:

Conversion of a dwelling house into a
child care centre

RECOMMENDATION:

Approval

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DEVELOPMENT APPLICATION N^o

0859/06

PREMISES:

21 ARCHBOLD ROAD, ROSEVILLE

PROPOSAL:

CONVERSION OF A DWELLING HOUSE
INTO A CHILD CARE CENTRE

APPLICANT:

H AZOULAY

OWNER:

M & D AZOULAY

DESIGNER

V AGHAN

PURPOSE FOR REPORT

To determine development application No. 859/06 for alterations and additions to an existing dwelling house and its change of use to a child care centre catering for 24 children, with 6 on-site car parking spaces.

The application has been called to Council by Councillors Shelley and Anderson.

EXECUTIVE SUMMARY

Issues:

Noise impact, traffic and parking

Submissions:

10 submissions to the original plans, 9 submissions to the amended plans

Land & Environment Court Appeal:

N/A

Recommendation:

Approval

HISTORY

Property history:

The site is used for residential purposes. There is no history of the site relevant to the subject development application.

Development Application history:

4 August 2006

Application lodged

11 August 2006

'Stop the clock' letter sent to applicant, requesting a detailed landscape plan

18 August 2006

DA notified

27 September 2006

Preliminary comments from Council's Landscape Assessment Officer

5 October 2006

Preliminary comments from Council's Traffic Engineer

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- 16 October 2006 Preliminary comments from Council's Development Engineer
- 16 October 2006 Preliminary comments from Council's Community Services Officer
- 23 October 2006 Letter sent to applicant, raising the following issues:
- identification of compliance with DCP 57
 - location issues regarding high voltage power lines and major roadways
 - identification of the proposed number of children in different age groups
 - traffic and car parking
 - Council's Community Officer's concern in relation to internal and external design
 - landscape regarding removal of a Paperbark
- 17 November 2006 Meeting held with the applicant to discuss draft amended plans in response to Council's letter of 23 October 2006
- 1 to 7 December 2006 Reply from Fortey and Grant Architect to Council's letter of 23 October 2006 (including amended Statement of Environment Effects, amended architectural and landscape plans, report on high voltage power lines, air and soil report, traffic and car parking review)
- 6 December 2006 DA re-notified to property owners and occupiers
- 19 December 2006 Revised comments from Council's Community Services Officer
- 15 January 2007 Revised comments from Council's Traffic and Development Engineers
- 16 January 2007 Letter sent to applicant, raising the following issue:
- absence of a turning bay which allows for vehicles to exit in a forward direction
- 29 January 2007 Reply from Fortey and Grant Architect to Council's letter of 16 January 2007 (including amended architectural plans to provide a turning bay which result in reduction of car parking spaces (6) and number of children in care (24))
- 25 January 2007 Revised comments from Council's Landscape Assessment Officer
- 25 January 2007 Letter sent to applicant, requesting for an amended landscape plan to include detail information in accordance with the DA Guide
- 13 February 2007 Reply from Fortey and Grant Architect to Council's letter of 25 January 2007 (amended landscape plan received)

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- 13 February 2007 Revised comments from Council's Landscape Assessment Officer
- 14 March 2007 Letter sent to applicant, raising the following issue:
- non-compliances with minimum dimensions in relation to back-up facilities, staff and parent accessible areas and transition areas
- 27 March 2007 Reply from Fortey and Grant Architect to Council's letter of 14 March 2007 (amended plans received)

THE SITE AND SURROUNDING AREA

| | |
|----------------------------------|-------------------------------------------------------|
| Zoning: | Residential 2A |
| Visual Character Study Category: | 1920-1945 |
| Lot Number: | 3 |
| DP Number: | 6341 |
| Area: | 782.3m ² |
| Side of Street: | North-east corner of Archbold Road and Addison Avenue |
| Cross Fall: | Relatively flat |
| Stormwater Drainage: | To the street |
| Heritage Affected: | No |
| Required Setback: | 12 metres |
| Integrated Development: | No |
| Bush Fire Prone Land: | No |
| Endangered Species: | Within Sydney Turpentine Ironbark Forest community |
| Urban Bushland: | No |
| Contaminated Land: | No |

The subject site is located on the north-eastern corner of Archbold Road and Addison Avenue. The site is an uneven, rectangular shaped allotment, being 782.3m² in area. The site has a primary frontage to Archbold Road of 16.91m and a secondary frontage to Addison Avenue of 45.655m. The northern boundary measures 49.39m in length, while the eastern boundary is 16.46m. The site is relatively flat.

The site currently contains a single storey dwelling house and an in-ground swimming pool. A detached garage and a shed are located adjacent to the Addison Avenue frontage. Four Paperbark trees are located within the nature strip along Addison Avenue. There are no significant, locally occurring, trees on the site. Two exotic trees are located in the north-western corner of the site.

The property contains a 1.8m high brick fence along the Archbold Road and Addison Avenue frontages. Pedestrian and vehicular access to the site is currently from Addison Avenue.



The subject site

The subject site is described in the Ku-ring-gai Visual Character Study as being within an area characterised by individual residences on single lots, with the majority of construction being within the period 1920 to 1945, except for Roseville Public School, located across Addison Avenue. A mix of architectural styles and periods is evident within the wider streetscape.

Previous



No. 23 Archbold Road (adjoining site to the north)



No. 2 Addison Avenue (adjoining site to the east)



Roseville Public School (across Addison Avenue)

THE PROPOSAL

The proposal is for alterations and additions to an existing dwelling house and its change of use to a child care centre catering for 24 children. It is proposed to provide two separate outdoor play areas, with one located in the front of the building for older children and the other at the rear for younger children (up to 2 years of age). Vehicular access is proposed off Addison Avenue and parking for six cars is provided on-site.

The total of 24 children to attend the child care centre is broken down into specific age groups as follows:

| | |
|--------------------|---|
| 0 year – 2 years: | 8 |
| 2 years – 3 years: | 8 |
| 3 years – 5 years: | 8 |

The proposed hours of operation are 7:30am to 6:00pm, Monday to Friday.

The child care centre will be located over a single level, except for the attic storage area. The child care centre contains:

- an internal and external foyer
- two indoor play areas
- two children's toilets with nappy change areas
- office and staff room

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- unisex staff/disabled toilet
- laundry/cleaners store
- kitchen
- sleep room (cot room)

The outdoor play areas are to be accessed directly off the indoor play areas for both the smaller and bigger child groups. Sand pits are provided within each outdoor play area. The existing pool will be removed and converted into car parking spaces.

CONSULTATION - COMMUNITY

In accordance with Council's Notification DCP, adjoining owners were given notice of the application. In response, the following submissions were received:

Original plans

1. Roseville Public School
2. K M & D L Bracken, 4 Addison Avenue
3. C Hollonds, 2 Addison Avenue (A petition signed by 19 persons enclosed)
5. B Meyer, 27 Archbold Road
6. G & J Tucker, 23 Archbold Road (4 submissions) (A petition signed by 36 persons enclosed)
7. C Breillat, 29 Archbold Road

The following comments have been received:

A turning bay has been provided within the car park to allow vehicles to enter and exit in a forward direction. An appropriate condition is recommended to prohibit illegal parking of vehicles in the turning bay (**See Condition No. 9**).

the proposal will exacerbate the traffic volume to a chaotic degree, especially during school drop off and pick up times at the intersection of Archbold Road and Addison Avenue and overflowing into Bancroft Avenue and Park Street

Long day child care centres generate 0.8 vehicle trips per child during morning peak hours (7am – 9am), 0.3 vehicle trips per child during afternoon school pick up hours (2.30pm – 4pm) and 0.7 vehicle trips per child during evening peak hours (4pm – 6pm), according to RTA guidelines “Guide to Traffic Generating Developments”.

This will result in a total of 19.2 vehicle trips during the morning peak, 7.2 vehicle trips during the afternoon school pick up hours and 16.8 vehicle trips during the evening peak. This is equivalent to an average of 1 vehicle trip every 6.3 minutes during the morning peak, 1 vehicle trip every 12.5 minutes during the afternoon school pick up hours and 1 vehicle trip every 7.1 minutes during the evening peak, which is a low traffic generation rate. Vehicle generation rates would be less at all other times.

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Council's Strategic Traffic Engineer confirms that this low traffic generation rate would not necessarily cause a flow-on effect to Bancroft and Park Avenues or have a detrimental impact on the existing traffic conditions in the locality.

the proposal will risk safety of Roseville Public School children

The proposal will not risk the safety of children if normal duty of care is observed by drivers. A suitable turning bay is provided to allow vehicles to enter and exit in a forward direction and a open metal palisade fence is proposed to improve visibility between the car parking area and the street. A condition of consent is also recommended requiring that the southern-most 2m of the eastern boundary fence be transparent to allow appropriate sight lines for pedestrian safety (See Condition No. 6).

inadequate car parking spaces & 'No Stopping' sign along Addison Avenue frontage will prevent overflow parking for the centre

The proposal provides the required parking in accordance with DCP 57 - Child Care Centres and DCP 43 - Car Parking. The proposed child care centre is unlikely to cause unreasonable on-street parking demand in Addison Avenue. The recommended extension of 'No Stopping' zone in Addison Avenue is designed to ensure traffic safety at the intersection for vehicles entering Addison Avenue from Archbold Road which will result in reduction of 2 street parking spaces as a consequence. However, this will not cause a detrimental impact on street parking in Addison Avenue as Addison Avenue provides ample parking spaces further to the east.

irresponsible driving and parking habits of Roseville Public School parent drivers at school drop off and pick up times, including double parking and parking on restricted areas

A condition of consent is recommended requiring a traffic and parking management plan to be developed and implemented. Such a plan would require the child care centre management to educate parents to use designated parking spaces provided and to abide by parking and traffic rules in the event of parking overflow (See Condition No. 8).

no parking space is provided for delivery vehicles

Deliveries to the child care centre would be limited to outside the peak hours of 10.00am and 2.30pm (See Condition No. 7).

tree removal, including a Paper Bark in the nature strip and subsequent streetscape impact

The applicant has redesigned the driveway and car parking spaces to preserve the Paper Bark. No other trees are proposed for removal.

streetscape and amenity impact due to the proposed 2.4m high metal fence

The proposed development will provide 2.4m high sound attenuation fences, with one located along the northern boundary and the other 1.5m behind the existing 1.8m high brick fence along the Archbold Street boundary.

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The proposed northern boundary fencing is to maintain the amenity for No. 23 Archbold Road by minimising noise impact from the child care centre. Visual privacy will be improved as a result and there will be no overshadowing impact. The proposed child care centre building will cast no shadows onto adjoining residential properties between 9.00am and 3.00pm at midwinter.

The proposed fencing 1.5m inside the western boundary will be behind the existing 1.8m high brick wall and will be screened by the screen planting shown on the landscape plan. High solid fences are common along Archbold Road, their purpose being to minimise traffic noise impact. Also, the applicant proposes lapped and capped timber fencing which is visually less intrusive and more sympathetic to the surrounding environment. As such, the fence will not have detrimental impact on the existing streetscape.

a detached dual occupancy residence at the rear of 23 Archbold Road is shown incorrectly as a garage

The plans have been amended to show the dual occupancy dwelling correctly.

health concerns for children and staff regarding air and soil pollution, especially lead contamination in the outdoor play spaces, due to heavy traffic on Archbold Road

An air and soil quality assessment report has been provided demonstrating that the site is safe and suitable for the child care centre use. The report concludes:

- *the air quality monitoring undertaken indicates that the air quality in the vicinity of proposed child care centre located at 21 Archbold Road, Roseville meets the ambient air quality goals as determined by the NSW Department of Environment and Conservation (DEC)*
- *a review of the Section 149 Planning Certificate does not indicate any matters which apply under the Contaminated Land Management Act 1997*
- *the soil samples collected contained heavy metals below the adopted assessment criteria. (i.e. "Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-liquid Wastes" by DEC (2004)) As such, the proposed playground area is considered to be suitable for the intended use*
- *the stockpile is classified as inert waste*

construction materials containing lead used for the existing building, especially painting

A condition is recommended to prevent personal and environmental contamination of lead contained materials during demolition and construction (**See Condition No. 52**).

health concerns regarding high voltage power lines

A magnetic field intensity report has been provided demonstrating that power lines in the vicinity (i.e. 132kV underground power lines on the western side of Archbold Road and 11kV and 0.415kV overhead power lines along both street frontages of the site) do not produce electromagnetic fields that exceed NHMRC and ICNIRP guidelines of 1000mG at 50Hz. The maximum magnetic field

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intensity level measured was 6mG which is well below the guideline. Therefore in this respect, the site is considered safe for the proposed use.

noise impacts on neighbouring properties from children and mechanical equipment and to children and staff of the child care centre from traffic

With the appropriate noise attenuation measures as recommended in the acoustic report, the proposal would comply with the relevant requirements of DCP 57 for child care centres (**See Condition No. 5**).

insufficient solar access to outdoor play spaces

Both outdoor play spaces will receive at least 4 hours of solar access at midwinter. The transition areas will be roofed with clear roof sheeting that allows sunlight penetration but provides UV protection.

the proposal is not compatible with the residential environment of Roseville

Child care centres are a permissible use in Residential 2(A) zoned areas. The locality surrounding the child care centre is not a quiet residential street that may be susceptible to noise and other amenity impacts. A major Roadway (Archbold Road) is located to the west and Special Uses 5(A) zoned land (Roseville Public School site) is located to the south.

The child care centre will be compatible with adjacent residential buildings in terms of scale and bulk and will not detract from the existing streetscape. The proposed alterations and additions will not substantially change the character of the existing house.

The proposal will improve the overall built form relationship with the adjoining residential buildings on Addison Avenue by providing a greater setback. This is as a result of the existing garage, shed and the carport awning being removed and replaced with open outdoor play space. The existing setbacks to all other boundaries will largely remain unaltered.

the proposal will exacerbate drainage problems and therefore a stormwater management plan is required

Existing and proposed built-up area calculation plans have been provided to demonstrate that the development will reduce the BUA of the site by 2.4m². As such, submission of a stormwater management plan and provision of a mandatory rainwater tank or retention system is not necessary.

A condition of consent is recommended requiring that stormwater runoff collected from all impervious areas and subsoil drainage systems be discharged via the existing site drainage system (**See Condition No. 50**). Council's Development Engineer confirms that the proposed development would not significantly change existing conditions with respect to drainage or have adverse impacts on any adjoining property.

Nevertheless, the applicant proposes two small rainwater tanks (500 litres each) within the northern side setback. The tanks will be used for garden irrigation and older children's water play.

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a sufficient high kerb should be built around the perimeter of the car park to prevent excessive rainwater flowing into the adjoining properties

Condition No. 27. is recommended in this regard.

waste disposal location is too close to No 23 Archbold Road and will cause odour and attract flies – a designated bin area at least 3m from No 23 Archbold Road is required

A designated garbage bin storage area has been provided in between the cot room wall and the younger children's store to minimise odour nuisance to No 23 Archbold Road (**See Condition No. 13).**

privacy and overlooking from the attic storage area to 23 Archbold Road

The attic storage room has no windows on its northern elevation.

no natural lighting or ventilation for children's sleep rooms

Two windows and a door are proposed for the children's sleep room which would readily allow natural lighting and ventilation. The internal design of the centre allows cross ventilation, as sufficient numbers of doors and windows are provided on all elevations. This is in compliance with DCP 57 which requires cross ventilation as the primary ventilation control system.

minimum dimensions for foyer, staff room, office

The proposal is in compliance with 'Best Practice Guidelines in Early Childhood Physical Environments' that is referred in DCP 57 regarding minimum dimensions for foyer, staff room and office.

the proposed colourbond fencing is unacceptable and a lapped and capped fence is preferred

Lapped and capped fencing is proposed in the amended plans.

BUA of the site will be over 60%

There are no specified built upon area controls for child care centres in the KPSO or in DCP 57. However, the BUA of the site will be reduced by 2.4m² as a result of the proposed development. Existing and proposed built-upon area calculation plans have been provided. The existing BUA is 553.8m² or 70.79% of the site, including the dwelling house, garage, carport, terrace, swimming pool, hard surface recreational areas and footpaths, and the proposed BUA is 551.4m² or 70.48% of the site, including the child care centre building, roof areas of the transition areas, car park, driveway, outdoor storage shed and entry ramp.

Amended plans received on 1 December 2006

1. D L Bracken, 4 Addison Avenue

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2. C Hollonds, 2 Addison Avenue (2 submissions)
3. S Croft, 18 Spearman Street (In support)
4. J Jamieson, 66 Bancroft Avenue
5. G & J Tucker, 23 Archbold Road (3 submissions)
6. Roseville Public School

The submissions in respect of the amended plans raised the following additional issues:-

the median strip required by Council's Traffic Engineer to prevent vehicles turning right out of the child care centre would only encourage a U turn beyond the median strip and therefore exacerbate traffic chaos

The installation of the median island is designed to prevent potential traffic conflict at the intersection by preventing vehicles turning right out of the child care centre onto Addison Avenue.

Exiting vehicles from the child care centre would not be able to make U turns immediately after the median island, when the southern section of Addison Avenue is queued up with other vehicles waiting to enter Archbold Road at peak hours. Drivers of vehicles egressing the child care centre would need to drive further to the east on the northern section of Addison Avenue until Addison Avenue becomes safe enough to make U turns, and then to join the queue.

Vehicles egressing the child care centre would only be able to make U turns immediately after the median island, when Addison Avenue is relatively free from traffic.

Any person who wishes to perform a U turn in Addison Avenue would need to do this manoeuvre in a legal manner.

Council's Traffic and Transport Policy 4(e) requires that traffic calming devices are not to be undertaken without prior traffic studies and consultation with affected residents

The recommended median island is not a traffic calming device that would affect adjacent residential properties. The median island will only prevent vehicles turning right onto the southern side of Addison Avenue out of the child care centre in order to provide traffic safety at the intersection. The median island will only affect the subject site and all other adjoining properties in Addison Avenue will be able to make a right turn. As such, the recommended median island does not require a traffic study or public consultation under the policy.

the bus stop located opposite the centre entrance will be affected

The entrance of the child care centre does not conflict with the existing bus stop area on the southern section of Addison Avenue and therefore will not affect bus services.

street parking is insufficient for Roseville Public School and is diminishing with introduction of parking restrictions for bus services, while traffic figures have increased by 13.3% over the years 1995-2001 by Council survey

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Addison Avenue provides ample parking spaces further to the east. On-street parking demand is due to the insufficient provision of parking and drop-off and pick-up spaces for Roseville Public School. The proposal provides the required car parking spaces in accordance with DCP 57 - Child care centres and DCP 43 - Car parking. Therefore, the proposed child care centre is unlikely to rely on street parking.

an on-street parking monitor conducted by a submitter suggests almost all the available parking spaces on Addison Avenue are taken up by parents of Roseville Public School students during morning and evening peak hours

The parking monitor conducted by a submitter is limited in Addison Avenue between the Archbold Road intersection and the school pedestrian crossing located approximately 135m east from the intersection. There is available parking within short walking distance of the child care centre in the surrounding street network.

no consideration is given to the likely growth of the school opposite the site

Any future proposal to expand Roseville Public School will be subject to assessment of that development application under the relevant planning legislation in place at that time.

emergency access

The proposed car parking area beside the designated marked car spaces provides sufficient space for emergency vehicle access.

non-compliance with DCP 43 in relation to minimum sight lines and stack parking

An open metal palisade fence is proposed to improve visibility between the car parking area and the street. A condition of consent is also recommended requiring that the southern-most 2m of the eastern boundary fence be visually transparent to allow appropriate sight lines for pedestrian safety (See Condition No. 6).

The plans indicate only two car spaces in a stacked parking arrangement being for staff which is acceptable.

insufficient landscaping

The landscape plan proposes adequate landscaping along the northern, western and southern boundaries and within the front outdoor play space, which has been supported by Council's Landscape Assessment Officer.

a South African Kaffir Plum shown on the landscape plan is not shown on the architectural plan

The landscape plan clearly indicates that the Kaffir Plum will be preserved. Appropriate conditions are recommended to protect this tree (See Conditions Nos 17, 39, 56, 57 and 58).

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non-compliance with DCP 38 in relation to streetscape, external noise sources, cut and fill and energy reduction

DCP38 applies only to residential dwelling houses. The proposal is for a child care centre and therefore DCP38 is not applicable. The proposal is subject to the provisions of DCP 57.

the existing door on the northern side of the property is to be permanently sealed for fire prevention to No 23 Archbold Road (common boundary 800mm away)

A condition of consent is recommended requiring the staff room door on the northern elevation to comply with Part 3.7.1 (Fire Separation) of the BCA (**See Condition No. 4**).

the front verandah should have a sound insulation barrier installed to reduce noise pollution to No 23 Archbold Road

A consultation with the acoustic engineer, M Chung at Renzo Tonin & Associates who prepared the noise assessment report, has confirmed that sound insulation is not required for the roof sheeting over the front transition area, as the roof is no higher than the acoustic fence to be installed on the common boundary. Mr. Chung advises that the appropriate noise attenuation measures as recommended in the acoustic report will ensure the child care centre not to generate noise level greater than 5dB(A) above the ambient (L90) background noise level (**See Condition No. 5**).

It is also noted that the proposed number of children in attendance has been reduced by 4 or 14.2%. This would lower the noise impact.

the proposed water tank(s) adjacent to the northern boundary is to be set back 1.5m- as per regulation - from the boundary to prevent overflow discharge into No 23 Archbold Road

Rainwater tanks that are located greater than 450mm from any boundaries and that do not exceed 10,000 litres in capacity and 3m in height above ground level are exempt development under State Environmental Planning Policy No 4 - 'Development without Consent and Miscellaneous Exempt and Complying Development'.

The applicant indicates that the proposed rainwater tanks will be approximately 300mm from the northern boundary. The facility will consist of two 500 litres rainwater tanks joined together to make a total capacity of 1,000 litres. The tanks will be 1.36m in height, 2.42m in total width (1.21m each) and 0.43m in width. The tanks will be used for garden irrigation and older children's water play. These water tanks are acceptable and will have no visual impact on No 23 Archbold Road. Any overflow will need to be connected and discharged into the existing stormwater system (**See Condition No. 11**).

air conditioning unit(s) and mechanical equipment should be located away from the common boundary with No 23 Archbold Road

A condition of consent is recommended requiring appropriate acoustic treatment for mechanical plant such that noise levels do not exceed 5dB(A) above the ambient background noise level (**See Condition No. 5**).

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extra connection with the sewer main will require access permission from No 23 Archbold Road

Any works associated with sewer connection will be subject to Sydney Water's requirements.

no openable window or doors should be allowed on the northern face of the first floor for fire separation purpose

No windows or doors are proposed in the attic space.

CONSULTATION - WITHIN COUNCIL

Landscaping

In respect of the original proposal, Council's Landscape Assessment Officer, Ian Francis, commented as follows:

The proposal is not supported at this time due to proposed removal of a mature Callistemon salignus (Paperbark), 8m high 6m spread 300DBH located on Councils road reserve at Addison Ave. The tree is proposed to be removed for vehicular access to the proposed rear car park. The tree is quite a mature specimen and has been well pruned and is of good form and health and provides a positive character to the streetscape in this area.

It would be preferred that the tree be preserved and that the car park be redesigned with the driveway access clear and to the east of the trunk of this tree.

Council's Landscape Assessment Officer also requested submission of a detailed landscape plan that is consistent with Council's DA Guide.

The applicant was advised of these concerns. In response, an amended landscape plan was submitted which:

- preserves the Paperbark
- redesigns the car park and relocates the driveway crossing
- shows landscape information in accordance with Council's DA Guide
- provides more landscaping in the children's outdoor play areas and the car park area

Council's Landscape Assessment Officer made further comments in respect of the amended plans as follows:

The proposal is supported, subject to conditions (Conditions Nos 17, 23, 38-41, 53-59, 64 and 67).

An amended landscape plan has been submitted, addressing all the issues raised in previous report.

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Engineering

Council's Development Engineer, Ross Guerrero, commented on the proposal as follows:

Stormwater disposal

No additional stormwater will be generated as the built upon area has been reduced by 2.4m² for the site. The proposed alterations and additions would not significantly change the existing condition with respect to drainage or have adverse impact on adjoining property. Stormwater runoff is to be collected into the proposed water tanks via the existing downpipe connections. Overflow will be connected and discharged into the existing stormwater system, which is acceptable.

The application can be supported, subject to conditions (Conditions Nos 26, 27, 30, 50, 65 and 66).

Strategic Traffic Engineer

In respect of the original proposal, Council's Strategic Traffic Engineer, J Piccoli, commented as follows:

An application has been lodged for a 28 place long day care centre at 21 Archbold Road, Roseville. The proposal allows for 7 on-site parking spaces and a new access driveway off Addison Avenue.

The proposal has been assessed to identify the impacts on parking, access, traffic generation and access points. AS2890.1, Council's Car Parking Code - Development Control Plan (DCP) No. 43, and the Roads and Traffic Authority's "Guide to Traffic Generating Developments" have been used referred to for assessing the application.

Existing conditions

Archbold Road is a regional road, with average weekday traffic volumes of 28,000 vehicles. Addison Avenue is a local road, with recorded daily traffic volumes of 3,650 vehicles. The majority of these (3,135) were westbound.

Roseville Public School is located opposite the site in Addison Avenue. School set-down and pick-up activities in Addison Avenue are generally confined to the school frontage and the opposite frontage. There is a children's crossing facility in Addison Avenue and the road frontages have a 40km/h speed limit during school peak times.

On-site parking provision

Council's Car Parking Code (DCP43) requires parking provision at the rate of 1 space per 4 children in care, which includes staff parking. As it is proposed to accommodate 28 children, this would equate to a parking requirement of 7 spaces.

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With the provision of 7 spaces on-site, the application satisfies this requirement. Of the 7 spaces, 1 parking space is designated as a disabled parking space, which is satisfactory.

DCP43 also requires provision to be made for bus services. There is a bus stop on Addison Avenue opposite the site. Sydney Buses 207/208 service, linking East Lindfield with the City stops at this location on its run from the City to East Lindfield. Buses from East Lindfield to the City travel via Earl Street and Moore Street, bypassing the site by some 300m. These services operate frequently during the commuter peaks.

Car parking space dimensions and car park circulation

Council's car parking code, DCP43, requires car spaces with high turnover to be 2.7m wide. The proposal shows 2.6m wide car spaces, which satisfies the requirements of AS2890.1-2004, but not those of DCP43. The width of the disabled parking space is 3.2m, which satisfies the width requirements of DCP43.

End spaces require additional 0.3m clearance to a side wall. End spaces on the plan are shown as being 2.9m wide, which would satisfy the requirements of AS2890.1-2004, but not those of DCP43 (which requires $2.7\text{m} + 0.3\text{m} = 3.0\text{m}$).

A car park aisle width of 6m is proposed, which would satisfy both the minimum aisle width of 5.4m (for 2.7m wide spaces) and 5.8m (for 2.6m wide spaces) as required under DCP43. There is an extension of 1.0m to the end of the blind aisle, which is satisfactory.

There is concern, though, that a vehicle entering the car park when it is full would be required to reverse out. There is no provision on-site for a vehicle entering the site to turn and exit in a forward direction if the car park is full.

While the pedestrian entry off Addison Avenue is desirable, there should be pedestrian access directly from the car park to avoid car park users from having to cross the entry driveway. Also, the timber deck that forms one side of the circulation aisle should be protected from impact by vehicles manoeuvring in the car park. Protection could be achieved by constructing a kerb around the deck (at ground level) at a suitable offset, while still maintaining an appropriate aisle width.

Traffic generation

The Roads and Traffic Authority's Guide to Traffic Generating Developments suggests the following traffic generation rates:

| Centre Type | 1.1.1. Peak Vehicle Trips Per Child | | |
|---------------|-------------------------------------|----------|-------|
| | 7-9am | 2.30-4pm | 4-6pm |
| Long Day Care | 0.8 | 0.3 | 0.7 |

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The above rates refer to a peak period which is longer than 1 hour. It could be conceivable, therefore that the morning and evening peak hour traffic generation would be about 60% of the morning and evening peak period traffic generation.

Applying the above would result in traffic generation of 14 vehicle trips during the morning peak hour and 12 trips during the afternoon peak hour. The additional traffic is not expected to have significant additional impact to Addison Avenue.

Access points

For a car park with 7 spaces, high parking turnover (during pick up/set down operation) off a local road, DCP 43 specifies a Category 1 driveway (combined entry/exit, 3.7m-6m wide) as a minimum requirement. The proposed driveway would be 6m wide, which satisfies the Category 1 requirement.

The location of the access driveway is in close proximity to the signalised intersection of Archbold Road with Addison Avenue. To minimise conflicts between frontage road traffic and car park traffic, AS2890.1 (2004) Cl 3.2.3(a) states (in part) that:

At signalized intersections, the minimum distance from the intersection, measured from the property boundary along both legs, shall be increased as necessary to locate driveways beyond the influence of normal queue lengths at the intersections. If this is not practicable, it may be necessary to provide

- (i) an arrangement which confines traffic to turning left when either entering or leaving the car park;*
- (ii) a signalised driveway with signals coordinated with the intersection signals; or*
- (iii) other traffic management means of providing for safe and efficient operation of the driveway.*

Inspections at the site were undertaken on Wednesday 20 September 2006 during morning and evening peak hour to assess the extent of queuing in Addison Avenue at the traffic signals. There are 2 lanes on the Addison Avenue approach to the intersection, and standard T-intersection rules apply where the left lane must turn left and right lane must turn right. Buses, however, are permitted to turn right from the left lane. It was noted that a queue length of up to 5 vehicles could be supported without obstructing the driveway to the development.

During the morning peak hour (8-9am), the queue length exceeded 5 vehicles on 30 out of 50 traffic signal cycles, with the maximum observed queue length being approximately 15 vehicles. It was noted that due to the relatively short green time available for the Addison Avenue phase, queues longer than about 8 vehicles were not cleared. During the evening peak hour (5-6pm), the queue length exceeded 5 vehicles on 41 out of 50 traffic signal cycles, with the maximum observed queue length being greater than 25 vehicles.

It is considered that the movements that would be impacted by the queue would be the right turn out of the driveway into Addison Avenue, and to a lesser extent, the right turn into the driveway from Addison Avenue. Therefore, it would be appropriate that a raised median be installed in Addison Avenue opposite the development driveway to restrict movements to left

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in/left out. The raised median would be 6m long, with 2m extensions either side of the driveway. To accommodate the raised median, adjustments would need to be made to the existing double barrier line. Also, the existing 'No Stopping' restriction on the Addison Avenue frontage would have to be extended to the power pole located 3.5m east of the eastern boundary in Addison Avenue (outside No.2 Addison Avenue). Alterations to the traffic facilities requires separate approval from the Ku-ring-gai Traffic Committee.

Pedestrian sight lines at the exit to the driveway appear to be obstructed by the boundary wall. DCP43 requires that a sight triangle 2m wide x 5m long be maintained at the property boundary, for pedestrian safety.

Conclusions

There are some design elements which would require resolution in order for the application to comply with DCP43. These are:

- 1. The proposal shows 2.6m wide car spaces, does not satisfy the DCP43 requirement for high turnover car parking spaces.*
- 2. End spaces on the plan are shown as being 2.9m wide, which do not satisfy the requirements of DCP43 (which requires 2.7m + 0.3m = 3.0m).*
- 3. There is no provision on-site for a vehicle entering the site to turn and exit in a forward direction if the car park is full.*
- 4. While the pedestrian entry off Addison Avenue is desirable, there should be pedestrian access directly from the car park to avoid car park users from having to cross the entry driveway. Also, the timber deck that forms one side of the circulation aisle should be protected from impact by vehicles manoeuvring in the car park.*
- 5. Pedestrian sight lines at the exit to the driveway would be obstructed by the boundary wall, and adjustments would need to be made to it for compliance with DCP43.*

If these design elements can be resolved, then the traffic aspects of the application can be supported subject to the following condition (See Condition No. 12):

- A raised median island is to be installed opposite the development driveway in Addison Avenue (including adjustments to linemarking) and the existing 'No Stopping' restriction on the northern side of Addison Avenue be extended eastwards to the power pole outside No.2 Addison Avenue. The new installation/alterations to traffic facilities shall be to the satisfaction of the Ku-ring-gai Traffic Committee, including payment of relevant Ku-ring-gai Traffic Committee processing fees as necessary. The costs of installation/modification of the approved traffic facilities shall be at the applicant's expense.*

The applicant was advised of these concerns. In response, amended plans were submitted which:

- provides car spaces that are 2.7m in width to comply with DCP 43
- provides a blind aisle extension of 1m in the north-eastern end of the car park area to comply with DCP 43

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- avoids the need for car park users to cross the entry driveway by redesigning the car park area and providing a suitable pedestrian path
- replaces the existing brick fence in front of the proposed car park with transparent metal palisade to improve pedestrian sight lines
- provides a mirror for drivers to check whether there is a car space available in the car park

Council's Strategic Traffic Engineer made comments in respect of the amended plans as follows:

Traffic management

While the revised car park plan has addressed some of the previous concerns raised in my assessment dated 5 October 2006, it has raised others, namely:

- 1. The stacked parking proposed is excessive both in number and the proportion allocated to staff. Even if only spaces marked 6 and 7 on the plan attached to the traffic and parking statement (by Traffic Solutions, dated 4 December 2006) were formally dedicated as staff parking, it is unlikely that spaces 4 and 5 upon would be used effectively by parents/carers if there is another car parked directly in front. Concerns have been raised by residents that on-street parking is heavily used during school set down and pick up time, so the layout of the internal car park must be satisfactory to avoid dependence on on-street parking.*
- 2. The revised car park layout has not addressed the need for a vehicle to exit in a forward direction if the car park is full. The traffic and parking statement by Traffic Solutions claims that AS2890.1 only requires this if a blind aisle exceeds 6 x 90 degree spaces. In a normal car park, this would apply, however this car park would require reversing out onto a public road, and not onto another section of car park, as the standard intends. A mirror may assist motorists intending to enter the site, but it is undesirable for a vehicle to slow down in the traffic lane of Addison Avenue and attempt to ascertain (via the mirror) whether there is a space available in the car park. If no other solution can be found, the removal of 1 car space may be required in order to create the space for a vehicle to turn around on-site and leave in a forward direction. This will result in a reduction in the number of children in care to 24, as the car park capacity would now be 6 spaces.*

Concerns have been raised about the traffic generation. The RTA rates indicate 22 trips in the am peak and 20 trips in the pm peak. However, this traffic generation is considered by the RTA to occur over a 2 hour morning peak (7am-9am) and a 2 hour pm peak (4pm-6pm). The actual peak "hour" is likely to be about 2/3 of this figure, or about 15 trips in the am peak hour and 13 trips in the pm peak hour. This is equivalent to an average of 1 vehicle every 5 minutes during the peak hour, which is a low traffic generation rate.

There is the perception by residents that the median I suggested be installed opposite the driveway would inconvenience residents at 2 and 4 Addison Avenue. The extent of the median would be such that it would not impact on access into the driveways of 2 and 4 Addison Avenue, but would restrict movements to left-in/left-out from the subject driveway. Parking

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restrictions would need to be extended east of the proposed driveway to accommodate the median, but there would be at least one car space available in front of No.2 Addison Avenue.

Also, there is concern about the delivery vehicles may not be able to enter the site due to the car spaces being occupied. Deliveries could be made outside of peak times (i.e. between say 10.00am and 2.30pm) when the car park is likely to be relatively unoccupied (See Condition No. 7).

The applicant was advised of these concerns. In response, further amendments were made to provide a turning bay and to reduce the number of car spaces from 7 to 6 in accordance with the recommendations of Council's Strategic Traffic Engineer. The applicant has also reduced the proposed number of children in care from 28 to 24 to comply with DCP 43.

Community Services

Council's Community Development Officer: Children's Services, Margaret Wong, made the following comments:

Comments

The following plans have been examined by the Community Development Officer: Children's Services.

- *Landscape Plan, Drawing Number LD/DA 859/06 No2, Date December 06*
- *Roof & Site Plan and Elevation Plans, Drawing Number DA-01, Date 30/11/06 Amendment C*
- *Ground Floor and Elevations Plan, Drawing Number DA-02, Date 30/11/06 Amendment B*
- *Plan, Drawing Number DA-03, Date 30/11/06, Amendment A*

Compliance with DCP

The plans adhere to the majority of DCP57, design areas examined including controls for:

- *indoor play spaces*
- *indoor storage*
- *back-up facilities such as cot rooms, child toilets, nappy change areas, bottle preparation area.*
- *external foyers and staff room*
- *adult toilet*
- *kitchen*
- *laundry*
- *cleaner's store*
- *outdoor play space*
- *outdoor storage*
- *transition area*

Maximum number of children

The unencumbered, indoor play space can accommodate a maximum of 9 children aged 0-2 years of age in the play area (29.7m²) and 18 children aged 2-5 years of age in the play area (59.8m²). Therefore the proposal can permit a daily maximum of 24 children aged 0-5 years

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in attendance. However, the applicant has not indicated the exact number of children proposed for the centre in each separate age category of 0-2 years, 2-3 years and 3-5 years age groups.

Non-compliance with DCP57

The position of the internal foyer area permits visual supervision of the area from both the 0-2 years and 2-5 years indoor play areas and the director's office, increasing visual monitoring of this area.

The position of the director's office is not adjacent to internal foyer as required by DCP57, however, good surveillance of the internal foyer is possible from its current location. Therefore the position of the director's office is deemed acceptable despite its non compliance with DCP57 Controls 8.3.1 (a) ii and 8.4 (b).

The 2-5 years children's transition area is not a minimum of 4m in width as specified in DCP57 Control 10.2 (e). An extension of the current allocation of space for the transition area is suggested to increase the amount of sheltered outdoor space for children in wet weather conditions.

Missing provisions

There is the absence of a washing facility to bath children in the older children's nappy change area. The presence of an "age appropriate washing facility with temperature regulated hot and cold running water in or adjacent to, the nappy change area" is a mandatory requirement in the Children's Services Regulation 2004, Clause 35 (6)(a). The age appropriate washing facility must be included on the floor plan.

Child accessible storage facilities in the indoor play rooms are missing on the floor plans however since there is an excess of 2.4m² of indoor, unencumbered play space, it is assumed this space will be used to accommodate the child accessible resources.

Other suggestions:

Placement of a kitchenette in the staff room would be convenient for staff members to avoid staff travelling through the 2-5 years playroom to access the kitchen facilities during their breaks.

Conclusion

The proposal is acceptable, subject to the following recommendations.

Recommendations

1. *An age appropriate washing facility is to be provided in the older children's toilets/nappy change area.*
2. *A kitchenette is to be provided in the staff room.*
3. *The exact number of children proposed for each of the following age groups aged 0-2 years, 2-3 years and 3-5 years is to be provided.*
4. *Any development consent must specify in the Development Consent the maximum number of children permitted in each age group 0-2 years, 2-3 years and 3-5 years.*

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The applicant was advised of these concerns. In response, amended plans were submitted which:

- provides a washing facility in the older children's toilets/nappy change area
- provides a kitchenette in the staff room
- provides sufficient transition area in the front

The applicant also has indicated that the centre will accommodate the following age groups, which will be included as a condition of consent (**See Condition No. 15**):

0 year – 2 years: 8 children
 2 years – 3 years: 8 children
 3 years – 5 years: 8 children

STATUTORY PROVISIONS

State Environmental Planning Policy No 55 - Remediation of Land

The provisions of SEPP 55 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 be contaminated and further investigation is not warranted in this case.

Nevertheless, the applicant has conducted an air and soil quality assessment of the site, particularly for the outdoor play areas, in response to neighbours' concerns regarding Chapter 3 – location of DCP57. The assessment report concludes that the site is suitable for the proposed child care centre. Further details are also provided below.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

SREP (Sydney Harbour Catchment) 2005 applies to the site as the site is within the catchment of the Sydney Harbour.

The SREP requires consideration of a number of matters such as ecology and biodiversity, cumulative environmental impact of the development of land, water quality and quantity, visual quality of and publicly accessible vantage points for viewing Sydney Harbour, etc.

The proposed development will not have detrimental impact on the catchment, as the planning principles of the SREP are generally met and the site is not in close proximity to or within views of the waterways, wetlands or riparian lands. Appropriate conditions are also recommended regarding control of runoff and sediment from the site during construction, stormwater management during operation. (**See Conditions Nos 27, 36, 37, 50 and 66**)

Ku-ring-gai Council Planning Scheme Ordinance (KPSO)

| COMPLIANCE TABLE | | |
|---------------------------------|------------------------------|----------|
| Development Standard | Proposals Numeric Compliance | Complies |
| Height of buildings (C.46) – 7m | 4.4m | YES |

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Aims and objectives for residential zones:

The proposed building complies with the maximum permissible height pursuant to clause 46 of the KPSO, appearing as a single dwelling within the streetscape and being compatible with adjoining dwelling in terms of height, bulk and scale. With appropriate conditions of consent as indicated earlier in this report, the proposal would achieve the planning objectives for a residential zone as specified in Schedule 9 in the KPSO.

POLICY PROVISIONS**Development Control Plan No. 57 – Child Care Centres**

| COMPLIANCE TABLE | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Development control | Proposed Numeric Compliance | Complies |
| Limitations on locations: <ul style="list-style-type: none"> mobile phone base stations high voltage power lines dangerous goods contaminated land major roadways along through roads not in quiet residential streets | no mobile phone station within 500m within 70m (a magnetic field intensity report has been provided to comply with DCP 57) no dangerous goods in close proximity no known contaminated use within 125m of a major road (air, soil and noise quality assessment report have been provided to comply with DCP 57) Addison Avenue is a through road in close proximity to Roseville Public School | YES YES YES YES YES YES |
| Car parking: 1 space per 4 children = 6 spaces (including 1 disabled space)(min) | 6 (including one disabled car space) | YES |
| Built form: <ul style="list-style-type: none"> height -1 storey unrelieved walls: <12m front setback: 12m(min) side setbacks: 1.5m(min) | 1 storey no new wall exceeds 12m existing front setback to be retained existing side setbacks to be retained | YES YES NO NO |

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| COMPLIANCE TABLE | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-----------|
| Development control | Proposed Numeric Compliance | Complies |
| <ul style="list-style-type: none"> rear setback: 12m(min) | >12m | YES |
| Solar Access: <ul style="list-style-type: none"> within play areas: (4 hours min) | >4 hours | YES |
| <ul style="list-style-type: none"> adjoining properties: (4 hours min) | >4 hours | YES |
| Indoor play areas: 3.25m ² per child = 78m ² total(min) | 59.8m ² (smaller children) + 29.7m ² (bigger children) = total 89.5m ² | YES |
| Back-up facilities: cot rooms: 2.5m ² per cot = 20m ² (min) (800mm between each cot) | 19.6m ² 800m min | NO YES |
| toilet areas: 12.5m ² /3 toilets(min) | 15m ² /3 toilets | YES |
| Staff & parent accessible areas: foyer – 15m ² (min) | 11.7m ² (internal + external foyers) | YES |
| director's office – 10m ² (min) | 10.1m ² | YES |
| administration area – 6m ² (min) (can be either a separate room or a reception counter under the DoCS guidelines, or can be integrated into director's office under DCP 57) | provided in the reception area of the internal foyer which is 11.4m ² | YES |
| staff room 16m ² (+ 2m ² for each additional staff member over and above 6 staff)(min) | 16m ² (4 staff required) | YES |
| adult toilet facilities 10m ² (min) | 6.4m ² | NO |
| kitchen 16m ² (+ 6m ² pantry for bulk storage of non-perishable foods)(min) | 16m ² + 6.9m ² | YES |
| laundry – 10m ² (min) | 6.1m ² | NO |
| Outdoor play areas 7m ² per child = 168m ² (min) | 128.5m ² (front play area) + 70.1m ² (rear play area) = total 198.6m ² | YES |

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| COMPLIANCE TABLE | | |
|--------------------------------------------------------------------------------------------------------|-------------------------------------|----------|
| Development control | Proposed Numeric Compliance | Complies |
| Fencing: perimeter of outdoor play area: 1.2m(min) common boundary 1.8m(min) | 1.5m(min) | YES |
| | 2.4m | YES |
| Noise: outdoor play areas must not be exposed to an average noise level in excess of 55dB(A) | <55dB(A) (noise report provided) | YES |
| Transition area: 3-4m ² per child = 72m ² (min) width – 4m(min) | 73m ² | YES |
| | >4m | YES |

High voltage power lines

A magnetic field intensity report has been provided to demonstrate that power lines in the vicinity (132kV underground power lines on the western side of Archbold Road and 11kV and 0.415kV overhead power lines along both street frontages of the site) do not produce electromagnetic fields that exceed NHMRC and ICNIRP guidelines of 1000mG at 50Hz.

The maximum magnetic field intensity level measured was 6mG which is well below the guideline. Therefore the site is considered safe for the proposed use.

Major roadways

The site is located within 125m of Archbold Road, which is classified as a major roadway in Appendix 1 of DCP 57. Air, soil and noise quality assessment reports have been provided, demonstrating that the site is safe and suitable for the proposed use.

To protect the centre from being exposed to excessive traffic noise, the acoustic report recommends the following noise attenuation measures:

The outdoor play areas

- a sound attenuation fence of 2.4min height, set back at a distance of 1.5m from the existing masonry boundary fence on the western and south-western side of the site be installed
- the sound attenuation fence be constructed of a treated timber paling or be a lapped and capped fence with minimum 35mm overlap or planks
- any grills and openings along the existing masonry fence be closed up

Internal areas

- all class room windows on the eastern, southern and western facades of the centre be fixed or remain closed during indoor activities

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- *windows with standard 4mm glazing be provided*
- *natural ventilation be provided during outdoor activities by opening doors and windows, alternatively non indoor play area windows on the northern elevation of the building be kept open during indoor activities for natural ventilation*
- *no mechanical ventilation be installed on the northern elevation of the building*

These have been included in the recommendation (See Condition No. 5).

Car parking and vehicular access

Council's Development Engineer and Strategic Traffic Engineer have reviewed the proposed development in terms of car parking and traffic generation and are satisfied that appropriate car parking spaces with a vehicle turning area are provided and that the proposal will not result in detrimental traffic impacts on the locality. Appropriate conditions have been recommended, including installation of a median island and provision of suitable sight lines so as to enhance traffic safety at the intersection (See Conditions Nos 6, 9 and 12).

Site and building design

The proposal is for the conversion of an existing single dwelling into a child care centre with minor alterations and additions to the building. The proposed building works will not detract from the existing streetscape.

The proposal will improve the overall built form relationship with the adjoining residential buildings on Addison Avenue by removing the existing detached garage, shed and carport awning adjacent to the southern boundary. This area will be converted into an outdoor play space for smaller children. Being located on a corner, the demolition will provide a greater building setback to the secondary street for the site. This is satisfactory in terms of providing an increased setback and a better built form relationship with the adjoining buildings to the east.

The proposal will largely maintain the existing setbacks to all other boundaries, except for the roof structures over the transition areas. These structures will be constructed of clear roof sheeting on timber frames to allow sunlight penetration and to provide UV protection for children in care. The structures will have maximum height of 2.4m in the front yard and 2.8m in the rear yard and will not significantly add to the bulk and scale of the existing building.

The proposed development will provide sound attenuation fences of 2.4m in height on the northern boundary and 1.5m inside the existing brick fence on the western boundary. The acoustic fencing will not have undue impact on the existing streetscape or the residential amenity of No. 23 Archbold Road.

The proposed northern boundary fencing is to maintain the amenity for No. 23 Archbold Road by minimising noise impact from the child care centre. Visual privacy will be improved as a result and there will be no overshadowing impact.

The proposed fencing 1.5m inside the western boundary will be behind the existing 1.8m high brick wall and will be screened by the screen planting proposed on the landscape plan. High solid fences

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are common along Archbold Road, their purpose being to minimise traffic noise impact. Also, the applicant proposes lapped and capped timber fencing which is visually less intrusive and more sympathetic to the surrounding environment. As such, the fence will not have detrimental impact on the existing streetscape.

Noise

DCP 57 specifies that child care centres are not to generate more than 5dB(A) above the ambient (L90) background noise level in order to maintain the amenity of adjoining residential properties.

The noise assessment report has indicated that the development would comply with the noise levels as specified in DCP 57, if a 1.8m high fence along the eastern boundary for No. 2 Addison Avenue and a 2.4m high fence along the northern boundary for No. 23 Archbold Road are provided.

The report's outcome was based on the original proposal which had the rear outdoor play space adjacent to the northern boundary with no set back. However, the rear outdoor play area has been relocated adjacent to Addison Avenue frontage, providing greater setbacks from both the adjoining residential properties and therefore reducing noise impact. Consequently, no private open space in the rear yards of the adjoining residences will be unduly affected.

Other noise attenuation measures recommended in **Condition No. 5** include:

Outdoor play areas

- *noise management techniques be employed during the operation of the child care centre. These techniques should include limits on the number of children at play at any one time or limit on the total time of play*
- *signs reminding staff and visitors to minimise noise at all times are to be installed at the entry and exit points of the child care centre*
- *elevated children's climbing equipment be restricted to a maximum height of 1.7m above ground level*
- *hard paved areas and pathways within the children's play area be covered with a rubberised-backed material*
- *external pedestrian gates be fitted with appropriate door closers to provide a slow and regulated closing of the gate to prevent the generation of impact sound*
- *a sound attenuation fence of 2.4m in height be provided along the northern boundary*
- *a sound attenuation fence of 1.8m in height be provided along the eastern boundary*
- *any grills and openings along the existing masonry fence be closed up*

Mechanical plant

In the instance that air conditioning is required, and if the calculated noise emissions from mechanical plant items are in excess of the site limits, then appropriate acoustic treatment shall be implemented including

- *strategic positioning of plant away from residences, maximising the intervening shielding between the plant and sensitive neighboring premises*
- *procurement of 'quiet' plant*

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- installation of a commercially available silencer over noisy fans
- installation of acoustic screens and barriers between plant and sensitive neighbouring premises
- installation of partially-enclosed or fully-enclosed acoustic enclosures over plant

Cot room

DCP 57 refers to the 'Best Practice Guidelines in Early Childhood Physical Environments' created by the NSW Department of Community Services in 1996. The guidelines recommend a cot room to be large enough to allow a space of 2.5m² per cot and each cot to be at least 800mm apart to reduce the risk of cross infection between children.

Despite the minor non-compliance (0.05m² per cot), the proposal is acceptable for the following reasons:

- each cot is separate at least 800mm apart to minimise the risk of cross infection in accordance with the guidelines
- the cot room is located in a less noisy section of the building but close to the nappy change area in accordance with the guidelines
- the cot room provides sufficient corridor space (between 875mm and 1075mm) for staff to reach each child without intruding upon other sleeping children in accordance with the guidelines
- sufficient space is provided between each cot for an adult chair so that a supervising adult can be seated in the space to provide comfort to children when they are settling in accordance with the guidelines

DCP 57 also specifies that cot rooms must be in accordance with the Children's Services Regulation 2004. However, the Regulation does not set a minimum dimension for cot rooms.

Foyer areas

DCP 57 refers to the 'Best Practice Guidelines in Early Childhood Physical Environments' in relation to a minimum dimension for an entry area. The guidelines require a foyer to be not less than 15m², but do not specify separate dimensions for internal and external foyers. The proposal provides 17.7m² of entry area, combining the internal and external foyers, which complies with the guidelines.

Director's office / administration area

DCP 57 refers to the 'Best Practice Guidelines in Early Childhood Physical Environments' in relation to minimum dimensions for a director's office and an administration area. The guidelines require an office to be not less than 10m² and an administration area to be not less than 6m² or to be accommodated in a reception counter. It specifies administration area to be close to the entry area, where it will be easily accessible to parents entering the child care centre and can be used for a security check on people entering and leaving the building.

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However, DCP 57 does not provide separate provisions for a director's office and an administration area. It requires the director's office / administration area to be of a functional size in relation to the number of children in care and to be close to the internal foyer for maximum supervision of the area.

The proposal provides a director's office that is 10.1 m² in size and an administration area within the entry which contains a reception counter. The location and design of the director's office allows a direct supervision of the entry area through windows. Council's Community Development Officer: Children's Services confirms that the proposal is acceptable, in that the areas provided are functional, practical and well positioned to allow maximum supervision of children and to cater for all users.

Adult toilet facilities

DCP 57 refers to the '*Best Practice Guidelines in Early Childhood Physical Environments*' in relation to a minimum dimension for adult toilet facilities. The guidelines require adult toilet facilities to be a minimum size of 10m² with an increased allocation for larger centres where two toilets are required. The guidelines also specify that a minimum of one adult toilet is to be provided per 10 staff members.

DCP 57 states that adult toilet facilities are to be provided in accordance with the Building Code of Australia and must not directly open to the kitchen or other food preparation area.

The child care centre provides one toilet, as it proposes to have 4 primary contact staff. Despite the minimum dimension standard, this complies with the guidelines and the Building Code of Australia in terms of a number of toilets provided.

The proposed toilet provides sufficient space for a WC and a vanity bench which is acceptable. It is unnecessary and unreasonable for the toilet to have a minimum of 10m² in size, under the circumstance.

The toilet is not directly open to the kitchen or other food preparation area.

Laundry

DCP 57 refers to the '*Best Practice Guidelines in Early Childhood Physical Environments*' in relation to a minimum dimension for a laundry. The guidelines specify that a full laundry needs a minimum space of approximately 10m². It also indicates that the availability of laundry/nappy pick up services will affect the extent of the laundry area.

The applicant has advised that the proposed child care centre will not provide a full laundry service. Disposable nappies and paper towels will be used and parents will be asked to provide sleep sets for their children which will be taken home to wash in a regular basis. These practices reduce cross infection between children in the centre. Any bulk washing will be outsourced.

As such, the proposed laundry of 6.1m² in size is sufficient and acceptable.

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Development Control Plan 28 – Advertising

No signage is proposed.

Development Control Plan 31 – Access

Matters for consideration under DCP 31 have been taken into account where the application is assessed in accordance with DCP 57 and the proposal is satisfactory in this respect, subject to conditions.

Development Control Plan No. 43 – Car Parking

The proposal complies with DCP 43 which requires the provision of 6 parking spaces.

Development Control Plan 47 – Water Management

Council's Development Engineer has taken into account matters for consideration under DCP 47 and has concluded that the proposal is satisfactory in this regard.

Likely impacts

All likely impacts of the proposal have been assessed in this report and are found to be acceptable, subject to conditions.

Suitability of the site

The site is considered to be suitable for a child care centre.

Any submissions

All submissions received have been considered.

Public interest

The proposal is acceptable on merit and would provide additional child care facilities in Ku-ring-gai which is in the public interest.

Any other relevant matters for considerations not already addressed

Flora & fauna

The subject site is located within a Sydney Turpentine Ironbark Forest community. However, the proposed development is not likely to have a significant adverse effect on the ecological community of the Sydney Turpentine Ironbark Forest as no existing trees are proposed for removal.

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CONCLUSION

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory and is, therefore, recommended for approval, subject to conditions.

RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, grant development consent to DA0859/06 for alterations and additions to an existing dwelling house and its change of use to a child care centre catering for 24 children on land at 21 Archbold Road, Roseville, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

APPROVED ARCHITECTURAL PLANS AND DOCUMENTATION (ALTERATIONS AND ADDITIONS)

1. The development must be carried out in accordance with work shown in colour on the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Plan no.
DA-01 to DA03

Drawn by
Fortey & Grant Architecture

Dated
27 March 2007

Document(s)
Revised Statement of Environmental Effects

Dated
Received by Council on 1 December
2006

Noise assessment report prepared by Renzo Tonin & Associates

1 August 2006

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

Inconsistency between documents

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

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

Approved landscape plans

3. Landscape works shall be carried out in accordance with the following landscape plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Plan no.
LD/DA 859/06 No 3

Drawn by
Chris Gohl Landscapes P/L

Dated
February 2007

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

Building Code of Australia – fire separation

4. The staff room door on the northern elevation is to comply with Part 3.7.1 (Fire Separation) of the BCA.

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

Noise control

5. The development is to be in accordance with the recommendations of the Noise Assessment Report prepared by Renzo Tonin & Associates, Report Number TC219-01F02(REV1), dated 1 August 2006 as follows:

- a) in order to prevent children and staff of the child care centre from being exposed to excessive traffic noise:
- a sound attenuation fence of 2.4m in height, set back at a distance of 1.5m from the existing masonry boundary fence on the western and south-western side of the site is to be provided
 - the sound attenuation fence is to be constructed of a treated timber paling or be a lapped and capped fence with minimum 35mm overlap or planks
 - any grills and openings along the existing masonry fence are to be closed up
 - all class room windows on the eastern, southern and western facades of the centre are to be fixed or must remain closed during indoor activities
 - windows with standard 4mm glazing are to be provided
 - natural ventilation is to be provided during outdoor activities by opening doors and windows, alternatively non indoor play area windows on the northern elevation of the building may be kept open during indoor activities for natural ventilation
 - no mechanical ventilation is to be installed on the northern elevation of the building
- b) in order to minimise noise impact on the adjoining residential properties:
- noise management techniques are to be employed during the operation of the child care centre. These techniques should include limits on the number of children at play at any one time or limit on the total time of play.
 - signs reminding staff and visitors to minimise noise at all times are to be installed at the entry and exit points of the child care centre
 - elevated children's climbing equipment is to be restricted to a maximum height of 1.7m above ground level
 - hard paved areas and pathways within the children's play area are to be covered with a rubberised-backed material

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- external pedestrian gates are to be fitted with appropriate door closers to provide a slow and regulated closing of the gate to prevent the generation of impact sound
- a sound attenuation fence of 2.4m in height is to be provided along the northern boundary
- a sound attenuation fence of 1.8m in height is to be provided along the eastern boundary
- the above sound attenuation fences are to be constructed of a treated timber paling or be a lapped and capped fence with minimum 35mm overlap or planks
- any grills and openings along the existing masonry fence are to be closed up

Mechanical plant

In the instance that air conditioning is required and the calculated noise emissions from mechanical plant items are in excess of the site limits, appropriate acoustic treatment shall be implemented including:

- strategic positioning of plant away from residences, maximising the intervening shielding between the plant and sensitive neighboring premises
- procurement of 'quiet' plant
- installation of a commercially available silencer over noisy fans
- installation of acoustic screens and barriers between plant and sensitive neighbouring premises
- installation of partially-enclosed or fully-enclosed acoustic enclosures over plant

Reason: To minimise the impact of noise.

Sight lines

6. The southern-most 2m of the eastern boundary fence is to be of transparent fencing material to allow appropriate sight lines for drivers of vehicles exiting from the child care centre.

Reason: To ensure pedestrian safety.

Commercial deliveries

7. Commercial deliveries to the centre are not to be made before 10.00am and after 2.30pm.

Reason: To minimise traffic and parking nuisance in the locality.

Traffic and parking management plan

8. A traffic and parking management plan is to be developed and implemented, requiring the centre management personnel to educate parents to use designated parking spaces provided within the centre or abide by parking and traffic rules in the event of parking overflow. Archbold Road and 'No-Stopping' zone in Addison Avenue must not be used for children drop-off and pick-up. The traffic and parking management plan is to be submitted to and approved by Council's Development Engineer prior to the issue of a Construction Certificate.

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Reason: To minimise traffic and parking nuisance in the locality.

Vehicle turning bay

9. The vehicle turning bay is not to be used for parking at any time. This is to allow exiting vehicles from the child care centre to be driven in a forward direction for traffic safety purposes. The turning bay is to be clearly marked "No Parking" "Vehicle Turning Only".

Reason: To ensure traffic and pedestrian safety in the locality.

Outdoor storage shed

10. To maintain the streetscape and residential amenity, the maximum height of the outdoor storage shed located in the north-western corner is not to exceed 2.4m above existing ground level.

Reason: To maintain the streetscape and residential amenity.

Rainwater tanks

11. The proposed rainwater tanks are to have a maximum height of 1.8m above ground level, including any stand for the tank. Any overflow is to be connected and discharged into the existing stormwater system. A sign must be affixed to the tank clearly stating that the water in the tank is rainwater and is not for human consumption.

Reason: To prevent adverse visual impact and drainage nuisance to No.23 Archbold Road and to ensure health for the occupants of the child care centre.

Median island

12. A raised median island is to be installed opposite the development driveway in Addison Avenue (including adjustments to linemarking) and the existing 'No Stopping' restriction on the northern side of Addison Avenue is to be extended eastwards to the power pole outside No.2 Addison Avenue. The new installation/alterations to traffic facilities shall be to the satisfaction of the Ku-ring-gai Traffic Committee, including payment of relevant Ku-ring-gai Traffic Committee processing fees as necessary. The costs of installation/modification of the approved traffic facilities shall be at the applicant's expense.

Reason: To ensure traffic safety in the locality.

Garbage bins

13. The garbage bin must be stored in the designated garbage bin area in between the cot room wall and the younger children's store, except for the recycling and green waste bins. Garbage collection must not occur outside the hours of 7.00am – 6.30pm Monday to Friday.

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Reason: To minimise odour nuisance to No.23 Archbold Road and to ensure that residential amenity is preserved.

Hours of operation of the child care centre

14. The hours of operation of the child care centre are to be restricted to:

- Monday to Friday: 7am - 6.30pm
- No operation on Saturdays, Sundays and Public Holidays

Reason: To ensure that residential amenity is preserved.

Maximum number of children in attendance

15. The maximum number of children at the child care centre must not exceed 24 at any one time and the age groups and numbers must be comprised of the following:

- 0 - 2 years: 8 children
- 2 - 3 years: 8 children
- 3 - 5 years: 8 children

Reason: To ensure that the development is in accordance with the determination of Council and Children's Services Regulation 2004.

Outdoor play equipment

16. All outdoor play equipment must comply with AS/NZS 4486 – Playgrounds and playground equipment and AS/NZS 4422– Playground surfacing.

Reason: To ensure that the development is in accordance with the relevant Australian Standards.

Protection of existing trees

17. Removal, or pruning of the following trees is not approved as part of this Development Application. Tree numbers refer to Landscape Plan prepared by Chris Gohl Landscapes, dated February 2007, dwg no. LD/DA 859/06/3.

Tree/ Location

Harpephyllum caffrum (Kaffir Plum) Tree 1

Brachychiton acerifolius (Flame Tree) Tree 2

Callistemons (4) – Street Trees to site frontage along Addison Avenue

Reason: To protect the existing trees.

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**CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF A CONSTRUCTION
CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION
(WHICHEVER COMES FIRST)**

Long service levy

18. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

Reason: Statutory requirement.

External finishes and materials (alterations and additions)

19. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the external finishes of the building are consistent with the character of the existing house and the streetscape.

Note: Details of the colour, finish and substance of all external materials, including schedules and a sample board of materials and colours, are to be submitted to the Certifying Authority.

Reason: To protect the streetscape.

Public liability insurance – works on public land

20. Any person or contractor undertaking works on public land must take out public risk insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent.

The policy is to note and provide protection for Ku-ring-gai Council as an interested party and a copy of the policy must be submitted to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The policy must be valid for the entire period that the works are being undertaken on public land.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

Access for people with disabilities

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21. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to the child care centre building is 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 Principal Certifying Authority prior to the issue of the 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 1735.2.

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

Infrastructure restorations fee

22. To ensure that damage to Council Property as a result of construction activity is rectified in a timely manner:
- a) All work or activity undertaken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying adjacent public areas.
 - b) The applicant, builder, developer or any person acting in reliance on this approval 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 Restorations Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
 - d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council Property that Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers to be of a minor nature and 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) and (b) above. Restoration work of a minor nature referred to in this condition is work that the Council can perform at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.
 - e) In this condition.

“**Council Property**” includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees shrubs, lawns, mounds, bushland, and similar structures or features on road reserves or any public place; and

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“Infrastructure Restorations Fee” means the infrastructure restorations fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment.

Reason: To maintain public infrastructure.

Landscape establishment bond

23. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$2,000 landscape establishment bond with Council. This bond is to provide security that the landscape works are completed and maintained in accordance with the approved landscape plan/s and conditions of development consent. The bond shall be lodged in the form of a deposit or bank guarantee.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily completed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period, it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

Reason: To ensure that the approved landscaping is established and maintained.

Construction waste management plan

24. Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

Note: The plan shall be provided to the Certifying Authority.

Reason: To ensure appropriate management of construction waste.

Noise from plant in residential zone

25. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation of an individual piece of equipment or operation of equipment in combination will not exceed more than 5dB(A) above the

Item 2

background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm –6.00 am) when measured at the boundary of the site.

Note: A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction Certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with other plant will comply with the above requirements.

Reason: To comply with best practice standards for residential acoustic amenity.

Driveway crossing levels

26. Prior to issue of the Construction Certificate, driveway and associated footpath levels for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the Roads Act 1993. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings".

Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant development application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment.

This development consent is for works wholly within the property. Development consent does not imply approval of footpath or driveway levels, materials or location within the road reserve, regardless of whether this information is shown on the development application plans. The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

The construction of footpaths and driveways outside the property in materials other than those approved by Council is not permitted.

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

Drainage of paved areas

27. All new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details of such measures shall be shown on the Construction Certificate drawings, to the satisfaction of the Certifying Authority.

Item 2

Reason: To control surface run off and protect the environment.

Building Code of Australia - fire safety audit

28. An accredited certifier, building grade 1 or 2 (NSW or equivalent) is to be engaged to carry out a Building Code of Australia audit that is based upon inspections(s) of the building in terms of the deemed-to-satisfy fire safety provisions. (a list of accredited certifiers is available on the Department of Planning website.)

The audit must specifically cover all clauses within Section C, D and E of the Building Code of Australia (as per the most recent amendments) indicating compliance, non-compliance or not applicable in the circumstances.

The results of the audit are to be incorporated into a report and strategy to overcome the non-compliant provisions either by performance solution or adherence to deemed-to-satisfy provisions by satisfying the fire safety objectives of Sections C, D and E of the Building Code of Australia.

A schedule of existing (if applicable) and the proposed essential fire safety measures, including their standard performance must be included in the strategy.

The report and strategy must be submitted to and approved by Council's Compliance Officer prior to issue of any Construction Certificate.

Reason: To ensure an adequate level of fire safety.

Utility provider requirements

29. Prior to issue of the Construction Certificate, the applicant must make contact with all relevant utility providers whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained. All utility services or appropriate conduits for the same must be provided by the developer in accordance with the specifications of the utility providers.

Reason: To ensure compliance with the requirements of relevant utility providers.

Stormwater drainage system

30. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, written certification from a licensed plumber relating to the placement of additional runoff into the existing site drainage system. The certification must be based on an inspection of the existing site drainage system and must declare:

- a) The satisfactory operating condition of the existing system and satisfactory capacity for additional runoff generated by the development, and

Item 2

- b) Acknowledgment that, based on their professional experience, there will be no deleterious effect on the existing, adjacent or downstream properties as a result of the continued use of the existing system.

The inspecting plumber must also include with the certification a sketch plan of the point and method of discharge for the existing stormwater drainage system. Where the existing site drainage system is found to be unsatisfactory for continued use, the applicant is to submit plans and specifications for an upgraded stormwater disposal system, for approval by the Principal Certifying Authority (PCA) **prior** to issue of the Construction Certificate. Plans are to be prepared by a suitably qualified and experienced consulting civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47.

Reason: To ensure the existing drainage system is adequate for the development.

Excavation for services

31. Prior to the issue of the Construction Certificate, the Principal Certifying shall be satisfied that no proposed underground services (ie. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

Note: A plan detailing the routes of these services and trees protected under the Tree Preservation Order, shall be submitted to the Principal Certifying Authority.

Reason: To ensure the protection of trees.

CONDITIONS TO BE SATISFIED PRIOR TO WORKS COMMENCING

Notice to be given prior to demolition or excavation

32. Council shall be given written notice, at least 48 hours prior to the commencement of any development (including excavation, shoring or underpinning works) on the site.

Reason: Statutory requirement.

Notification of builder's details

33. Prior to the commencement of any development or excavation works, the Principal Certifying Authority 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.

Statement of compliance with Australian Standards

Item 2

34. The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by 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 the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

Reason: To ensure compliance with the Australian Standards.

Site notice

35. 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 Certifying Authority 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 eye level 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.

Erosion control

36. 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 Certifying Authority and Council officers.

Reason: To protect the environment from erosion and sedimentation.

Erosion and drainage management

37. Earthworks and/or demolition of any existing buildings shall not commence until an erosion and sediment control plan is submitted to and approved by the Principal Certifying Authority. The plan shall comply with the guidelines set out in the NSW Department of Housing manual "Managing Urban Stormwater: Soils and Construction" certificate. Erosion and sediment control works shall be implemented in accordance with the erosion and sediment control plan.

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Reason: To preserve and enhance the natural environment.

Tree protection fencing

38. To preserve the following tree/s, no work shall commence until the area beneath their canopy is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location

Callistemon salignus (Willow Bottlebrush)
west of proposed driveway

Radius From Trunk

5m

Reason: To protect existing trees during the construction phase.

Tree protection – avoiding soil compaction

39. To preserve the following tree/s and avoid soil compaction, no work shall commence until temporary measures to avoid soil compaction (eg rumble boards) beneath the canopy of the following tree/s is/are installed:

Tree/Location

Harpephyllum caffrum (Kaffir Plum) Tree 1
Brachychiton acerifolius (Flame Tree) Tree 2

Reason: To protect existing trees during the construction phase.

Tree protection fencing

40. The tree protection fence shall be constructed of galvanised pipe at 2.4 metres spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.

Reason: To protect existing trees during the construction phase.

Tree fencing inspection

41. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Reason: To protect existing trees during the construction phase.

CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION OR CONSTRUCTION PHASES

Item 2

Approved plans to be on site

42. 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 kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

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

Prescribed conditions

43. The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (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:

- The work must be carried out in accordance with the requirements of the Building Code of Australia,
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

Reason: Statutory requirement.

Demolition, excavation and construction work hours

44. Demolition, excavation, 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 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Dust control

45. 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:

Item 2

- physical barriers shall be erected at right angles to the prevailing wind direction or 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 out 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 daily

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

Use of road or footpath

46. 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 pathway 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 against the applicant owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

Guarding excavations

47. 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.

Reason: To ensure public safety.

Toilet facilities

48. During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Reason: Statutory requirement.

Protection of public places

49. If the work involved in the erection, 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.

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If necessary, a hoarding is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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

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

Reason: To protect public places.

Drainage to street

50. Stormwater runoff from all new impervious areas and subsoil drainage systems shall be piped to the street drainage system. New drainage line connections to the street drainage system shall conform and comply with the requirements of Sections 5.3 and 5.4 of Ku-ring-gai Water Management Development Control Plan No. 47.

Reason: To protect the environment.

Asbestos removal

51. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

Reason: To ensure safe handling and disposal of asbestos.

Lead – based paint

52. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. You are advised to follow the WorkCover's guidelines.

Reason: To prevent personal and environmental contamination.

Tree inspections

53. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their

Item 2

long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

Tree/location

All existing trees located on site being retained

Time of inspection

Prior to demolition

At the completion of demolition

Prior to excavation works

At the completion of excavation works

Prior to the start of construction works

At monthly intervals during construction

At the completion of construction works

At the completion of all works on site

Reason: To ensure the existing trees are protected during and after completion of development works.

Tree root pruning

54. Root pruning of the following tree/s which may be necessary to accommodate the approved building works shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate:

Tree/Location

Callistemon salignus (Willow Bottlebrush)
west of proposed driveway

Tree Works

Root pruning

Reason: To ensure protection of the above tree.

Tree root cutting

55. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.

Reason: To ensure protection of existing trees.

Tree root pruning & mechanical excavation

56. No mechanical excavation for the approved building shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location

Callistemon salignus (Willow Bottlebrush)
west of proposed driveway

Radius From Trunk

3m

Harpephyllum caffrum (Kaffir Plum) Tree 1

3m

Brachychiton acerifolius (Flame Tree) Tree 2

2m



Reason: To protect the above trees.

Hand excavation

57. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

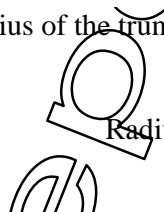
Tree/Location

Callistemon salignus (Willow Bottlebrush)

west of proposed driveway

Harpephyllum caffrum (Kaffir Plum) Tree 1

Brachychiton acerifolius (Flame Tree) Tree 2



Radius From Trunk

5m

4m

2m

Reason: To protect the above trees.

Thrust boring for utilities

58. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system.

Tree/Location

Callistemon salignus (Willow Bottlebrush)

west of proposed driveway

Harpephyllum caffrum (Kaffir Plum) Tree 1

Brachychiton acerifolius (Flame Tree) Tree 2



Radius From Trunk

5m

4m

2m

Reason: To protect the above trees.

No storage of materials beneath trees

59. No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

Reason: To protect existing trees.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

Mechanical ventilation

60. Following completion, installation and testing of all the mechanical ventilation systems, the Principal Certifying Authority shall be satisfied of the following prior to the issue of any Occupation Certificate:

Item 2

- 1) The installation and performance of the mechanical systems complies with:
 - The Building Code of Australia
 - Australian Standard AS1668
 - Australian Standard AS3666 where applicable
- 2) The mechanical ventilation system in isolation and in association with other mechanical ventilation equipment, when in operation will not be audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest adjoining boundary.

Note: Written confirmation from an acoustic engineer that the development achieves the above requirements is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To protect the amenity of surrounding properties.

Mechanical ventilation

61. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that all mechanical ventilation systems are installed in accordance with Part F4.5 of the Building Code of Australia and comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building.

Reason: To ensure adequate levels of health and amenity to the occupants of the building.

Infrastructure repair

62. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

Reason: To protect public infrastructure.

Fire safety certificate

63. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a Fire Safety Certificate for all the essential fire or other safety measures forming part of this consent has been completed and provided to Council.

Note: A copy of the Fire Safety Certificate must be submitted to Council.

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

Item 2

Removal of refuse

64. 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.

Reinstatement of redundant crossings and completion of infrastructure works

65. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that the following works in the road reserve have been completed:
- new concrete driveway crossing in accordance with levels and specifications issued by Council
 - removal of all redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter (reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials)
 - full repair and resealing of any road surface damaged during construction
 - full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing

All works must be completed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

Reason: To protect the streetscape.

Certification of drainage works (alts/adds)

66. Prior to issue of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that:
- 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 (2003) and the Building Code of Australia
 - the stormwater drainage works have been completed in accordance with the approved Construction Certificate drainage plans and Ku-ring-gai Water Management DCP 47

Item 2

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

Reason: To protect the environment.

Completion of landscape works

67. Prior to the release of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious and/or environmental weed species, have been undertaken in accordance with the approved plan(s) and conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

J Kim
Development Assessment Officer

M Leotta
Team Leader
Development Assessment - South

M Prendergast
Manager
Development Assessment Services

M Miocic
Director
Development & Regulation

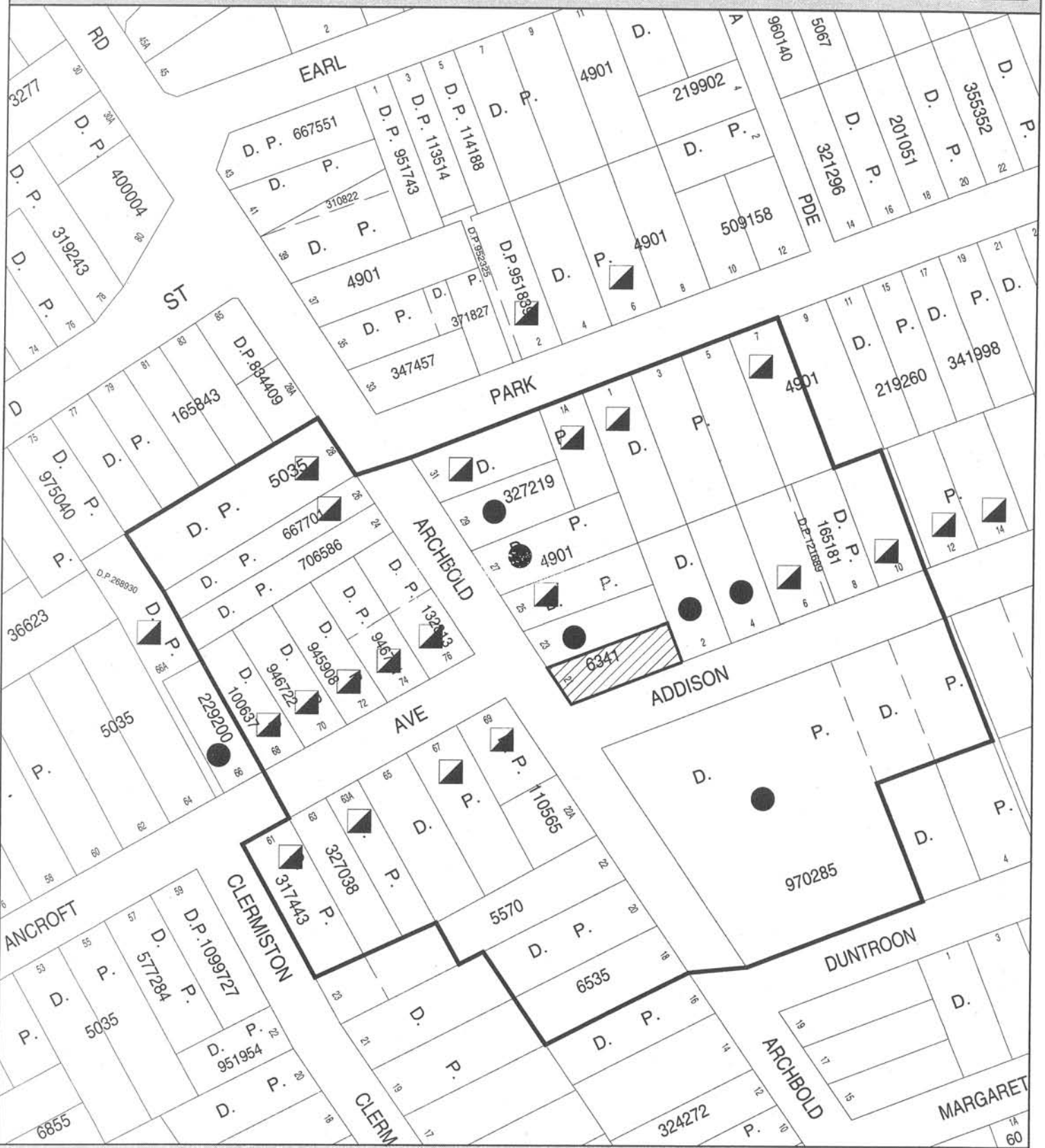
Attachments:

- Location sketch - 761544
- Zoning extract - 761544
- Site survey - 761547
- Architectural plans - 761547
- Landscape plan - 761550
- Built-upon area calculation plans - 761550
- Noise assessment report - 761587
- Air & soil quality assessment report - 761568
- Magnetic field intensity assessment report - 761591
- Confidential attachments:**
 - Floor plans
 - Landscape plan showing floor plans

LOCATION SKETCH

21 Archbold Road, ROSEVILLE

DEVELOPMENT APPLICATION No 859/06



Scale : 1:2000

23-02-2007



AGREEMENT

OBJECTION

SUBJECT LAND



PETITION

SUBMISSION

CIRCULATED AREA



Zoning Extract

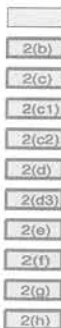
21 Archbold Rd Roseville DA 859/06



ZONES

2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H



3. BUSINESS

- (a) RETAIL SERVICES

FLOOR SPACE RATIOS

- A1 2.0:1
- A2 1.0:1
- A3 0.75:1

- (b) COMMERCIAL SERVICES

FLOOR SPACE RATIOS

- B1 1.0:1
- B2 1.0:1



5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc)
- (a1) SPECIAL USES A1
- (b) SPECIAL USES (Railway)

6. OPEN SPACE

- (a) RECREATION EXISTING
- (b) RECREATION PRIVATE
- (c) RECREATION PROPOSED



RESERVATIONS

OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)
- (b) COUNTY OPEN SPACE

SPECIAL USES

- SPECIAL USES (Parking etc)

ROADS

- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING

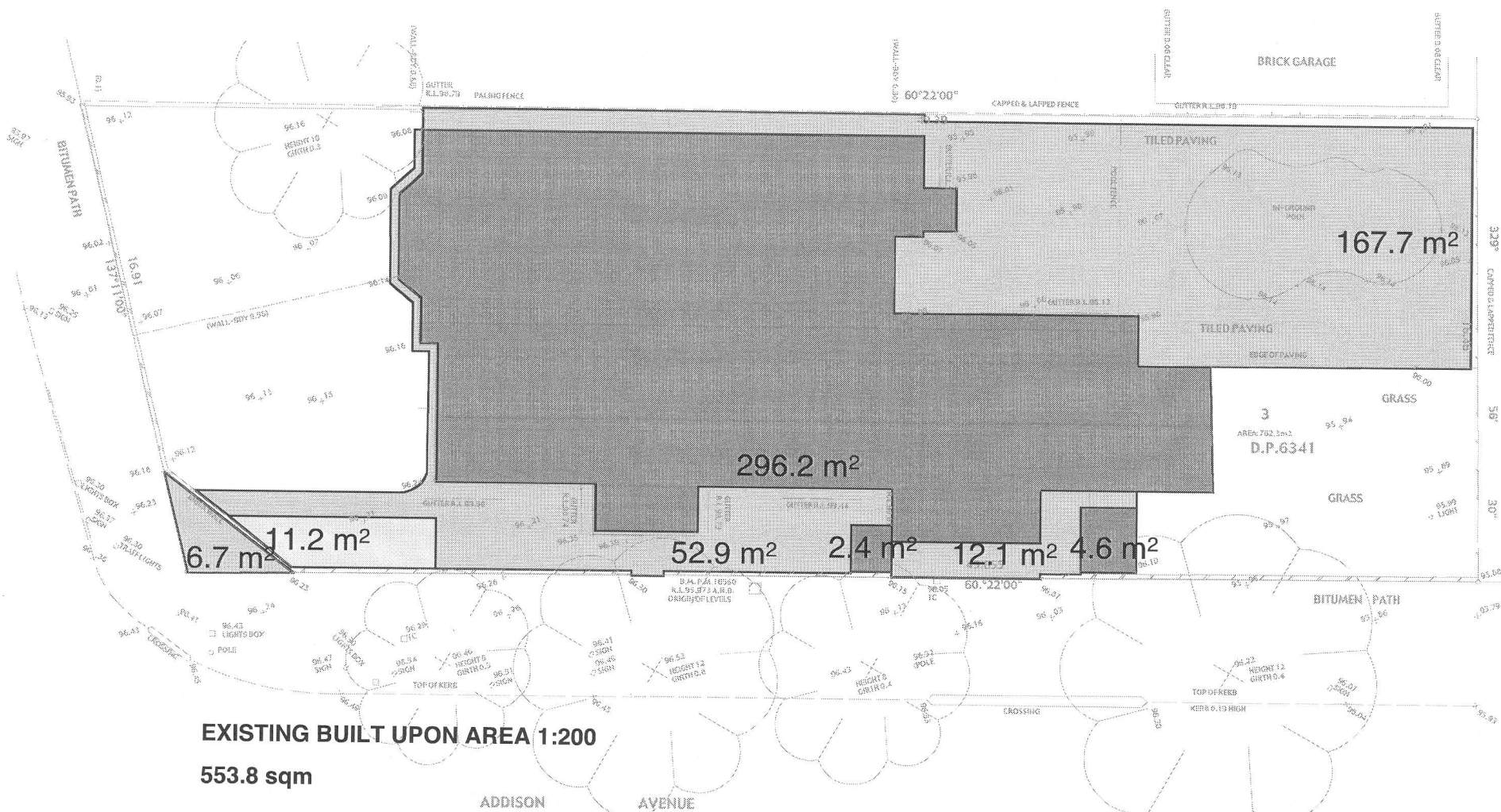
GENERAL

- EXISTING COUNTY ROAD
- OTHER PLANNING INSTRUMENTS

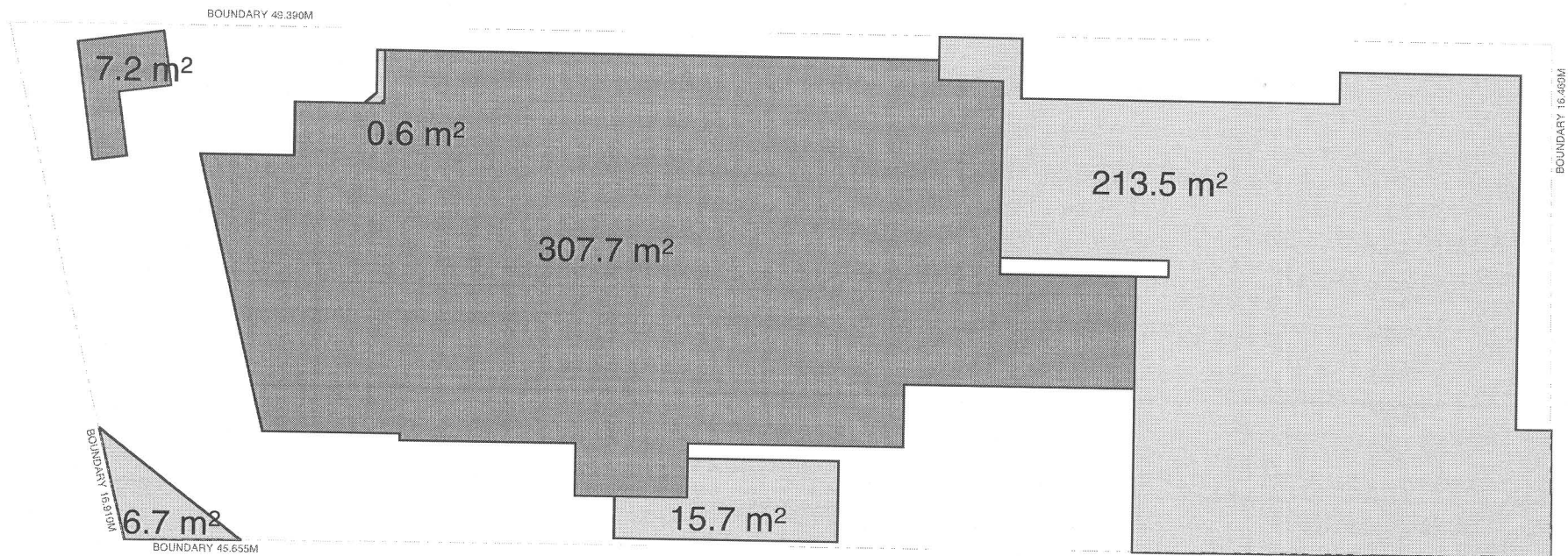


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Date:23-02-2007

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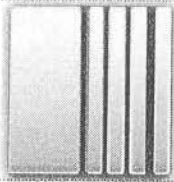
AREA OF THE SITE CONTAINING ANY BUILT STRUCTURE (WHETHER COVERED OR UNCOVERED), ANY BUILDING, CARPORT, TERRACE, PERGOLA, HARD SURFACE RECREATION AREA, SWIMMING POOL, TENNIS COURT, DRIVEWAY, PARKING AREA, OR ANY LIKE STRUCTURE BUT EXCLUDING MINOR LANDSCAPE FEATURES.



PROPOSED BUILT UPON AREA 1:200

551.4 sqm

AREA OF THE SITE CONTAINING ANY BUILT STRUCTUREE (WHETHER COVERED OR UNCOVERED), ANY BUILDING, CARPORT, TERRACE, PERGOLA, HARD SURFACE RECREATION AREA, SWIMMING POOL, TENNIS COURT, DRIVEWAY, PARKING AREA, OR ANY LIKE STRUCTURE BUT EXCLUDING MINOR LANDSCAPE FEATURES.



RENZO TONIN & ASSOCIATES

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PROPOSED CHILDCARE CENTRE, ROSEVILLE ENVIRONMENTAL IMPACT ASSESSMENT

TC219-01F02 (REV1) NOISE ASSESSMENT

1 August 2006

Prepared for:

Mr Harry Azoulay
21 Archbold Road
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04 AUG 2006

| Date | Revision History | Non-Issued Revision | Issued Revision | Reviewers Initials |
|------------|-----------------------------------|---------------------|-----------------|--------------------|
| 28/06/2006 | Initial draft report generation | 0 | - | MCH |
| 01/08/2006 | Revise report and issue to client | - | 1 | MCH |
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| | | | | |

This document is issued subject to approval by the Team Leader's initials on the right. If no initials appear, this document shall be considered as preliminary or draft only and no reliance shall be placed upon it other than for information to be verified later.

This document is prepared for our client's particular requirements and/or for submission to a regulatory authority. It is not intended for and should not be relied upon by a third party and no responsibility is undertaken to any third party. The information contained herein is for the purpose of acoustics only. No claims are made and no liability is accepted in respect of design and construction issues falling outside of the specialist field of acoustics engineering including and not limited to structural integrity, fire rating, architectural buildability and fit-for-purpose, waterproofing and the like. Supplementary professional advice should be sought in respect of these issues.

20
YEARS

1982-2002
ACOUSTIC
ENGINEERING
EXCELLENCE



Member of the Association of Australian Acoustical Consultants

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1. INTRODUCTION

Development consent is required for the proposed childcare centre to be located at 21 Archbold Road, Roseville. This report forms part of the Development Application (DA) for the proposal to be submitted to Ku-ring-gai Council.

Renzo Tonin & Associates were engaged to assess the environmental noise impact of the proposed childcare centre, including:

- noise impact from the operation of the centre onto neighbouring residences;
- any increase in traffic noise resulting from the proposal; and
- traffic noise impact from Archbold Road and Addison Avenue onto the proposal itself.

Noise impact is assessed following the guidelines and requirements of Department of Environment & Conservation (DEC, formally the Environment Protection Authority) and Ku-ring-gai Council.

The work documented in this report was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001.

2. PROJECT DESCRIPTION

2.1 BACKGROUND INFORMATION

Development consent is required for the development of a childcare centre at 21 Archbold Road, Roseville. The childcare centre will accommodate up to 28 children and 4 staff.

Ku-ring-gai Council's Development Control Plan (DCP) No. 57 provides specific guidelines for childcare centres. The criteria stipulated in the DCP for operational noise from the childcare centre impacting on neighbouring residences is in accordance with criteria presented in the NSW Industrial Noise Policy (INP). The DCP also assesses noise impact from the potential increase in traffic on Archbold Road and noise impact from Archbold Road onto the childcare centre against the NSW Environmental Criteria for Road Traffic Noise (ECRTN).

2.2 SITE DESCRIPTION

The proposed site is located on the corner of Archbold Road and Addison Avenue, Roseville. Residential properties bound the site to the north and east, sharing common boundaries, and to the west across Archbold Road. Roseville Public School is located to the south of the site across Addison Avenue.

The nearest affected residential locations were identified as:

- **Receiver R1: 23 Archbold Road (western side)**
Western side (front yard) of the residential property north of the site and sharing a common boundary.
- **Receiver R2: 23 Archbold Road (eastern side)**
Eastern side (rear yard) of the residential property north of the site and sharing a common boundary.
- **Receiver R3: 2 Addison Avenue**
Residential property east of the site and sharing a common boundary.
- **Receiver R4: Across Archbold Road**
Residential properties across Archbold Road.

Vehicles will access the site via a driveway off Addison Avenue on the south eastern side of the site. Car parking will be located at ground level on the eastern side of the site, with 7 car parking spaces provided.

The single storey childcare centre building will occupy the centre of the site, while outdoor play areas will occupy the western and eastern side of the site. The building will contain two internal playrooms, a sleeping room, craft area, offices, staff areas and kitchen areas.

Children will be grouped as follows:

- 10 x 0 to 2 year olds; and
- 18 x 2 to 5 year olds.

Figure 1 following provides details of the site and surrounds.

2.3 HOURS OF OPERATION

2.3.1 Operation

The proposed childcare centre is to operate between the hours of 7:30am and 6:00pm Monday to Friday, and will cater for 28 children. It will have approximately four fulltime staff.

2.4 NOISE ISSUES

It is anticipated that noise to and from the facility will essentially emanate from the following sources:

- Operational noise from the use of the proposed childcare centre, including:
 - Intermittent noise from the outdoor play areas at the childcare centre;
 - Continuous noise generated by mechanical plant to be installed as part of the centre; and
 - Traffic noise generated by vehicle movement on the site.
- Road traffic noise impact from Archbold Road and Addison Avenue onto the proposed childcare centre
- Additional traffic generated by the childcare centre on Archbold Road and Addison Avenue.

In response to the final dot point above, noise from vehicles accessing and leaving the site via Archbold Road would be indistinguishable from other general traffic on Archbold Road. Therefore, traffic noise impact along Archbold Road is assessed below by reference to the likely change in existing ambient traffic noise levels.

Archibold Road is an arterial road carrying approximately 28,000 vehicles per day past the site [Source: NSW RTA 'Traffic Volume Data for Sydney Region 2002']. The maximum number of vehicles expected to access the childcare centre is up to 22 during any peak hour period.

Any increased traffic noise generated on Archbold Road due to the proposed childcare centre would be negligible. Therefore, assessment of additional traffic noise on Archbold Road due to the proposal does not warrant further consideration in this noise impact assessment report.

However, additional traffic noise along Addison Avenue will be assessed due to existing traffic volumes being low for this road as it carries only local traffic.



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Member of the Association of Australian Acoustical Consultants

Title : Figure 1 - Aerial Photograph Showing Site Location and Surrounds

Project: 21 Archbold Rd, Roseville - Childcare

Date : 03/01/05

Scale: NTS

Ref : TC219-01P01 (rev 0)

3. EXISTING ACOUSTIC ENVIRONMENT

Background noise varies over the course of any 24 hour period, typically from a minimum at 3am in the morning to a maximum during morning and afternoon traffic peak hours. Therefore, the INP requires that the level of background and ambient noise be assessed separately for the daytime, evening and night-time periods. The INP defines these periods as follows:

- **Day** is defined as 7:00am to 6:00pm, Monday to Saturday and 8:00am to 6:00pm Sundays & Public Holidays.
- **Evening** is defined as 6:00pm to 10:00pm, Monday to Sunday & Public Holidays.
- **Night** is defined as 10:00pm to 7:00am, Monday to Saturday and 10:00pm to 8:00am Sundays & Public Holidays.

Traffic noise measurements were conducted to determine whether existing traffic noise levels already exceed the traffic noise criteria. Traffic noise levels are assessed separately for daytime and night time periods, defined by the NSW 'Environmental Criteria for Road Traffic Noise' (ECRTN) as follows:

- **Day** is defined as 7:00am to 10:00pm;
- **Night** is defined as 10:00pm to 7:00am.

3.1 NOISE MONITORING LOCATIONS

Long-term (unattended) noise monitoring was undertaken by Renzo Tonin & Associates to determine background and ambient noise levels and traffic noise levels. Noise monitoring was conducted over seven days from 15th December to 22nd December, 2005 at one location. This measurement location was considered representative of the nearest affected residential receivers affected by car park noise.

Furthermore, additional short term attended measurements were conducted on 15th December. The results from the short term measurements were compared with the long term measurement data to determine a correlation factor between the two locations. This was then used to determine representative background and ambient noise levels and traffic noise levels. This measurement location was considered representative of the nearest affected residential receivers affected by the outdoor play area.

- **Location L1 Rear yard of 21 Archbold Road**
On the south eastern corner of the property facing Addison Avenue. Noise environment dominated by traffic noise from Addison Avenue, distant traffic noise from Archbold Road, children noise from the school and natural sounds.
- **Location S2 Front yard of 21 Archbold Road**
On the western side of the property facing Archbold Road. Noise environment dominated by traffic noise from Archbold Road and Addison Avenue and natural sounds.

The measurement locations are shown in Figure 1.

3.2 EXISTING BACKGROUND & AMBIENT LEVELS

Existing ambient noise levels are presented in Table 3.1 below.

The long term noise monitor was positioned outdoors in the "free field" (ie away from building facades) at Location L1, while at Location S2 the short term noise monitor was at approximately 1m from the western facade of the existing building. Operational noise from industrial noise sources (and, in this case, the childcare centre) should be assessed away from the facade at the potentially most affected residential boundary. For Location S2, the ambient (L_{eq}) noise levels have been corrected for facade reflections [minus 2.5dB(A)]. Therefore the representative noise levels listed in Table 3.1 are directly applicable.

Table 3.1 – Measured Existing Background (L_{90}) & Ambient (L_{eq}) Noise Levels, dB(A)

| Noise Monitoring Location | L_{90} Background Noise Levels | | | L_{eq} Ambient Noise Levels | | |
|---------------------------------|----------------------------------|-----------------------|---------------------|-------------------------------|-----------------------|---------------------|
| | Day 7am - 6pm | Evening 6pm - 10pm | Night 10pm - 7am | Day 7am - 6pm | Evening 6pm - 10pm | Night 10pm - 7am |
| L1 Rear yard of 21 Archbold Rd | 44 | 41 | 36 | 52 | 51 | 47 |
| S2 Front yard of 21 Archbold Rd | 48 | 45 | 40 | 54 ¹ | 53 ¹ | 49 ¹ |

Notes: 1. Corrected for facade reflections – minus 2.5dB(A)

4. CHILDCARE CENTRE OPERATIONAL NOISE ASSESSMENT

4.1 OPERATIONAL NOISE CRITERIA

As mentioned in Section 2.1, Ku-ring-gai Council stipulates noise criteria specifically for childcare centres in its DCP No. 57. Section 5.8 of the DCP states the following for noise emissions from the operation of the childcare centre.

"Where a child care centre is to be located on a site adjoining a residential property, noise generated by the centre must not be more than 5dB(A) above the ambient (L90) background noise level, as measured at any point on the adjoining residential boundary"

This is also in accordance with the NSW INP's intrusiveness criteria.

Since the childcare centre will only operate during the day, only the day time period will be assessed. Based on the background and ambient noise levels for the day time period at the nearest affected residential locations, the applicable noise criteria are:

Table 4.1 – INP Industrial Noise Criteria, dB(A)

| Location | Applicable Criteria |
|--------------------------------------------------------|---------------------|
| Residential receivers affected by eastern side of site | 44 + 5 = 49 |
| Residential receivers affected by western side of site | 48 + 5 = 53 |

4.2 OPERATIONAL NOISE SOURCES

4.2.1 Outdoor Play Areas

Renzo Tonin and Associates have conducted previous childcare centre assessments in which measurements of noise associated with indoor and outdoor childcare centre activities were taken. At the time of the outdoor measurements 9 children were playing in a 0-2 year old play area and 17 children were playing in a 2-5 year old play area. The measured sound pressure levels have been converted into sound power levels, to enable prediction of noise levels to neighbouring residences.

The source noise levels used in this assessment are shown in Table 4.2 below in terms of sound power levels based on the number of children in each outdoor play area.

Table 4.2 – Sound Power Levels of Childcare Centre Noise Sources

| Noise Source | L _{Aeq} , dB(A) |
|----------------------------------------|--------------------------|
| 10 x 0 to 2 year olds playing outdoors | 83 |
| 18 x 2 to 5 year olds playing outdoors | 87 |

The outdoor play area is divided into two separate areas:

- **Area 1** – Outdoor play area on the western side of the site with a maximum of 18 children, aged 2 to 5 years old, at any one time; and

- **Area 2** – Covered outdoor play area on the eastern side of the site with a maximum of 10 children, aged 0 – 2 years old, at any one time.

4.2.2 On Site Vehicle Movement

Noise generated by car park activities which may contribute to the overall L_{Aeq} noise level emission from the site includes vehicle doors closing, vehicle engines starting, vehicles accelerating and vehicles moving. To assess this noise, the L_{Aeq} noise level was determined for the relevant time period based on the number of vehicle activities expected to occur during that period at the nearest affected residential premises. Sound Exposure Level (SEL) measurements from our database and library files were used for the purpose of this assessment.

Table 4.3 – Sound Power Levels – Car Park Activities, dB(A) re 1pW

| Activity | Sound Power Level, dB(A) re 1pW | |
|----------------------------|---------------------------------|-------|
| | SEL | L_1 |
| Vehicle door closing | 84 | 100 |
| Vehicle engine starting | 90 | 100 |
| Vehicle accelerating | 93 | 95 |
| Vehicle moving (10-30km/h) | 84 | 85 |

Based on the traffic report by Traffic Solutions Pty Ltd (ref. 05.05.170 dated 25th May 2006) car park activity associated with the childcare centre will generally occur between 7:30am and 9:00am and between 4:00pm and 6:00pm. In the worst case scenario up to 22 vehicles may use the car park at once.

4.2.3 Mechanical Plant

Locations of mechanical plant and equipment have not been finalised and detailed data of the proposed mechanical equipment is also currently unavailable at this stage of the project and in any case, based on its daytime operation, noise impacts are unlikely. Even if noise mitigation is found to be required later, the task of reducing noise emission levels to achieve the set criteria is uncomplicated and can readily be achieved using standard noise control treatments and commonly available building materials. As this is a relatively minor item which will be addressed at the detailed design and commissioning stages of the project, noise from mechanical equipment does not warrant further consideration in this noise impact assessment report.

4.3 PREDICTED CHILDCARE CENTRE OPERATIONAL NOISE LEVELS

4.3.1 Outdoor Activities

Table 4.4 below presents predicted noise levels from outdoor activities with potential to cause a noise impact to neighbouring residences. Noise predictions include losses due to distance and intervening structures. The site is bound by a 1.8m high timber boundary fence on the northern and eastern boundaries, while a 1.8m high brick wall is located on the southern and western boundaries of the site. The timber fence was not considered to provide any noise attenuation due to the poor condition of the fence structure.

The following scenario has been considered:

- 18 children playing in outdoor play area 1 and 10 children in outdoor play area 2. It is assumed that this would be the maximum number of children playing outside at any one time and therefore, in terms of noise generated, represents the worst case scenario.

Table 4.4 – Predicted Noise Levels from Outdoor Play Area, dB(A)

| Source | Predicted $L_{Aeq(15min)}$ Levels at Assessment Locations | | | |
|---------------------------|-----------------------------------------------------------|-------------|-------------|-------------|
| | Receiver R1 | Receiver R2 | Receiver R3 | Receiver R4 |
| <i>Strictest Criteria</i> | 53 | 49 | 49 | 53 |
| 10 x 0-2 years old | 38 | 66 | 51 | 31 |
| 18 x 2-5 years old | 63 | 40 | 36 | 37 |
| Total Noise | 63 | 66 | 52 | 38 |

Note: 1. **Bold** font represents exceedance of the criteria

Based on the predicted noise levels presented in Table 4.4 above, it is expected that noise from outdoor play activities will exceed the relevant noise criteria at Receivers R1, R2 and R3 and comply at Receiver R4.

Recommendations are presented in Section 4.4 to aid in reducing noise from the childcare centre to compliant levels at the residential receivers.

4.3.2 On Site Vehicle Movement

Noise generated by on site vehicle movement and car park activities has been predicted based on the data provided by Traffic Solutions Pty Ltd (ref. 05.06.170) and presented in Table 4.3. Predicted noise levels are presented in Table 4.5 below.

Table 4.5 – Predicted Noise Levels from On Site Vehicle Movement, dB(A)

| Source | Predicted Levels at Assessment Location, $L_{Aeq(15min)}$ | | | |
|---------------------------|-----------------------------------------------------------|-------------|-------------|-------------|
| | Receiver R1 | Receiver R2 | Receiver R3 | Receiver R4 |
| <i>Strictest Criteria</i> | 53 | 49 | 49 | 53 |
| Car Park Activity | 23 | 49 | 46 | 17 |

Based on the predicted noise levels presented in Table 4.5 above, it is expected that noise from car park activity will comply with the criteria at all assessment locations.

4.4 RECOMMENDATIONS

The following recommendations provide in-principle noise control solutions to reduce noise impacts to residential receivers. This information is presented for the purpose of Council approvals process and cost planning and shall not be used for construction unless otherwise approved in writing by the acoustic consultant. Assistance of an acoustic consultant should be sought at the detailed design phase of these works to provide the necessary design details and specifications.

Before committing to any form of construction or committing to any contractor, advice should be sought from an acoustic consultant to ensure that adequate provisions are made for any variations which may occur as a result of changes to the form of construction.

The advice provided here is in respect of acoustics only. Supplementary professional advice may need to be sought in respect of fire ratings, structural design, buildability, fitness for purpose and the like.

4.4.1 Outdoor Play Areas

Since no noise exceedances are predicted at the residential receivers west of the site across Archbold Road (Receiver R4), no noise control measures are warranted for reducing noise levels at these residences.

However, noise control measures are required to reduce noise impacts at 23 Archbold Road and 2 Addison Avenue, and these measures are outlined below.

Play Area Management

In order to manage noise impacts from the outdoor play areas on surrounding residences, such that acceptable noise levels are achieved, the following management methods are recommended:

- Noise management techniques should be employed during operation of the centre. These techniques could include limits on the number of children at play at any one time, particularly in areas with a direct line of sight to adjacent residences, or limits on the total time of play.
- Elevated children's climbing equipment should be restricted to a maximum height of 1.7m above ground level.
- Hard-paved areas and pathways within the children's play area should be covered with a rubberised-backed material.
- External pedestrian gates should be fitted with appropriate door closers to provide a slow and regulated closing of the gate to prevent the generation of impact sound.

Noise Screens

In addition to the above, it is recommended that solid fences be built along the northern and eastern property boundaries of the site in order to screen the nearest affected neighbours from outdoor play area noise.

The construction of these noise screens can be from any durable material with sufficient mass to prevent direct noise transmission eg. earth mound, masonry, steel, aluminium, fibrous cement, timber, polycarbonate or any combination of such materials, provided they withstand the weather elements. A natural barrier of trees or shrubs is not an effective noise screen.

A treated timber paling fence could be used, provided it is of lapped construction (minimum 35mm overlap or planks), has three horizontal support rails and has no gaps so that it can perform as an effective noise screen. Noise screens must also have no clearance gaps underneath them.

By assuming all the children from the childcare centre playing outside, the following boundary fence minimum heights will be required to achieve compliance with the noise criteria:

- Along the northern boundary of the childcare centre site and forming a common boundary with 23 Archbold Road – **2.4m**
- Along the eastern boundary of the childcare centre site and forming a common boundary with 2 Addison Avenue – **1.8m**
- Any grills and openings in the existing masonry boundary fence along the southern and western boundaries should be closed up in order for effective use of the fence as a noise screen.

The total noise reduction required for compliance would only be achieved by also implementing the play area management measures as described above.

4.4.2 On Site Vehicle Movement

None required.

4.4.3 Mechanical Plant

In the instance that air conditioning is required at the childcare centre, and if the calculated noise emissions from mechanical plant items are in excess of the set limits, then appropriate acoustic treatment shall be implemented to ensure compliance with noise limits. In general, noise controls for mechanical plant are standard and commercially available, and can be readily added to silence any potentially noisy plant. Such noise control treatment may include any of the following:

- strategic positioning of plant away from residences, maximising the intervening shielding between the plant and sensitive neighbouring premises;
- procurement of 'quiet' plant;
- installation of commercially available silencers over noisy fans;
- installation of acoustic screens and barriers between plant and sensitive neighbouring premises; and
- installation of partially-enclosed or fully-enclosed acoustic enclosures over plant.

Specific acoustic details and noise control measures should be determined later during the detailed design stage of the project.

5. ROAD TRAFFIC NOISE ASSESSMENT

5.1 ROAD TRAFFIC NOISE CRITERIA

Noise impact from the potential increase in traffic due to the childcare centre on Addison Avenue and noise impact from Archbold Road and Addison Avenue onto the childcare centre are assessed against Ku-ring-gai Council's DCP No. 57 and the NSW Environmental Criteria for Road Traffic Noise (ECRTN).

5.1.1 Traffic Noise on Public Roads due to Childcare Centre

As mentioned in Section 2.4, noise from vehicles accessing and leaving the site via Archbold Road would be indistinguishable from other general traffic on Archbold Road due to the existing high traffic volumes and is therefore negligible.

However, Addison Avenue is classed as a 'local' road as it handles local traffic and characteristically has intermittent traffic flows. Additional traffic noise on Addison Avenue due to the childcare centre may contribute to noise impacts.

Noise due to additional traffic on Addison Avenue from the childcare centre impacting on nearby residences is not considered in the Ku-ring-gai Council DCP. Therefore, it will be assessed against the NSW ECRTN. The relevant criterion as stipulated in Table 2 of the ECRTN is as follows:

Developments creating additional traffic on local roads (Addison Avenue) $L_{Aeq, 1hr}$ **55dB(A)**

5.1.2 Traffic Noise Affecting Childcare Centre

Noise impact from Archbold Road and Addison Avenue onto the proposed childcare centre is assessed against Ku-ring-gai Council's DCP. Section 9.7 of the DCP states the following:

"The outdoor play space of the child care centre must not be exposed to an average noise level in excess of 55dB(A) originating from external sources, during the centre's operating hours"

Further to the above criterion, noise impacting on internal areas is assessed in accordance to the NSW ECRTN.

Therefore, the relevant criteria used for traffic noise assessment are:

- Proposed school classrooms (internal) $L_{Aeq, 1hour}$ **40dB(A)**
- Outdoor play areas $L_{Aeq, 15hour}$ **55dB(A)**

The $L_{eq(1hr)}$ guidelines for school classrooms are applicable to the childcare centre rooms with the assessment point being inside the childcare centre room with the windows open. To meet a level of 40dB(A) internally, the external noise level should not exceed 50dB(A).

5.2 ROAD TRAFFIC NOISE ON PUBLIC ROADS

Existing traffic volumes along Addison Avenue is unknown. However, a traffic report by Traffic Solutions Pty Ltd (Ref. 05.06.170 dated 25th May 2006) predicts additional traffic due to the childcare centre to be 22 vehicle trips in the AM peak hour period and 20 during the PM peak hour period.

Based on the traffic report and assuming all the childcare centre traffic will travel along Addison Avenue, the predicted noise level due to the childcare centre traffic is **48dB(A)** on Addison Avenue.

The predicted traffic noise from the childcare centre traffic is well below the noise criteria for Addison Avenue. Therefore, traffic noise from the childcare centre traffic is considered insignificant and is expected to comply with the noise limits of the ECRTN.

5.3 ROAD TRAFFIC NOISE AFFECTING CHILDCARE

5.3.1 Measured Noise Levels

Long term unattended monitoring and short term attended measurements were carried out to quantify the existing traffic noise environment at 21 Archbold Avenue, Roseville.

Table 5.1 presents the measured noise levels at Locations L1 and S2. The noise levels represent free field situations. Measurements at Location L1 were taken in the free field, while measurements at Location S2 were taken 1m from the western façade of the existing building. Therefore, measured noise levels at Location S2 have been corrected for reflections [minus 2.5dB(A)] to represent a free field situation.

Table 5.1 – Measured Existing Daytime Road Traffic (L_{eq}) Noise Levels, dB(A)

| Noise Monitoring Location | Road Traffic Noise Source | L_{eq} Traffic Noise Levels |
|-------------------------------|---------------------------|-------------------------------|
| L1 South eastern side of site | Addison Avenue | $L_{Aeq,15hr} = 55$ |
| S1 Western side of site | Archbold Road | $L_{Aeq,15min} = 59$ |

Note: 1. Noise levels are representative of free field conditions. Location S1 has been corrected for façade reflections

The above measured noise levels at Locations L1 and S2 are representative of the noise levels in the eastern and western outdoor play areas (respectively) of the proposed childcare centre. Furthermore, these levels are conservative estimates of noise levels incident on the facades of the eastern (L1), western and southern (S2) sides of the childcare centre.

5.3.2 Assessment of Impact

A measured traffic noise level of L_{Aeq} 55 dB(A) in the eastern outdoor play area complies with Council's noise criterion for outdoor play areas

Traffic noise levels in the western outdoor play area are shielded by the existing 1.8m masonry boundary fence. A traffic noise level of L_{Aeq} 59 dB(A) in the western outdoor play area exceeds Council's noise criterion for outdoor play areas by 4dB(A). However, the masonry fence has grills and openings through its surfaces and allows noise to leak through to the western outdoor play area. Therefore, the exceedance of the noise criterion may be due to the grills and openings in the fence. Nevertheless, noise mitigation measures will be provided to reduce traffic noise impacts onto the western outdoor play area.

An external traffic noise level of 55 dB(A) on the eastern side of the site equates to a noise level of approximately 45dB(A) inside, with windows open normally. Therefore, traffic noise levels inside the eastern side of the childcare centre will exceed the internal noise criterion by approximately 5 dB(A) if windows on the eastern facade of the building remain open.

An external traffic noise level of 59 dB(A) equates to a noise level of approximately 49dB(A) inside, with windows open normally. Therefore, traffic noise levels inside the western and

southern side of the childcare centre will exceed the internal noise criterion by approximately 9 dB(A) if windows on the eastern and southern facades of the building remain open.

5.4 TRAFFIC RECOMMENDATIONS

5.4.1 External Areas

To protect the outdoor play areas, a fence of **2.4m** high set back at a distance of 1.5m from the existing masonry boundary fence on the western and south western side of the site should be installed.

Construction of the fence should be identical to that of the boundary fences recommended in Section 4.4.1 above.

Furthermore, any grills and openings along the existing masonry fence should be closed up in order for effective use of the fence as a noise screen.

5.4.2 Internal Areas

All classroom windows on the eastern, southern and western facades of the childcare centre should be fixed or should remain closed during indoor activities to reduce traffic noise intrusion into the classrooms.

Windows with standard 4mm glazing would be adequate. Ventilation to the classrooms can be provided via opened windows in non-classroom areas and on the northern facade, which would be more shielded from traffic noise than the other facades. Alternatively, mechanical ventilation could be installed, but a mechanical consultant should be sought to determine ventilation requirements.

6. CONCLUSION

Renzo Tonin & Associates have completed an assessment of environmental noise impact from the proposed childcare centre to be located at 21 Archbold Road, Roseville. Noise impact from the proposed development upon potentially affected residential receivers, has been quantified and compared to the noise guidelines set by the NSW DEC and Ku-ring-gai Council for operation of the site and road traffic noise.

Operational noise from the site was assessed against the NSW INP and Council's DCP No. 57 and was predicted to exceed the noise criteria at the nearest receivers.

Future road traffic noise levels on public roads due to additional traffic from the childcare centre were predicted to comply with the NSW ECRTN for residences along Archbold Road and Addison Avenue.

Traffic impact on the childcare centre was assessed against the NSW ECRTN and Council's DCP. Exceedance of the internal and external criteria was found.

Noise mitigation measures have been recommended to minimise adverse noise impacts where they may occur for operational noise from the site and for traffic noise intrusion onto the site and to aid in reducing noise to compliant levels.

APPENDIX A – GLOSSARY OF ACOUSTIC TERMS

The following is a brief description of the technical terms used to describe noise to assist in understanding the technical issues presented.

| | | | | | | | | | | | | | | | | | | | | | |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------------|------|-------------------------------------------------------|------|-----------------------------------------------------|------|----------------------------|------|------------------------------------------|------|---------------------------|------|--------------------------------------------|-------|--------------------------|-------|--------------------------------------|-------|-----------|
| <i>Adverse Weather</i> | Weather effects that enhance noise (that is, wind and temperature inversions) that occur at a site for a significant period of time (that is, wind occurring more than 30% of the time in any assessment period in any season and/or temperature inversions occurring more than 30% of the nights in winter). | | | | | | | | | | | | | | | | | | | | |
| <i>Ambient Noise</i> | The all-encompassing noise associated within a given environment at a given time, usually composed of sound from all sources near and far. | | | | | | | | | | | | | | | | | | | | |
| <i>Assessment Period</i> | The period in a day over which assessments are made. | | | | | | | | | | | | | | | | | | | | |
| <i>Assessment Point</i> | A point at which noise measurements are taken or estimated. A point at which noise measurements are taken or estimated. | | | | | | | | | | | | | | | | | | | | |
| <i>Background Noise</i> | Background noise is the term used to describe the underlying level of noise present in the ambient noise, measured in the absence of the noise under investigation, when extraneous noise is removed. It is described as the average of the minimum noise levels measured on a sound level meter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a sample period. This is represented as the L_{90} noise level (see below). | | | | | | | | | | | | | | | | | | | | |
| <i>Decibel [dB]</i> | <p>The units that sound is measured in. The following are examples of the decibel readings of every day sounds:</p> <table><tr><td>0dB</td><td>The faintest sound we can hear</td></tr><tr><td>30dB</td><td>A quiet library or in a quiet location in the country</td></tr><tr><td>45dB</td><td>Typical office space. Ambience in the city at night</td></tr><tr><td>60dB</td><td>Martin Place at lunch time</td></tr><tr><td>70dB</td><td>The sound of a car passing on the street</td></tr><tr><td>80dB</td><td>Loud music played at home</td></tr><tr><td>90dB</td><td>The sound of a truck passing on the street</td></tr><tr><td>100dB</td><td>The sound of a rock band</td></tr><tr><td>115dB</td><td>Limit of sound permitted in industry</td></tr><tr><td>120dB</td><td>Deafening</td></tr></table> | 0dB | The faintest sound we can hear | 30dB | A quiet library or in a quiet location in the country | 45dB | Typical office space. Ambience in the city at night | 60dB | Martin Place at lunch time | 70dB | The sound of a car passing on the street | 80dB | Loud music played at home | 90dB | The sound of a truck passing on the street | 100dB | The sound of a rock band | 115dB | Limit of sound permitted in industry | 120dB | Deafening |
| 0dB | The faintest sound we can hear | | | | | | | | | | | | | | | | | | | | |
| 30dB | A quiet library or in a quiet location in the country | | | | | | | | | | | | | | | | | | | | |
| 45dB | Typical office space. Ambience in the city at night | | | | | | | | | | | | | | | | | | | | |
| 60dB | Martin Place at lunch time | | | | | | | | | | | | | | | | | | | | |
| 70dB | The sound of a car passing on the street | | | | | | | | | | | | | | | | | | | | |
| 80dB | Loud music played at home | | | | | | | | | | | | | | | | | | | | |
| 90dB | The sound of a truck passing on the street | | | | | | | | | | | | | | | | | | | | |
| 100dB | The sound of a rock band | | | | | | | | | | | | | | | | | | | | |
| 115dB | Limit of sound permitted in industry | | | | | | | | | | | | | | | | | | | | |
| 120dB | Deafening | | | | | | | | | | | | | | | | | | | | |
| <i>dB(A):</i> | A-weighted decibels The ear is not as effective in hearing low frequency sounds as it is hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter. | | | | | | | | | | | | | | | | | | | | |
| <i>Frequency</i> | Frequency is synonymous to pitch. Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz. | | | | | | | | | | | | | | | | | | | | |

| | |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Impulsive noise | Having a high peak of short duration or a sequence of such peaks. A sequence of impulses in rapid succession is termed repetitive impulsive noise. |
| <i>Intermittent noise</i> | The level suddenly drops to that of the background noise several times during the period of observation. The time during which the noise remains at levels different from that of the ambient is one second or more. |
| L_{max} | The maximum sound pressure level measured over a given period. |
| L_{min} | The minimum sound pressure level measured over a given period. |
| L_1 | The sound pressure level that is exceeded for 1% of the time for which the given sound is measured. |
| L_{10} | The sound pressure level that is exceeded for 10% of the time for which the given sound is measured. |
| L_{90} | The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L_{90} noise level expressed in units of dB(A). |
| L_{eq} | The "equivalent noise level" is the summation of noise events and integrated over a selected period of time. |
| <i>Reflection</i> | Sound wave changed in direction of propagation due to a solid object obscuring its path. |
| <i>SEL</i> | Sound Exposure Level (SEL) is the constant sound level which, if maintained for a period of 1 second would have the same acoustic energy as the measured noise event. SEL noise measurements are useful as they can be converted to obtain L_{eq} sound levels over any period of time and can be used for predicting noise at various locations. |
| <i>Sound</i> | A fluctuation of air pressure which is propagated as a wave through air. |
| <i>Sound Absorption</i> | The ability of a material to absorb sound energy through its conversion into thermal energy. |
| <i>Sound Level Meter</i> | An instrument consisting of a microphone, amplifier and indicating device, having a declared performance and designed to measure sound pressure levels. |
| <i>Sound Pressure Level</i> | The level of noise, usually expressed in decibels, as measured by a standard sound level meter with a microphone. |
| <i>Sound Power Level</i> | Ten times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power. |
| <i>Tonal noise</i> | Containing a prominent frequency and characterised by a definite pitch. |

APPENDIX B - NOISE MONITORING METHODOLOGY

Noise Monitoring Equipment

All long term noise monitoring was conducted using RTA Technology noise loggers. The noise monitoring equipment used here complies with Australian Standard 1259.2-1990 "Acoustics - Sound Level Meters" and is designated as a Type 2 instrument suitable for field use.

A noise monitor consists of a sound level meter and a computer housed in a weather resistant enclosure. Ambient noise levels were recorded at a rate of 10 samples per second. Every 15 minutes, the data is processed statistically and stored in memory. The equipment was calibrated prior and subsequent to the measurement period using a Bruel & Kjaer Type 4230 calibrator. No significant drift in calibration was observed.

Meteorology during Monitoring

Measurements affected by extraneous noise, wind (greater than 5m/s) or rain were excluded from the recorded data in accordance with the INP. The Bureau of Meteorology provided meteorological data, which is considered representative of the site, for the duration of the noise monitoring period.

Noise vs Time Graphs

Noise almost always varies with time. Noise environments can be described using various descriptors to show how a noise ranges about a level. In this report, noise values measured or referred to include the L_{10} , L_{90} , and L_{eq} levels. The statistical descriptors L_{10} and L_{90} measure the noise level exceeded for 10% and 90% of the sample measurement time. The L_{eq} level is the equivalent continuous noise level or the level averaged on an equal energy basis. Measurement sample periods are usually ten to fifteen minutes. The Noise -vs- Time graphs representing measured noise levels at the two noise monitoring locations in Appendix C illustrate these concepts.

Noise levels are commonly measured in units of A-weighted decibels or dB(A). The "A-weighting" refers to a standardised amplitude versus frequency curve used to "weight" sound measurements to represent the response of the human ear. The human ear is less sensitive to low pitch sound than it is to high pitch sound. Overall A-weighted measurements quantify sound with a single number to represent how people subjectively hear different frequencies at different levels.

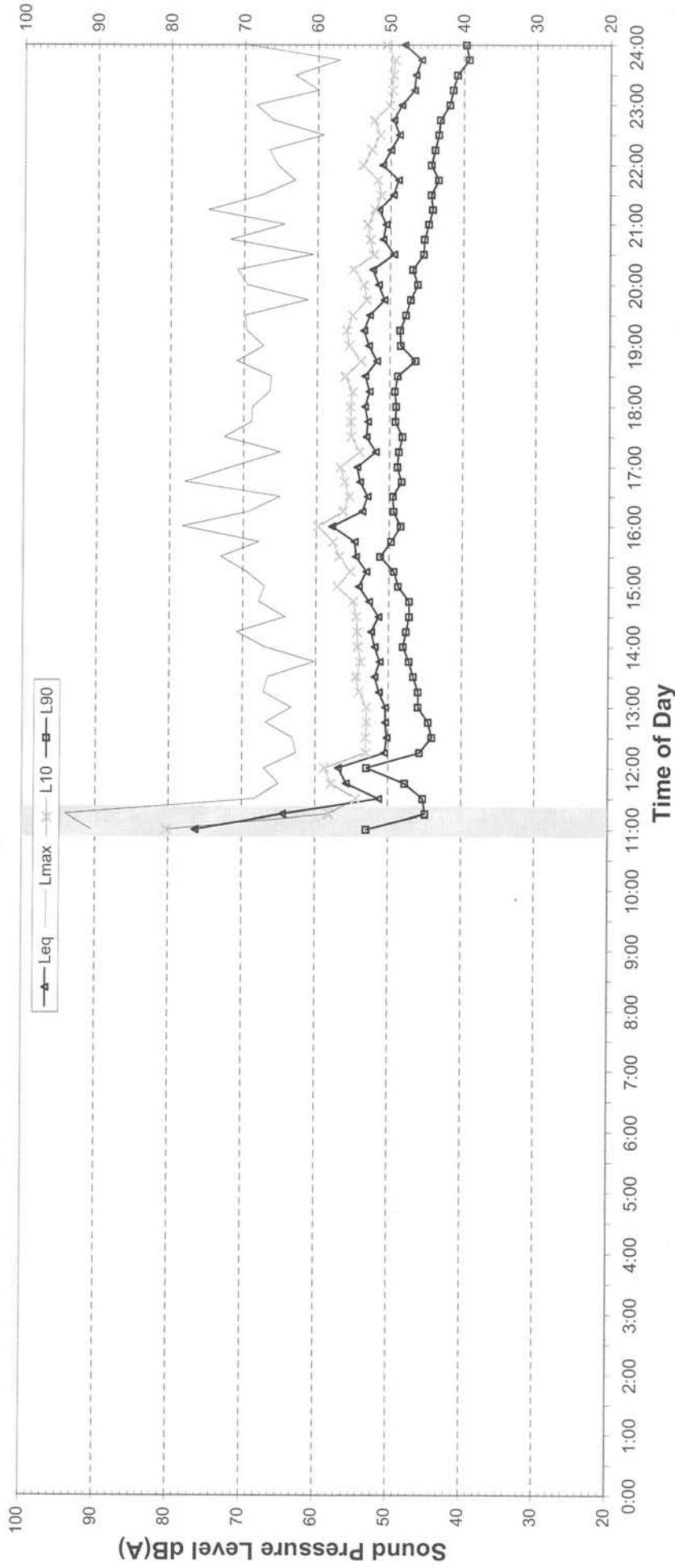
Background noise is the term used to describe the noise measured in the absence of the noise under investigation. It is described as the average of the minimum noise levels measured on a sound level meter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a sample time period. This is represented as the L_{90} noise level.

APPENDIX C – NOISE MONITORING RESULTS

EXISTING AMBIENT NOISE LEVELS

Rear yard of 21 Archbold Road

Thursday, 15 December 2005



| EPA Industrial Noise Policy (Free Field) | | | |
|------------------------------------------|----------------|---------------------|--------------------------------|
| Descriptor | Day 7am-6pm | Evening 6pm-10pm | Night ² 10pm-7am |
| L90 | 45.2 | 44.2 | 35.7 |
| Leq | 53.4 | 51.7 | 46.1 |

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
2. "Night" relates to period from 10pm on this graph to 7am on the following graph.
3. Graphed data measured in free-field; tabulated results facade corrected
4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax - Leq ≥ 15dB(A)

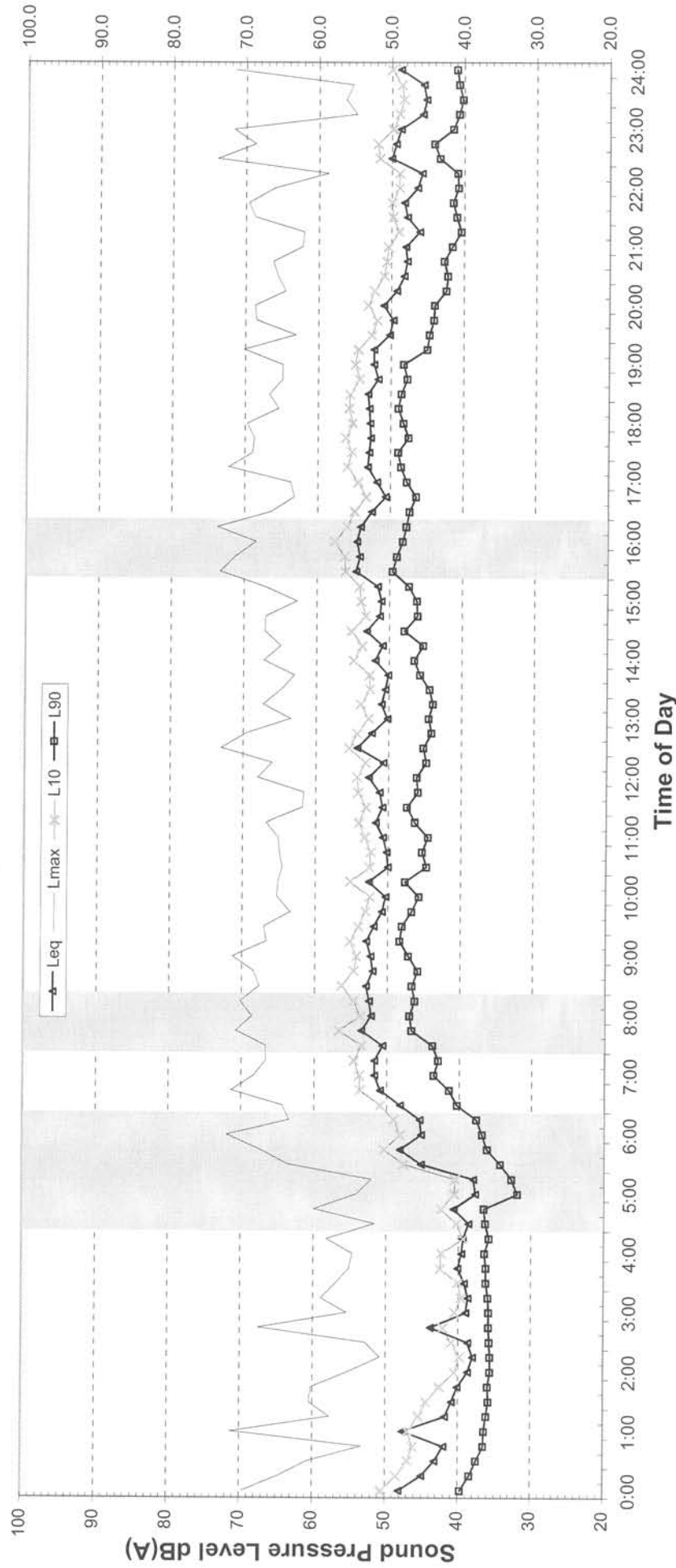
| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | |
|--------------------------------------------------------|-----------------|--|--------------------------------|
| Descriptor | Day 7am-10pm | | Night ² 10pm-7am |
| Leq 15 hr and Leq 9 hr | 55.3 | | 48.6 |
| Leq 1hr upper 10 percentile | 57.9 | | 53.0 |
| Leq 1hr lower 10 percentile | 52.9 | | 41.9 |

| Night Time Maximum Noise Levels (see note 4) | | |
|----------------------------------------------|------|---------|
| Lmax (Range) | 66.1 | to 68.9 |
| Lmax - Leq (Range) | 16.9 | to 21.5 |

EXISTING AMBIENT NOISE LEVELS

Rear yard of 21 Archbold Road

Friday, 16 December 2005



| EPA Industrial Noise Policy (Free Field) | | | |
|------------------------------------------|----------------|---------------------|--------------------------------|
| Descriptor | Day 7am-6pm | Evening 6pm-10pm | Night ² 10pm-7am |
| L90 | 44.4 | 40.8 | 36.6 |
| Leq | 51.8 | 50.2 | 49.6 |

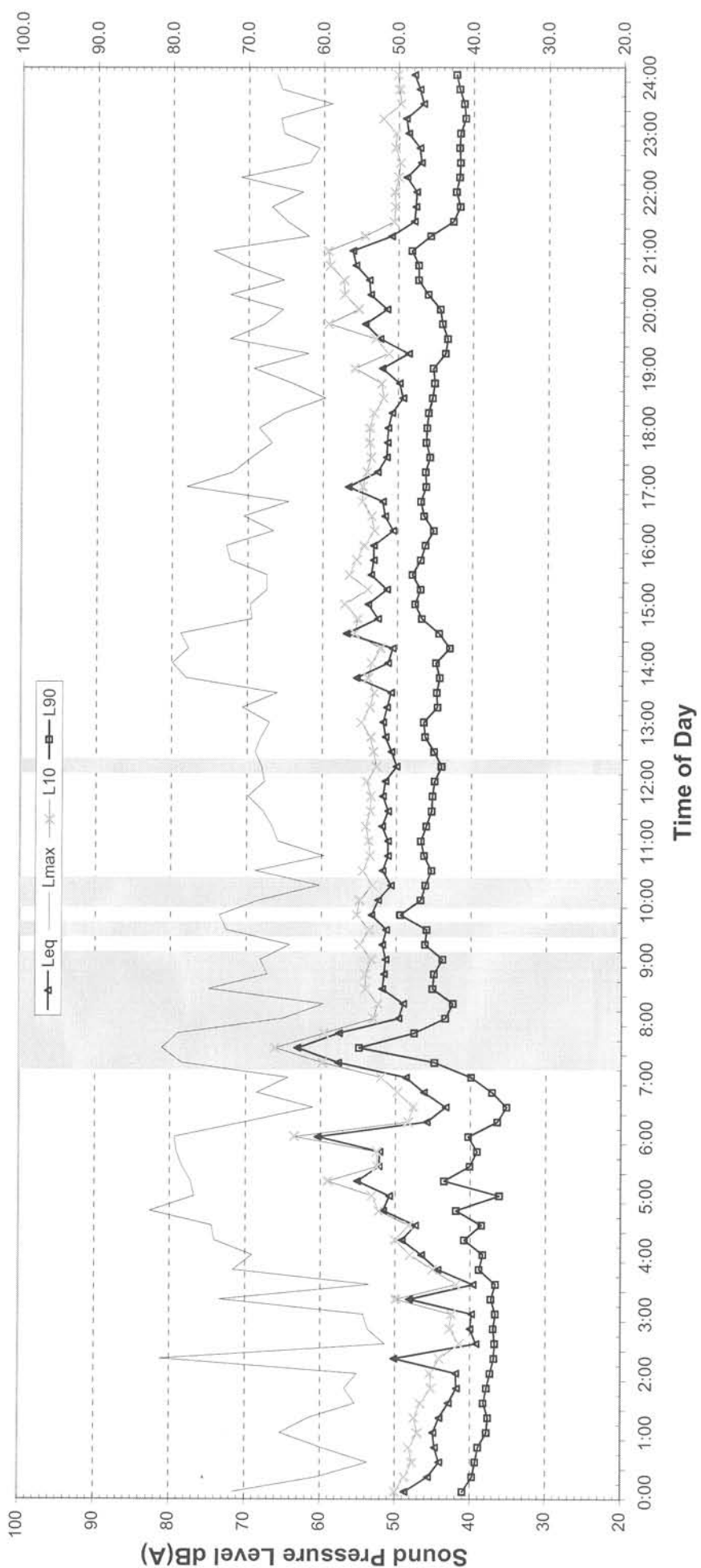
NOTES:

- Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
- "Night" relates to period from 10pm on this graph to 7am on the following graph.
- Graphed data measured in free-field; tabulated results facade corrected
- Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax - Leq ≥ 15dB(A)

| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | |
|--------------------------------------------------------|-----------------|--------------------------------|--|
| Descriptor | Day 7am-10pm | Night ² 10pm-7am | |
| Leq 15 hr and Leq 9 hr | 53.9 | 52.1 | |
| Leq 1hr upper 10 percentile | 55.2 | 58.9 | |
| Leq 1hr lower 10 percentile | 50.3 | 45.3 | |

| Night Time Maximum Noise Levels (see note 4) | | | |
|----------------------------------------------|------|----|------|
| Lmax (Range) | 65.8 | to | 78.6 |
| Lmax - Leq (Range) | 15.3 | to | 30.1 |

EXISTING AMBIENT NOISE LEVELS
Rear yard of 21 Archbold Road
Saturday, 17 December 2005



| EPA Industrial Noise Policy (Free Field) | | | | |
|------------------------------------------|----------------|---------------------|--------------------------------|--|
| Descriptor | Day 7am-6pm | Evening 6pm-10pm | Night ² 10pm-7am | |
| L90 | 44.6 | 42.3 | 36.2 | |
| Leq | 52.6 | 52.2 | 44.8 | |

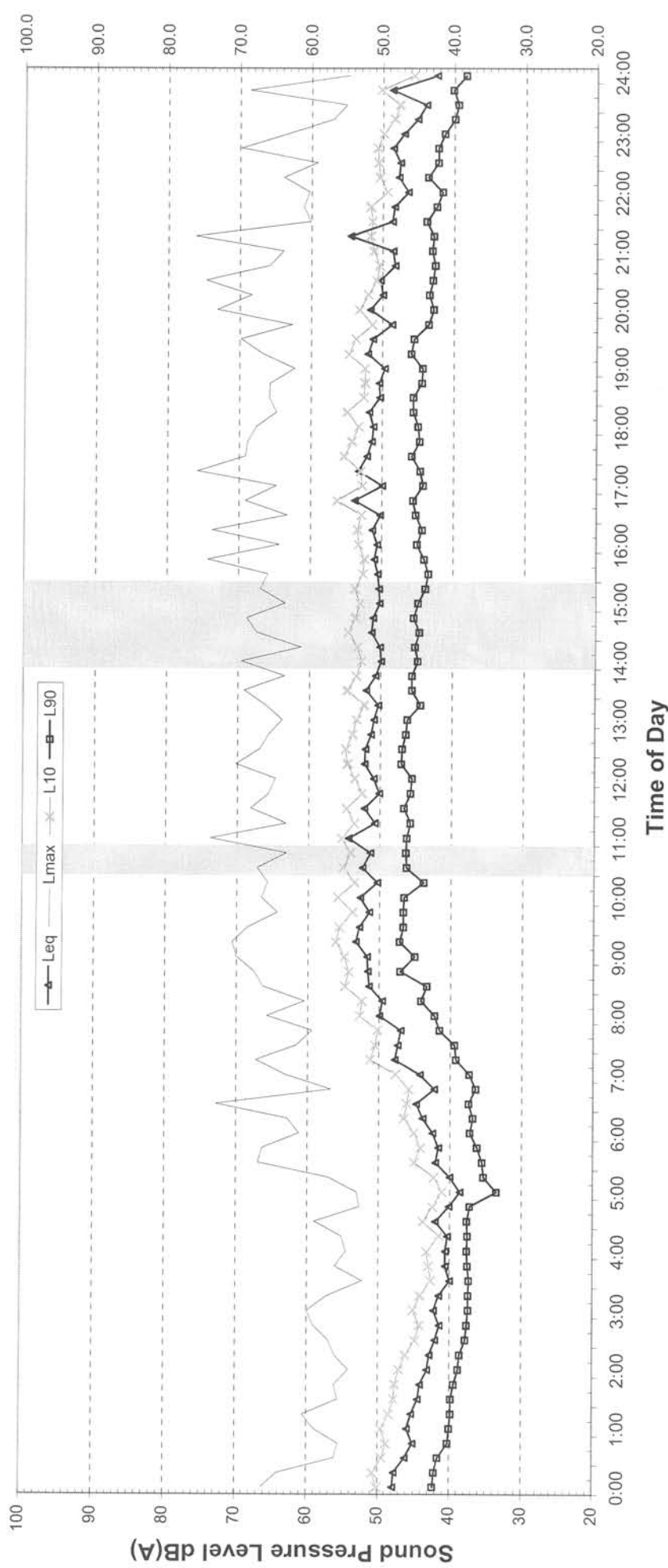
NOTES:

- Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
- "Night" relates to period from 10pm on this graph to 7am on the following graph.
- Graphed data measured in free-field; tabulated results facade corrected
- Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax-Leq ≥ 15dB(A)

| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | | |
|--------------------------------------------------------|-----------------|--|--------------------------------|--|
| Descriptor | Day 7am-10pm | | Night ² 10pm-7am | |
| Leq 15 hr and Leq 9 hr | 55.0 | | 47.3 | |
| Leq 1hr upper 10 percentile | 57.2 | | 50.5 | |
| Leq 1hr lower 10 percentile | 51.9 | | 42.9 | |

| Night Time Maximum Noise Levels (see note 4) | | |
|----------------------------------------------|------|---------|
| Lmax (Range) | 66.7 | to 67.7 |
| Lmax - Leq (Range) | 15.4 | to 23.9 |

EXISTING AMBIENT NOISE LEVELS
Rear yard of 21 Archbold Road
Sunday, 18 December 2005



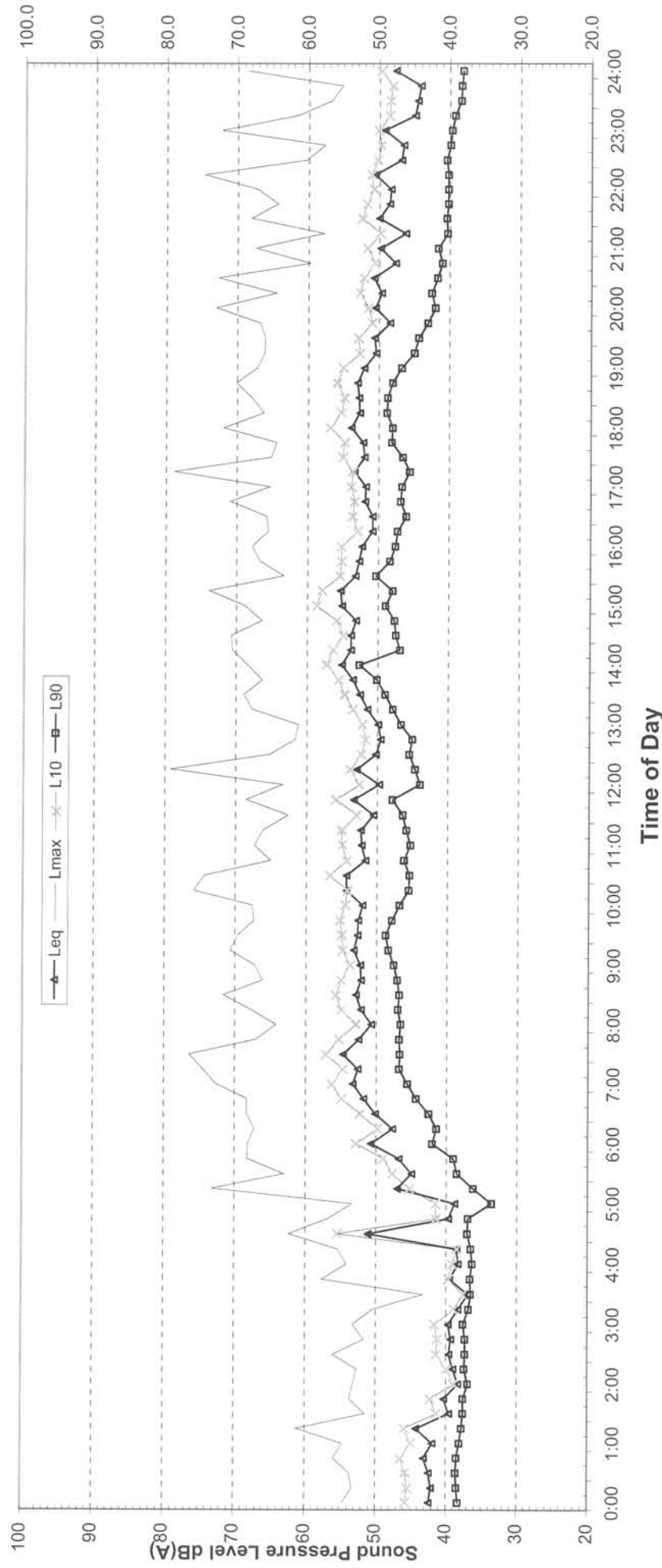
| EPA Industrial Noise Policy (Free Field) | | | | |
|------------------------------------------|----------------|---------------------|--------------------------------|--|
| Descriptor | Day 7am-6pm | Evening 6pm-10pm | Night ² 10pm-7am | |
| L90 | 42.2 | 42.4 | 36.5 | |
| Leq | 51.4 | 50.5 | 46.2 | |

| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | | |
|--------------------------------------------------------|-----------------|--|--------------------------------|--|
| Descriptor | Day 7am-10pm | | Night ² 10pm-7am | |
| Leq 15 hr and Leq 9 hr | 53.6 | | 48.7 | |
| Leq 1hr upper 10 percentile | 55.2 | | 53.7 | |
| Leq 1hr lower 10 percentile | 51.1 | | 40.8 | |

- NOTES:**
- Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
 - "Night" relates to period from 10pm on this graph to 7am on the following graph.
 - Graphed data measured in free-field; tabulated results facade corrected
 - Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax-Leq ≥ 15dB(A)

| Night Time Maximum Noise Levels (see note 4) | | |
|----------------------------------------------|------|---------|
| Lmax (Range) | 65.7 | to 69.7 |
| Lmax - Leq (Range) | 15.5 | to 21.7 |

EXISTING AMBIENT NOISE LEVELS **Rear yard of 21 Archbold Road** **Monday, 19 December 2005**



| EPA Industrial Noise Policy (Free Field) | | | | |
|------------------------------------------|---------|----------|--------------------|--|
| Descriptor | Day | Evening | Night ² | |
| | 7am-6pm | 6pm-10pm | 10pm-7am | |
| L90 | 45.3 | 40.2 | 35.4 | |
| Leq | 52.7 | 50.5 | 45.5 | |

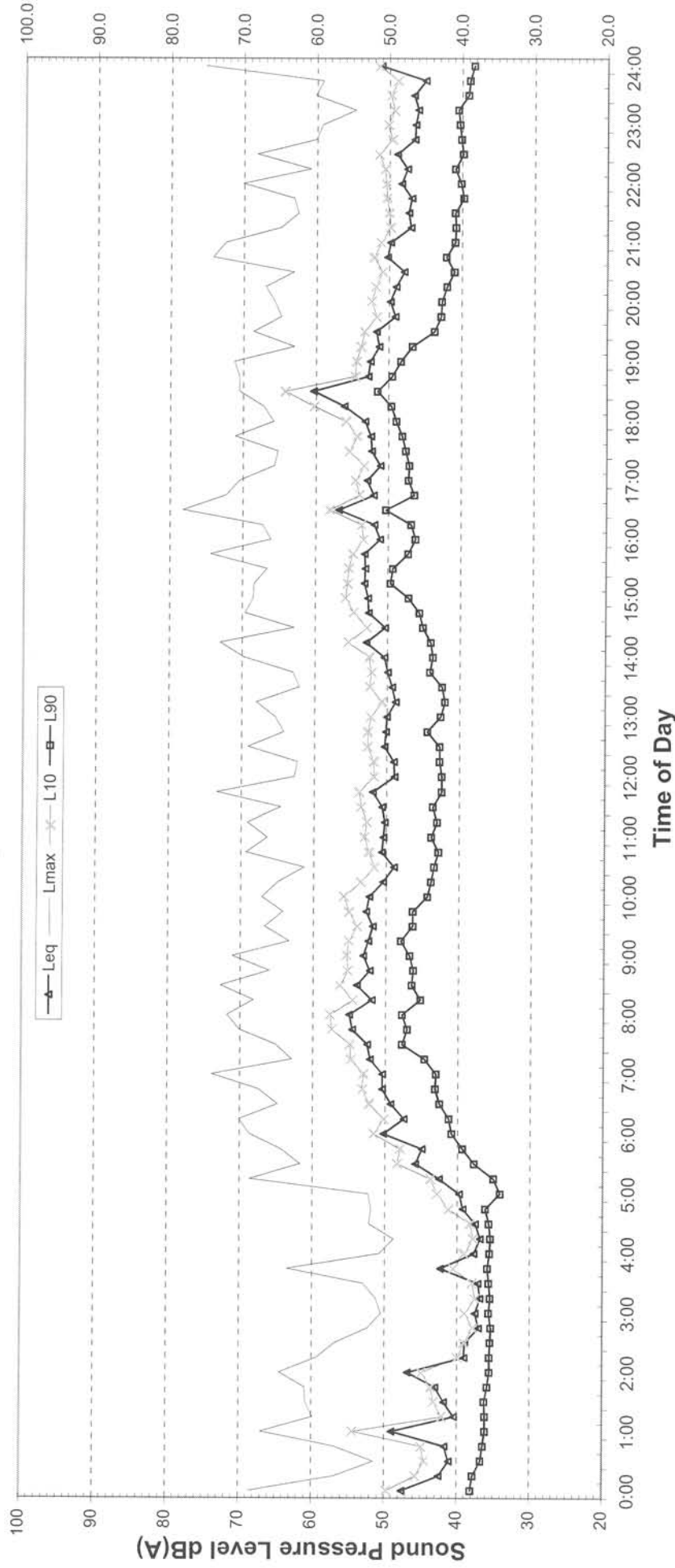
NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
2. "Night" relates to period from 10pm on this graph to 7am on the following graph.
3. Graphed data measured in free-field; tabulated results facade corrected
4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax-Leq ≥ 15dB(A)

| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | | |
|--------------------------------------------------------|----------|----------|--------------------|--|
| Descriptor | Day | | Night ² | |
| | 7am-10pm | 10pm-7am | | |
| Leq 15 hr and Leq 9 hr | 54.7 | 48.0 | | |
| Leq 1hr upper 10 percentile | 56.3 | 52.0 | | |
| Leq 1hr lower 10 percentile | 51.5 | 40.7 | | |

| Night Time Maximum Noise Levels (see note 4) | | |
|----------------------------------------------|------|---------|
| Lmax (Range) | 66.7 | to 70.8 |
| Lmax - Leq (Range) | 16.9 | to 22.2 |

EXISTING AMBIENT NOISE LEVELS **Rear yard of 21 Archbold Road** **Tuesday, 20 December 2005**



| EPA Industrial Noise Policy (Free Field) | | | | |
|------------------------------------------|---------|----------|--------------------|--|
| Descriptor | Day | Evening | Night ² | |
| | 7am-6pm | 6pm-10pm | 10pm-7am | |
| L90 | 42.6 | 40.1 | 36.2 | |
| Leq | 52.1 | 52.5 | 46.2 | |

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
2. "Night" relates to period from 10pm on this graph to 7am on the following graph.
3. Graphed data measured in free-field; tabulated results facade corrected
4. Night time Lmax values are shown only where Lmax > 65dB(A) and where Lmax-Leq ≥ 15dB(A)

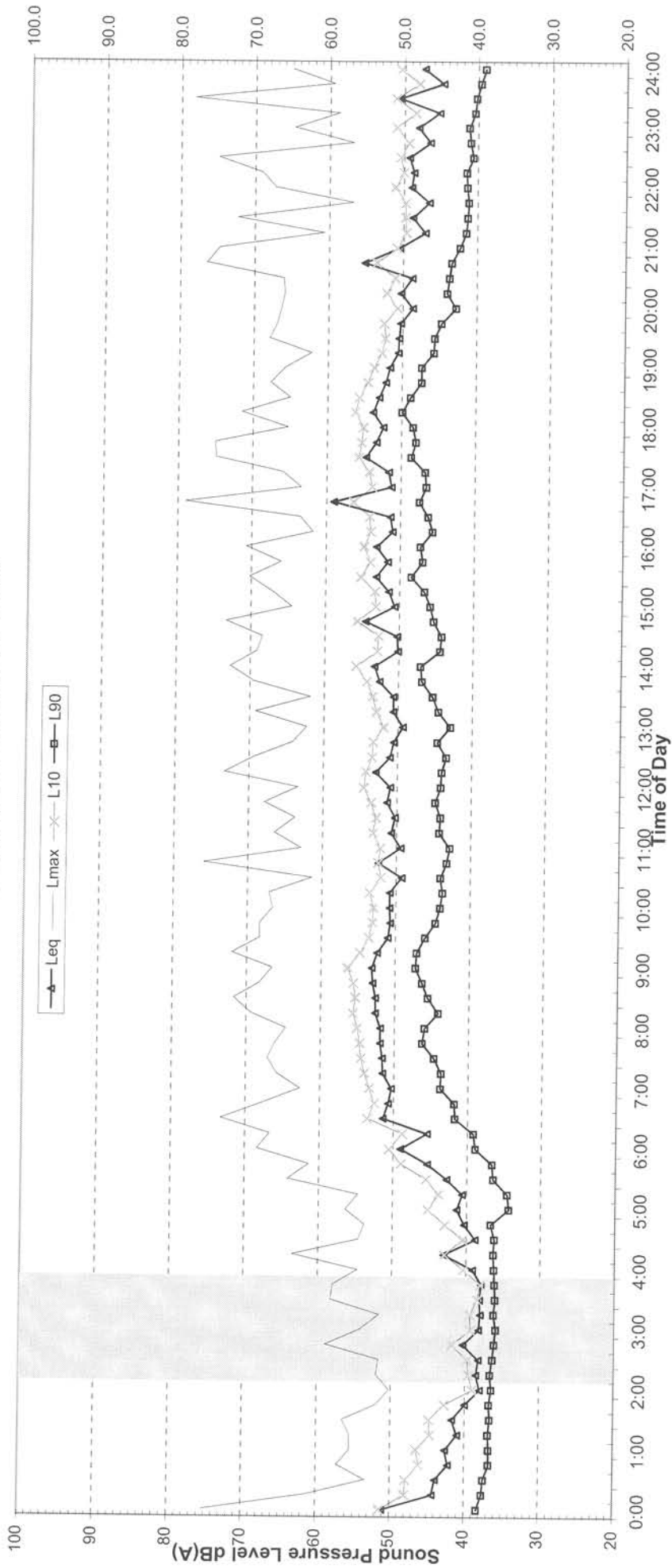
| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | | |
|--------------------------------------------------------|----------|----------|--------------------|--|
| Descriptor | Day | | Night ² | |
| | 7am-10pm | 10pm-7am | | |
| Leq 15 hr and Leq 9 hr | 54.7 | 48.7 | | |
| Leq 1hr upper 10 percentile | 58.0 | 52.5 | | |
| Leq 1hr lower 10 percentile | 51.0 | 41.6 | | |

| Night Time Maximum Noise Levels (see note 4) | | |
|----------------------------------------------|------|---------|
| Lmax (Range) | 69.3 | to 69.5 |
| Lmax - Leq (Range) | 15.6 | to 21.7 |

EXISTING AMBIENT NOISE LEVELS

Rear yard of 21 Archbold Road

Wednesday, 21 December 2005



| EPA Industrial Noise Policy (Free Field) | | | | |
|------------------------------------------|---------|----------|--------------------|--|
| Descriptor | Day | Evening | Night ² | |
| | 7am-6pm | 6pm-10pm | 10pm-7am | |
| L90 | 43.6 | 41.3 | 36.4 | |
| Leq | 52.2 | 51.0 | 45.5 | |

NOTES:

1. Shaded periods denote measurements adversely affected by rain, wind or extraneous noise - data in these periods are excluded from calculations.
2. "Night" relates to period from 10pm on this graph to 7am on the following graph.
3. Graphed data measured in free-field; tabulated results facade corrected
4. Night time Lmax values are shown only where $L_{max} > 65\text{dB(A)}$ and where $L_{max}\text{-Leq} \geq 15\text{dB(A)}$

| EPA Traffic Noise Policy (1m from facade) (see note 3) | | | |
|--------------------------------------------------------|----------|--------------------|--|
| Descriptor | Day | Night ² | |
| | 7am-10pm | 10pm-7am | |
| Leq 15 hr and Leq 9 hr | 54.4 | 48.0 | |
| Leq 1hr upper 10 percentile | 56.5 | 52.3 | |
| Leq 1hr lower 10 percentile | 51.6 | 43.2 | |

| Night Time Maximum Noise Levels (see note 4) | | | |
|----------------------------------------------|------|----|------|
| Lmax (Range) | 70.2 | to | 72.4 |
| Lmax - Leq (Range) | 16.1 | to | 24.8 |



HEGGIES

4 December 2006

8458cnk01a-ltr.doc

This report updates and replaces DRAFT report 8458cnk01-ltr

Crows Nest Kindergarten Pty Ltd
PO Box 154
CHATSWOOD NSW 2067

Attention: Mr Harry Azoulay

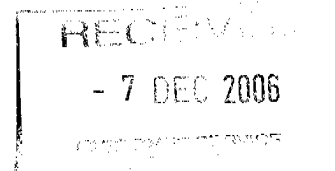
Dear Harry

**Soil and Air Quality Assessment
Proposed Childcare Centre
21 Archbold Road, Roseville, NSW 2069**

1 Introduction

Heggies Pty Ltd was engaged by Crows Nest Kindergarten Pty Ltd (the proponent) to prepare a soil and air quality assessment in support of an application to assess the suitability of 21 Archbold Road, Roseville, NSW 2069 (hereafter referred to as the site), for construction of a proposed child care centre in response to the requirement by Ku-Ring-Gai Council (the council) for Development Control Plan No.57.

The location of the site is presented in **Figure 1**. A site plan is presented in **Figure 2**.



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Telephone 61 2 9427 8100 Facsimile 61 2 9427 8200
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Figure 1 Location of the site on the corner of Archbold Rd and Addison Ave.

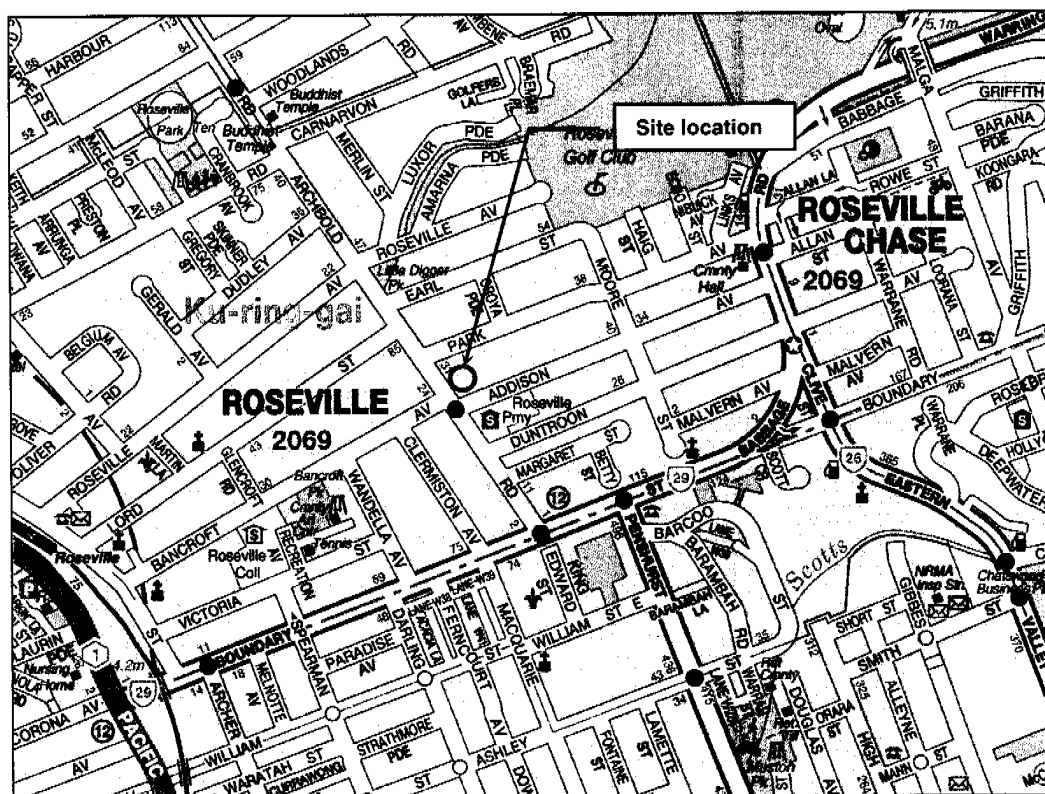
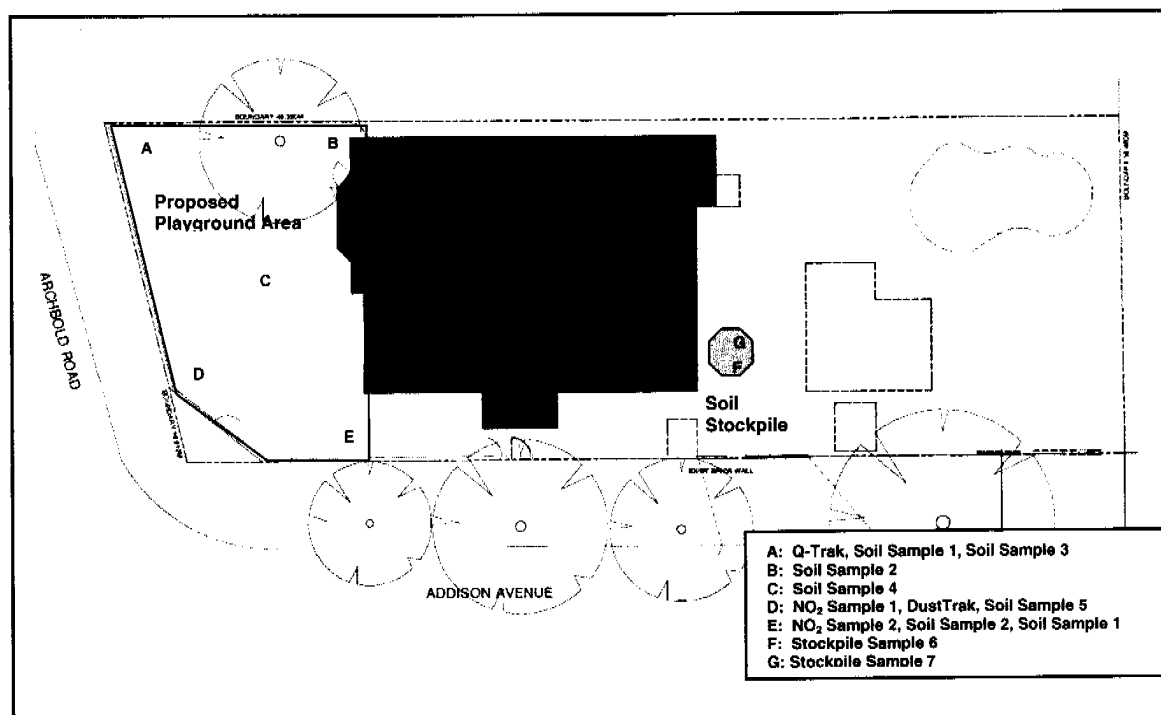


Figure 2 Site Plan showing the location of monitoring equipment deployed.





Air quality monitoring for carbon monoxide (CO) and particulate matter (PM₁₀) was conducted between 9 November 2006 and 15 November 2006. Monitoring for Nitrogen dioxide (NO₂) was conducted between 10 November and 15 November 2006.

A total of nine soil samples were collected on 28 November 2006. Seven samples including a pair of quality assurance and control samples were collected from the proposed playground area (an estimated area of 84 m²) for health investigation purposes and two soil samples from a stockpile (an estimated volume of 23 m³) for waste classification purposes (**Figure 2**). A rinsate sample was collected after soil sampling of the stockpile.

The samples collected from the proposed playground area were analysed for heavy metals (arsenic, copper, chromium, cadmium, mercury, nickel, lead and zinc). Those collected from the stockpile were analysed for the following:

- Heavy metals including;
- Total Petroleum Hydrocarbons (TPHs)/benzene and alkylated benzenes (toluene, ethylbenzene and xylenes) collectively called BTEX;
- Poly aromatic hydrocarbons (PAHs);
- Polychlorinated biphenyls (PCBs); and
- Toxicity Characteristic Leaching Procedure (TCLP) for heavy metals and PAH.

In addition to the above monitoring and sampling, a Section 149 Planning Certificate was obtained from the council for review. The certificate records environmental issues including contaminated site information.

2 Assessment Criteria

2.1 Particulate Matter (PM₁₀)

The term “particulate matter” refers to a category of airborne particles typically less than 50 microns (µm) in aerodynamic diameter and ranging down to 0.1 µm in size. Particles less than 10 µm in aerodynamic diameter are referred to as PM₁₀.

Potential adverse health impacts associated with exposure to PM₁₀ include increased mortality from cardiovascular and respiratory diseases, chronic obstructive pulmonary disease and heart disease, and reduced lung capacity in asthmatic children.

The criterion adopted for this assessment is that prescribed by the NSW Department of Environment and Conservation (DEC). The DEC 24-hour average PM₁₀ impact assessment criterion, as expressed in a DEC document “*Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales*”, is a maximum 24-hour average of 50 micrograms per cubic metre (µg/m³).

2.2 Carbon Monoxide (CO)

Carbon monoxide (CO) is an odourless, colourless gas and a common pollutant at the roadside. Short term effects of acute exposure to CO include headaches, nausea and lethargy. The criterion adopted for this assessment is that prescribed by the NSW Department of Environment and Conservation (DEC). The DEC impact assessment criterion, as expressed in a DEC document “*Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales*”, is a maximum 1-hour average of 25 parts per million (ppm).



2.3 Nitrogen Dioxide (NO₂)

Oxides of nitrogen (NO_x) include nitric oxide (NO) and nitrogen dioxide (NO₂). The major source of NO_x in the atmosphere is motor vehicle emissions. Nitrogen dioxide is a toxic gas and exposure to nitrogen dioxide can result in decreased lung function and increases in respiratory illness. The criterion adopted for this assessment is that prescribed by the NSW Department of Environment and Conservation (DEC). The DEC impact assessment criterion, as expressed in a DEC document "*Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales*" allows a maximum 1-hour concentration of 12 parts per hundred million (pphm) and an annual concentration of 3 pphm.

2.4 Soil Assessment Criteria

2.4.1 Health Investigation Criteria

Based on the proposed land usage, the National Environmental Protection Measure 1999 Health-based Investigation Levels (HIL) Scenario "A" was used to assess soil contamination with TPH/BTEX and heavy metals at the site (NEPC, 1999). The assessment criteria are summarised in **Table 1**. These environmental contaminants have been selected as they are typically elevated in urban environments. The NEPM exposure settings are described as follows:

Exposure setting A Standard Residential with garden/accessible soil (home grown produce contributing less than 10% of vegetable and fruit intake; no poultry); this category includes children's day-care centres, kindergartens, pre-schools and primary schools.

Table 1 Health Investigation Guideline Levels

| Analyte | NEPM A |
|---------------------|--------|
| Arsenic | 500 |
| Cadmium | 20 |
| Chromium | 12% |
| Copper | 1,000 |
| Lead | 300 |
| Mercury (inorganic) | 15 |
| Nickel | 600 |
| Zinc | 7,000 |

2.4.2 Waste Classification Criteria

Waste classification criteria adopted for the present report are based on "Environmental Guidelines: Assessment, Classification & Management of Liquid and Non-liquid Wastes" by DEC (2004). These criteria are summarised in **Table 2**.

Table 2 - Waste Classification Criteria with Toxicity Characteristic Leaching Potential (TCLP)

| Analyte | Inert Waste | | Solid Waste | | Industrial Waste | |
|---------------|--------------|--------------|--------------|--------------|------------------|--------------|
| | Leachable | Total | Leachable | Total | Leachable | Total |
| | TCLP1 (mg/L) | SCC1 (mg/kg) | TCLP2 (mg/L) | SCC2 (mg/kg) | TCLP3 (mg/L) | SCC3 (mg/kg) |
| Arsenic | 0.5 | 500 | 5.0 | 500 | 20 | 2000 |
| Cadmium | 0.1 | 100 | 1.0 | 100 | 4 | 400 |
| Chromium (VI) | 0.5 | 19000 | 5 | 19000 | 20 | 7600 |



| Analyte | Inert Waste | | Solid Waste | | Industrial Waste | |
|---------------------------------------|-----------------|-----------------|-----------------|-----------------|------------------|-----------------|
| | Leachable | Total | Leachable | Total | Leachable | Total |
| | TCLP1 (mg/L) | SCC1 (mg/kg) | TCLP2 (mg/L) | SCC2 (mg/kg) | TCLP3 (mg/L) | SCC3 (mg/kg) |
| Lead | 0.5 | 1500 | 5 | 1500 | 20 | 6000 |
| Mercury | 0.02 | 50 | 0.2 | 50 | 0.8 | 200 |
| Nickel | 0.2 | 1050 | 2 | 1050 | 8 | 4200 |
| Benzo(a)pyrene | 0.004 | 1 | 0.04 | 10 | 0.16 | 23 |
| Total PAH | N/A | 200 | N/A | 200 | N/A | 800 |
| Benzene | 0.05 | 18 | 0.5 | 18 | 2 | 72 |
| Toluene | 1.44 | 518 | 14.4 | 518 | 57.6 | 2073 |
| Ethylbenzene | 3 | 1080 | 30 | 1080 | 120 | 4320 |
| Total xylenes | 5 | 1800 | 50 | 1800 | 200 | 7200 |
| TPH C ₆ - C ₉ | N/A | 650 | N/A | 650 | N/A | 2600 |
| TPH C ₁₀ - C ₃₆ | N/A | 5000 | N/A | 10000 | N/A | 40000 |
| PCB | N/A | 2 | N/A | <50 | N/A | <50 |

3 Methodology

3.1 Air Quality Assessment

Air quality monitoring was undertaken at the site within the proposed playground area as follows:

- Continuous PM₁₀ monitoring using a TSI DustTrak between 9 November and 15 November 2006.
- Continuous CO monitoring using a TSI QTrak between 9 November and 15 November 2006.
- Continuous NO₂ monitoring using passive gas samplers between 10 November and 15 November 2006.

All monitoring was conducted in accordance with AS 2922-1987 "Ambient air - Guide for the siting of sampling units", taking into account the constraints of the site locality. Monitoring locations are presented in **Figure 2**.

3.2 Soil Sampling and Analysis

3.2.1 General

A total of nine soil samples were collected using a stainless steel hand trowel on 28 November 2006.

Seven samples including a pair of quality assurance and control samples were collected from the residual soil surface at depths ranging between 0.0 m and 0.1 m in the proposed playground area for health investigation purposes (**Figure 2**). The number of samples collected is considered to satisfy the Sampling Design Guidelines by NSW EPA (1995). The soil collected appeared to be fill material predominantly comprising brown sand of fine to medium grain size with trace amounts of fine grained gravels. Trace amounts of organic matter including rootlets were also observed. No apparent visual or olfactory indication of soil contamination was observed.

The volume of the stockpile appeared to be less than 25 m³. As such, two soil samples from a stockpile for waste classification purposes (**Figure 2**). The appearance of the stockpile soil was similar to that of the samples collected in the proposed playground area. A rinsate sample was collected after soil sampling at the stockpile.

The samples collected from the proposed playground area were analysed for heavy metals. Those collected from the stockpile were analysed for the following:



- Heavy metals including arsenic, copper, chromium, cadmium, mercury, nickel, lead and zinc;
- Total Petroleum Hydrocarbons (TPHs)/benzene and alkylated benzenes (toluene, ethylbenzene and xylenes) collectively called BTEX;
- Poly aromatic hydrocarbons (PAHs);
- Polychlorinated biphenyls (PCBs); and
- Toxicity Characteristic Leaching Procedure (TCLP) for heavy metals and PAH.

The samples collected were immediately place it into sampling jars and were then sealed with polyethylene screw caps fitted with Teflon lined seals. Disposable powder-free nitrile gloves were used to handle the samples. The samples were labelled and placed in an iced insulated box for transport to the laboratory under chain of custody. They were labelled and placed in an iced insulated box for transport to National Measurement Institute (NMI) Sydney and Advanced Analytical Australia under chain of custody (**Appendix A**). These laboratories are NATA accredited. Sample receipt notifications were later received from the laboratory to confirm that the samples had been received by these laboratories (**Appendix A**). The sample codes were designated by the sample location with the sequence of collection. The implements were cleaned between samples with non-ionic detergent and deionised water.

3.2.2 Field Quality Assurance and Quality Control

The Quality Assurance and Quality Control (QA/QC) protocols used in the fieldwork and results analysis are summarised below:

- Experienced and professionally qualified consultants undertook all fieldwork in general accordance with relevant NSW Department of Environmental Conservation (former NSW EPA) guidelines;
- Field QA procedures were applied to all stages of sample collection, preparation and equipment decontamination. Field methods were conducted in accordance with industry-accepted standards and Heggies' standard operating and quality field procedures;
- Samples were labelled and chain of custody forms were completed (**Appendix A**);
- Samples collected were stored in iced insulated boxes and were transferred to the National Measurement Institute (Sydney) and Advanced Analytical Australia within acceptable holding times (Standards Australia, 1997). Both laboratories engaged are NATA certified; and
- The primary and blind soil samples were analysed by NMI while the split soil samples were analysed by Advanced Analytical Australia (**Appendix A**).

3.2.3 QA/QC Data Evaluation Program

Appropriately completed chain of custody and sample receipt notification forms are included in **Appendix B**. Holding times are within acceptable limits for the analytes tested. The precision of the field QC data for the blind and split replicate samples were assessed by determining the relative percentage difference (RPD) between the original and replicate samples. RPDs are calculated according to the following formula:

$$\%RPD = \left| \frac{A - B}{A + B} \right| \times 200$$

where A is the concentration of the primary laboratory result per analyte; and B is the corresponding replicate results.



Laboratory QA/QC data were also collected and this included those for method blanks and internal duplicate and spike recovery. The results of these laboratory QC procedures are detailed in Quality Assurance Reports supplied by the laboratories. These reports are presented in **Appendix A**.

The QA/QC results that meet the acceptance criteria include all RPDs less than 50%, spike recoveries falling in the range of 75% to 125% and blanks below detection limits. The overall assessment of the program was made in term of completeness. The completeness is equal to the percentage of valid QA/QC results and is considered to be satisfactory if the value is greater than 95%.

The QA/QC results for the primary samples are summarised in **Table 2** below. The overall completeness is **98%**. The laboratory results are slightly lower than the adopted QA/QC threshold value. This result is due to discrepancies between NMI and Advanced Analytical for the heavy metals results. These discrepancies are probably due to the heterogeneity of the fill material and as such the results are considered to be acceptable for the present study.

Table 2 Summary of Laboratory QA/QC Results

| QA/QC Sample Type | No. of Results Not Meeting Data Quality | Total Number of Results (Individual Analytes) | Percentages Meeting Quality Objectives (%) |
|-------------------------|-----------------------------------------|-----------------------------------------------|--------------------------------------------|
| Blind Replicate | 0 | 8 | 100 |
| Split Replicate | 0 | 8 | 100 |
| Internal Duplicates | 0 | 9 | 100 |
| Internal Spike Recovery | 0 | 23 | 100 |
| Method Blanks | 0 | 33 | 100 |
| Rinsate | 2 | 8 | 75 |
| Overall Completeness | 2 | 89 | 98 |



4 Results

4.1 PM₁₀ Monitoring

The 24-hour average PM₁₀ concentrations recorded at the site for the monitoring period 9 November 2006 to 15 November 2006 are presented in **Table 3**.

Table 3 24-hour average PM₁₀ concentrations (µg/m³).

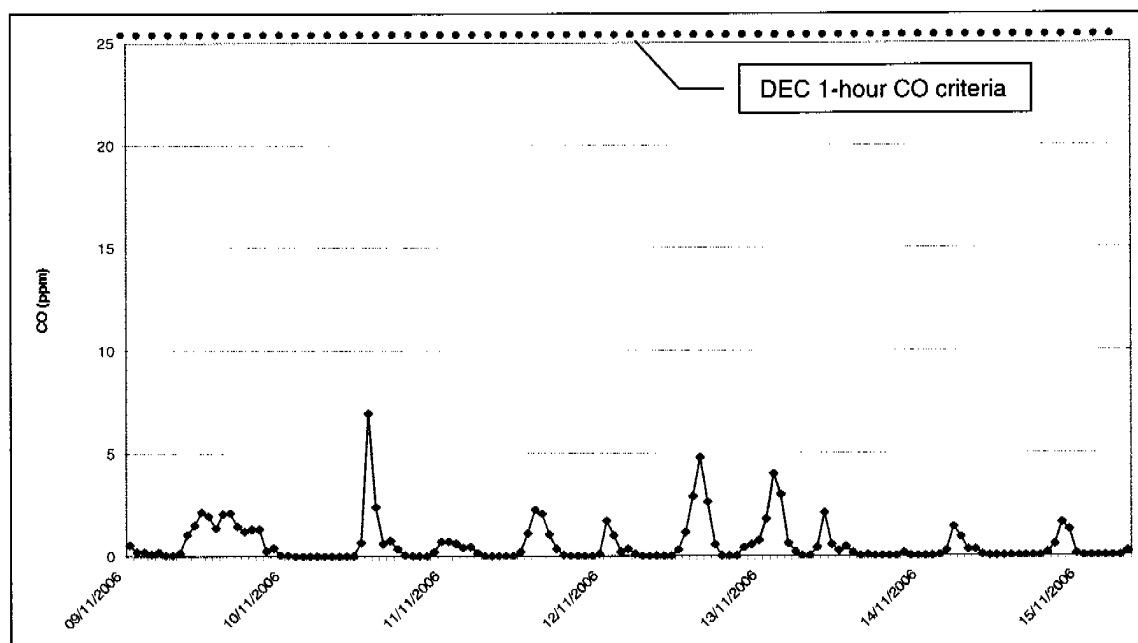
| Monitoring Date | 24-hour Average PM ₁₀ (µg/m ³) | DEC criteria 24-hour Average PM ₁₀ µg/m ³ |
|-----------------|-------------------------------------------------------|-----------------------------------------------------------------|
| 10/11/06 | 12.2 | 50.0 |
| 11/11/06 | 16.5 | 50.0 |
| 12/11/06 | 31.3 | 50.0 |
| 13/11/06 | 20.0 | 50.0 |
| 14/11/06 | 10.0 | 50.0 |

The results of PM₁₀ monitoring undertaken at the site indicate that the DEC's 24-hour average PM₁₀ criteria of 50 µg/m³ was not exceeded during the monitoring period. The highest average PM₁₀ recorded over the monitoring period was 31.3 µg/m³. The average PM₁₀ recorded over the monitoring period was 16.84 µg/m³.

4.2 CO Monitoring

The 1-hour average CO concentrations recorded at the site for the monitoring period 9 November 2006 to 15 November 2006 are presented **Figure 3**.

Figure 3 1- hour CO concentrations (ppm).



The results of CO monitoring undertaken at the site indicate that the DEC's 1-hour maximum CO criterion of 25 ppm was not exceeded during the monitoring period. The average 1-Hour CO recorded at the site for the monitoring period was 0.6 ppm.



4.3 NO₂ Monitoring Results

The results of NO₂ monitoring are presented in **Table 4**.

Table 4 NO₂ concentrations

| Sample | Monitoring Period | Sample Hours | µg/sample | µg/m ³ | pphm |
|--------|-------------------|--------------|-----------|-------------------|------|
| 1 | 10/11/06-15/11/06 | 115.5 | 0.7 | 14.1 | 0.8 |
| 2 | 10/11/06-15/11/06 | 115.5 | 0.7 | 14.1 | 0.8 |
| Blank | n/a | n/a | <0.2 | 0 | 0 |

Sampling was conducted for a period of 5 days (115.5 hours). To allow comparison with appropriate 1-hour and annual average criteria, an appropriate peak to mean ratio has been derived. To determine a peak 1-hour ambient concentration and a mean annual average ambient concentration, the following relationship (derived from Turner, 1970) has been used:

$$C_{\max,T2} = C_{\max,T1} \times (T1/T2)^p$$

where,

$C_{\max,T2}$ = Concentration over averaging time T2

$C_{\max,T1}$ = Concentration over averaging time T1

p is a constant for time $T2 < t < T1$. A value of 0.2 is appropriate for non-point ground level sources (Best et al 2000)

Source: (Best et al., 2000).

Using the equation above an estimated peak 1 Hr concentration of 1.95 pphm and an annual average concentration of 0.3 pphm has been derived. This complies with the NSW DEC 1Hr peak concentration of 12 pphm and an annual average concentration of 3 pphm.

4.4 Soil Contamination

4.4.1 Proposed Playground Area

None of the soil samples collected contained heavy metals above the adopted criteria (**Table 1**).

4.4.2 Stockpile

The stockpile is classified as inert waste.

4.4.3 A Review of Section 149 Certificate

A review of a Section 149 (2 and 5) certificate issued by Ku-ring-gai Council (**Appendix B**) indicates that the zoning of the site is Residential 2(a). There are no matters which apply under the Contaminated Land Management Act 1997. However, the certificate lists a number of environment and non-environment related issues to be addressed. These issues are as follows:

- Development Control Plan No. 8, 28, 31, 38, 40, 43, 46 and 47;
- Dimension control for a new dwelling house; and
- Draft Local Environmental Plan No.175, 191, 192 and 195;
- Non-specific flood control and management;



- Section 94 Development Contribution Plan 2004-2006;
- State Environmental Planning Policy Nos. 1, 4, 6, 9, 10, 11, 19, 32, 33, 34, 38, 44, 48, 53, 55, 56, 63, 64, 65, 70, BASIX 2004, ARTC Rail Infrastructure Amendment 2005, Sydney Metropolitan Water Supply Amendment No.1 2005 and Seniors Living 2004;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Tree preservation order; and
- Various prohibited developments.

5 Concluding Remarks

The following conclusions have been drawn:

- The air quality monitoring undertaken between 9 November and 15 November 2006 indicates that the air quality in the vicinity of proposed Child Care Centre located at 21 Archbold Road, Roseville meets the ambient air quality goals as determined by the NSW Department of Environment and Conservation (DEC);
- A review of the Section 149 Certificate does not indicate any matters which apply under the Contaminated Land Management Act 1997;
- The soil samples collected contained heavy metals below the adopted assessment criteria. As such, the proposed playground area is considered to be suitable for the intended use. However, the certificate lists a number of environment and non-environment related issues to be addressed; and
- The stockpile is classified as inert waste.

Should there be any queries please contact the undersigned on (02) 9424 2232.

Yours sincerely,

Takashi Itakura PhD MIEAust CPEng CPSS
Principal, Land Contamination



References

Best, P.R., Lunney, K.E. and Killip, C. (2000) Averaging Time Corrections for Estimating Extreme Air Quality Statistics. Katestone Scientific.

NEPC (1999) National Environment Protection Measure: Guidelines on the Investigation Levels for Soil and Groundwater Schedule B. National Environment Protection Council.

NSW DEC (2005) Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales.

Standards Australia (1987) Australian Standard, AS 2922 Ambient air - Guide for the siting of sampling units

NSW EPA (1994) Guidelines for assessing Service Station Sites. NSW Environment Protection Authority, Chatswood, NSW.

Standards Australia (1997) Australian Standard, AS4482 Guide to the Sampling and Investigation of Potentially Contaminated soil, Part 1: Non-Volatile and Semi-Volatile Compounds (AS4482.1) and; Part 2 Volatile Substances (AS4482.2). Standards Australia, Homebush, NSW.

Turner D.B. (1970) Workbook of Atmospheric Dispersion Estimates, Office of Air Programs Publications No. Ap-26. USEPA, Research Triangle Park, North Carolina, USA.

LIMITATIONS

The following information will assist in understanding the uncertainties relating to the interpretation of the data obtained during this investigation and the recommendations presented in the report, and help with assessment and interpretation of the report.

Analysis results represent actual conditions only at the site from which the samples were obtained and at the time at which the sampling occurred.

Heggies assumes no responsibility for the quality of data obtained from external sources, or for occurrences outside the scope of works defined in this report.

All work conducted and reports produced by Heggies are prepared for a particular Client's objective and are based on a specific scope, conditions and limitations, as agreed upon between Heggies and the Client. Information and/or report(s) prepared by Heggies may therefore not be suitable for any use other than the intended objective.

It is the responsibility of third parties to investigate fully to their satisfaction if any information and/or report(s) prepared by Heggies is suitable for a specific objective.

Investigations are conducted in a conscientious and professional manner. The nature of the task, however, and the likely disproportion between any damage or loss which might arise from the work and any report prepared as a result and the cost of our services is such that Heggies cannot guarantee that all issues of concern/contamination have been identified.

Thus while we carry out the work to the best of our ability, we totally exclude any loss or damages which may arise from services provided to Crows Nest Kindergarten Pty Ltd and/or any other parties.

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Appendix A

Laboratory Analysis Reports, Chain of Custody Forms and Sample Receipt Notifications



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Page: 1 of 2

Report No. RN586321

| | | | |
|------------------------------|------------------------------------------------------------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L LEVEL 2 2 LINCOLN STREET LANE COVE NSW 2066 | Job No. | : HEGG01/061128/1 |
| | | Quote No. | : QT-00992 |
| | | Order No. | : NESYD-3832/8458 |
| | | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | | |
| Your Client Services Manager | : BRIAN WOODWARD | Phone | : (02) 94490151 |

| Lab Reg No. | Sample Ref | Sample Description |
|-------------|------------|------------------------|
| N06/040736 | . | SOIL 8458-GS06-S-01-02 |

| Lab Reg No. | | N06/040736 | | | | |
|------------------|-------|------------|--|--|--|--------|
| Sample Reference | Units | | | | | Method |
| Trace Elements | | | | | | |
| Arsenic | mg/kg | 5.7 | | | | NT2_49 |
| Cadmium | mg/kg | <0.5 | | | | NT2_49 |
| Chromium | mg/kg | 12 | | | | NT2_49 |
| Copper | mg/kg | 35 | | | | NT2_49 |
| Lead | mg/kg | 110 | | | | NT2_49 |
| Mercury | mg/kg | <0.2 | | | | NT2_49 |
| Nickel | mg/kg | 12 | | | | NT2_49 |
| Zinc | mg/kg | 160 | | | | NT2_49 |
| Total Solids | % | 85.2 | | | | NT2_49 |


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Inorganics - NSW (Accreditation No. 198)


1-DEC-2006

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
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| | | | |
|------------------------------|------------------------------------------------------------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L LEVEL 2 2 LINCOLN STREET LANE COVE NSW 2066 | Job No. | : HEGG01/061128/1 |
| | | Quote No. | : QT-00992 |
| | | Order No. | : NESYD-3832/8458 |
| | | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | | |
| Your Client Services Manager | : BRIAN WOODWARD | Phone | : (02) 94490151 |

| Lab Reg No. | Sample Ref | Sample Description |
|-------------|------------|------------------------|
| N06/040735 | | SOIL 8458-GS07-S-01-01 |

| Lab Reg No. | Sample Reference | Units | N06/040735 | | | | Method |
|----------------------------|-----------------------------|-------|-------------|--|--|--|------------|
| Poly Aromatic Hydrocarbons | | | | | | | |
| | Naphthalene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Acenaphthylene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Acenaphthene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Fluorene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Phenanthrene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Anthracene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Fluoranthene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Pyrene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Benz(a)anthracene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Chrysene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Benzo(b)&(k)fluoranthene | mg/kg | < 2 | | | | NGCMS_1111 |
| | Benzo(a)pyrene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Indeno(1,2,3-cd)pyrene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Dibenz(ah)anthracene | mg/kg | < 1 | | | | NGCMS_1111 |
| | Benzo(ghi)perylene | mg/kg | < 1 | | | | NGCMS_1111 |
| PCB Aroclors | | | | | | | |
| | Aroclor 1016 | mg/kg | < 0.1 | | | | NR_19 |
| | Aroclor 1221 | mg/kg | < 0.1 | | | | NR_19 |
| | Aroclor 1232 | mg/kg | < 0.1 | | | | NR_19 |
| | Aroclor 1242 | mg/kg | < 0.1 | | | | NR_19 |
| | Aroclor 1248 | mg/kg | < 0.1 | | | | NR_19 |
| | Aroclor 1254 | mg/kg | < 0.1 | | | | NR_19 |
| | Aroclor 1260 | mg/kg | < 0.1 | | | | NR_19 |
| | Total PCB's (as above) | mg/kg | < 0.1 | | | | NR_19 |
| Surrogate | | | | | | | |
| | Surrogate semivolatile Rec. | % | 89 | | | | |
| Dates | | | | | | | |
| | Date extracted | | 29-NOV-2006 | | | | |
| | Date analysed | | 16 DEC 2006 | | | | |

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| | | | | | | |
|------------------|-------|------------|--|--|--|--------|
| Lab Reg No. | | N06/040735 | | | | |
| Sample Reference | Units | | | | | Method |



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| | | | | | | |
|------------------|-------|------------|--|--|--|--------|
| Lab Reg No. | | N06/040735 | | | | |
| Sample Reference | Units | | | | | Method |
| Trace Elements | | | | | | |
| Total Solids | % | 87.6 | | | | NT2_49 |



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
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| | | | |
|------------------------------|-------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L | Job No. | : HEGG01/061128/1 |
| | LEVEL 2 | Quote No. | : QT-00992 |
| | 2 LINCOLN STREET | Order No. | : NESYD-3832/8458 |
| | LANE COVE NSW 2066 | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | Phone | : (02) 94490151 |
| Your Client Services Manager | : BRIAN WOODWARD | | |


| Lab Reg No. | Sample Ref | Sample Description |
|-------------|------------|------------------------|
| NO6/040734 | | SOIL 8458-GS06-S-01-01 |

| Lab Reg No. | Sample Reference | Units | | | | Method |
|------------------------------|------------------|-------------|------------|--|--|------------|
| | | | N06/040734 | | | |
| BTEX | | | | | | |
| Benzene | mg/kg | < 0.5 | | | | NGCMS_1121 |
| Toluene | mg/kg | < 0.5 | | | | NGCMS_1121 |
| Ethyl Benzene | mg/kg | < 0.5 | | | | NGCMS_1121 |
| m, p - Xylene | mg/kg | < 1 | | | | NGCMS_1121 |
| o - Xylene | mg/kg | < 0.5 | | | | NGCMS_1121 |
| Total Petroleum Hydrocarbons | | | | | | |
| TPH C6 - C9 | mg/kg | < 25 | | | | NGCMS_1121 |
| TPH C10 - C14 | mg/kg | < 50 | | | | NGCMS_1121 |
| TPH C15 - C28 | mg/kg | < 100 | | | | NGCMS_1121 |
| TPH C29 - C36 | mg/kg | < 100 | | | | NGCMS_1121 |
| Surrogate | | | | | | |
| Surrogate volatile Rec | % | 103 | | | | |
| Dates | | | | | | |
| Date extracted | | 28-NOV-2006 | | | | |
| Date analysed | | 1-DEC-2006 | | | | |


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|------------------|-------|------------|--|--|--|--------|
| Lab Reg No. | | N06/040734 | | | | |
| Sample Reference | Units | | | | | Method |
| Trace Elements | | | | | | |
| Arsenic | mg/kg | 5.4 | | | | NT2_49 |
| Cadmium | mg/kg | < 0.5 | | | | NT2_49 |
| Chromium | mg/kg | 11 | | | | NT2_49 |
| Copper | mg/kg | 32 | | | | NT2_49 |
| Lead | mg/kg | 110 | | | | NT2_49 |
| Mercury | mg/kg | < 0.2 | | | | NT2_49 |
| Nickel | mg/kg | 10 | | | | NT2_49 |
| Zinc | mg/kg | 150 | | | | NT2_49 |
| Total Solids | % | 84.2 | | | | NT2_49 |


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| | | | |
|------------------------------|------------------------------------------------------------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L LEVEL 2 2 LINCOLN STREET LANE COVE NSW 2066 | Job No. | : HEGG01/061128/1 |
| | | Quote No. | : QT-00992 |
| | | Order No. | : NESYD-3832/8458 |
| | | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | Phone | : (02) 94490151 |
| Your Client Services Manager | : BRIAN WOODWARD | | |


| Lab Reg No. | Sample Ref | Sample Description |
|-------------|------------|------------------------|
| N06/040729 | . | SOIL 8458-GS01-S-01-01 |
| N06/040730 | . | SOIL 8458-GS02-S-01-01 |
| N06/040731 | . | SOIL 8458-GS03-S-01-01 |
| N06/040732 | . | SOIL 8458-GS04-S-01-01 |

| Lab Reg No. | | N06/040729 | N06/040730 | N06/040731 | N06/040732 | |
|------------------|-------|------------|------------|------------|------------|--------|
| Sample Reference | Units | | | | | Method |
| Trace Elements | | | | | | |
| Arsenic | mg/kg | 7.6 | 4.2 | 5.4 | 7.4 | NT2_49 |
| Cadmium | mg/kg | <0.5 | <0.5 | <0.5 | <0.5 | NT2_49 |
| Chromium | mg/kg | 15 | 8.7 | 9.8 | 12 | NT2_49 |
| Copper | mg/kg | 35 | 22 | 30 | 36 | NT2_49 |
| Lead | mg/kg | 200 | 130 | 120 | 60 | NT2_49 |
| Mercury | mg/kg | <0.2 | <0.2 | <0.2 | <0.2 | NT2_49 |
| Nickel | mg/kg | 13 | 6.7 | 11 | 15 | NT2_49 |
| Zinc | mg/kg | 170 | 100 | 140 | 150 | NT2_49 |
| Total Solids | % | 80.9 | 86.9 | 81.7 | 82.4 | NT2_49 |


Dr. Honway Louie, Section Manager
Inorganics - NSW (Accreditation No. 198)

1-DEC-2006

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REPORT OF ANALYSIS

Page: 2 of 3
Report No. RN586315

| | |
|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Client : HEGGIES AUSTRALIA P/L LEVEL 2 2 LINCOLN STREET LANE COVE NSW 2066 | Job No. : HEGG01/061128/1 Quote No. : QT-00992 Order No. : NESYD-3832/8458 Date Sampled : 28-NOV-2006 Date Received : 28-NOV-2006 Sampled By : CLIENT |
| Attention : TAKASHI ITAKURA Project Name : Your Client Services Manager : BRIAN WOODWARD | Phone : (02) 94490151 |

| Lab Reg No. | Sample Ref | Sample Description |
|-------------|------------|------------------------|
| N06/040733 | | SOIL 8458-GS05-S-01-01 |

| Lab Reg No. | Sample Reference | Units | N06/040733 | | | | Method |
|----------------|------------------|-------|------------|--|--|--|--------|
| | | | | | | | |
| Trace Elements | | | | | | | |
| Arsenic | mg/kg | 6.9 | | | | | NT2_49 |
| Cadmium | mg/kg | < 0.5 | | | | | NT2_49 |
| Chromium | mg/kg | 13 | | | | | NT2_49 |
| Copper | mg/kg | 38 | | | | | NT2_49 |
| Lead | mg/kg | 83 | | | | | NT2_49 |
| Mercury | mg/kg | < 0.2 | | | | | NT2_49 |
| Nickel | mg/kg | 13 | | | | | NT2_49 |
| Zinc | mg/kg | 170 | | | | | NT2_49 |
| Total Solids | % | 84.5 | | | | | NT2_49 |


Dr. Honway Louie, Section Manager
Inorganics - NSW (Accreditation No. 198)


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All results are expressed on a dry weight basis.

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Page: 1 of 1

Report No. RN586563

| | | | |
|------------------------------|-------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L | Job No. | : HEGG01/061128/1 |
| | LEVEL 2 | Quote No. | : QT-00992 |
| | 2 LINCOLN STREET | Order No. | : NESYD-3832/8458 |
| | LANE COVE NSW 2066 | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | | |
| Your Client Services Manager | : BRIAN WOODWARD | Phone | : (02) 94490151 |

| | | |
|--------------|------------|---------------------------------|
| Lab Reg No. | Sample Ref | Sample Description |
| N06/040734/T | . | SOIL LEACHATE 8458-GS06-S-01-01 |

| | | | | | | |
|------------------|-------|--------------|--|--|--|-----------|
| Lab Reg No. | | N06/040734/T | | | | |
| Sample Reference | | | | | | |
| | Units | | | | | Method |
| Trace Elements | | | | | | |
| Arsenic | mg/L | < 0.05 | | | | NT247_251 |
| Cadmium | mg/L | < 0.05 | | | | NT2_47 |
| Chromium | mg/L | < 0.05 | | | | NT2_47 |
| Lead | mg/L | < 0.05 | | | | NT2_47 |
| Mercury | mg/L | < 0.01 | | | | NT247_244 |
| Nickel | mg/L | < 0.05 | | | | NT2_47 |

Dr. Honway Louie, Section Manager
Inorganics - NSW (Accreditation No. 198)

4-DEC-2006

25 g of sample was leached for 18 hours with 500 mL buffer at pH 4.93 and the leachate tested for the above analytes.



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REPORT OF ANALYSIS

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Report No. RN586564

| | | | |
|------------------------------|-------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L | Job No. | : HEGG01/061128/1 |
| | LEVEL 2 | Quote No. | : QT-00992 |
| | 2 LINCOLN STREET | Order No. | : NESYD-3832/8458 |
| | LANE COVE NSW 2066 | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | | |
| Your Client Services Manager | : BRIAN WOODWARD | Phone | : (02) 94490151 |

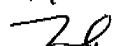
| | | |
|--------------|------------|---------------------------------|
| Lab Reg No. | Sample Ref | Sample Description |
| N06/040735/T | | SOIL LEACHATE 8458-GS07-S-01-01 |

| | | | | | | |
|-----------------------------|-------|--------------|--|--|--|------------|
| Lab Reg No. | | N06/040735/T | | | | |
| Sample Reference | Units | | | | | Method |
| Poly Aromatic Hydrocarbons | | | | | | |
| Naphthalene | ug/L | < 1 | | | | NGCMS_1111 |
| Acenaphthylene | ug/L | < 1 | | | | NGCMS_1111 |
| Acenaphthene | ug/L | < 1 | | | | NGCMS_1111 |
| Fluorene | ug/L | < 1 | | | | NGCMS_1111 |
| Phenanthrene | ug/L | < 1 | | | | NGCMS_1111 |
| Anthracene | ug/L | < 1 | | | | NGCMS_1111 |
| Fluoranthene | ug/L | < 1 | | | | NGCMS_1111 |
| Pyrene | ug/L | < 1 | | | | NGCMS_1111 |
| Benz(a)anthracene | ug/L | < 1 | | | | NGCMS_1111 |
| Chrysene | ug/L | < 1 | | | | NGCMS_1111 |
| Benzo(b)&(k)fluoranthene | ug/L | < 2 | | | | NGCMS_1111 |
| Benzo(a)pyrene | ug/L | < 1 | | | | NGCMS_1111 |
| Indeno(1,2,3-cd)pyrene | ug/L | < 1 | | | | NGCMS_1111 |
| Dibenz(ah)anthracene | ug/L | < 1 | | | | NGCMS_1111 |
| Benzo(ghi)perylene | ug/L | < 1 | | | | NGCMS_1111 |
| Surrogate | | | | | | |
| Surrogate semivolatile Rec. | % | 69 | | | | |
| Dates | | | | | | |
| Date extracted | | 1-DEC-2006 | | | | |
| Date analysed | | 1-DEC-2006 | | | | |


Danny Slee, Section Manager
Organics - NSW (Accreditation No. 198)

4-DEC-2006

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25 g of sample was leached for 18 hours with 500 mL buffer at pH 4.93 and the leachate tested for the above analytes.



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Report No. RN586323

| | | | |
|------------------------------|-------------------------|---------------|-------------------|
| Client | : HEGGIES AUSTRALIA P/L | Job No. | : HEGG01/061128/1 |
| | LEVEL 2 | Quote No. | : QT-00992 |
| | 2 LINCOLN STREET | Order No. | : NESYD-3832/8458 |
| | LANE COVE NSW 2066 | Date Sampled | : 28-NOV-2006 |
| | | Date Received | : 28-NOV-2006 |
| Attention | : TAKASHI ITAKURA | Sampled By | : CLIENT |
| Project Name | : | | |
| Your Client Services Manager | : BRIAN WOODWARD | Phone | : (02) 94490151 |

| | | |
|-------------|------------|-------------------------|
| Lab Reg No. | Sample Ref | Sample Description |
| N06/040737 | | WATER 8458-GS05-R-01-01 |

| | | | | | | |
|------------------|-------|------------|--|--|--|------------|
| Lab Reg No. | | N06/040737 | | | | |
| Sample Reference | | | | | | |
| | Units | | | | | Method |
| Trace Elements | | | | | | |
| Arsenic-Total | ug/L | < 1 | | | | NT247_251 |
| Cadmium-Total | ug/L | < 0.1 | | | | NT2_47 |
| Chromium-Total | ug/L | < 1 | | | | NT2_47 |
| Copper-Total | ug/L | 4 | | | | NT2_47 |
| Lead-Total | ug/L | < 1 | | | | NT2_47 |
| Mercury-Total | ug/L | < 0.1 | | | | NT2_47_244 |
| Nickel-Total | ug/L | < 1 | | | | NT2_47 |
| Zinc-Total | ug/L | 2.4 | | | | NT2_47 |


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Inorganics - NSW (Accreditation No. 198)

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Total = Acid extractable trace elements.



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QUALITY ASSURANCE REPORT

Client: HEGGIES AUSTRALIA P/L

NMI QA Report No: HEGG01/061128/1T1

Sample Matrix: SOIL

| Analyte | Method | LOR | Blank | Duplicates | | | Recoveries | |
|---------------------------|--------|-------|-------|-------------------|-----------|-----|---------------|-------------------|
| | | | | Sample | Duplicate | RPD | LCS | Matrix Spike |
| | | mg/kg | mg/kg | mg/kg | mg/kg | % | % | % |
| Inorganics Section | | | | N06/040730 | | | AGAL10 | N06/040730 |
| Arsenic | NT2.49 | 0.5 | <0.5 | 4.3 | 4.2 | 2 | 109 | 104 |
| Cadmium | NT2.49 | 0.5 | <0.5 | <0.5 | <0.5 | ND | 98 | 103 |
| Chromium | NT2.49 | 0.5 | <0.5 | 8.8 | 8.6 | 2 | 93 | 100 |
| Copper | NT2.49 | 0.5 | <0.5 | 22 | 21 | 4 | 88 | 102 |
| Lead | NT2.49 | 0.5 | <0.5 | 130 | 130 | 0 | 98 | 100 |
| Mercury | NT2.49 | 0.2 | <0.2 | <0.2 | <0.2 | ND | 107 | 108 |
| Nickel | NT2.49 | 0.5 | <0.5 | 6.7 | 6.7 | 0 | 96 | 102 |
| Zinc | NT2.49 | 0.5 | <0.5 | 100 | 99 | 1 | 87 | 99 |

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Legend:

Acceptable recovery is 75-120%.

Acceptable RPDs on duplicates is 44% at concentrations > 5 times LOR. Greater RPD may be expected at < 5 times LOR.

LOR = Limit Of Reporting

ND = Not Determined

RPD = Relative Percent Difference

NA = Not Applicable

LCS = Laboratory Control Sample.

#: Spike level is less than 50% of the sample's concentration, hence the recovery data is not reliable.

**: reference value not available

Comments:

Results greater than ten times LOR have been rounded to two significant figures.

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Signed:

Dr Honway Louie
 Inorganics Manager, NMI-Pymble
 1/12/2006

Date:

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QUALITY ASSURANCE REPORT

Client: HEGGIES AUSTRALIA P/L

NMI QA Report No: HEGG01/061128/1

Sample Matrix: Soil

| Analyte | Method | LOR | Blank | Sample Duplicates | | | Recoveries | |
|---------------------------------|------------|-------|-------|-------------------|-----------|-----|------------|--------------|
| | | | | Sample | Duplicate | RPD | LCS | Matrix Spike |
| | | mg/kg | mg/kg | mg/kg | mg/kg | % | % | % |
| Organics Section | | | | | | | | |
| BTEX | | | | | | | | |
| Benzene | NGCMS_1121 | 0.5 | <0.5 | NA | NA | NA | 89 | NA |
| Toluene | NGCMS_1121 | 0.5 | <0.5 | NA | NA | NA | 87 | NA |
| Ethyl Benzene | NGCMS_1121 | 0.5 | <0.5 | NA | NA | NA | 91 | NA |
| m, p - Xylene | NGCMS_1121 | 1 | <1 | NA | NA | NA | 92 | NA |
| o-Xylene | NGCMS_1121 | 0.5 | <0.5 | NA | NA | NA | 90 | NA |
| TPH | | | | | | | | |
| TPH C6-C9 | NGCMS_1121 | 25 | <25 | NA | NA | NA | 90 | NA |
| TPH C10-C14 | NGCMS_1112 | 50 | <50 | NA | NA | NA | 106 | NA |
| TPH C15-C28 | NGCMS_1112 | 100 | <100 | NA | NA | NA | 110 | NA |
| TPH C29-C36 | NGCMS_1112 | 100 | <100 | NA | NA | NA | - | NA |
| PAH | | | | | | | | |
| Naphthalene | NGCMS_1111 | 1 | <1 | NA | NA | NA | 113 | NA |
| Acenaphthylene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Acenaphthene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Fluorene | NGCMS_1111 | 1 | <1 | NA | NA | NA | 106 | NA |
| Phenanthrene | NGCMS_1111 | 1 | <1 | NA | NA | NA | 105 | NA |
| Anthracene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Fluoranthene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Pyrene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Benzo[a]anthracene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Chrysene | NGCMS_1111 | 1 | <1 | NA | NA | NA | 106 | NA |
| Benzo[b] & [k] fluoranthene | NGCMS_1111 | 2 | <2 | NA | NA | NA | - | NA |
| Benzo[a]pyrene | NGCMS_1111 | 1 | <1 | NA | NA | NA | 108 | NA |
| Indeno[1,2,3-cd]pyrene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Dibenz[ah]anthracene | NGCMS_1111 | 1 | <1 | NA | NA | NA | 108 | NA |
| Benzo[ghi]perylene | NGCMS_1111 | 1 | <1 | NA | NA | NA | - | NA |
| Surrogate Volatile Recovery | | - | - | NA | NA | NA | 105 | NA |
| Surrogate Semivolatile Recovery | | - | - | NA | NA | NA | 94 | NA |

Results expressed in percentage (%) or mg/kg wherever appropriate.
 Acceptable Spike recovery is 70-130% (BTEX and TPH C₆-C₉); 50-150% (PAH and TPH C10-C36)

Acceptable RPDs on spikes and duplicates is 40%.

'NA' = Not Applicable.

RPD = Relative Percentage Difference.

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Signed:

Date:

Danny Slee

Organics Manager, NMI-Pymble

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QUALITY ASSURANCE REPORT

Client: HEGGIES AUSTRALIA P/L

NMI QA Report No: HEGG01/061128/1

Sample Matrix: Soil

| Analyte | Method | LOR | Blank | Sample Duplicates | | | Recoveries | |
|-------------------------|--------|-------|-------|-------------------|-----------|-----|------------|--------------|
| | | | | Sample | Duplicate | RPD | LCS | Matrix Spike |
| | | mg/kg | mg/kg | mg/kg | mg/kg | % | % | % |
| Organics Section | | | | | | | | |
| PCB Compounds | | | | | | | | |
| PCB | NR19 | 0.1 | <0.1 | NA | NA | NA | 104 | NA |

Results expressed in percentage (%) or mg/kg wherever appropriate.

Acceptable Spike recovery is 50-150%

Acceptable RPDs on spikes and duplicates is 40%.

'NA' = Not Applicable.

RPD = Relative Percentage Difference.

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Organics Manager, NMI-Pymble

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QUALITY ASSURANCE REPORT

Client: HEGGIES AUSTRALIA P/L

NMI QA Report No: HEGG01/061128/1

Sample Matrix: Soil

| Analyte | Method | LOR | Blank | Sample Duplicates | | | Recoveries | |
|---------------------------------|------------|-------|-------|-------------------|-----------|-----|------------|--------------|
| | | | | Sample | Duplicate | RPD | LCS | Matrix Spike |
| | | mg/kg | mg/kg | mg/kg | mg/kg | % | % | % |
| Organics Section | | | | | | | | |
| BTEX | | | | | | | | |
| Benzene | NGCMS_1121 | 0.5 | < 0.5 | NA | NA | NA | 89 | NA |
| Toluene | NGCMS_1121 | 0.5 | < 0.5 | NA | NA | NA | 87 | NA |
| Ethyl Benzene | NGCMS_1121 | 0.5 | < 0.5 | NA | NA | NA | 91 | NA |
| m, p - Xylene | NGCMS_1121 | 1 | < 1 | NA | NA | NA | 92 | NA |
| o-Xylene | NGCMS_1121 | 0.5 | < 0.5 | NA | NA | NA | 90 | NA |
| TPH | | | | | | | | |
| TPH C6-C9 | NGCMS_1121 | 25 | < 25 | NA | NA | NA | 90 | NA |
| TPH C10-C14 | NGCMS_1112 | 50 | < 50 | NA | NA | NA | 106 | NA |
| TPH C15-C28 | NGCMS_1112 | 100 | < 100 | NA | NA | NA | 110 | NA |
| TPH C29-C36 | NGCMS_1112 | 100 | < 100 | NA | NA | NA | - | NA |
| PAH | | | | | | | | |
| Naphthalene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | 113 | NA |
| Acenaphthylene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Acenaphthene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Fluorene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | 106 | NA |
| Phenanthrene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | 105 | NA |
| Anthracene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Fluoranthene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Pyrene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Benz[a]anthracene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Chrysene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | 106 | NA |
| Benzo[b]&[k]fluoranthene | NGCMS_1111 | 2 | < 2 | NA | NA | NA | - | NA |
| Benzo[a]pyrene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | 108 | NA |
| Indeno[1 2 3-cd]pyrene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Dibenz[ah]anthracene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | 108 | NA |
| Benzo[ghi]perylene | NGCMS_1111 | 1 | < 1 | NA | NA | NA | - | NA |
| Surrogate Volatile Recovery | | - | - | NA | NA | NA | 105 | NA |
| Surrogate Semivolatile Recovery | | - | - | NA | NA | NA | 94 | NA |

Results expressed in percentage (%) or mg/kg wherever appropriate.

Acceptable Spike recovery is 70-130% (BTEX and TPH C₆-C₉); 50-150% (PAH and TPH C10-C36)

Acceptable RPDs on spikes and duplicates is 40%.

'NA' = Not Applicable.

RPD = Relative Percentage Difference.

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Signed:

Danny Slee
Organics Manager, NMI-Pymble
1/12/2006

Date:

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QUALITY ASSURANCE REPORT

Client: HEGGIES AUSTRALIA P/L

NMI QA Report No: HEGG01/061128/1

Sample Matrix: Water

| Analyte | Method | LOR | Blank | Sample Duplicates | | | Recoveries | |
|---------------------------------|------------|------|-------|-------------------|-----------|-----|------------|--------------|
| | | | | Sample | Duplicate | RPD | LCS | Matrix Spike |
| | | ug/L | ug/L | ug/L | ug/L | % | % | % |
| Organics Section | | | | | | | | |
| PAH | | | | | | | | |
| Naphthalene | NGCMS 1111 | 1 | <1 | NA | NA | NA | 71 | NA |
| Acenaphthylene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Acenaphthene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Fluorene | NGCMS 1111 | 1 | <1 | NA | NA | NA | 73 | NA |
| Phenanthrene | NGCMS 1111 | 1 | <1 | NA | NA | NA | 80 | NA |
| Anthracene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Fluoranthene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Pyrene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Benz[a]anthracene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Chrysene | NGCMS 1111 | 1 | <1 | NA | NA | NA | 73 | NA |
| Benzo[b]&[k]fluoranthene | NGCMS 1111 | 2 | <2 | NA | NA | NA | - | NA |
| Benzo[a]pyrene | NGCMS 1111 | 1 | <1 | NA | NA | NA | 56 | NA |
| Indeno[1 2 3-cd]pyrene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Dibenz[ah]anthracene | NGCMS 1111 | 1 | <1 | NA | NA | NA | 71 | NA |
| Benzo[ghi]perylene | NGCMS 1111 | 1 | <1 | NA | NA | NA | - | NA |
| Surrogate Semivolatile Recovery | | - | - | NA | NA | NA | 58 | NA |

Results expressed in percentage (%) or ug/L wherever appropriate.

Acceptable Spike recovery is 50-150% (PAH)

Acceptable RPDs on spikes and duplicates is 40%.

'NA ' = Not Applicable.

RPD = Relative Percentage Difference.

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Danny Slee
Organics Manager, NMI-Pymble
1/12/2006

Date:

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SAMPLE RECEIPT NOTIFICATION

COMPANY: Hegius
ATTENTION: Takashi FAX No: 9427 8200
DATE/TIME: 28/11 1630
FROM: Amundo
CLIENT JOB / PROJECT Name / Number
SAMPLE NO: 91

Incomplete or unclear information about samples or required tests
will delay the start of analytical work.

SAMPLE

Samples were received at time 1600 on date 28/11

Sampling Date documented on COC? Yes / No

Samples received: frozen ☐ cool (ice packs) ☐ room temperature ☒

DOCUMENTS

Complete documentation received for all samples. [☒]

No documents received. Please advise us quickly of your requirements. [☐]

NMI Quotation Number included: Yes ☐ No ☐

COMMENT Beggies Pty Ltd OK

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Lane Cove NSW 2066

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Signed: [Signature]

ENQUIRIES

Contact our Sample Management Team on (02) 9449 0135 or fax (02) 9440 0610 regarding sample condition, arrival, numbering, damage, documentation etc.

Please direct turnaround or technical enquiries to our Customer Services Team, Brian Woodward (02) 9449 0151.

\\Quality\USER\X\FORMS\CURFORM\SECTION\NMI\SUSAMPLEPREP\SRN\ ver5.doc

Version #5 Created on 25/05/05

CHAIN OF CUSTODY

Page 1 of 1

From: Heggies Pty Ltd

2 Lincoln Street

LANE COVE NSW 2066

Ph: (02) 9427 8100
Fax: (02) 9427 8200To: NMI
1 Snakin Street
PYMBLE NSW 2073Ph: (02) 9449 0111
Fax: (02) 9449 1653

Purchase Order No.:

NESYD-3832

Date:

28/11/06

Job Number:

8458

Attention:

Takashi Itakura
Email: takashi.itakura@heggies.com

Turn Around Time:

☐ 24 hr☐ 48 hr☒ 3 Day☐ 5 Day☐ Samples Received at Ambient Temperature☒ Samples Received Chilled☐ Standard Water Detection Limits (ANZECC 2000 95%)☐ Special Water Detection Limits
Note: if additional analysis cost due to salinity please notify Heggies Pty Ltd

Sampled By (Name & Signature):

HJC

Name & Signature:

Dymara Khe 2

Delivered to Heggies Office by (Name & Signature):

Pickup Courier Company:

Received for Laboratory - NMI Sydney (Name & Signature):

Dymara Khe 2

Received for Laboratory - NMI Melbourne (Name & Signature):

Date/Time:

28/11/06

Date/Time:

28/11/06

Date/Time:

28/11/06

Location (Suburb):

Pottsville

Lab Barcode/
Reg No./
CommentsHeggies Sample
Number

Soil (mg/kg)

Water (ug/L) unless specified

Paints/Ink/Wipes/Dust

Container

Glass Jar - GI
Glass Bottle - GB
Plastic Bottle - PB
Petri Dish - PD
Glass Vial - GV
Bag - B
Plastic Tube - PT

NO 020721

NO 020721

NO 020721

NO 020721

NO 020721

NO 020721

NO 020721

NO 020721

NO 020721

Totals

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

6502-5-01-0

TAT: COB

FRIDAY

Issue Date: 22 November 2006

Ca, Cd, Cr, Hg, Pb, Ni, Zn

As, Cu, Cr, Hg, Pb, Ni

Asb and Combustible Matter (Total) in mg

Kyde Resources General Management Systems (QMS) Form SLAB FORM Chain of Custody NMI Sydney doc1A (Form 016)



REPORT OF ANALYSIS

Laboratory Reference: A06/2670

Client: Heggies (Australia) Pty Ltd
PO Box 176
Lane Cove NSW 1595

Contact: Takashi Itakura

Order No: NESYD-3833
Project: Roseville 8458
Sample Type: Soil
No. of Samples: 1
Date Received: 28/11/2006
Date Completed: 1/12/2006

Laboratory Contact Details:

Client Services Manager: Attila Tottszér
Technical Enquiries: Ian Eckhard
Telephone: +61 2 9888 9077
Fax: +61 2 9888 9577
Email: attila.tottszér@advancedanalytical.com.au

Attached Results Approved By:

Ian Eckhard
Technical Director

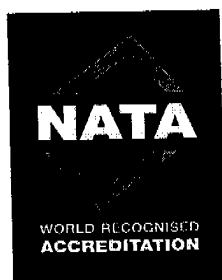
Comments:

All samples tested as submitted by client.

All attached results have been checked and approved for release.

This is the Final Report and supersedes any reports previously issued with this batch number.

NATA endorsed test report. This document shall not be reproduced, except in full.



NATA Accredited Laboratory
Accreditation No: 15108

Heggies Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

RECEIVED
04 DEC 2006

BY:

Issue Date: 1 December 2006

Advanced Analytical Australia Pty Ltd
ABN 20 105 644 979
11 Julius Avenue,
North Ryde NSW 2113 Australia

Page 1 of 3

Ph: + 61 2 9888 9077
Fax: + 61 2 9888 9577
contact@advancedanalytical.com.au
www.advancedanalytical.com.au



Batch Number: A06/2670

Project: Roseville 8458

| | | | |
|-----------------------|--------|-------|-------------|
| Laboratory Reference: | - | - | /1 |
| Client Reference: | - | - | 8458-G06-S- |
| | | | 01-03 |
| Date Sampled: | - | - | 28/11/2006 |
| Analysis Description | Method | Units | |
| Total Solids | | | |
| Total Solids | 04-004 | % | 84.9 |
| Trace Elements | | | |
| Arsenic | 04-001 | mg/kg | 5.4 |
| Cadmium | 04-001 | mg/kg | <1.0 |
| Chromium | 04-001 | mg/kg | 12 |
| Copper | 04-001 | mg/kg | 36 |
| Lead | 04-001 | mg/kg | 100 |
| Mercury | 04-002 | mg/kg | <0.1 |
| Nickel | 04-001 | mg/kg | 11 |
| Zinc | 04-001 | mg/kg | 160 |

| Method | Method Description |
|--------|--------------------------------|
| 04-004 | Total Solids by gravimetric, % |
| 04-001 | Metals by ICP-OES, mg/kg |
| 04-002 | Mercury by CVAAS, mg/kg |

Result Comments

[<] Less than
[INS] Insufficient sample for this test
[NA] Test not required

Sample results are reported on a dry weight basis.

Heggies Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

RECEIVED
04 DEC 2006

BY: 76

Issue Date: 1 December 2006

Advanced Analytical Australia Pty Ltd
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11 Julius Avenue,
North Ryde NSW 2113 Australia

Page 2 of 3

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contact@advancedanalytical.com.au
www.advancedanalytical.com.au



Batch Number: A06/2670

Project: Roseville 8458

QUALITY ASSURANCE REPORT

| TEST | Units | Blank | Duplicate Sm# | Duplicate Results |
|--------------|-------|-------|---------------|------------------------|
| Total Solids | % | | A06/2670-1 | 84.9 82.7 RPD: 3 |

| TEST | Units | Blank |
|----------|-------|-------|
| Arsenic | mg/kg | |
| Cadmium | mg/kg | |
| Chromium | mg/kg | |
| Copper | mg/kg | |
| Lead | mg/kg | |
| Mercury | mg/kg | |
| Nickel | mg/kg | |
| Zinc | mg/kg | |

Comments:

RPD = Relative Percent Deviation

[NT] = Not Tested

[N/A] = Not Applicable

= Spike recovery data could not be calculated due to high levels of contaminants

Acceptable replicate reproducibility limit or RPD:

Results < 10 times LOR: no limits.

Results between 10 and 20 times LOR: 0% - 50%.

Results > 20 times LOR: 0% - 20%.

Recommended matrix spike recovery limits:

Trace elements 75-125%

Organic analyses 70-130%

When levels outside these limits are obtained, an investigation into the cause of the deviation is performed before the batch is accepted or rejected, and results are released.

Heggies Pty Ltd

Environmental Engineers & Scientists

Level 2, 2 Lincoln Street

Lane Cove NSW 2066

RECEIVED
10 4 DEC 2006

BY: *fl*

Issue Date: 1 December 2006

Advanced Analytical Australia Pty Ltd

ABN 20 105 644 979

11 Julius Avenue,

North Ryde NSW 2113 Australia

Page 3 of 3

Ph: + 61 2 9888 9077

Fax: + 61 2 9888 9577

contact@advancedanalytical.com.au

www.advancedanalytical.com.au



ADVANCED ANALYTICAL

AUSTRALIA

SAMPLE RECEIPT NOTIFICATION

Attention : Takashi Itakura
Client : Heggies (Australia) Pty Ltd
 Level 2, 2 Lincoln St
 PO Box 176
 Lane Cove NSW 1595
Telephone : 02 9878 8488
Facsimile : 02 9878 8499
Project : Roseville 8458

Laboratory Reference : A06/2670

| | |
|-------------------------------------------------------------------------------------|-----|
| Completed Chain of Custody accompanied samples. | YES |
| Samples were received in good condition and correctly preserved for all tests. | YES |
| Samples were received in sufficient time to allow laboratory to meet holding times. | YES |
| Samples were received chilled/chilling (if required). | YES |

Date samples received : 28/11/2006
No. of samples : 1
Scheduled reporting date : 1/12/06

Client Services Manager : Attila Tottszer

Telephone : 02 9888 9077
Email : attila.tottszer@advancedanalytical.com.au
 Contact your Client Services Manager for all queries and issues regarding this sample batch.

Note: Turnaround time begins at time of receipt at laboratory, surcharges may apply for 24 and 48 hour turnaround.

Water samples will be discarded after 3 weeks from receipt at laboratory unless notified.
 Soil samples will be stored in chilled condition for one month from receipt at laboratory and discarded after 3 months unless notified.

COMMENTS:

Heggies Pty Ltd
 Environmental Engineers & Scientists
 Level 2, 2 Lincoln Street
 Lane Cove NSW 2066

RECEIVED
 28 NOV 2006

BY: *[Signature]*

Advanced Analytical Australia Pty Ltd
 ABN 20 105 644 979
 11 Jullus Avenue,
 North Ryde NSW 2113 Australia

Ph: + 61 2 9888 9077
 Fax: + 61 2 9888 9577
 contact@advancedanalytical.com.au
 www.advancedanalytical.com.au



Appendix B

Section 149 Certificate

PLANNING CERTIFICATE

KU-RING-GAI COUNCIL

CHAMBERS: 818 Pacific Highway, Gordon

POSTAL ADDRESS: Locked Bag 1056, Pymble NSW 2073

TELEPHONE: 9424 0888 - FAX: 9424 0880

EMAIL: kmc@kmc.nsw.gov.au

ABN: 86 408 856 411

PROPERTY DETAILS

Address: 21 Archbold Road ROSEVILLE NSW 2069

Lot Description: Lot 3 DP 6341

CERTIFICATE DETAILS

Certificate No: PC2852/06 **Certificate Date:** 10/11/2006

Certificate Type: Section 149(2) & (5)

Receipt No: 107822

APPLICANT'S DETAILS

REF: Azoulay

Heidi-Jane Caldon
Level 2, 2 Lincoln St
LANE COVE NSW 2066

BACKGROUND INFORMATION

This certificate provides information on how a property (such as land, a house, a commercial building, etc.) may be used and the limits on its development. The certificate contains information Council is aware of through its records and environmental plans with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 149 of the Environmental Planning and Assessment Act.

Heggies Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

1. WHICH ENVIRONMENTAL PLAN RESTRICTS THE USE OF THIS PROPERTY?

(Including draft local environmental plans exhibited pursuant to section 66(1) b of the E. P. & A. Act).

Ku-ring-gai Planning Scheme Ordinance as prescribed in Government Gazette No.108 of 1 October 1971.

Draft Ku-ring-gai Local Environmental Plan No.175 (Subdivision and dual occupancy standards)

Draft Local Environmental Plan No.191 – Preservation of Trees.

Draft Local Environmental Plan No.195.

Draft Local Environmental Plan No.192 and Draft Development Control Plan No.46 – Exempt and Complying Development.

2. WHAT IS THE ZONING OF THIS PROPERTY and the relevant environmental plan?

(Zoning is a way of classifying land and limits the range of uses or activities that may be permitted on that land or property).

Residential 2(a)

under the provisions of the Ku-ring-gai Planning Scheme Ordinance.

3. WHAT DOES NOT REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Exempt Development as described in Schedule 1 of Development Control Plan No 46 – Exempt and Complying Development and Clause 24 of the Ku-ring-gai Planning Scheme Ordinance.

4. WHAT DOES REQUIRE DEVELOPMENT CONSENT under the above environmental plan(s)?

Demolition of a building or work (being demolition that is not exempt development).

Development (other than exempt development) for the purpose of: dwelling-houses; home occupations. Any other development not permitted by 3 above or prohibited by 5 below.

Heggies Pty Ltd

Environmental Engineers & Scientists

Level 2, 2 Lincoln Street

Lane Cove NSW 2066

5. WHAT IS PROHIBITED by the above environmental plan(s)?

Development for the purposes of: advertisements; advertising structures; boarding-houses; brothels; bulk stores; caravan parks; car repair stations; clubs; commercial premises; gas holders; generating works; hotels; industries; institutions; junk yards; liquid fuel depots; mines; motels; motor showrooms; refreshment rooms; residential flat buildings; roadside stalls; sawmills; service stations; shops; stock and sale yards; transport terminals; warehouses.

6. DO THE DIMENSIONS OF THE LAND PERMIT THE ERECTION OF A DWELLING HOUSE ON THIS PROPERTY?

The Ku-ring-gai Planning Scheme Ordinance requires allotments for a new dwelling house within the Residential 2(a) zone to comply with the following dimensions:

- a) a minimum area of 790 square metres.
- b) for a rectangular shaped allotment the minimum width is 18.3 metres.
- c) for an irregularly shaped allotment (other than a hatchet/battleaxe shaped allotment) the minimum width is 18.3 metres when measured at a distance of 12.19 metres from the street alignment.
- d) for a hatchet/battleaxe shaped allotment the minimum area is 1105 square metres excluding the area of the access corridor. The minimum width for the access corridor of a hatchet/battleaxe lot is 4.6 metres.
- e) if the property has frontage to a main road or county road (and is not a hatchet/battleaxe shaped allotment), the minimum width is 27.4 metres when measured at a distance of 12.19 metres from the street alignment.

Please note that the above standards do not prohibit the erection of a dwelling house on this property if the land existed as a separate parcel (that is, it was a separate lot in a Deposited Plan) on, or before, 1 October 1971. Contact your solicitor or conveyancer for more details on your land.

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Lane Cove NSW 2066

7. WHAT OTHER PLANNING INSTRUMENTS AFFECT THIS PROPERTY?

(State and Regional environmental plans are prepared by the State Government and cover issues as varied as rivers, residential development, employment, etc. Copies are available from the Department of Urban & Transport Planning, Tel: 97628044).

State Environmental Planning Policy No.1 - Development Standards.
 State Environmental Planning Policy No.4 - Development without Consent and Miscellaneous Exempt and Complying Development.
 State Environmental Planning Policy No.6 - Number of storeys in a building.
 State Environmental Planning Policy No.9 - Group Homes.
 State Environmental Planning Policy No.10 - Retention of Low-Cost Rental Accommodation.
 State Environmental Planning Policy No.11 - Traffic Generating Development.
 State Environmental Planning Policy No.19 - Bushland in Urban Areas.
 State Environmental Planning Policy No.32 - Urban Consolidation (Redevelopment of Urban Land).
 State Environmental Planning Policy No.33 - Hazardous & Offensive Development.
 State Environmental Planning Policy No.34 - Major Employment Generating Industrial Development
 State Environmental Planning Policy No.38 - Olympic Games Projects
 State Environmental Planning Policy No.44 - Koala Habitat Protection.
 State Environmental Planning Policy No.48 - Major Putrescible Landfill sites.
 State Environmental Planning Policy No.55 - Remediation of Land.
 State Environmental Planning Policy No.56 - Sydney Harbour Foreshores and Tributaries.
 State Environmental Planning Policy No.63 - Major Transport Projects.
 State Environmental Planning Policy No.64 - Advertising and Signage.
 State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development.
 State Environmental Planning Policy No.70 - Affordable Housing(Revised Schemes).
 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.
 State Environmental Planning Policy (ARTC Rail Infrastructure) 2004.
 State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions)2004.
 State Environmental Planning Policy (ARTC Rail Infrastructure) Amendment 2005.
 State Environmental Planning Policy (Sydney Metropolitan Water Supply)(Amendment No1) 2005.
 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
 State Environmental Planning Policy No.53 -Metropolitan Residential Development.
 State Environmental Planning Policy (Seniors Living) 2004.

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 Environmental Engineers & Scientists
 Level 2, 2 Lincoln Street
 Lane Cove NSW 2066

8. WHICH DEVELOPMENT CONTROL PLANS APPLY TO THE PROPERTY?

(A development control plan adds further detail to local environmental plans and may address issues such as building height, car parking etc. Copies of the Plans are available from Council).

- Development Control Plan No.8 - Professional Consulting Rooms
- Development Control Plan No.28 - Advertising Signs
- Development Control Plan No.31 - Access
- Development Control Plan No.38 - Residential Design Manual
- Development Control Plan No.40 - Construction and Demolition Waste Management
- Development Control Plan No.43 - Car Parking for Development in Ku-ring-gai Council Area
- Development Control Plan No.46 - Exempt and Complying Development
- Development Control Plan No.47 - Water Management

9. WHICH DEVELOPMENT CONTRIBUTION PLANS APPLY IF THIS PROPERTY IS DEVELOPED?

(A Development Contribution Plan – commonly known as a Section 94 Plan outlines the financial costs Council charges if a property is developed and Council believes the development will require additional services or facilities such as parks, roads etc. Copies of the Plans are available from Council).

Ku-ring-gai Section 94 Development Contribution Plan 2004 – 2009 applies to residential development.

Ku-ring-gai Section 94 Contributions Plan No.1 (1993) applies to commercial development.

10. IS THE PROPERTY IDENTIFIED AS A HERITAGE ITEM by Council or State Government? (and if so, what is the status, e.g. local environmental plan, Heritage Act etc.)

No.

SPECIAL NOTE: Your attention is drawn to Clause 61E of the Ku-ring-gai Planning Scheme Ordinance which states that Council shall not grant consent to an application to carry out development on land in the vicinity of a heritage item unless it has made an assessment of the effect the carrying out of that development will have on the heritage significance of the item and its setting.

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Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

11. IS THE PROPERTY IN A CONSERVATION AREA?

No.

SPECIAL NOTE: A conservation area is a place of historic and aesthetic value to the community. It contains a number of elements of significance, such as a historic subdivision layout, a pattern of building "footprints" within each street block, buildings of historic and architectural importance, road alignments, trees, gutters and kerb edges which all combine to create a sense of place that is worth keeping. Council's Heritage Conservation Planner can provide you with more information on this matter.

12. DOES THE PROPERTY INCLUDE OR COMPRISE CRITICAL HABITAT?

No.

13. IS THE PROPERTY AFFECTED BY A ROAD WIDENING OR ROAD REALIGNMENT under the Roads Act, any environmental planning instrument or any Council resolution?

No.

NOTE: The subject land has a boundary to a County Road. Enquiries should be directed to the Department of Urban Affairs and Planning and the Roads and Traffic Authority regarding any affectation pursuant to clause 21 of the Ordinance.

14. IS THE PROPERTY RESERVED FOR ACQUISITION BY A PUBLIC AUTHORITY UNDER ANY ENVIRONMENTAL PLAN OR DRAFT ENVIRONMENTAL PLAN?

No.

15. IS THE PROPERTY PART OF ANY APPLICATION DECLARED TO BE "STATE SIGNIFICANT DEVELOPMENT"?

(Development is judged to be "State significant" if the Minister for Urban & Transport Planning declares it to be so based on substantial cost of development, significant numbers of employees or other criteria. For more information contact the Department of Urban & Transport Planning, Tel: 97628044).

No.

Heggles Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

16. IS THE PROPERTY AFFECTED BY SECTION 38 OR 39 OF THE COASTAL PROTECTION ACT?

No.

17. IS THE PROPERTY WITHIN A "PROCLAIMED MINE SUBSIDENCE DISTRICT"?

No.

18. IS THE PROPERTY AFFECTED BY ONE OF THE SITE CONTAMINATION NOTICES OUTLINED IN SECTION 59(2) OF THE CONTAMINATED LAND MANAGEMENT ACT 1997?

No.

SPECIAL NOTE: If you have any concerns about land contamination beyond the information described in this certificate, you should contact the Environment Protection Authority.

19. IS THE PROPERTY BUSH FIRE PRONE LAND?

No.

20. IS THE PROPERTY LAND TO WHICH A PROPERTY VEGETATION PLAN UNDER THE *NATIVE VEGETATION ACT 2003* APPLIES?

No.

Heggles Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

21. DO ANY ADOPTED COUNCIL POLICIES OR RESOLUTIONS OR ANY POLICIES ADOPTED BY A PUBLIC AUTHORITY REQUIRED TO BE REFERRED TO IN A PLANNING CERTIFICATE RESTRICT THE DEVELOPMENT OF THE PROPERTY DUE TO THE LIKELIHOOD OF LANDSLIP, BUSHFIRES, FLOODING, TIDAL MOVEMENT, SUBSIDENCE, CONTAMINATION, ACID SULPHATE SOILS OR ANY OTHER RISK?

YES. "Development Control Plan No.38 – Residential Design Manual" contains details regarding bushfire risk. For further information on the requirements of DCP No.38 please contact Council's Development Control Department, Tel. 9424-0770.

Note: A review of Council's readily available records has been conducted to identify previous land uses that may have caused land contamination. This review did not reveal any reason for contamination of this property. However, prior to urban settlement, sizeable areas of Ku-ring-gai were covered by agricultural and horticultural activities. These uses are listed in the Managing Land Contamination Planning Guidelines as activities that may cause contamination. If you are concerned about possible contamination of the site you should make your own investigations regarding the condition of this property.

The following additional information is issued under Section 149(5).

22. IS LAND SLIP OR SUBSIDENCE LIKELY TO RESTRICT DEVELOPMENT OF THE LAND?

No.

SPECIAL NOTE: Some lots in the Ku-ring-gai Local Government area contain filling and/or road batters which may be subject to settlement and require special consideration in the design of foundations.

23. IS FLOODING LIKELY TO RESTRICT DEVELOPMENT OF THE LAND?

Some properties in the Ku-ring-gai Local Government area contain or adjoin natural drainage paths, pipelines, watercourses and depressions. During major rainfall or blockage of the drainage system surface water may affect the site or restrict future development.

SPECIAL NOTE: The Department of Infrastructure, Planning & Natural Resources and the Department of Commerce have not indicated any private property which may be affected by flooding of major rivers or creeks in the Ku-ring-gai Local Government area.

Heggies Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

24. OTHER INFORMATION RELATING TO DEVELOPMENT OF THE SITE.

A Tree Preservation Order applies to all land in the Ku-ring-gai Local Government Area. The Order aims to conserve Ku-ring-gai's tree canopy. The Order prohibits the ring barking, cutting down, lopping, pruning, removing, injuring or wilful destruction of any tree with a height greater than 5 metres or a canopy spread greater than 4 metres, unless the owner has the written consent of Council. A penalty of \$20,000 can be imposed if the requirements of the Order are not complied with. For more information on the Tree Preservation Order please contact Council's Development and Regulatory Department on 9424-0770.

This land may contain threatened species, populations and ecological communities listed under the Threatened Species Conservation Act 1995 (NSW) and or the Environment Protection Biodiversity Conservation Act 1999 (Commonwealth). For more information contact the Department of Environment and Conservation, Tel: 95856444.

This land may contain one or more of the following endangered ecological communities as described in the final determination of the scientific committee to list the ecological communities under Part 3 of Schedule 1 of the Threatened Species Conservation Act 1995 (NSW):

Blue Gum High Forest,
Duffys Forest Ecological Community in the Sydney Basin Bioregion,
Sydney Turpentine Ironbark Forest

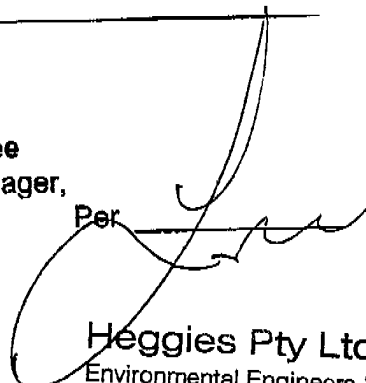
For more information contact the Department of Environment and Conservation, Tel: 95856444

25. DO YOU NEED TO REFER TO ANY OTHER DOCUMENTS?

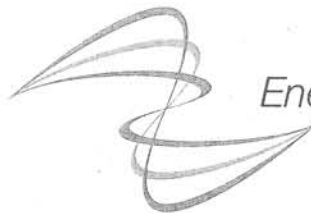
Yes. The Environmental Planning and Assessment Act 1997 commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998. Your solicitor will have a copy of this legislation or it may be obtained from the Government Information Office.

John McKee
General Manager,

Per


Heggies Pty Ltd
Environmental Engineers & Scientists
Level 2, 2 Lincoln Street
Lane Cove NSW 2066

Test Report



Enerserve

A business of EnergyAustralia

25-27 Pomeroy Street

Homebush NSW 2140

Telephone 1800 804 678

Report Number H-03935

Item Magnetic Field Intensity Measurement

Client Crowsnest Kindergarten
21 Archbold Road
Roseville

SFC Number 53207

Attention Harry Azoulay

Date of Test 3 November 2006

Location of Tests 21 Archbold Road
Roseville

Tests

To measure the existing magnetic field intensity to determine if they exceed NHMRC Guidelines.

Contents of Report

Page No.

Test Method and Conditions
Test Results
Electrical Services Map
Criteria

2
2 - 4
5
6

Conclusion

All of the intensity levels measured were below the 1 000 milligauss (mG) limit for General Public exposure (see also P.6 - Criteria).

Note:

ICNIRP limit for General Public exposure at 50Hz is identical to the NHMRC Guidelines (1 000 mG).

For further information please contact: Mr. Nick Fowler on (02) 93946773

N. FOWLER

Authorised Officer

N. Fowler

Signature

21-11-06

Date Issued

Test Report



Report Number H-03935

TEST METHOD AND CONDITIONS

General

An Enertech Emdex II magnetic field intensity meter calibrated to measure between 0.1 mG (r.m.s.) and 3000 mG (r.m.s.) was used. The broadband frequency bandwidth with a sampling rate of 1.5 seconds was selected. All measurements were made at a height of 1.0 metre above the existing ground levels. The levels measured under the power lines and up to the fence were measured using the Emcalc 2000 LINDA (Linear Data Acquisition) wheel.

Specific

Measurements were made in the vicinity of the 132kV high voltage underground cables and underneath the 11kV and 415V overhead conductors. All of these circuits are within 70m of the premises.

Note: The power line frequency is 50Hz and all measurements are relative to that frequency.

Measurements were made between 8.50 am and 9.20 am.

TEST RESULTS

There was no access directly above 132kV cables but all the magnetic field intensity measurements are relative to what the property would experience from all services.

Internal Measurements

Note: See page 4, measurement path, for the locations.

| Location | EMF (mG) |
|--------------------------------------------------------------------------------------|----------|
| Maximum under 11kV and 415V overhead electrical services (also see page 3) | 5 |
| Adjacent to proposed front play-yard barrier | 5 |
| 1m from proposed front play-yard barrier, towards the existing house | 5 |
| 2m from proposed front play-yard barrier, towards the existing house | 5 |
| Centre of front yard – proposed play area | 4 |
| Corner of 21 Archbold Rd, North fence, point closest to HV services | 6 |
| 1m from Corner of 21 Archbold Rd, North fence, closest point to all HV services | 6 |
| 2m from Corner of 21 Archbold Rd, North fence, closest point to all HV services | 6 |
| 3m from Corner of 21 Archbold Rd, North fence, closest point to all HV services | 5 |
| Rear of existing car park – Furthest point from HV services for proposed play areas. | 1 |

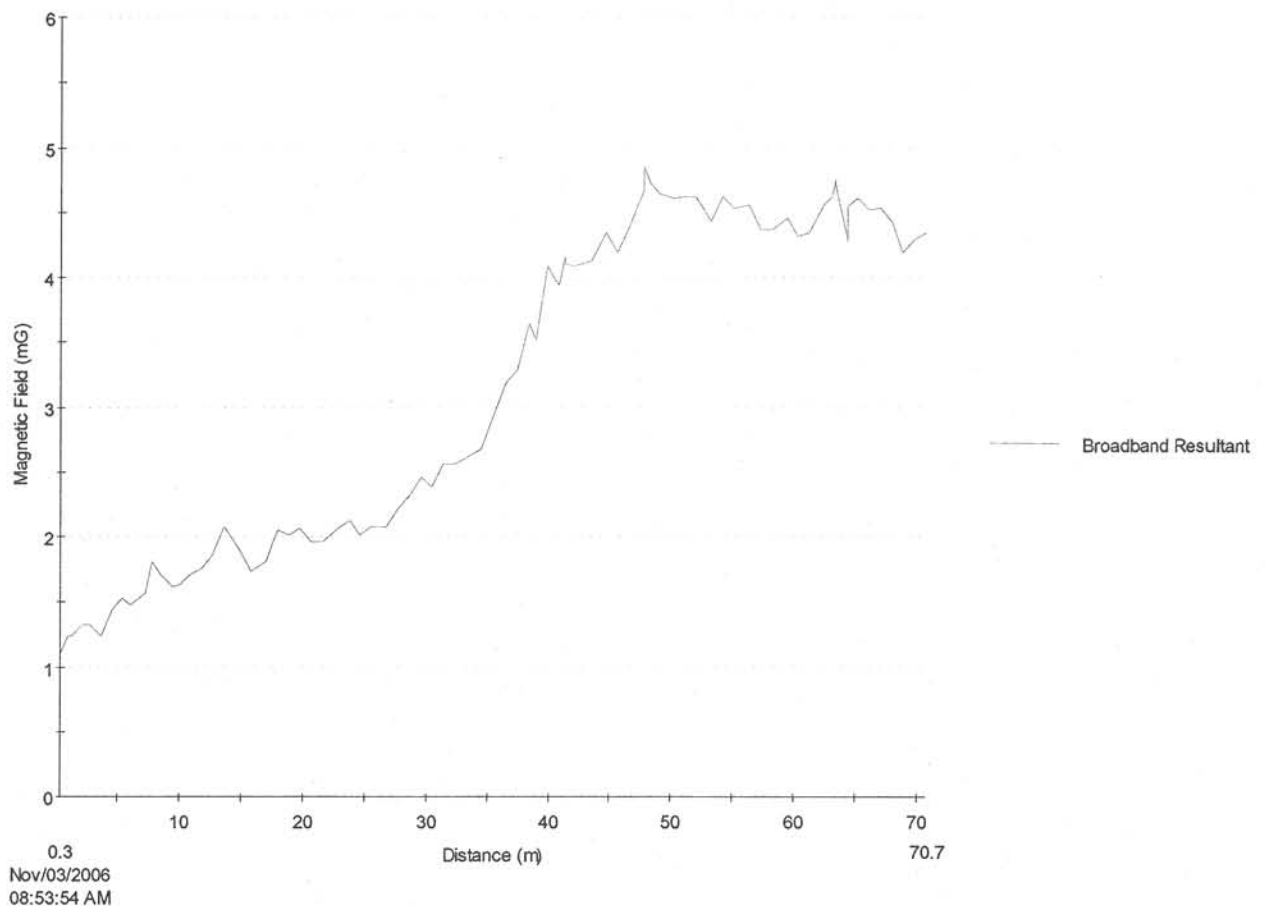
Test Report



Report Number H-03935

Broadband Resultant

Under 11kV and 415V Overhead Power Lines



This graph displays the EMFs measured underneath the overhead electrical services commencing in Addison Avenue (0m – boundary of 21 Archbold Road and 2 Addison Avenue) under the 415V overhead line and moving toward Archbold Road. At 48m we turned right (heading north) and measured the EMFs under the 11kV and 415V overhead lines. The measurements conclude at (70m - the boundary of 21 and 23 Archbold Road). These measurements also take in the EMFs from the 132kV underground services (See page 4 Measurement Path).

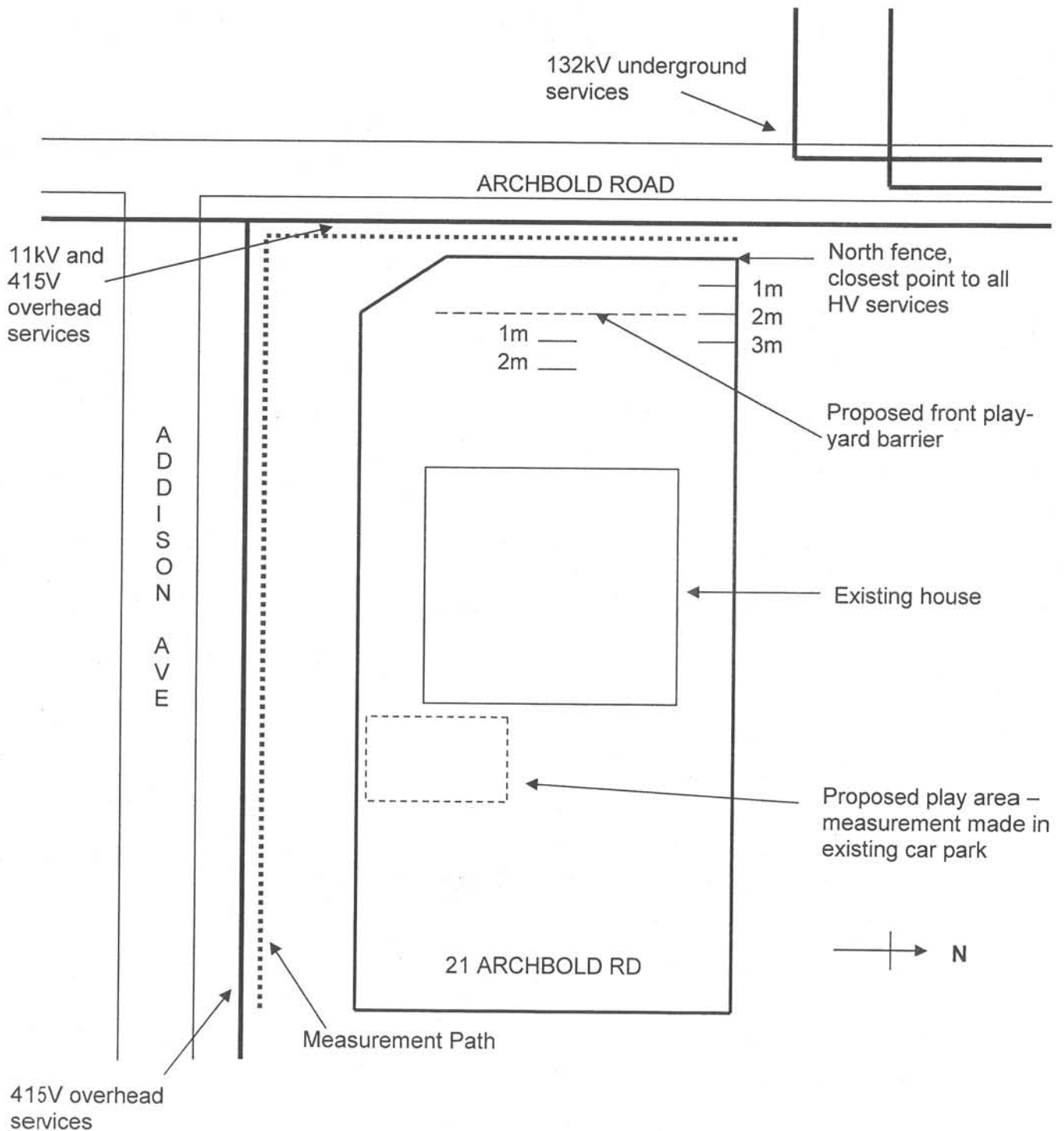
Test Report



Report Number H-03935

Measurement Path

Note: Drawing not to scale



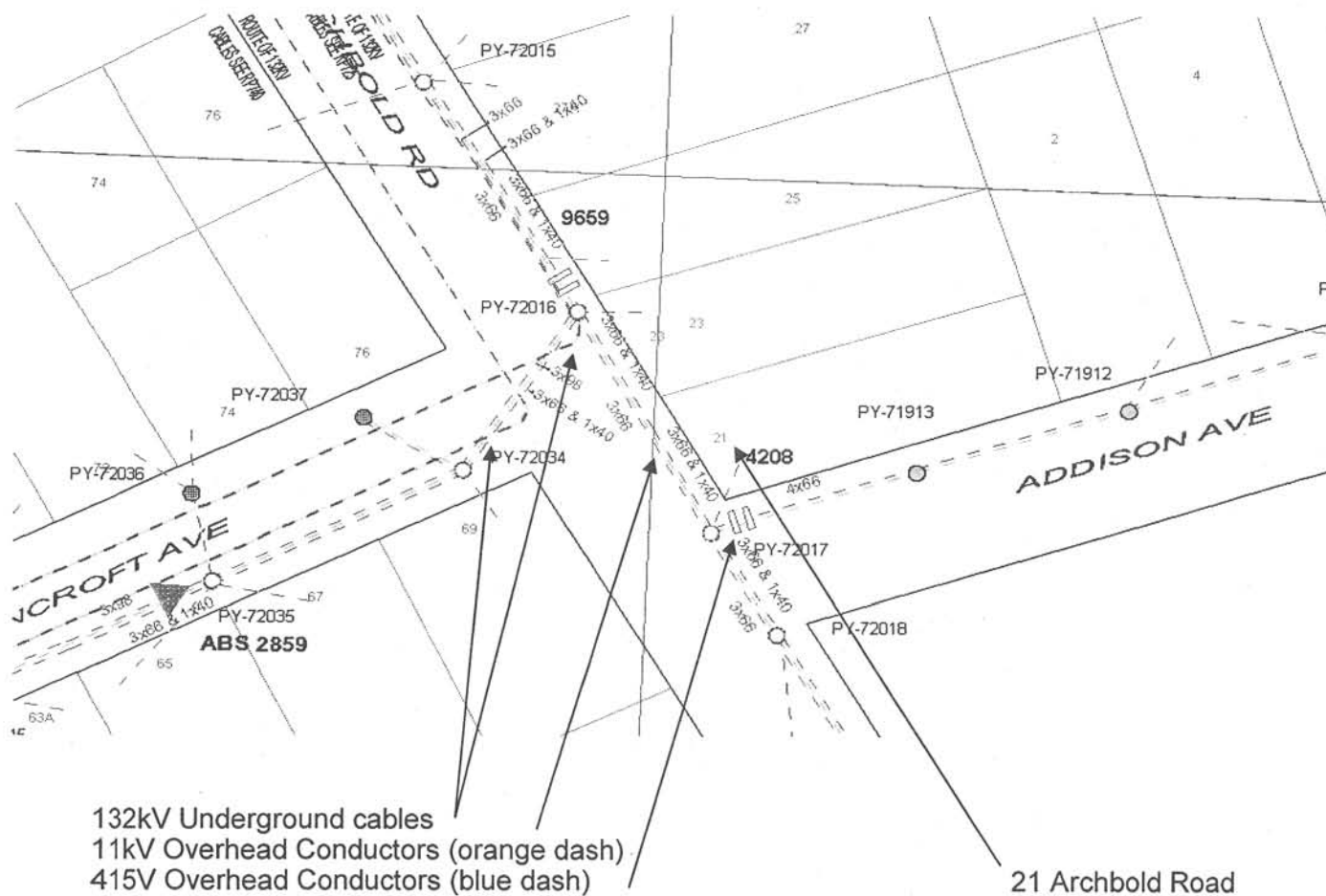
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Test Report



Report Number H-03935

Electrical Services



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Test Report



Report Number H-03935

CRITERIA

The limits listed below formed part of the Australian Radiation Protection Association's submission to the Gibbs Inquiry and are also quoted in the NHMRC's Publication No. 30 "Interim Guidelines on limits of Exposure to 50/60 Hz Electric and Magnetic Fields (1989)".

EXPOSURE CHARACTERISTICS

MAGNETIC FLUX DENSITY

Occupational

mG (r.m.s.)

Whole working day

5 000

Short term

50 000

For limbs

250 000

General Public

Up to 24 hours/day

1 000

Few hours/day

10 000

DEVELOPMENT APPLICATION

SUMMARY SHEET

| | |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REPORT TITLE: | 2 TO 8 BRUCE AVENUE, KILLARA - DEMOLITION OF FOUR EXISTING DWELLINGS AND CONSTRUCTION OF TWO, FIVE STOREY RESIDENTIAL FLAT BUILDINGS CONTAINING FIFTY-TWO UNITS |
| WARD: | Gordon |
| DEVELOPMENT APPLICATION N^o: | 1430/06 |
| SUBJECT LAND: | 2 to 8 Bruce Avenue, Killara |
| APPLICANT: | Dugald Mackenzie & Associates |
| OWNER: | Mrs Florence Ng & Mr Jerry Ng, Mrs Julie Anne Cowdery & Mr Stephen Deane Cowdery, Mrs Angela May Li, Mrs Sally Anne Hinchcliffe & Mrs Jennifer Bronwyn Howlett |
| DESIGNER: | Dugald Mackenzie & Associates |
| PRESENT USE: | Dwelling houses |
| ZONING: | Residential 2(d3) |
| HERITAGE: | No |
| PERMISSIBLE UNDER: | Ku-ring-gai Planning Scheme Ordinance |
| COUNCIL'S POLICIES APPLICABLE: | KPSO - LEP 194, DCP 55, DCP 31 - Access, DCP 40 - Waste Management, DCP 43 - Car Parking |
| COMPLIANCE WITH CODES/POLICIES: | Yes |
| GOVERNMENT POLICIES APPLICABLE: | SEPP 1, SEPP 55, SEPP 65 |
| COMPLIANCE WITH GOVERNMENT POLICIES: | Yes |
| DATE LODGED: | 21 December 2006 |
| 40 DAY PERIOD EXPIRED: | 30 January 2007 |
| PROPOSAL: | Demolition of four existing dwellings and construction of two, five storey residential flat buildings containing fifty- two units |
| RECOMMENDATION: | Approval. |

DEVELOPMENT APPLICATION N^o 1430/06
PREMISES: 2 TO 8 BRUCE AVENUE, KILLARA
PROPOSAL: DEMOLITION OF FOUR EXISTING
DWELLINGS AND CONSTRUCTION OF
TWO, FIVE STOREY RESIDENTIAL FLAT
BUILDINGS CONTAINING FIFTY-TWO
UNITS
APPLICANT: DUGALD MACKENZIE & ASSOCIATES
OWNER: MRS FLORENCE NG & MR JERRY NG,
MRS JULIE ANNE COWDERY & MR
STEPHEN DEANE COWDERY, MRS
ANGELA MAY LI, MRS SALLY ANNE
HINCHCLIFFE & MRS JENNIFER
BRONWYN HOWLETT
DESIGNER DUGALD MACKENZIE & ASSOCIATES

PURPOSE FOR REPORT

To determine development application No. 1430/06 which seeks consent for demolition of 4 existing dwelling houses, consolidation of 4 lots into 1 and construction of 2 residential flat buildings with basement car parking.

EXECUTIVE SUMMARY

Issues:

- building separation
- balcony projection

Pre DA meeting Yes – The issues raised were:

- building length
- external finishes
- deep soil landscaping

Submissions: 11 submissions were received

Land & Environment Court Appeal: No

Recommendation: Approval

HISTORY

Site history:

The site has previously been zoned and used for the purpose of low density residential development.

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On 28 May 2004, Local Environmental Plan 194 was gazetted, rezoning the site to permit residential flat development.

Development application history:

| | |
|------------------|-------------------------------------------------------------------------|
| 7 November 2006 | Pre DA meeting held. |
| 21 December 2006 | DA lodged. |
| 2 February 2007 | Request from Council staff for amended landscape plan. |
| 14 February 2007 | Extended Christmas/New Year notification period ends. |
| 14 March 2007 | Request from Council officers for amended building design |
| 28 March 2007 | Amended building design and landscape plan received by Council. |
| 13 April 2007 | Amended Statement of Environmental Effects received by Council. |
| 20 April 2007 | DA re-notified (amended plans) |
| 7 May 2007 | Re-notification period ends. |
| 7 May 2007 | Amended plans addressing internal layout anomalies received by Council. |
| 8 & 10 May 2007 | Amended landscape plans addressing anomalies received by Council. |

The original DA proposed a single, five storey building with a length of approximately 61m, containing 53 units. The original design was considered unsatisfactory for a number of reasons and the applicant was requested to modify the proposal to comply with the 36m maximum building length control contained in DCP 55.

Amended plans were received on 28 March 2007 which modified the building form into 2 separate buildings, each being less than 36m in length. Separation of the building into 2 elements resulted in the deletion of one of the upper level dwellings, reducing the total number of dwellings to 52. The amended plans form the basis of this assessment.

THE SITE AND SURROUNDING AREA

The site

| | |
|----------------------------------|------------------------------------------------------------------------------|
| Zoning: | Res 2(d3) |
| Site area | 4196.6m ² |
| Visual character study category: | 1945-68/Post 1968 |
| Legal Descriptions: | Lot B, DP 332906 Lot C, DP 332906 Lot C, DP 400922 Lot E, DP 397878 |
| Heritage affected: | No (UCA 12 – Greengate) |
| Bush fire prone land: | No |
| Endangered species: | No |
| Urban bushland: | No |
| Contaminated land: | No |

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The site is comprised of four allotments and is slightly irregular in shape, with a frontage of 73.16m to Bruce Avenue and a variable depth of 54.39m to 61.11m. The site has an area of 4196.6m² and is located on the northern side of Bruce Avenue, approximately 70m east of the intersection of the Pacific Highway and Bruce Avenue.

Existing development on the site includes four, two storey dwellings. The site features a number of mature trees, none of which are significant, and slopes moderately up to the rear from RL 113.41 in the south-east corner to RL 124.49 in the north-west corner. The average slope of the site from front to rear is approximately 11%.

Surrounding development:

The surrounding development is predominantly comprised of dwelling houses. Bruce Avenue is almost entirely zoned 2(d3) and in addition to the surrounding approved (but not yet constructed) residential flat buildings at Nos. 1-7 Bruce Avenue, Nos. 9-23 Bruce Avenue, Nos. 657-661 Pacific Highway, (adjacent to Greengate Hotel) and Nos. 669-671 Pacific Highway, it is expected that the remainder of Bruce Avenue will be redeveloped into residential flat buildings at some stage in the future.

The Greengate Hotel, the adjoining dwellings at the rear of the site (Nos. 12 & 14 Cecil Street) and the dwelling on the northern corner of the Pacific Highway and Bruce Avenue (No. 663 Pacific Highway) are all local heritage items.

THE PROPOSAL

The proposal (as modified) is to demolish the four dwelling houses on the site, consolidate 4 lots into 1 and construct 2 x 5 storey residential flat buildings, containing 52 dwellings, with basement car parking for 93 vehicles. Details of the proposed development are as follows:

Basement

- 2 levels of basement parking containing a total of 93 spaces, including 12 tandem spaces and visitor parking
- storage areas, waste storage room, bicycle storage

Eastern building

- 5 storey building with substantial articulation to Bruce Avenue
- 26 dwellings, including 2 penthouse apartments on 5th level
- swimming pool on 5th level
- centralised lift lobby with 1 lift

Western building

- 5 storey building with substantial articulation to Bruce Avenue
- 26 dwellings, including 2 penthouse apartments on 5th level
- swimming pool on 5th level
- centralised lift lobby with 1 lift

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General

- apartment mix comprised of 8 x 1 bedroom, 32 x 2 bedroom and 12 x 3 bedroom units
- vehicular access to the basement via a new driveway off Bruce Avenue at the eastern end of site
- external finishes include a combination of exposed brickwork to lower two levels, rendered and painted bricks on upper levels, metal roof, timber blades, aluminium louvres, FC sheeting, aluminium framed windows and clear and opaque glazing
- landscaping works including canopy tree planting, boundary screen planting and common open space
- two covered pedestrian entry structures adjacent to the front boundary

CONSULTATION - COMMUNITY

In accordance with Council's Notifications DCP, owners of surrounding properties were given notice of the application. In response, submissions from the following were received:

Original scheme dated 21 December 2006

| | | |
|-----|--------------------------|-----------------------------------|
| 1. | <i>Ian Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 2. | <i>Hwa Chyan Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 3. | <i>Mei Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 4. | <i>Regina Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 5. | <i>Elleise Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 6. | <i>Rebecca Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 7. | <i>Byuong Sun Chu</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 8. | <i>Mei Xian Boon</i> | <i>2a Bruce Avenue, Lindfield</i> |
| 9. | <i>Donna McIntosh</i> | <i>14 Cecil Street, Gordon</i> |
| 10. | <i>Dr Hogan</i> | <i>25 Bruce Avenue, Killara</i> |
| 11. | <i>Ravenswood School</i> | <i>18 Cecil Street, Gordon</i> |

The submissions raised the following issues:

Increased traffic / pedestrian & student safety / parking impact

The proposed development complies with the required on-site car parking provision, and the proposal is satisfactory with regard to impact on the surrounding road network. Conditions of consent are recommended to ensure the safety of pedestrians during the construction period. (**Refer to Condition No. 29**)

Traffic report deficient

The submitted traffic report has been considered by Council's engineering staff and the proposal is satisfactory with regard to traffic and parking, as discussed further in this report.

Modern design and materials not compatible with heritage items / all external walls to be face brick

The amended proposal has been assessed by Council's Heritage Advisor who considers it to be satisfactory with regard to the surrounding heritage items. The proposed modern building form is an appropriate architectural treatment for a residential flat building in this location and includes face brick to the lower levels.

Building setback is to be increased by 3m from No.2a Bruce Avenue due to concerns regarding safety, impact on studying/working, solar access, privacy, proximity to children's window, fire hazard

The proposed setback of 6m to the side boundary with the adjoining property at No.2a Bruce Avenue complies with the DCP 55 setback requirement and is satisfactory with regard to the 2(d3) zoning of the subject and adjoining site.

With regard to solar access to adjoining properties, DCP 55 requires that:

"...development shall allow the retention of at least 3 hours of sunlight between 9.00am and 3.00pm on June 21 to the habitable rooms and the principal portion of the outdoor living area of adjoining houses in single house zones ..."

No.2a Bruce Avenue is zoned residential 2(d3). Nonetheless, the proposal satisfies the DCP 55 solar access requirement for adjoining houses and provides in excess of 3 hours of sunlight to the dwelling and outdoor living area of No.2a Bruce Avenue.

With regard to privacy, the proposal satisfies the side setback controls, but does not satisfy the building separation controls, as detailed later in this report in relation to DCP 55. The extent of non-compliance with the 12m building separation control to the western side (No.2a Bruce Avenue) is essentially due to the nature of the 12m control, which assumes that two adjoining buildings will each have a setback of 6m from their common boundary. The same principle applies in relation to the 18m building separation control for the 5th level, which assumes that adjoining buildings will each have a setback of 9m. In this case, the separation between No.2a Bruce Avenue and the proposed building is 9m-10.8m for Levels 1-4, and 10.4m-12.2m for Level 5.

Despite the building separation non-compliance of 1.2m-3m for Levels 1-4 and 5.8m-7.6m for Level 5, the proposal will not have an adverse privacy impact on No.2a Bruce Avenue due to the design of the western elevation of the proposal. On Levels 1-4, the balconies on the western elevation have been located at the southern end of the building, generally opposite the dwelling house at No.2a Bruce Avenue, thereby limiting overlooking principally to the roof and front yard of that dwelling. The rooms at the northern end of the western elevation at each of Levels 1-4 are comprised of bedrooms (one with a 1m deep balcony) and an ensuite.

The northern end of the western elevation of the development is generally opposite the rear yard of No.2a Bruce Avenue, and the degree of overlooking of the rear yard from these rooms is not unreasonable with regard to the nature and use of these rooms (bedrooms and ensuite). Overlooking of No 2a Bruce Avenue from Level 5 is restricted by the increased setback of the Level 5 terrace, and is satisfactory. In addition to the proposed placement of balconies and bedrooms in the western elevation relative to the adjoining dwelling at No 2a Bruce Avenue to

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minimise overlooking, it is proposed to install deep soil screen planting adjacent to the western boundary. This screen planting will achieve a mature height of 5m-8m, and will further reduce the potential for overlooking.

The proposal is satisfactory with regard to solar access and privacy, particularly with regard to No.2a Bruce Avenue, and the proposed side setback is satisfactory.

If approved and constructed, the development will be required to conform to the provisions of the Building Code of Australia, which includes various fire safety regulations. **(Refer to Condition No. 70)**

2a Bruce Avenue is zoned 2(b3) and is a zone interface

The zone interface provisions contained in the KPSO do not apply to the adjoining property at No.2a Bruce Avenue, which is also zoned Residential 2(d3). The adjoining properties to the north-east of the site are zoned Residential 2(b) and the proposal has been set back from these properties in accordance with the zone interface development standards.

Solar access

The proposed development will result in additional overshadowing of the adjoining property at No.2a Bruce Avenue prior to noon and also to the adjoining property at No. 8a Bruce Ave in the afternoon. However, the extent of overshadowing is acceptable with regard to the provisions of DCP 55, as previously discussed.

Noise pollution

It is unlikely that the proposed development will have an adverse noise impact on any adjoining residence given the proposed residential use of the site and in the context of the 2(d3) zoning.

Privacy / no trees on northern boundary of site

The proposed 6m side setback combined with 5m-8m high screen planting adjacent to the western boundary is satisfactory with regard to maintaining adequate privacy to the adjoining property at No.2a Bruce Avenue. The proposed 9m-13m rear setback, combined with 5m-20m high screen landscaping, including trees of up to 20m in height adjacent to the northern boundary, is satisfactory with regard to maintaining adequate privacy to the adjoining property at No.14 Cecil Street. It is noted that the rear setback is substantially greater than the minimum of 6m required by DCP 55 and that the dwellings to the north at Nos.12 and 14 Cecil Street are set back a considerable distance from the rear boundary.

The "Site / Roof Plan" is misleading / not all plans sent in notification

The "Site/Roof Plan" accurately depicts the proposed extent of development and is not misleading, as claimed. Internal floor plans are not available for viewing (for privacy reasons) and this is clearly stated in the notification letters. However, all other full size plans were available at Council offices for viewing during the notification period.

Rooftop swimming pool – privacy and noise impact

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The proposed rooftop pool on the 5th level of the western building is approximately 12.7m above ground level and is set back approximately 7m from the western side boundary. The proposed height and side setback of the pool will limit any adverse privacy or noise impact on surrounding dwellings to an acceptable degree. A condition of consent is also recommended to limit plant noise associated with the swimming pool. **(Refer to Condition No. 112)**

Location of air conditioning

Air conditioning plant and ducting is proposed to be internally housed and routed and a suitable condition of consent is recommended to ensure no external air conditioning units are installed. **(Refer to Condition No. 80)**

Location of basement exhaust stacks and waste storage

The waste storage room is located at Basement Level 1 and will not affect any adjoining property. The basement ventilation shafts will exhaust to the roof and will not affect any adjoining property.

Bulk and scale – building should be split into 2 blocks

The proposal has been amended to reduce bulk and scale by dividing the single building into two buildings (with a common basement parking area) and the building is satisfactory with regard to bulk, scale and visual impact.

Balconies larger than 1.2m

The subject control in DCP 55 does not relate to the depth of balconies, but rather to the projection of balconies beyond the outermost part of the building façade. The proposed balconies predominantly project less than 1.2m from the façade, with the northern balconies projecting 1.5m. This is satisfactory with regard to the building design and architectural merit of the proposal.

Roof terrace has no soft landscaping

Council does not require the provision of rooftop landscaping. The provision of 50% deep soil landscaping is a non-discretionary development standard and the proposal complies with this standard.

Traffic and safety impact on Ravenswood school (Cecil Street)

Bruce Avenue is not directly accessible by vehicle from Cecil Street and the proposal would not have an adverse impact on the school.

Amended plans dated 28 March 2007

The amended plans were notified. Submissions from the following were received:

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1. Hwa Chyan Boon 2a Bruce Avenue, Lindfield
2. Regina Boon 2a Bruce Avenue, Lindfield

The submissions in response to the amended plans raised the following issues:

The amended plans do not address any of the concerns previously raised in relation to No. 2a Bruce Avenue

It is agreed that the amended plans differ from the original plans essentially only in relation to dividing the single building into 2 buildings, and landscaping modifications. However, all of the issues previously raised in relation to No.2a Bruce Avenue have been addressed above.

CONSULTATION - WITHIN COUNCIL

Urban Design

Council's Urban Design Consultant, Russell Olsson, commented on the proposal in the context of SEPP 65 and the Residential Flat Design Code considerations as follows:

Principle 1: Context

SEPP 65 : Good design responds and contributes to its context...Responding to context involves identifying the desirable elements of a location's current character, or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies.

The proposed site is situated 200m from the St Ives Commercial Centre and 150m from Mona Vale Road. The site has an area of 2377 square metres, a street frontage of approximately 36m and a depth of approximately 65m.

The built form context is comprised of

- *on the proposed site a single storey residential dwelling zoned 2(d3)*
- *to the south a two storey residential dwelling zoned 2(c)*
- *to the north a single storey residential dwelling zoned 2(d3)*
- *to the south east two storey townhouses under construction zoned 2(c)*
- *to the north east a single storey residential dwelling, a heritage item, zoned 2(c)*
- *to the west large two storey residential dwellings and townhouses zoned 2(e) and 2(d3)*

The Residential 2 (d3) zoning of this site and the sites to the north and east (with the exception of the two heritage items), establishes the future scale of development on these sites as being 5 storeys maximum. This zoning establishes a future difference in height and bulk in relation to the existing two storey heritage items to the north but as the proposed development's rear boundary is 40 metres from the heritage items and the site slopes towards Bruce Avenue the impact of the proposed 5 storey development on the heritage items should be minimal.

The relationship to the existing context is acceptable.

Principle 2: Scale

SEPP 65: Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing transition proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

The scale of the proposed development is acceptable.

Principle 3: Built Form

SEPP 65: Good design achieves an appropriate built form for a site and the buildings purpose, in terms of building alignments, proportions, building type and the manipulation of building elements...

Greater articulation has now been achieved by dividing the proposed development into two separate buildings. The buildings have a less bulky appearance, which is a substantial improvement on the previous scheme.

The built form is acceptable.

Principle 4: Density

SEPP 65: Good design has a density appropriate to its site and its context, in terms of floor space yields (or numbers of units or residents)...

The density is acceptable.

Principle 5: Resource, energy and water efficiency

SEPP 65: Sustainability is integral to the design process. Aspects include.....layouts and built form, passive solar design principles,... soil zones for vegetation and re-use of water.

More than 70% (minimum recommended in the Residential Flat Design Code) of living rooms/balconies in apartments will receive greater than 2 hours sunlight between 9am and 3pm in mid-winter. There are no south facing apartments.

More than 60% of apartments (minimum recommended in the Residential Flat Design Code) are naturally ventilated.

More than 25% (minimum recommended in the Residential Flat Design Code) of kitchens are located on external walls.

Principle 6: Landscape

SEPP 65: Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

The landscape design has been improved by the introduction of lower storey planting and the reduction in wide expanses of lawn. The general principles of the landscape design are now acceptable.

Principle 7: Amenity

SEPP 65: Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts, and service areas, outlook and ease of access for all age groups and degrees of mobility.

The following amenity problems still exist within the development:

- *Apartments 2, 11, 14, 23, 26, 35, 38 and 47 have 45 degree walls in the master and second bedrooms, the two bathrooms and the laundry. These walls reduce the amenity of the apartment and are a symptom of inefficient planning.*
- *Apartments 3, 10, 15, 22, 27, 34, 39 & 46 have entrances opening directly onto the kitchen. This is an undesirable way of entering an apartment and should be avoided if possible.*
- *The kitchen benches in apartments 3, 10, 15, 22, 27, 34, 39 & 46 are inefficiently designed and would hamper movement around the kitchen.*
- *Apartments 4, 9, 16, 21, 28, 33, 40 & 45 have kitchens in the hallway making it difficult to cook and move through the apartment at the same time.*
- *A large percentage of the apartments have showers with a corner removed, which is a result of inadequate size bathrooms and reduces the amenity of the bathroom.*

Principle 8: Safety and Security

SEPP 65: good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising activity on the streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

There are no perceived safety and security issues.

Principle 9: Social Dimensions

SEPP 65: Good design responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities. New developments should

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optimise the provision of housing to suit the social mix and needs in the neighbourhood, or, in the case of precincts undergoing transition, provide for the desired future community.

The mix of apartments is acceptable.

Principle 10: Aesthetics

SEPP 65: Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

The aesthetics of the proposed development is acceptable.

2.0 Conclusion and recommendations

The design has been improved by the creation of 2 buildings and the introduction of understorey planting. The amenity issues raised in the first review regarding apartment planning are repeated in this review.

It is recommended that

- *apartments 2, 11, 14, 23, 26, 35, 38 and 47 are redesigned to eliminate the 45 degree walls wherever possible*
- *the entrances to apartments 3, 10, 15, 22, 27, 34, 39 & 46 are relocated away from the kitchens*
- *the kitchen benches in apartments 3, 10, 15, 22, 27, 34, 39 & 46 are redesigned to be more efficient*
- *relocate the kitchens in apartments 4, 9, 16, 21, 28, 33, 40 & 45 away from main walkways eg hallways*
- *all showers should be square or rectangular*

Comment – While the recommended internal unit alterations may improve amenity for some occupants, the proposed internal configuration is satisfactory with regard to the provisions of SEPP 65 and it is unnecessary to implement this part of the recommendation by way of condition or amended design.

Heritage

Council's Heritage Advisor, Paul Dignam, has commented on the proposal as follows:

Heritage status

Existing development on the site comprises 4 residential houses. No 2 & 4 are recent two storey houses, No 6 & 8 are Post War brick houses. They are not listed as items but the site is

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contained within the National Trust UCA 12 – Greengate. The site should be assessed with reference to Chapter 3.4 of DCP 55 – development within a UCA.

There are a number of adjoining and nearby heritage items. Clause 61 E of the KPSO require Council to assess the impact of the proposed development on the heritage significance of the heritage items within the vicinity of the development site. The site should also be assessed with reference to Chapter 3.5 of DCP 55 – development within the vicinity of a heritage item.

Clause 25 D (1) (b) of the KPSO requires the applicant to prepare a heritage impact statement to address impacts on items “within the vicinity” of the item.

Nearby heritage items

The rear of the site directly adjoins heritage items at Nos 12 & 14 Cecil Street. Both of these items are long lots. No 14 Cecil Street has a tennis court and pool in the rear yard and is visually open from the development site while No 12 Cecil Street has a number of large trees in the rear yard which would provide some visual screening.

Other nearby items

*8 Cecil Street
663 Pacific Highway
655A (Greengate Hotel)*

Demolition of existing houses

The existing houses on the site have negligible heritage significance and there is no objection to demolition. Photographic archival recording of the houses before demolition occurs is recommended to be consistent with the requirements of other RFB developments and to provide a record of the places that existed before unit development.

Proposed residential flat building

The original proposal was for one continuous building facing Bruce Avenue, with three entrances and three lifts. An amended scheme was lodged in April 2007 proposing separating the building into two blocks and separated by a landscaped walkway leading to a common grassed area. The Bruce Avenue elevation is further articulated, with the entrances being further setback and therefore helping the building to read as 4 separate built elements. The rear elevation (north) is effectively set down one level below the natural ground level as a result of the rise on the site. The rear elevation to the amended scheme is further articulated with a wide grassed area between the two blocks (up to 14m) which would break the long continuous facades presenting to the heritage items, with the potential to create a visual corridor between the two blocks. The roof is low pitched and slopes up at the rear (north) to allow a northerly aspect to the upper floor apartments.

DCP 55 Issues – Chapter 3.4 - Development within a UCA

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UCA 12 is a relatively small precinct focused on the Greengate Hotel and several streets between the Pacific Highway and the railway line.

UCA Design Controls

- C – 1 The proposed building is a contemporary building and does not draw its character from the existing area. However, in my opinion, given rezoning in Bruce Avenue and the future character, it is not necessary to comply with this control.*
- C – 2 The amended design of the proposed building is designed to be two articulated buildings and is consistent with the guideline.*
- C – 3 This control is not applicable as the adjoining sites are zoned for medium density development.*
- C – 4 Given the amount of rezoning in Bruce Avenue, it is considered not essential to design the building to respect the complexity of existing roof shapes and skylines in the UCA.*
- C – 6 The development replaces 4 existing houses and despite its size and scale achieves a high level of articulation and will read as two buildings with articulated facades, corresponding to the existing lot alignment pattern.*
- C – 7, C – 8
& C – 9 The building uses a combination of modern and traditional building materials*
- C – 10, C – 11
& C – 12 The proposed front fence is visually transparent and up to 1200mm in height and considered acceptable. The proposed entry structure could be more open in its design.*

Comment

Given the amount of rezoning in this part of the UCA, there is little necessity of ensuring that the proposed development is sympathetic to the existing character of the UCA. It is acknowledged that the UCA will effectively be reduced to Greengate Avenue and part of Powell Street with the focus remaining on the Greengate Hotel, which is a landmark building deserving of its heritage status.

DCP 55 Issues – Chapter 3.5 - Development within the vicinity of a heritage item –

Design Controls.

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- C-1 *Setbacks. Adequate setback from the nearby heritage items is achieved.*
- C-2 *Adequate screen planting between the proposed development and the heritage items in Cecil Street is achieved. The amended application proposes additional screen planting.*
- C-3 *The aesthetic character of this development is not consistent with the Federation character of the nearby heritage items or the character of the Greengate Hotel, which is an Inter War Georgina Revival Style. The applicant acknowledges that the greater scale and massing of the proposed building will have an inherent impact on the nearby heritage items and claims that the character is consistent with the character envisaged with rezoning. It is also claimed that the impact on the nearby items is minimised by supplementing the existing screen plantings and through the use of appropriate material and detailing.*
- C-4 *The application proposes a variety of colours, textures and building materials. The colours are generally mid to dark tones, with lighter colour vertical banding and contrasting panels.*
- C-5 *The front fence is considered acceptable but it is suggested to amend the design of the entrance structures to make them more open and visually transparent.*
- C-6 *The application is supported by an adequate heritage impact statement.*

Conclusions and recommendations

Demolition of the existing houses is acceptable, provided photographic recording is undertaken before any works commence.

The amended proposal complies with the specific design controls in DCP 55 for development within a UCA and development within the vicinity of a heritage item. The amended scheme is considered to be a reasonable response to Council's objectives with rezoning the land and is supported. (Refer to Condition No. 28)

Landscaping

Council's Landscape and Tree Assessment Officer, Robyn Askew, has commented on the proposal as follows:

Deep soil zone

Due to the amendments to the building footprint, the DSZ has increased slightly from 2102.5 sqm to 2118.2 sqm which equates to 50.4%. There are landscape features indicated on the landscape plan with a total area of 19 sqm including areas of stepping stones greater than 1 metre wide and garden areas less than 2 metres wide which under the guidelines should be excluded from the DSZ.

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Excluding the above landscape features, the DSZ has been re-calculated at 2099.2 sqm or 50% which complies.

Tree removal

The arborist has identified and assessed 53 trees on the site and the nature strip. 16 of these trees are either weed species, dead or not covered under the TPO due to their height. Of the 37 trees remaining, 35 are proposed to be removed, 7 of which are located on the nature strip. 2 trees are proposed to be retained.

Three of the trees to be removed are in good condition, however, none are considered to have high landscape significance. The remaining trees to be removed are in fair or poor condition.

No objection is raised to the removal of the following trees located on the nature strip;

Tree No. / Species / Height & Condition

*Tree 1 / Jacaranda mimosifolia (Jacaranda) / 6 metres high in fair condition
Tree 2 / Prunus cerasifera 'Nigra' (Purple - Leafed Plum) / 3 metres high in fair condition
Tree 3 / Camellia sasanqua (Chinese Camellia) / 2 metres high in fair condition
Tree 4 / Chamaecyparis sp. (Cypress) / 6 metres high in fair condition
Tree 5 / Chamaecyparis sp. (Cypress) / 3 metres high in poor condition
Tree 6 / Prunus cerasifera 'Nigra' (Purple - Leafed Plum) / 3 metres high in poor condition
Tree 7 / Prunus cerasifera 'Nigra' (Purple - Leafed Plum) / 3 metres high in poor condition
Tree 8 / Jacaranda mimosifolia (Jacaranda) / 7 metres high in poor condition*

No objection is raised to the removal of the following trees located on the subject site;

Tree No. / Species / Height & Condition

*Tree 11 / Phoenix canariensis (Canary Island Palm) / 11 metres high in good condition
Tree 14 / Jacaranda mimosifolia (Jacaranda) / 8 metres high in fair condition
Tree 21 / Cedrus atlantica (Atlantic Cedar) / 15 metres high in fair condition
Tree 26 / Melia azedarach 'Australasica' (White Cedar) / 10 metres high in fair condition
Tree 28 / Corymbia citriodora (Lemon Scented Gum) / 16 metres high in poor condition
Tree 29 / Chamaecyparis obtusa 'Crippsii' (Golden Cripps Cypress) / 10 metres high in good condition
Tree 30 / Jacaranda mimosifolia (Jacaranda) / 8 metres high in fair condition
Tree 32 / Jacaranda mimosifolia (Jacaranda) / 8 metres high in fair condition
Tree 34 / Callistemon viminalis (Weeping Bottlebrush) / 5 metres high in fair condition
Tree 36 / Jacaranda mimosifolia (Jacaranda) / 9 metres high in fair condition
Tree 42 / Brachychiton acerifolius (Flame Tree) / 6 metres high in poor condition
Tree 44 / Jacaranda mimosifolia (Jacaranda) / 7 metres high in fair condition
Tree 45 / Acer palmatum (Japanese Maple) / 6 metres high in fair condition
Tree 46 / Pittosporum undulatum (Sweet Pittosporum) / 9 metres high in good condition
Tree 51 / Jacaranda mimosifolia (Jacaranda) / 8 metres high in fair condition
Tree 52 / Cupressus species (Cypress) / 11 metres high in good condition*

Tree 53 / Camellia sasanqua (Chinese Camellia) / 6 metres high in poor condition

Impact on trees to be retained

Amendments to the landscape plan have been carried out to preserve Trees 40 & 48. Council Officers recommended the removal of Tree 48, being a Grevillea robusta (Silky Oak) as it is in poor condition, however the applicant has decided to retain the tree for the time being as it is also partially located on the adjoining property. Consent from the adjoining owner would be required to remove the tree in the future.

Landscape proposal / tree replenishment

The landscape plan by JCA, Drawing No LPP/01/I & LPP/02/I, dated 10/05/07, is considered satisfactory in terms of tree replenishment. Under DCP55, 14 trees are required for the site. The proposal allows for 21 locally occurring canopy trees together with a mix of smaller native and exotic trees. The proposed screening is considered adequate within the side and rear setbacks.

BASIX

The Basix Compliance plan complies with the required area of 850.8 sqm allocated for the planting of indigenous or low water use plants, however 10 of the smaller tree and shrub species which are proposed to be planted in these areas are not low water use species.

Under the Basix Help notes for multi unit dwellings it states “DO NOT include any areas that contain a mix of indigenous/low water use plants and higher water use non-indigenous/exotic species.” A condition of consent is recommended requiring compliance with this Basix requirement. (Refer to Condition No. 59)

Common open space

The proposed development complies with Clause 4.5.5, C-9 & C-11 of DCP55 for common open space. The amended proposal provides an outdoor area at the rear of the site with adequate solar access within a pleasant landscape setting which complies with the objectives of the RFDC.

Impact on heritage properties

The soft landscaping proposed along the rear boundary will provide an adequate visual screen for the adjoining heritage properties located at 12 & 14 Cecil Street.

Stormwater proposal

The stormwater plan by Northrop, Drawing No. C01 & C02, Issue 4 dated 08/12/06 is considered satisfactory in relation to landscape issues. Council's Development Assessment

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Engineer has discussed removing some of the stormwater pits and pipes within the garden areas with the applicant's engineer. A condition has been recommended, deleting the unnecessary stormwater pits and pipes proposed for the soft landscape areas along the side and front boundaries. (Refer to Condition No. 69)

Conclusion

The Landscape Section finds the proposal acceptable in relation to landscape issues subject to conditions. (Refer to Condition Nos. 3, 4, 6, 7, 8, 9, 10, 11, 12, 23, 24, 25, 26, 27, 59, 60, 90)

Engineering

Council's Engineering Assessment Officer, Kathy Hawken, has commented on the proposal as follows:

Amended architectural plans, BASIX Certificate and Statement of Environmental Effects have been received. The proposed development now comprises 52 units (8x1 br, 32x2br and 12x3br).

The following documentation was used for the assessment:

- *Chalmers Paige Statement of Environmental Effects amended 26 March 2007;*
- *Mackenzie Architects Drawings SK01a to SK09a, and SK11a to SK16a, all 26.03.2007 (all at scale 1:125);*
- *Northrop Consulting Engineers Concept Stormwater Drainage Plan, C01/4, C02/2 and C03/1.*
- *Jeffery and Katauskas Geotechnical Assessment dated 30 November 2006;*
- *BASIX Certificate 129582M dated 28 March 2007;*
- *Varga Traffic Planning Traffic and Parking Assessment Report dated 29 November 2006;*
- *Ian Sutherland & Associates Survey Plan, dated 22/08/2006;*

Water management

The concept design by Northrop shows a combined on site retention/ detention tank, with 65 cubic metres of detention and 79 cubic metres of retention, with the retained roofwater to be used for clothes washing, car washing and irrigation. This proposal is satisfactory. The site has gravity fall to the street, however, to drain the on-site detention tank the engineer proposes a new length of 375mm diameter pipe in the street.

The BASIX Certificate does include the 79 cubic metres rainwater tank with re-use for clothes washing, car washing and irrigation. The amended certificate still commits to a minimum of 100 square metres of roof area draining into the tank which is obviously not enough as the tank would never fill and would always be topped up from the main. It appears that this was done to achieve the BASIX score of 41% without a view to practicality. All the roof area

should be connected to the retention tank and I expect this will happen as it is shown on the concept plan.

Parking and vehicular access

The development requires 64 resident and 13 visitor spaces, although the traffic report uses the parking figures from DCP 43 and would have resulted in a shortfall. Fortunately, 93 spaces are provided, which easily complies.

The layout of the basement carpark complies with AS2890.1:2004.

Traffic generation

The development is expected to generate some 15 to 20 additional trips per peak hour. These will be distributed between the Pacific Highway intersection and the Greengate Road railway bridge, and are not expected to adversely affect traffic flows in the surrounding streets or the performance of the intersections.

Waste collection

A waste collection area is shown on the upper basement level. The driveway ramp grade and headroom are satisfactory for access by the small waste collection vehicle. An easement for waste collection will have to be created prior to occupation.

Construction management

A detailed construction and traffic management plan will be required prior to commencement, when a builder is appointed. Access to the site will be directly to and from Pacific Highway because of the load limit on Werona Avenue.

Council infrastructure

A footpath will be required for the site frontage. Design plans for this can be submitted to Council prior to issue of the Construction Certificate.

Geotechnical assessment

About 6 to 7 metres of excavation is required to achieve the basement level. The site is expected to be underlain by shale of generally low strength and groundwater may be relatively close to the surface.

Dilapidation reporting of the residences at 2a and 8a Bruce Avenue, as well as the tennis court on the heritage property at 14 Cecil Street, will be required.

A subsurface investigation with cored boreholes will be carried out following demolition, so that a more detailed assessment of geotechnical issues can be carried out. For example, vibration monitoring may be required. This is included in the recommended conditions.

The conditions recommended by the Development Assessment Engineer are **Conditions 13-18, 20, 29, 30, 63-66, 69, 91-98, 100, 101, 106, 107)**

STATUTORY PROVISIONS

State Environmental Planning Policy No. 65 – Design quality of residential flat development

SEPP 65 aims to improve the design quality of residential flat buildings across NSW and to provide an assessment framework and design code for assessing ‘good design’.

A Design Verification Statement has been submitted by Dugald Mackenzie (Chartered Architect No. 6033) of Dugald Mackenzie & Associates, in accordance with the requirements of the Policy.

Part 2 sets out design principles against which design review panels and consent authorities may evaluate the merits of a design. This section is to be considered in addition to the comments of Council’s Urban Design Consultant, as previously detailed. The proposal is assessed against the heads of consideration specified in SEPP 65, as follows:

Principle 1 - Context

Good design responds and contributes to its context. Context can be defined as key natural and built features of an area.

Responding to context involves identifying the desirable elements of a locations current character or in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

The subject site is in a residential area, zoned for residential flat buildings, that is undergoing transition from single dwelling houses to multi-unit residential buildings. The site is well located with regard to public transport, shops, service facilities and public open space.

The proposed development, which includes substantial tree planting and has a height of 5 storeys, will sit comfortably with surrounding development, particularly in the context of the recently approved developments at 1-7 Bruce Avenue, 9-23 Bruce Avenue and 657-661 Pacific Highway. The proposal is consistent with the desired future character of the locality. The core objectives of LEP 194 and DCP 55 are to create new residential flat buildings within a landscaped setting. The proposed design is consistent with this objective.

Principle 2 - Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

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Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

The proposal is consistent with the scale of approved surrounding development and the permissible scale of development under the relevant development controls. The site is in an area undergoing significant transition and the height, bulk and scale of the proposal achieves the desired future character and scale.

Principle 3 - Built form

Good design achieves an appropriate built form for a site and the buildings purpose, in terms of building alignment, proportions, building type and the manipulation of building elements.

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

The building form has architectural merit and exhibits a very well articulated design, with extensive façade modulation to Bruce Avenue and the use of a range of contemporary external finishes. The proposal is comprised of two buildings with a separation of 5m to 14m, reducing the apparent bulk of the development.

Principle 4 - Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

The proposal contains 52 dwellings and basement parking for 93 vehicles. The proposed FSR of 1.26:1 is below the maximum permissible FSR of 1.3:1 under DCP 55 and is consistent with the envisaged future density of the area.

The proposed density is supported by the local community facilities, including public transport, road network and shops in close proximity to the subject site.

Principle 5 - Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of

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buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

The proposal has been designed to be energy efficient, particularly with regard to thermal comfort, water consumption and energy consumption. A BASIX certificate has been provided in this regard. Additionally, the proposed dwellings receive an adequate level of solar access and all units have adequate cross ventilation.

Principle 6 - Landscape

Good design recognises that together landscape and buildings operating as an integrated and sustainable system, resulting in greater aesthetic quality for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the developments natural environmental performance by co-ordinating water and soil management, solar access, and microclimate and tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbouring character or desired character.

Landscape design should optimise usability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management.

The proposal incorporates 50% of the site as deep soil landscaping, which complies with the prescribed standard of 50%.

A detailed landscape plan has been provided, proposing a variety of plantings located throughout the site. The proposed landscape treatment will provide an adequate level of amenity for residents and will provide acceptable amenity for adjoining residents.

Principle 7 - Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Over 70% of units will receive more than the required 3.0 hours of sunlight between 9.00am and 3.00pm during the winter solstice. The building design maximises the benefits of solar access during winter and minimises the need for cooling during summer. All apartments have cross ventilation.

Rooms are of adequate size and will accommodate a variety of furniture arrangements. The balconies and terraces are of an appropriate size and can accommodate an outdoor furniture setting.

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The development incorporates accessible communal open space for passive recreation. The proposed materials contribute to the energy efficiency of the apartments.

Principle 8 - Safety and security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities and clear definition between public and private spaces.

The development complies with the principles of safety and security. Passive surveillance is achieved from apartments overlooking Bruce Avenue. The building will have security intercom systems at both basement level and ground level entry points. Security lighting is proposed throughout the site, including the pedestrian access ways, to maximise safety and security.

Principle 9 - Social dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or in the case of precincts undergoing transition, provide for the desired future community.

The proposed size and mix of the apartments, which includes 1, 2 and 3 bedroom dwellings, is appropriate for the area.

Principle 10 - Aesthetics

Quality aesthetics require the appropriate composition of building elements textures, material and colours and reflect the use, internal design and structure of the development.

Aesthetics should respond to the environment and context, particularly to the desirable elements of the existing streetscape or in precincts undergoing transition, contribute to the desired future character of the area.

External finishes include a combination of exposed brickwork, rendered and painted bricks, metal roof, timber blades, aluminium louvres, FC sheeting, aluminium framed windows and clear and opaque glazing. The amended proposal includes face brick to the lower two levels and rendered and painted brick to the upper levels, introducing a satisfactory level of visual interest to the facades and providing the buildings with a legible base.

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The proposed high quality, contemporary finishes will enhance the streetscape and are consistent with the desired future character of the area.

Residential Flat Design Code

The considerations contained in the Residential Flat Design Code are as follows:

Relating to the local context

The proposed development has been designed with regard to the surrounding area, which includes recently approved, but not yet constructed residential flat buildings. The area is undergoing transition as previously discussed and the proposal positively responds to elements of the existing character and also to the desired future character. The proposal relates appropriately to the local context.

Site design

A satisfactory site analysis plan has been submitted, indicating how the proposal performs in terms of building design, landscape design, access and parking and overall building performance in respect of energy efficiency.

In terms of site configuration, the proposal responds satisfactorily to the characteristics of the site. The design provides adequate areas for private and common open space and retains a significant proportion of the site as deep soil landscaping.

The orientation of the development ensures adequate solar access to habitable areas and private open space, both internally and to adjoining residential development.

Building design

The proposed building design is satisfactory with regard to the site constraints and site features identified in the site analysis. The building envelope and architectural form exhibit desirable design characteristics, as previously discussed in greater detail in relation to SEPP 65 and the dwelling configuration will provide a high level of internal residential amenity. In addition, the proposal provides satisfactory private open space to all dwellings in the form of ground level terraces or balconies.

Other relevant matters in relation to 'Building Design' have been assessed elsewhere in this report and are satisfactory.

State Environmental Planning Policy No. 55 – Remediation of Land

The provisions of SEPP 55 require Council to consider the potential for a site to be contaminated.

The subject site has a history of residential use, and as such, is unlikely to contain any contamination. No further investigation is warranted in this case.

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State Environmental Planning Policy – Building Sustainability Index (BASIX)

A BASIX certificate has been submitted with the development application. The proposed development therefore complies with the requirements for building sustainability.

Ku-ring-gai Planning Scheme Ordinance (KPSO)

| COMPLIANCE TABLE | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------------------|
| Development standard | Proposed | Complies |
| Site area (min): 1800m ² | 4,196.6m ² | YES |
| Deep landscaping (min): 50% | 50% | YES |
| Street frontage (min): 30m | 73.16m | YES |
| Number of storeys (max): 5 storeys and 13.4m | 5 storeys and <13.4m | YES |
| Site coverage (max): 35% | 35% | YES |
| Top floor area (max): 60% of level below | 56% | YES |
| Storeys and ceiling height (max): 4 and 13.4m | 4 storeys & <13.4m | YES |
| Car parking spaces (min): <ul style="list-style-type: none"> 13 (visitors) 52 (residents) 65 (total) | 14 car spaces 79 car spaces 93 car spaces | YES YES YES |
| Zone interface setback (min): 9m | 9m-13m | YES |
| Manageable housing (min): 6 | 6 dwellings | YES |
| Lift access: required if greater than three storeys | Lifts provided | YES |

Residential zone objectives and impact on heritage:

The development satisfies the objectives for residential zones as prescribed in clause 25D.

POLICY PROVISIONS**Development Control Plan No. 55 – Railway/Pacific Highway Corridor & St Ives Centre**

| COMPLIANCE TABLE | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|
| Development control | Proposed | Complies |
| Part 3 Local context: | | |
| Development adjacent to a heritage building: <ul style="list-style-type: none"> 10m setback (1st & 2nd storeys) | 29m | YES |

| COMPLIANCE TABLE | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|------------|
| Development control | Proposed | Complies |
| <ul style="list-style-type: none"> 15m setback (3rd & 4th storeys) | 29m | YES |
| Part 4.1 Landscape design: | | |
| Deep soil landscaping (min) <ul style="list-style-type: none"> 150m² per 1000m² of site area = 630m² | 2098.3m ² | YES |
| No. of tall trees required (min): 14 trees | 21 trees | YES |
| Part 4.2 Density: | | |
| Building footprint (max): <ul style="list-style-type: none"> 35% of total site area | 35% | YES |
| Floor space ratio (max): <ul style="list-style-type: none"> 1.3:1 | 1.26:1 | YES |
| Part 4.3 Setbacks: | | |
| Street boundary setback (min): <ul style="list-style-type: none"> 13-15 metres (<40% of the zone occupied by building footprint) | 13m-20m / 38% (basement) 13m-28m / 40% (footprint) | YES YES |
| Rear boundary setback (min): <ul style="list-style-type: none"> 6m / 9m | 9m-13m | YES |
| Side boundary setback (min): <ul style="list-style-type: none"> 6m | 6m | YES |
| Setback of ground floor courtyards to street boundary (min): <ul style="list-style-type: none"> 8m/11m | 13m | YES |
| % of total area of front setback occupied by private courtyards (max): <ul style="list-style-type: none"> 15% | 0% | YES |
| Part 4.4 Built form and articulation: | | |
| Façade articulation: <ul style="list-style-type: none"> Wall plane depth >600mm Wall plane area <81m² | >600mm <81m ² | YES YES |
| Built form: <ul style="list-style-type: none"> Building width < 36m | 28m | YES |

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| COMPLIANCE TABLE | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Development control | Proposed | Complies |
| <ul style="list-style-type: none"> Balcony projection < 1.2m | 1.5m (maximum) | NO |
| Part 4.5 Residential amenity | | |
| Solar access: <ul style="list-style-type: none"> >70% of units receive 3+ hours direct sunlight in winter solstice >50% of the principle common open space of the development receives 3+ hours direct sunlight in the winter solstice <15% of the total units are single aspect with a western orientation | 70% >50% 8% | YES YES YES |
| Visual privacy: Separation b/w windows and balconies of a building and any neighbouring building on site or adjoining site: Storeys 1 to 4 <ul style="list-style-type: none"> 12m b/w habitable rooms 9m b/w habitable and non-habitable rooms 6m b/w non-habitable rooms 5th Storey <ul style="list-style-type: none"> 18m b/w habitable rooms 13m b/w habitable and non-habitable rooms 9m b/w non-habitable rooms | Western side (2A Bruce Ave) : 9m-10.8m Eastern side (8A Bruce Avenue) : 7.6m >9m >6m Western side (2A Bruce Ave): 10.4m-12.2m Eastern side (8A Bruce Avenue): 8.5m 10.4m-12.2m >9m | NO NO YES YES NO NO NO YES |
| Internal amenity: <ul style="list-style-type: none"> Habitable rooms have a minimum floor to ceiling height of 2.7m Non-habitable rooms have a minimum floor to ceiling height of 2.4m 1-2 bedroom units have a minimum plan dimension of 3m in all bedroom | 2.7m-3.1m >2.4m >3m | YES YES YES |

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| COMPLIANCE TABLE | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Development control | Proposed | Complies |
| <ul style="list-style-type: none"> 3+ bedroom units have a minimum plan dimension of 3m in at least two bedrooms | >3m | YES |
| <ul style="list-style-type: none"> Single corridors: <ul style="list-style-type: none"> - serve a maximum of 8 units - >1.5m wide - >1.8m wide at lift lobbies | 6 units 1.5m >1.8m | YES YES YES |
| Outdoor living: <ul style="list-style-type: none"> ground floor apartments have a terrace or private courtyard greater than 25m² in area Balcony sizes: <ul style="list-style-type: none"> - 10m² – 1 bedroom unit - 12m² – 2 bedroom unit - 15m² – 3 bedroom unit NB. At least one space >10m ² | >25m ² >10m ² >12m ² >15m ² >2.4m | YES YES YES YES YES |
| Part 4.7 Social dimensions: | | |
| Visitable units (min): <ul style="list-style-type: none"> 70% | >70% | YES |
| Housing mix: <ul style="list-style-type: none"> Mix of sizes and types | Mix of 1, 2 & 3 bedroom units | YES |
| Part 4.8 Resource, energy and water efficiency: | | |
| Energy efficiency: <ul style="list-style-type: none"> >65% of units are to have natural cross ventilation single aspect units are to have a maximum depth of 10m 25% of kitchens are to have an external wall for natural ventilation and light >90% of units are to have a 4.5 star NatHERS rating with 10% achieving a 3.5 star rating | 69% >10m >25% Complies with BASIX | YES YES YES YES |

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| COMPLIANCE TABLE | | |
|---------------------------------------------|-----------|------------|
| Development control | Proposed | Complies |
| Part 5 Parking and vehicular access: | | |
| Car parking (min): | | |
| • 58 resident spaces | 79 spaces | YES |
| • 13 visitor spaces | 14 spaces | YES |
| • 71 total spaces | 93 spaces | YES |

Part 4.4 Built form and articulation

The proposed design includes balconies which project less than 1.2m beyond the well articulated building façade and are integrated within the architectural form, however, the balconies on the northern elevation project approximately 1.5m beyond the façade plane. This is satisfactory with regard to the minor extent of the non-compliance (300mm) and with regard to the architectural merit of the building design, including the subject northern elevation.

Part 4.5 Residential amenity

The proposed building separation up to Level 4 of 7.6m on the eastern side and 9m-10.8m on the western side does not comply with the required 12m separation contained in DCP 55. Additionally, the proposed 5th level building separation of 10.4m-12.2m to the west and 8.5m to the east does not comply with the 18m separation requirement.

As previously discussed in relation to neighbour submissions, the 12m and 18m building separation controls are primarily intended to relate to separation of buildings of the same or similar height, such as two 5 storey buildings and not separation between, for example, a 5 storey residential flat building and a single storey dwelling house. In this regard, the adjoining sites to the east and west are also zoned 2(d3) and those sites can reasonably be expected to be redeveloped into 5 storey residential flat buildings in the future.

Assuming that development on the adjoining sites to the east and west also complies with the side setback controls, the desired 12m and 18m separation would be achieved. However, also as previously discussed in relation to neighbour submissions, the relationship between the proposed development and the existing dwelling at No.2a Bruce Avenue is satisfactory with regard to both solar access and privacy.

On this basis and with regard to the proposed screen landscaping adjacent to the eastern and western boundaries of the site which will provide a degree of privacy screening, the proposed building separation is satisfactory.

Part 6.0 Consideration of isolated sites:

The proposed development adjoins No.2a Bruce Avenue, which is the western-most property zoned Residential 2(d3) in Bruce Avenue. Section 6 of DCP 55 requires consideration of isolated sites with an area less than 1200m² or a street frontage less than 23m.

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No.2a Bruce Avenue is not technically defined as an isolated site under DCP 55 as the rear half of the site adjoins lands zoned Residential 2(d3), being No.667 Pacific Highway. Additionally, the site area of 1214m² exceeds the minimum area of 1200m² and the 24.336m frontage exceeds the 23m minimum frontage control. The dimensions and area of No.2a Bruce Avenue, either in isolation or combined with No.667 Pacific Highway, would allow a well designed residential flat building, villa or townhouse development to a potential maximum of three storeys to be constructed on the site, subject to compliance with all relevant development controls and other considerations.

Development Control Plan 31 – Access

Matters for assessment under DCP 31 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory in this regard.

Development Control Plan 40 – Construction and Demolition Waste Management

Matters for assessment under DCP 40 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory in this regard.

Development Control Plan No. 43 – Car Parking

Matters for assessment under DCP 43 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory in this regard.

Development Control Plan 47 – Water Management

Matters for assessment under DCP 47 have been taken into account in the assessment of this application against DCP 55 and the proposal is satisfactory in this regard.

Section 94 Plan

The development attracts a section 94 contribution of \$780,327.67, which is required to be paid by **Condition No.37**.

LIKELY IMPACTS

All likely impacts of the proposal have been assessed elsewhere in this report.

SUITABILITY OF THE SITE

The site is suitable for the proposed development.

ANY SUBMISSIONS

All submissions received have been considered in the assessment of this application.

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PUBLIC INTEREST

The approval of the application is considered to be in the public interest.

OTHER RELEVANT MATTERS

There are no other matters for discussion.

CONCLUSION

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved.

RECOMMENDATION:

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, grant development consent to DA 1430/06 for demolition of 4 existing dwelling houses, consolidation of 4 lots into 1 and construction of 2 residential flat buildings with basement car parking on land at 2-8 Bruce Avenue, Lindfield, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

CONDITIONS THAT IDENTIFY PLANS

- The development must be carried out in accordance with plans and documents identified within the following table and endorsed with Council's approval stamp, except where amended by the following conditions:

| Dwg No. | Rev. | Description | Author | Dated | Lodged |
|----------------|-------------|---------------------------------|-------------------------------|--------------|---------------|
| SK01 | A | Site/roof plan | Dugald Mackenzie & Associates | | |
| SK02 | A | Basement 2 plan | " | 26/3/07 | 28/3/07 |
| SK03 | A | Basement 1 plan | " | 26/3/07 | 28/3/07 |
| SK04 | B | Ground floor plan | " | 4/5/07 | 7/5/07 |
| SK05 | B | First floor plan | " | 4/5/07 | 7/5/07 |
| SK06 | B | Second floor plan | " | 4/5/07 | 7/5/07 |
| SK07 | B | Third floor plan | " | 4/5/07 | 7/5/07 |
| SK08 | A | Fourth floor plan | " | 26/3/07 | 28/3/07 |
| SK09 | A | Southern elevation / Section AA | " | 26/3/07 | 28/3/07 |
| SK11 | A | Eastern elevation / Section BB | " | 26/3/07 | 28/3/07 |
| SK12 | A | Northern and western elevations | " | 26/3/07 | 28/3/07 |
| SK13 | A | Section detail | " | 26/3/07 | 28/3/07 |
| SK16 | A | Soft landscaping / cut and fill | " | 26/3/07 | 28/3/07 |
| PE02 | A | Render elevations | " | 26/3/07 | 28/3/07 |

Document**Dated**

BCA Appraisal of Premises
Noise Intrusion Assessment
Access Audit
Geotechnical Report

21 November 2005
11 December 2006
11 December 2006
30 November 2006

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Inconsistency between documents

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

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

Approved landscape plans

3. Landscape works shall be carried out in accordance with the following landscape plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

| Dwg No. | Rev. | Description | Author | Dated | Lodged |
|----------|------|-------------------------|---------------------------|---------|---------|
| LPP/01/I | | Landscape Planting Plan | John Chetham & Associates | 10/5/07 | 11/5/07 |
| LPP/02/I | | Landscape Planting Plan | " | 10/5/07 | 11/5/07 |
| BCP/01/E | | BASIX Commitment Plan | " | 10/5/07 | 11/5/07 |

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

GENERAL**No storage of materials beneath trees**

4. No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

Reason: To protect existing trees.

Removal of refuse

5. 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.

Approved tree works

6. Approval is given for the following works to be undertaken to trees on the site and the adjoining nature strip:

Schedule

| Tree No. / Species | Approved tree works |
|--------------------------------------------------------------|---------------------|
| #1 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #2 / <i>Prunus cerasifera</i> 'Nigra' (Purple - Leafed Plum) | Removal |
| #3 / <i>Camellia sasanqua</i> (Chinese Camellia) | Removal |
| #4 / <i>Chamaecyparis</i> sp. (Cypress) | Removal |
| #5 / <i>Chamaecyparis</i> sp. (Cypress) | Removal |
| #6 / <i>Prunus cerasifera</i> 'Nigra' (Purple - Leafed Plum) | Removal |

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| | |
|----------------------------------------------------------------------|---------|
| #7 / <i>Prunus cerasifera</i> 'Nigra' (Purple - Leafed Plum) | Removal |
| #8 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #11 / <i>Phoenix canariensis</i> (Canary Island Palm) | Removal |
| #14 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #21 / <i>Cedrus atlantica</i> (Atlantic Cedar) | Removal |
| #26 / <i>Melia azedarach</i> 'Australasica' (White Cedar) | Removal |
| #28 / <i>Corymbia citriodora</i> (Lemon Scented Gum) | Removal |
| #29 / <i>Chamaecyparis obtusa</i> 'Crippsii' (Golden Cripps Cypress) | Removal |
| #30 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #32 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #34 / <i>Callistemon viminalis</i> (Weeping Bottlebrush) | Removal |
| #36 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #42 / <i>Brachychiton acerifolius</i> (Flame Tree) | Removal |
| #44 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #45 / <i>Acer palmatum</i> (Japanese Maple) | Removal |
| #46 / <i>Pittosporum undulatum</i> (Sweet Pittosporum) | Removal |
| #51 / <i>Jacaranda mimosifolia</i> (Jacaranda) | Removal |
| #52 / <i>Cupressus species</i> (Cypress) | Removal |
| #53 / <i>Camellia sasanqua</i> (Chinese Camellia) | Removal |

Removal or pruning of any other tree on the site is not approved.

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

Treatment of tree roots

- If tree roots are required to be severed for the purposes of constructing the approved works, they shall be cut cleanly by hand, by an experienced arborist/horticulturist with a minimum qualification of horticulture certificate or tree surgery certificate

Reason: To protect existing trees.

Excavation near trees

- No mechanical excavation shall be undertaken within the specified radius of the trunk(s) of the following tree(s) until root pruning by hand along the perimeter line of such works is completed:

Schedule

Tree/location

#40 / *Melia azedarach* 'Australasica' (White Cedar)

Radius from trunk

4 metres

Reason: To protect existing trees.

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Tree planting on nature strip

9. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along (enter street). The tree(s) used shall be a minimum 25 litres container size specimen(s):

Schedule

| Tree/ species | Quantity | Location |
|----------------------------------------|----------|---------------------------|
| <i>Franklinia axillaris</i> (Gordonia) | 6 | Bruce Avenue nature strip |

Reason: To provide appropriate landscaping within the streetscape.

Trees on nature strip

10. Removal/pruning of Trees # 1, 2, 3, 4, 5, 6, 7 & 8 from Council's nature strip shall be undertaken at no cost to Council by an experienced tree removal contractor/arborist holding public liability insurance amounting to a minimum cover of \$10,000,000.

Reason: To protect the streetscape.

Tree removal on nature strip

11. Following removal of Trees #1, 2, 3, 4, 5, 6, 7 & 8 from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council's Landscape Assessment Officer at no cost to Council.

Reason: To protect the streetscape.

Canopy replenishment trees to be planted

12. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species

Reason: To maintain the treed character of the area.

Maintenance period for works in the public road

13. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant - **after** the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall

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commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.

Reason: To protect public infrastructure

Services

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

Reason: Access to public utilities

Road reserve safety

15. 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 and plant 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 (1996) "*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 undertake proceedings to stop work.**

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

Road repairs necessitated by excavation and construction works

16. It is highly likely that damage will be caused to the roadway at or near the subject site as a result of the construction (or demolition or excavation) works. The applicant, owner and builder (and demolition or excavation contractor as appropriate) will be held responsible for repair of such damage, regardless of the Infrastructure Restorations Fee paid (this fee is to cover wear and tear on Council's wider road network due to heavy vehicle traffic, not actual major damage).

Section 102(1) of the Roads Act states "A person who causes damage to a public road...is liable to pay to the appropriate roads authority the cost incurred by that authority in making good the damage. "

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Council will notify when road repairs are needed, and if they are not carried out within 48 hours, then Council will proceed with the repairs, and will invoice the applicant, owner and relevant contractor for the balance.

Reason: To protect public infrastructure

Engineering fees

17. For the purpose of any development related inspections by Ku-ring-gai Council engineers, the corresponding fees set out in Councils adopted *Schedule of Fees and Charges* are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.

Reason: To protect public infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION

Compliance with submitted geotechnical report

18. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee excavation.

Geotechnical aspects of the development work, namely:

- appropriate excavation method and vibration control
- support and retention of excavated faces
- hydro-geological considerations

must be undertaken in accordance with the recommendations of the geotechnical report prepared by Jeffery and Katauskas dated 30 November 2006 and the geotechnical investigation report prepared prior to commencement of works. Approval must be obtained from all affected property owners, including Ku-ring-gai Council, where rock anchors (both temporary and permanent) are proposed below adjoining property(ies).

Reason: To ensure the safety and protection of property.

Erosion control

19. 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 Certifying Authority and Council officers.

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Reason: To protect the environment from erosion and sedimentation.

Drainage to street

20. Stormwater runoff from all new impervious areas and subsoil drainage systems shall be piped to the street drainage system. New drainage line connections to the street drainage system shall conform and comply with the requirements of Sections 5.3 and 5.4 of Ku-ring-gai Water Management Development Control Plan No. 47.

Reason: To protect the environment.

Dilapidation survey and report (public infrastructure)

21. Prior to the commencement of any demolition or excavation works on site, the Principal Certifying Authority shall be satisfied that a dilapidation report on the visible and structural condition of all structures of the following public infrastructure, has been completed and submitted to Council:

Public infrastructure

- Full road pavement width, including kerb and gutter, of Bruce Avenue over the site frontage.
- All driveway crossings and laybacks opposite the subject site.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both written and photographic) existing damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded by the requirements of this condition prior to the commencement of works.

Note: A written acknowledgment from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any demolition or excavation works.

Reason: To record the structural condition of public infrastructure before works commence.

Geotechnical report

22. Prior to the commencement of any bulk excavation works on site, the applicant shall submit to the Principal Certifying Authority, the results of the detailed geotechnical investigation

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comprising a minimum of three cored boreholes to at least 1 metre below the proposed basement level. The report is to address such matters as:

- appropriate excavation methods and techniques
- vibration management and monitoring
- dilapidation survey
- support and retention of excavated faces
- hydrogeological considerations

The recommendations of the report are to be implemented during the course of the works.

Reason: To ensure the safety and protection of property.

CONDITIONS TO BE SATISFIED PRIOR TO WORKS COMMENCING

Tree protection fencing

23. To preserve the following tree/s, no work shall commence until the area beneath their canopy is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Schedule

| Tree/Species /Location | Radius in metres |
|-------------------------------------------------------------------|------------------|
| #40 / Melia azedarach 'Australasica' (White Cedar)/ Rear boundary | 2 metres |

Reason: To protect existing trees during the construction phase.

Tree protective fencing type galvanised mesh

24. The tree protection fencing shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres in height prior to work commencing.

Reason : To protect existing trees during construction phase

Tree protection signage

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

- tree protection zone
- this fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted

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- any encroachment not previously approved within the tree protection zone shall be the subject of an arborist's report
- the arborist's report shall provide proof that no other alternative is available
- the arborist's report shall be submitted to the Principal Certifying Authority for further consultation with Council
- The name, address, and telephone number of the developer.

Tree protection mulching

26. Prior to works commencing and throughout construction, the area of the tree protection zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood.

Reason: To protect existing trees during the construction phase.

Tree Fencing Inspection

27. Upon installation of the required tree protection measures, an inspection of the site by the Principal Certifying Authority is required to verify that tree protection measures comply with all relevant conditions.

Reason: To protect existing trees during the construction phase.

Archival recording of buildings

28. Prior to the commencement of any development or excavation works on site, the Principal Certifying Authority shall be satisfied that an archival report has been submitted to Council's Heritage Advisor for the following properties:

Address

2, 4, 6 & 8 Bruce Avenue, Killara

The archival report must consist of a photographic record of the affected parts of the dwelling (internally and externally) and surrounds. Recording shall be undertaken in accordance with the Guidelines for Photographic Recording of Heritage Sites, Building and Structures prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of black and white photographs, referenced to plans of the affected property. Two (2) copies (one (1) copy to include negatives of photographs) shall be submitted to Council's Heritage Advisor, to be held in the local studies collection of Ku-ring-gai Library.

Note: A written acknowledgment from Council must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any excavation works.

Reason: To ensure the proper management of historical artefacts and to ensure their preservation.

Construction and traffic management plan

29. Prior to the commencement of any works on site, the applicant must submit for review by Council's engineers a construction and traffic management plan. The following matters must be specifically addressed in the plan:

1. A plan view of the entire site and frontage roadways indicating:

- dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways
- turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site
- the locations of proposed work zones in the frontage roadways
- location of any proposed crane and concrete pump and truck standing areas on and off the site
- a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected
- an on-site parking area for employees, tradespersons and construction vehicles as far as possible

2. Traffic control plan(s) for the site

All traffic control plans must be in accordance with the RTA publication "Traffic Control Worksite Manual" and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum of 4 weeks prior to the activity proposed being undertaken.

3. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided.

- Light traffic roads and those subject to a load or height limit must be avoided where alternate routes exist.
- A copy of this route is to be made available to all contractors and shall be clearly depicted at a location within the site.
- The plan must provide evidence of RTA concurrence where construction access is provided directly from or within 20m of an arterial road.
- The plan must provide a schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of

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their construction management obligations. These must specify that construction-related vehicles are to comply with the approved requirements.

- The plan must provide measures for minimising construction related traffic movements during school peak periods.
- For those construction personnel that drive to the site, the applicant shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.

The construction and traffic management plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation.

As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council's Development Engineer. Written acknowledgment from Council's Engineer shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

Work zone

30. If a works zone is proposed, the applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install the work zone. Work zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Work zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site.

If the work zone is approved by the Local Traffic Committee, the applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit this to the Principal Certifying Authority prior to commencement of any works on site.

Where approval of the work zone is resolved by the Committee, the necessary work zone signage shall be installed (at the cost of the applicant) and the adopted fee paid prior to commencement of any works on site. At the expiration of the work zone approval, the applicant is required to remove the work zone signs and reinstate any previous signs at their expense.

In the event the work zone is required for a period beyond that initially approved by the Traffic Committee, the applicant shall make a payment to Council for the extended period in accordance with Council's schedule of fees and charges for work zones prior to the extended

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period commencing.

Reason: To ensure that appropriate measures have been made for the operation of the site during the construction phase.

Erosion and drainage management

31. Earthworks and/or demolition of any existing buildings shall not commence until an erosion and sediment control plan is submitted to and approved by the Principal Certifying Authority. The plan shall comply with the guidelines set out in the NSW Department of Housing manual "Managing Urban Stormwater: Soils and Construction" certificate. Erosion and sediment control works shall be implemented in accordance with the erosion and sediment control plan.

Reason: To preserve and enhance the natural environment.

Notice to be given prior to demolition or excavation

32. Council shall be given written notice, at least 48 hours prior to the commencement of any development (including excavation, shoring or underpinning works) on the site.

Reason: Statutory requirement.

Notice of commencement

33. At least 48 hours prior to the commencement of any development or excavation works, a notice of commencement of building or subdivision work form and appointment of the principal certifying authority form shall be submitted to Council.

Reason: Statutory requirement.

Notification of builder's details

34. Prior to the commencement of any development or excavation works, the Principal Certifying Authority 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.

Public liability insurance – works on public land

35. Any person or contractor undertaking works on public land must take out public risk insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent.

The policy is to note and provide protection for Ku-ring-gai Council as an interested party and a copy of the policy must be submitted to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate

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(whichever comes first). The policy must be valid for the entire period that the works are being undertaken on public land.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land

Infrastructure restoration fee

36. To ensure that damage to Council Property as a result of construction activity is rectified in a timely matter:

All work or activity taken in furtherance of the development the subject of this approval 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.

a) The applicant, builder, developer or any person acting in reliance on this approval 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.

b) The Infrastructure Restoration Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.

c) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council Property as Council considers necessary and 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 the 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 Restorations Fee payable pursuant to this condition.

d) 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 Restoration Fee” means the Infrastructure Restorations Fee 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.

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Reason: To maintain public infrastructure

Section 94 contribution – residential development

37. A contribution pursuant to section 94 of the Environmental Planning and Assessment Act as specified in Ku-ring-gai Section 94 Contributions Plan 2004-2009 for the services detailed in column A and for the amount detailed in Column B is required.

| Column A | Column B |
|------------------------------------------|---------------------|
| community facilities | \$1117.76 |
| park acquisition and embellishment works | \$6384.75 |
| sportsgrounds works | \$1318.32 |
| aquatic / leisure centres | \$27.82 |
| traffic and transport | \$150.28 |
| section 94 Plan administration | \$100.04 |
| Total contribution is: | \$780,327.67 |

The contribution shall be paid to Council prior to the commencement of any development (including demolition) or prior to the issue of the Construction Certificate (whichever comes first). The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index. Prior to payment, you are advised to check the contribution amount required with Council.

Reason: To ensure the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of the development.

Temporary construction exit

38. A temporary construction exit, together with necessary associated temporary fencing, shall be provided prior to commencement of any work on the site and shall be maintained throughout the duration and progress of construction.

Reason: To reduce or eliminate the transport of sediment from the construction site onto public roads.

Sediment controls

39. Prior to any work commencing on site, sediment and erosion control measures shall be installed along the contour immediately downslope of any future disturbed areas.

The form of the sediment controls to be installed on the site shall be determined by reference to the 'NSW Department of Housing manual 'Managing Urban Stormwater: Soils and

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Construction'. The erosion controls shall be maintained in an operational condition until the development activities have been completed and the site fully stabilised. Sediment shall be removed from the sediment controls following each heavy or prolonged rainfall period.

Reason: To preserve and enhance the natural environment.

Erosion and drainage management

40. Earthworks and/or demolition of any existing buildings shall not commence until an erosion and sediment control plan is submitted to and approved by the Principal Certifying Authority. The plan shall comply with the guidelines set out in the NSW Department of Housing manual "Managing Urban Stormwater: Soils and Construction" certificate. Erosion and sediment control works shall be implemented in accordance with the erosion and sediment control plan.

Reason: To preserve and enhance the natural environment.

Construction waste management plan

41. Prior to the commencement of any works, the Principal Certifying Authority shall be satisfied that a waste management plan, prepared by a suitably qualified person, has been prepared in accordance with Council's DCP 40 – Construction and Demolition Waste Management.

The plan shall address all issues identified in DCP 40, including but not limited to: the estimated volume of waste and method for disposal for the construction and operation phases of the development.

Note: The plan shall be provided to the Certifying Authority.

Reason: To ensure appropriate management of construction waste.

CONDITIONS TO BE SATISFIED DURING WORKS

Prescribed conditions

42. The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (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:

- The work must be carried out in accordance with the requirements of the Building Code of Australia,
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

Reason: Statutory requirement.

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Statement of compliance with Australian Standards

43. The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 The Demolition of Structures. The work plans required by AS2601: 2001 shall be accompanied by 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 the satisfaction of the Principal Certifying Authority prior to the commencement of any works.

Reason: To ensure compliance with the Australian Standards.

Demolition, excavation and construction work hours

44. Demolition, excavation, 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 12.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00pm Monday to Friday, with regular breaks of 15 minutes each hour.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Construction noise

45. During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

Site notice

46. 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 Certifying Authority and structural engineer
- be durable and weatherproof

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- 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 eye level 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.

Dust control

47. 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 erected at right angles to the prevailing wind direction or 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 daily

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

Use of road or footpath

48. 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 pathway 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 against the applicant/owner/builder, as the case may be.

Reason: To ensure safety and amenity of the area.

Guarding excavations

49. 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.

Reason: To ensure public safety.

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Toilet facilities

50. During excavation, demolition and construction phases, toilet facilities are to be provided, on the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Reason: Statutory requirement.

Protection of public places

51. If the work involved in the erection, 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, a hoarding is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

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

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

Reason: To protect public places.

Recycling of building material (general)

52. During demolition and construction, the Principal Certifying Authority 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.

Construction signage

53. 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 2.5m²
- are removed within 14 days of the completion of all construction works

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

Erosion control

54. 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 Certifying Authority and Council officers.

Reason: To protect the environment from erosion and sedimentation.

Sydney Water Section 73 Compliance Certificate (Part 1)

55. Prior to the issue of a Construction Certificate, a Compliance Certificate under Section 73 of the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. For details see the Sydney Water web site www.sydneywater.com.au, or telephone 13 20 92.

Following application, a notice of requirements will be forwarded, detailing water and sewer extensions to be built and charges to be paid. Early contact with the coordinator is advisable since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. Details of any requirements of Sydney Water are to be provided prior to the issue of the Subdivision Certificate.

Reason: Statutory requirement.

Noise and vibration management plan

56. Prior to the commencement of any works, a noise and vibration management plan is to be prepared by a suitably qualified expert addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to the Principal Certifying Authority. The management plan is to identify amelioration measures to ensure the noise and vibration levels will be compliant with the relevant Australian Standards and Ku-ring-gai Council's Code for the Control and Regulation of Noise on Building Sites. The report shall be prepared in consultation with any geotechnical report that itemises equipment to be used for excavation works.

The management plan shall address, but not be limited to, the following matters

- identification of the specific activities that will be carried out and associated noise sources
- identification of all potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment
- the construction noise objective specified in the conditions of this consent

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- the construction vibration criteria specified in the conditions of this consent
- determination of appropriate noise and vibration objectives for each identified sensitive receiver
- noise and vibration monitoring, reporting and response procedures
- assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles and any traffic diversions
- description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction
- construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency
- construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency
- procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration
- contingency plans to be implemented in the event of non-compliances and/or noise complaints
- compliance with Council's Code for the Control and Regulation of Noise on Building Sites

Reason: To protect the amenity afforded to surrounding residents during the construction process.

Number of bicycle spaces

57. The basement car park shall be adapted to provide 16 bicycle spaces in accordance with DCP 55. The bicycle parking spaces shall be designed in accordance with AS2890.3. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Reason: To provide alternative modes of transport to and from the site.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF CC

Amendments to approved landscape plan

58. Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the approved landscape plans, listed below and endorsed with Council's stamp, have been amended in accordance with the requirements of this condition as well as other conditions of this consent:

| <i>Plan no.</i> | <i>Drawn by</i> | <i>Dated</i> |
|-----------------|---------------------------|--------------|
| LPP/01/I | John Chetham & Associates | 10/05/07 |
| LPP/02/I | John Chetham & Associates | 10/05/07 |
| BCP/01/E | John Chetham & Associates | 10/05/07 |

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The above landscape plan(s) shall be amended in the following ways:

- To comply with the requirements of BASIX, the garden areas that contain a mix of indigenous/low water use plants and higher water use non-indigenous/exotic species cannot be included therefore the following high water use species shall be replaced with low water indigenous species or 'one drop plant' under Sydney Water's Plant Selector Water Drop Rating Scheme.

Corymbia 'Summer Red'
Gordonia axillaris
Harpullia pendula
Hymenosporum flavum
Michelia figo
Magnolia 'Little Gem'
Pyrus calleryana 'Capital'
Ulmus parvifolia
Zelkova serrata 'Green Vase'
Buxus japonica
Elaeocarpus eumundi

Reason: To ensure adequate landscaping of the site

Landscape establishment bond

59. Prior to the commencement of any development or excavation works or prior to the issue of the Construction Certificate (whichever comes first) the applicant must lodge a \$10,000.00 landscape establishment bond with Council. This bond is to provide security that the landscape works are completed and maintained in accordance with the approved landscape plan/s and conditions of development consent. The bond shall be lodged in the form of a deposit or bank guarantee.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily completed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period, it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

Reason: To ensure that the approved landscaping is established and maintained.

Lot consolidation

60. Prior to issue of the Construction Certificate the Applicant must consolidate the existing Torrens lots which will form the development site. Evidence of lot consolidation, in the form

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of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure continuous structures will not be placed across separate titles.

Sydney Water Section 73 Compliance Certificate (Part 1)

61. A Compliance Certificate under Section 73 of the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. For details see the Sydney Water web site www.sydneywater.com.au, or telephone 13 20 92.

Following application, a notice of requirements will be forwarded, detailing water and sewer extensions to be built and charges to be paid. Early contact with the coordinator is advisable since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. Details of any requirements of Sydney Water are to be provided with the Construction Certificate documentation.

Reason: Statutory requirement.

Stormwater retention

62. Prior to the issue of a Construction Certificate, the Principal Certifying Authority is to be satisfied that:
- A mandatory rainwater retention and re-use system, comprising storage tanks and ancillary plumbing is provided. The minimum total storage volume of the rainwater tank system, and the prescribed re-use of the water on site must satisfy all relevant BASIX commitments and the requirements specified in Chapter 6 of Ku-ring-gai Water Management Development Control Plan 47; and
 - An on-site stormwater detention system must be provided to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with Chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 - having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The on-site detention system must be designed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in Appendix 5 of DCP 47.

Reason: To protect the environment.

Driveway crossing levels

63. Prior to issue of the Construction Certificate, driveway and associated footpath levels for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the Roads Act 1993. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings".

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Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant development application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment.

This development consent is for works wholly within the property. Development consent does not imply approval of footpath or driveway levels, materials or location within the road reserve, regardless of whether this information is shown on the development application plans. The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

The construction of footpaths and driveways outside the property in materials other than those approved by Council is not permitted.

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

Basement car parking details

64. Prior to issue of the Construction Certificate, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements must be submitted to and approved by the Certifying Authority. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:

- all parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply with Australian Standard 2890.1 – 2004 “Off-street car parking”
- a clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement
- no doors or gates are provided in the access driveways to the basement carpark which would prevent unrestricted access for internal garbage collection at any time from the basement garbage storage and collection area
- the vehicle access and accommodation arrangements are to be constructed and marked in accordance with the certified plans

Reason: To ensure that parking spaces are in accordance with the approved development.

Design of works in public road (Roads Act approval)

65. Prior to issue of the Construction Certificate, the Certifying Authority shall be satisfied that engineering plans and specifications prepared by a qualified consulting engineer have been

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approved by Council's Development Engineer. The plans to be assessed must be to a detail suitable for construction issue purposes and must detail the following infrastructure works required in Bruce Avenue:

- New footpath for frontage of site
- 375mm diameter stormwater pipe and kerb inlet pit (if required)

Development consent does not give approval to these works in the road reserve. The applicant must obtain a separate approval under sections 138 and 139 of The Roads Act 1993 for the works in the road reserve required as part of the development. The Construction Certificate must not be issued, and these works must not proceed until Council has issued a formal written approval under the Roads Act 1993.

The required plans and specifications are to be designed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004. The drawings must detail existing utility services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Survey must be undertaken as required. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998). Construction of the works must proceed only in accordance with any conditions attached to the Roads Act approval issued by Council.

A minimum of three (3) weeks will be required for Council to assess the Roads Act application. Early submission of the Roads Act application is recommended to avoid delays in obtaining a Construction Certificate. An engineering assessment and inspection fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees. Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

Reason: To ensure that the plans are suitable for construction purposes.

Energy Australia requirements

66. Prior to issue of the Construction Certificate, the applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate.

Any structures or other requirements of Energy Australia shall be indicated on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

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Reason: To ensure compliance with the requirements of Energy Australia.

Utility provider requirements

67. Prior to issue of the Construction Certificate, the applicant must make contact with all relevant utility providers whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained. All utility services or appropriate conduits for the same must be provided by the developer in accordance with the specifications of the utility providers.

Reason: To ensure compliance with the requirements of relevant utility providers.

Stormwater management plan

68. Prior to issue of the Construction Certificate, the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
- exact location and reduced level of discharge point to the public drainage system
 - runoff from the two small roofed structures at the site entry may be drained directly to the street gutter
 - pipes along the western and eastern boundaries are to be as close as possible to the basement to allow for a 4 metre wide screen planting buffer
 - the 300mm diameter pipe along the front boundary is to be deleted and the pipe draining the western courtyards is to be shifted closer to the line of the basement
 - Layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence)
 - location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems and where proprietary products are to be used, manufacturer specifications or equivalent shall be provided. The entire roof area is to be connected to the retention tank.
 - specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with Ku-ring-gai Council Development Control Plan 47 and/or BASIX commitments
 - details of the required on-site detention tanks required by Ku-ring-gai Water Management DCP 47, including dimensions, materials, locations, orifice and discharge control pit details as required (refer Chapter 6 and Appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements)
 - the required basement stormwater pump-out system is to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design)

The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Council's Water Management

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Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - Plumbing and Drainage Code and the Building Code of Australia. The plans may be generally based on the Stormwater Concept Plans by Northrop Consulting Engineers submitted with the development application, which are to be advanced as necessary for construction certificate issue purposes.

Reason: To protect the environment.

Building Code of Australia - fire safety audit

69. An accredited certifier, building grade 1 or 2 (NSW or equivalent) is to be engaged to carry out a Building Code of Australia audit that is based upon inspections(s) of the building in terms of the deemed-to-satisfy fire safety provisions. (a list of accredited certifiers is available on the Department of Planning website.)

The audit must specifically cover all clauses within Section C, D and E of the Building Code of Australia (as per the most recent amendments) indicating compliance, non-compliance or not applicable in the circumstances.

The results of the audit are to be incorporated into a report and strategy to overcome the non-compliant provisions either by performance solution or adherence to deemed-to-satisfy provisions by satisfying the fire safety objectives of Sections C, D and E of the Building Code of Australia.

A schedule of existing (if applicable) and the proposed essential fire safety measures, including their standard performance must be included in the strategy.

The report and strategy must be submitted to and approved by Council's Compliance Officer prior to issue of any Construction Certificate.

Reason: To ensure an adequate level of fire safety.

Energy Australia requirements

70. Prior to issue of the Construction Certificate, the applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate.

Any structures or other requirements of Energy Australia shall be indicated on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirements of Energy Australia.

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Utility provider requirements

71. Prior to issue of the Construction Certificate, the applicant must make contact with all relevant utility providers whose services will be impacted upon by the development. A written copy of the requirements of each provider, as determined necessary by the Certifying Authority, must be obtained. All utility services or appropriate conduits for the same must be provided by the developer in accordance with the specifications of the utility providers.

Reason: To ensure compliance with the requirements of relevant utility providers.

Underground services

72. All electrical services (existing and proposed) shall be undergrounded from the proposed building on the site to the appropriate power pole(s) or other connection point. Undergrounding of services must not disturb the root system of existing trees and shall be undertaken in accordance with the requirements of the relevant service provided. Documentary evidence that the relevant service provider has been consulted and that their requirements have been met are to be provided to the Certifying Authority prior to the issue of the Construction Certificate. All electrical and telephone services to the subject property must be placed underground and any redundant poles are to be removed at the expense of the applicant.

Reason: To provide infrastructure that facilitates the future improvement of the streetscape by relocation of overhead lines below ground.

Energy Australia requirements

73. Prior to issue of the Construction Certificate, the applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate.

Any structures or other requirements of Energy Australia shall be indicated on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.

Reason: To ensure compliance with the requirements of Energy Australia.

74. Car parking within the development shall be allocated in the following way:

| | |
|----------------------------|-----------|
| Resident car spaces | 79 |
| Visitor spaces | 14 |
| Total spaces | 93 |

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Each adaptable dwelling must be provided with car parking complying with the dimensional and location requirements of AS2890.1 – parking spaces for people with disabilities.

At least one visitor space shall also comply with the dimensional and location requirements of AS2890.1 – parking spaces for people with disabilities.

Consideration must be given to the means of access from disabled car parking spaces to other areas within the building and to footpath and roads and shall be clearly shown on the plans submitted with the Construction Certificate.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with federal legislation.

Noise from road and rail (residential only)

75. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the building is acoustically designed and constructed to meet the requirements of AS 2107 and the Environment Protection Authority's Guidelines for Acoustic Privacy within Premises.

Note: Plans and specifications of the required acoustic design shall be prepared by a practicing acoustic engineer and shall be submitted to the Principal Certifying Authority.

Reason: To minimise the impact of noise from the adjoining major road or rail corridor on the occupants of the development.

Noise from plant in residential zone

76. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation of an individual piece of equipment or operation of equipment in combination will not exceed more than 5dB(A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm – 6.00 am) when measured at the boundary of the site.

Note: A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction Certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with other plant will comply with the above requirements.

Reason: To comply with best practice standards for residential acoustic amenity.

Location of plant (residential flat buildings)

77. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that all plant and equipment (including but not limited to air conditioning equipment) is

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located within the basement.

Note: Architectural plans identifying the location of all plant and equipment shall be provided to the Certifying Authority.

Reason: To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

Long service levy

78. In accordance with Section 109F(i) of the Environmental Planning and Assessment Act a Construction Certificate shall not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment is to be provided to Council.

Reason: Statutory requirement.

Builder's indemnity insurance

79. The applicant, builder, developer or person who does the work on this development, must arrange builder's indemnity insurance and submit the certificate of insurance in accordance with the requirements of Part 6 of the Home Building Act 1989 to the Certifying Authority for endorsement of the plans accompanying the Construction Certificate.

It is the responsibility of the applicant, builder or developer to arrange the builder's indemnity insurance for residential building work over the value of \$12,000. The builder's indemnity insurance does not apply to commercial or industrial building work or to residential work valued at less than \$12,000, nor to work undertaken by persons holding an owner/builder's permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

Reason: Statutory requirement.

External finishes and materials (new building)

80. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the external finishes of the building are consistent with the character of the streetscape. The materials are to be complimentary to the approved architectural appearance of the development. Nothing in this condition is to be construed as permitting the replacement of previously submitted materials with inferior or inadequate materials or finishes.

Note: Details of the colour, finish and substance of all external materials, including schedules and a sample board of materials and colours, are to be submitted.

Reason: To protect the streetscape and the integrity of the approved development.

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Outdoor lighting

81. Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that all outdoor lighting will comply with AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Note: Details demonstrating compliance with these requirements are to be submitted prior to the issue of a Construction Certificate.

Reason: To provide high quality external lighting for security without adverse affects on public amenity from excessive illumination levels.

Access for people with disabilities (residential)

82. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that access for people with disabilities to and from and between the public domain, residential units and all common open space areas is provided. Consideration must be given to the means of dignified and equitable access.

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 Principal Certifying Authority prior to the issue of the 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 1735.2.

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

Adaptable units

83. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the nominated adaptable units within the development application, [enter unit nos.], are designed as adaptable housing in accordance with the provisions of Australian Standard AS4299-1995: Adaptable Housing.

Note: Evidence from an appropriately qualified professional demonstrating compliance with this control is to be submitted to and approved by the Certifying Authority prior to the issue of the Construction Certificate.

Reason: Disabled access & amenity.

Accessibility

84. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that:

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- the lift design and associated functions are compliant with AS 1735.12 & AS 1428.2
- the level and direction of travel, both in lifts and lift lobbies, is audible and visible
- the controls for lifts are accessible to all persons and control buttons and lettering are raised
- international symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2
- the height of lettering on signage is in accordance with AS 1428.1 – 1993
- the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods

Reason: Disabled access & services.

Garbage storage

85. Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the development provides a common garbage collection/separation area sufficient in size to store all wheelie garbage bins and recycling bins provided by Council for the number of units in the development in accordance with DCP 40. The garbage collection point is to be accessible by Council's Waste Collection Services.

Note: The architectural plans are to be amended and provided to the Certifying Authority.

Reason: Environmental protection.

CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF OC

Completion of landscape works

86. Prior to the release of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of all noxious and/or environmental weed species, have been undertaken in accordance with the approved plan(s) and conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

Removal of noxious plants & weeds

87. The following noxious and/or environmental weed species shall be removed from the property prior to completion of building works:

Schedule

Plant species

Ligustrum lucidum (Large-leaved Privet)

Ligustrum sinense (Small-leaved Privet)

Cotoneaster sp. (*Cotoneaster*)

Reason: To protect the environment.

Certification of drainage works (dual occupancies and above)

88. Prior to issue of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans
- the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Water Management Development Control Plan No. 47 respectively, have been achieved
- retained water is connected and available for use
- basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and Appendix 7.1.1 of Ku-ring-gai Water Management Development Control Plan No. 47
- all grates potentially accessible by children are secured
- components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage Code AS3500.3 2003 and the Building Code of Australia
- all enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices

The rainwater certification sheet contained in Appendix 13 of the Ku-ring-gai Water Management Development Control Plan No. 47, must be completed and attached to the certification. Where an on-site detention system has been constructed, the on-site detention certification sheet contained in Appendix 4 of DCP 47 must also be completed and attached to the certification.

Note: Evidence from a qualified and experienced consulting civil/hydraulic engineer documenting compliance with the above is to be provided to Council prior to the issue of an Occupation Certificate.

Reason: To protect the environment.

WAE plans for stormwater management and disposal (dual occupancy and above)

89. Prior to issue of the Occupation Certificate, a registered surveyor must provide a works as executed survey of the completed stormwater drainage and management systems. The survey must be submitted to and approved by the Principal Certifying Authority prior to issue of the Occupation Certificate. The survey must indicate:

- as built (reduced) surface and invert levels for all drainage pits
- gradients of drainage lines, materials and dimensions

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- as built (reduced) level(s) at the approved point of discharge to the public drainage system
- as built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site
- the achieved storage volumes of the installed retention and detention storages and derivative calculations
- as built locations of all access pits and grates in the detention and retention system(s), including dimensions
- the size of the orifice or control fitted to any on-site detention system
- dimensions of the discharge control pit and access grates
- the maximum depth of storage possible over the outlet control
- top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system

The works as executed plan(s) must show the as built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement of works. All relevant levels and details indicated must be marked in red on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.

Reason: To protect the environment.

Basement pump-out maintenance

90. Prior to issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a maintenance regime has been prepared for the basement stormwater pump-out system.

Note: A maintenance regime specifying that the system is to be regularly inspected and checked by qualified practitioners is to be prepared by a suitable qualified professional and provided to the Principal Certifying Authority.

Reason: To protect the environment.

OSD positive covenant/restriction

91. Prior to issue of the Occupation Certificate, the applicant must create a positive covenant and restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" and to the satisfaction of Council (refer to appendices of Ku-ring-gai Council Water Management DCP 47). For existing titles, the positive covenant and the restriction on the use of land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the on-site detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Item 3

Registered title documents, showing the covenants and restrictions, must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

Reason: To protect the environment.

Certification of as-constructed driveway/car park – RFB

92. Prior to issue of an Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the as-constructed car park complies with the approved Construction Certificate plans
- the completed vehicle access and accommodation arrangements comply with Australian Standard 2890.1 – 2004 “Off-Street car parking” a in terms of minimum parking space dimensions
- finished driveway gradients and transitions will not result in the scraping of the underside of cars
- no doors, gates, grilles or other structures have been provided in the access driveways to the basement car park, which would prevent unrestricted access for internal garbage collection from the basement garbage storage and collection area
- the vehicular headroom requirements of:
 - Australian Standard 2890.1 – “Off-street car parking”,
 - 2.44 metres height clearance for waste collection trucks (refer DCP 40) are met from the public street into and within the applicable areas of the basement car park.

Note: Evidence from a suitably qualified and experienced traffic/civil engineer indicating compliance with the above is to be provided to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Reason: To ensure that vehicular access and accommodation areas are compliant with the consent.

Reinstatement of redundant crossings and completion of infrastructure works

93. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that the following works in the road reserve have been completed:

- new concrete driveway crossing in accordance with levels and specifications issued by Council
- removal of all redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter (reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials)
- full repair and resealing of any road surface damaged during construction

Item 3

- full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing

All works must be completed in accordance with the General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

Reason: To protect the streetscape.

Construction of works in public road – approved plans

94. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that all approved road, footpath and/or drainage works have been completed in the road reserve in accordance with the Council Roads Act approval and accompanying drawings, conditions and specifications.

The works must be supervised by the applicant's designing engineer and completed and approved to the satisfaction of Ku-ring-gai Council.

The supervising consulting engineer is to provide certification upon completion that the works were constructed in accordance with the Council approved stamped drawings. The works must be subject to inspections by Council at the hold points noted on the Roads Act approval. All conditions attached to the approved drawings for these works must be met prior to the Occupation Certificate being issued.

Reason: To ensure that works undertaken in the road reserve are to the satisfaction of Council.

Easement for waste collection

95. Prior to issue of the Occupation Certificate, an easement for waste collection is to be created under Section 88B of the Conveyancing Act 1919. This is to permit legal access for Council, Council's contractors and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection and shall be to the satisfaction of Council's Development Engineer.

Reason: To permit legal access for Council, Council's contractors and their vehicles over the subject site for waste collection.

Sydney Water Section 73 Compliance Certificate (part 2)

96. A final Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of any linen plan for subdivision or prior to occupation of the development (whichever

Item 3

comes first). Alternatively, if Sydney Water advises that a Section 73 Certificate is not required for the proposed development written confirmation of this advice is to be provided.

Reason: Statutory requirement.

Provision of copy of OSD designs if Council is not the PCA

97. Prior to issue of the Occupation Certificate, the following must be provided to Council's Development Engineer:

- a copy of the approved Construction Certificate stormwater detention/retention design for the site
- A copy of any works-as-executed drawings required by this consent
- The Engineer's certification of the as-built system.

Reason: For Council to maintain its database of as-constructed on-site stormwater detention systems.

Retention and re-use positive covenant

98. Prior to issue of the Occupation Certificate, the applicant must create a positive covenant and restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site stormwater retention and re-use facilities on the property.

The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instruments for protection of retention and re-use facilities" and to the satisfaction of Council (refer to appendices of Ku-ring-gai Water Management Development Control Plan No. 47). For existing titles, the positive covenant and the restriction on the use of land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

Reason: To protect the environment.

Swimming pool (part 1)

99. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that:

- C1. 1. Access to the pool/spa shall be restricted by a child resistant barrier in accordance with the regulations prescribed in the Swimming Pools Act, 1992:

Item 3

- (a) The pool shall not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed; and
- (b) The barrier is to conform to the requirements of AS 1926 Fences and Gates for Private Swimming Pools.

Reason: To ensure the safety of children.

- 2. Any mechanical equipment associated with the swimming pool and spa shall be located in a sound-proof container and positioned so that there is no increase in noise level at any point at the boundary with another property, including a public place. Prior to operation of the pool pump, the Principal Certifying Authority shall be satisfied that noise levels associated with spa/pool pumping units shall not exceed 5dB(A) at the boundaries of the site.

Note: Evidence from a practising acoustical engineer demonstrating compliance with the above shall be submitted to the Principal Certifying Authority prior to the operation of the pool.

Reason: To protect the amenity of surrounding properties.

- 3. A high level overflow pipe has been provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. This requirement is to collect stormwater overflow from the swimming pool surface only.

Note: Evidence from the installer, indicating compliance with this condition, must be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate

Reason: To provide satisfactory drainage.

Fire safety certificate

- 100. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a Fire Safety Certificate for all the essential fire or other safety measures forming part of this consent has been completed and provided to Council.

Note: A copy of the Fire Safety Certificate must be submitted to Council.

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

Mechanical ventilation

- 101. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that all mechanical ventilation systems are installed in accordance with Part F4.5 of the Building Code of Australia and comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building.

Item 3

Reason: To ensure adequate levels of health and amenity to the occupants of the building.

Infrastructure repair

102. Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

Reason: To protect public infrastructure.

Certification of as-constructed driveway/car park – RFB

103. Prior to issue of an Occupation Certificate, the Principal Certifying Authority is to be satisfied that:

- the as-constructed car park complies with the approved Construction Certificate plans
- the completed vehicle access and accommodation arrangements comply with Australian Standard 2890.1 – 2004 “Off-Street car parking” and the Seniors Living State Environment Planning Policy in terms of minimum parking space dimensions
- finished driveway gradients and transitions will not result in the scraping of the underside of cars
- no doors, gates, grilles or other structures have been provided in the access driveways to the basement car park, which would prevent unrestricted access for internal garbage collection from the basement garbage storage and collection area
- the vehicular headroom requirements of:
 - Australian Standard 2890.1 – “Off-street car parking”,
 - The Seniors Living SEPP (as last amended) for accessible parking spaces,
 - 2.44 metres height clearance for waste collection trucks (refer DCP 40) are met from the public street into and within the applicable areas of the basement car park.

Note: Evidence from a suitably qualified and experienced traffic/civil engineer indicating compliance with the above is to be provided to and approved by the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Reason: To ensure that vehicular access and accommodation areas are compliant with the consent.

Compliance with BASIX Certificate

104. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that all commitments listed the BASIX Certificate have been complied with.

Item 3

Reason: Statutory requirement.

Clotheslines and clothes dryers

105. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that the units either have access to an external clothes line located in common open space or have a mechanical clothes dryer installed.

Reason: To provide access to clothes drying facilities.

Mechanical ventilation

106. Following completion, installation and testing of all the mechanical ventilation systems, the Principal Certifying Authority shall be satisfied of the following prior to the issue of any Occupation Certificate:

1. The installation and performance of the mechanical systems complies with:
 - The Building Code of Australia
 - Australian Standard AS1668
 - Australian Standard AS3666 where applicable
2. The mechanical ventilation system in isolation and in association with other mechanical ventilation equipment, when in operation will not be audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest adjoining boundary.

Note: Written confirmation from an acoustic engineer that the development achieves the above requirements is to be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To protect the amenity of surrounding properties.

CONDITIONS TO BE SATISFIED AT ALL TIMES

No door restricting internal waste collection in basement

107. At all times, the basement garbage storage and collection area is to be accessible by Council's Waste Collection Services. No doors, grilles, gates or other devices shall be provided in any location which would prevent this service. Where a gate, door or the like is to be erected, unimpeded access to the garbage collection point is to be provided by other means through written agreement with Council's Waste Collection Services.

Reason: To facilitate access to the garbage collection point.

Item 3

Swimming pool (part 2)

108. At all times:

- Access to the swimming pool must be restricted by fencing or other measures as required by the *Swimming Pools Act 1992*.
- Noise levels associated with spa/pool pumping units shall not exceed 5dB(A) at the boundaries of the site.
- Devices or structures used for heating swimming pool water must not be placed where they are visible from a public place.
- All drainage, including any overland waters associated with the pool and spa, must be pipe-drained to the nearest sewer system in accordance with the requirements of Council. No drainage, including overflow from the pool or spa shall enter Council's stormwater system. This condition does not preclude any future intention to harvest pool run-off and backwash water as a source of greywater for re-use in landscaping and toilet flushing which would require consultation with Council, Hunter Water and NSW Health.
- For the purpose of health and amenity, the disposal of backwash and/or the emptying of a swimming pool into a reserve, watercourse, easement or storm water drainage system is prohibited. These waters are to discharge via a permanent drainage line into Sydney Water's sewer in accordance with Australian Standard AS3500.2 section 10.9. Permission is to be obtained from Sydney Water prior to the emptying of any pool to the sewer.
- Lighting from the swimming pool and other communal facilities shall not detrimentally impact the amenity of other premises and adjacent dwellings.

Reason: Health and amenity.

Car parking

109. At all times, the visitor car parking spaces are to be clearly identified and are to be for the exclusive use of visitors to the site. On site permanent car parking spaces are not to be used by those other than an occupant or tenant of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant or lessee of the building.

These requirements are to be enforced through the following:

- restrictive covenant placed on title pursuant to Section 88B of the Conveyancing Act, 1919
- restriction on use under Section 68 of the Strata Schemes (Leasehold Development) Act, 1986 to all lots comprising in part or whole car parking spaces

Reason: To ensure adequate provision of visitor parking spaces.

Item 3

Noise control – plant and machinery

110. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest boundary.

Reason: To protect the amenity of surrounding residents.

No door restricting internal waste collection in basement

111. At all times, the basement garbage storage and collection area is to be accessible by Council's Waste Collection Services. No doors, grilles, gates or other devices shall be provided in any location which would prevent this service. Where a gate, door or the like is to be erected, unimpeded access to the garbage collection point is to be provided by other means through written agreement with Council's Waste Collection Services.

Reason: To facilitate access to the garbage collection point.

G Youhanna
Executive Assessment Officer

M Leotta
Team Leader
Development Assessment - South

M Prendergast
Manager
Development Assessment Services

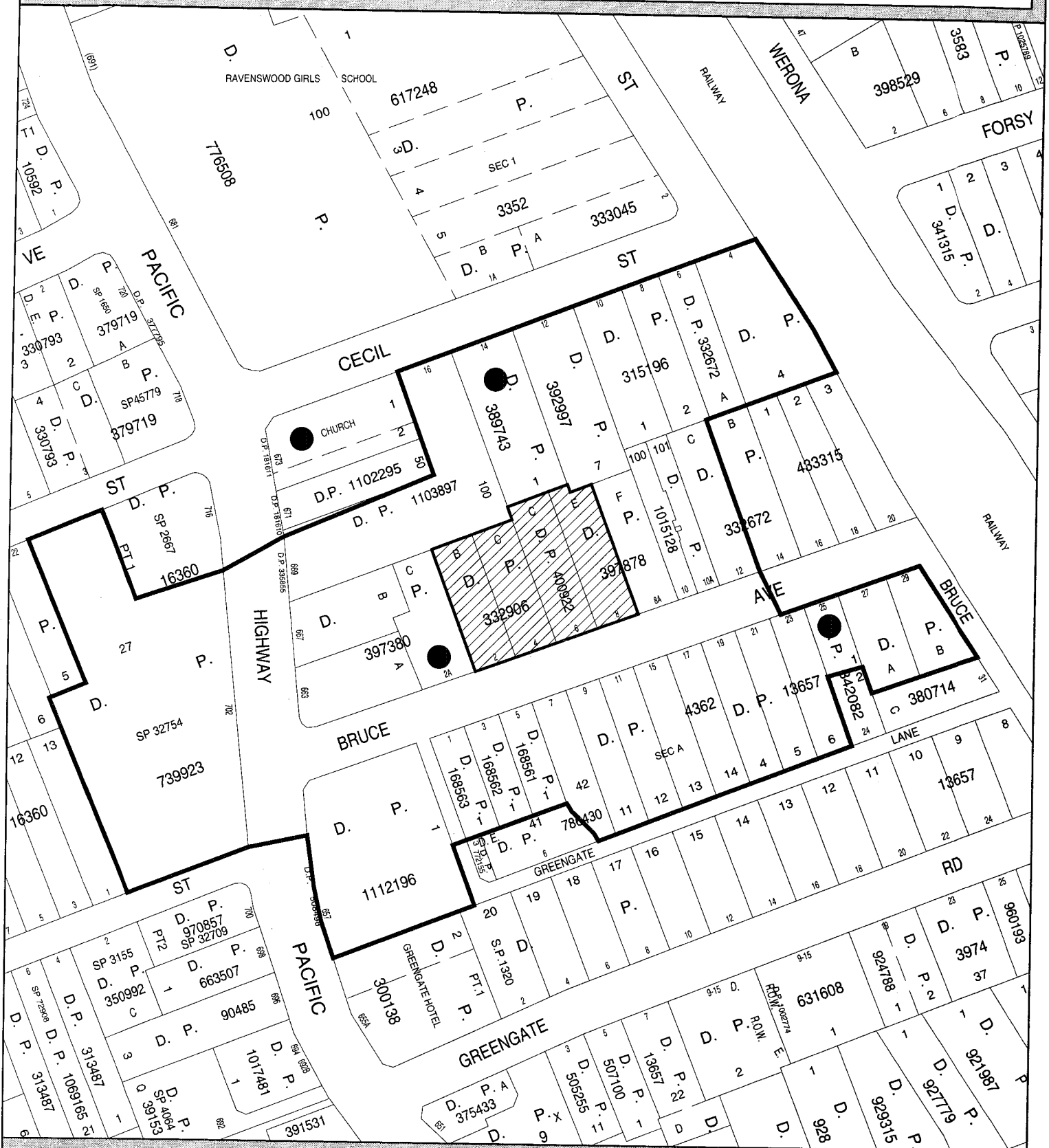
M Miocic
Director
Development & Regulation

Attachments: **Location plan - 781122**
 Zoning plan - 781122
 Shadow diagram – 781129, 781131
 Survey plan - 781133
 Architectural plans - 781128
 Landscape plans - 781125
 Confidential floor plans

LOCATION SKETCH

2-8 BRUCE AVE KILLARA

DEVELOPMENT APPLICATION No 1430/06



Scale : 1:2000

31-05-2007



AGREEMENT



OBJECTION



SUBJECT LAND



PETITION



SUBMISSION



CIRCULATED AREA



Zoning Extract

2 - 8 BRUCE AVE KILLARA



ZONES

2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H

3. BUSINESS

- (a) RETAIL SERVICES
- FLOOR SPACE RATIOS
- | | | |
|----|--------|-----------|
| A1 | 2.0:1 | 3(a)-(A1) |
| A2 | 1.0:1 | 3(a)-(A2) |
| A3 | 0.75:1 | 3(a)-(A3) |
- (b) COMMERCIAL SERVICES
- FLOOR SPACE RATIOS
- | | | |
|----|-------|-----------|
| B1 | 1.0:1 | 3(b)-(B1) |
| B2 | 1.0:1 | 3(b)-(B2) |

5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc) SCHOOL
- (a1) SPECIAL USES A1 5(a1)
- (b) SPECIAL USES (Railway) [REDACTED]

6. OPEN SPACE

- (a) RECREATION EXISTING
- (b) RECREATION PRIVATE
- (c) RECREATION PROPOSED

RESERVATIONS

OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)



SPECIAL USES

- SPECIAL USES (Parking etc) **PARKING**

ROADS

- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING

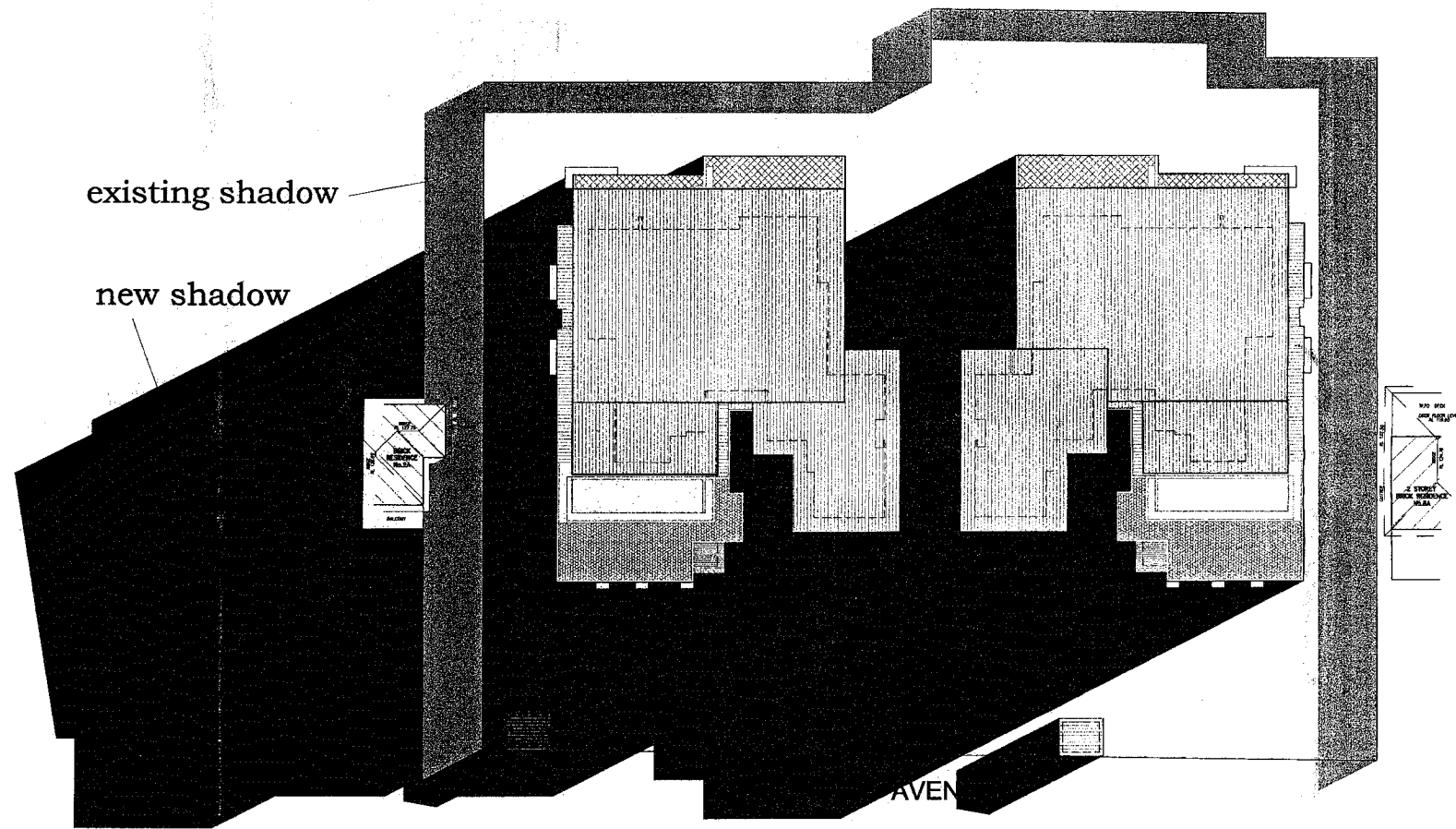
GENERAL

- EXISTING COUNTY ROAD 
- OTHER PLANNING INSTRUMENTS 

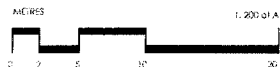


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Date:10-05-2007



SHADOW DIAGRAM - JUNE 9AM
SCALE 1:200



REVISION A - 28/03/07

- Separation of the building along centre line
- Both blocks moved 0.57m towards southern boundary.
- Amendments made to car park 1 & 2
- Amendments made to units 5, 6, 7, 8, 17, 18, 19, 20, 28, 30, 31, 32, 41, 42, 43, 44, 50 & 51
- Subtraction of 1 penthouse unit
- Change of exterior materials and colours

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**PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-8 BRUCE AV.
KILLARA NSW**

Drawing No.

**SHADOW DIAGRAM
9AM**

North point



Scale: 1:200 @ A1 Date: 26.03.2007

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2601A

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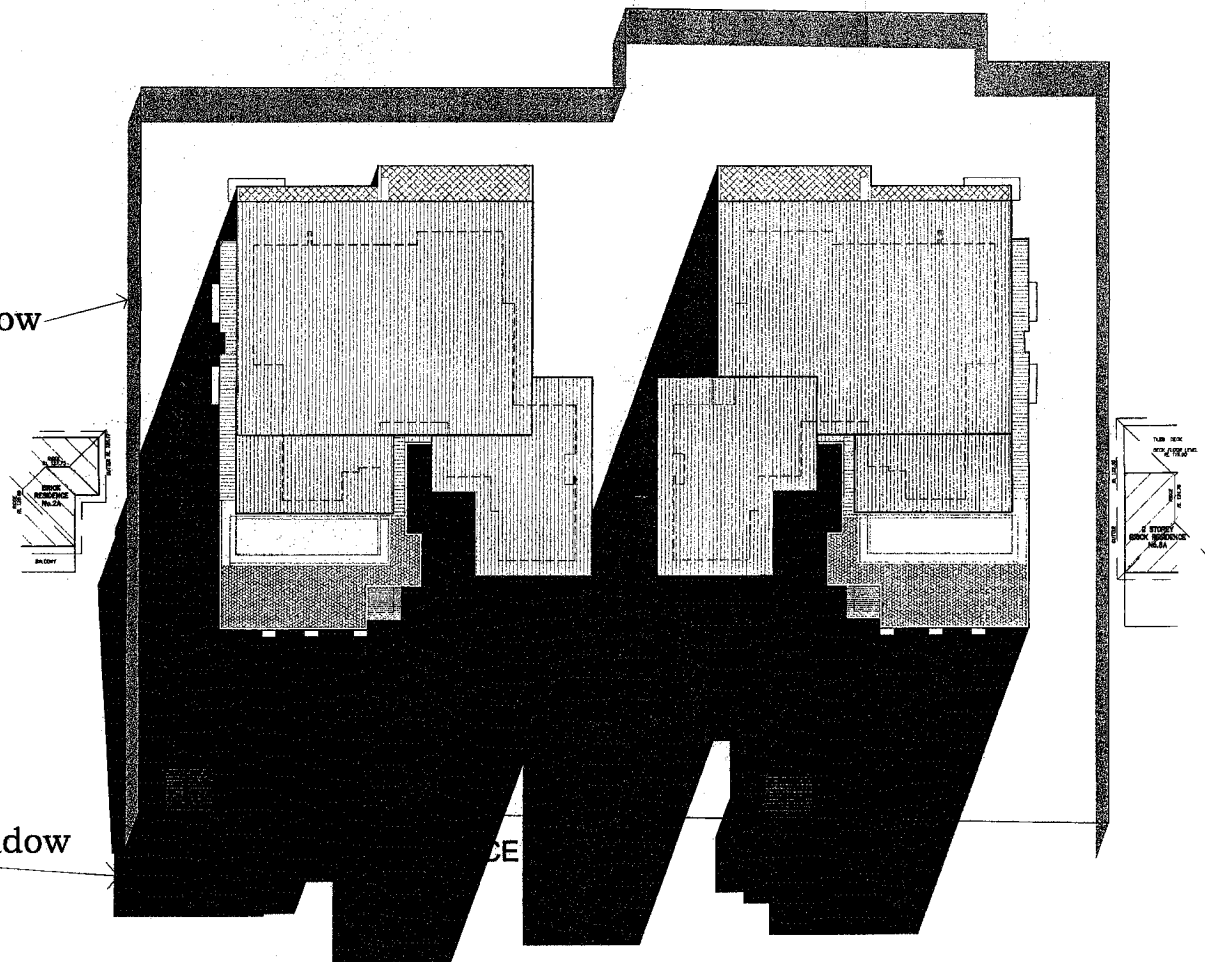
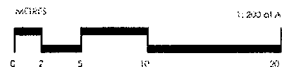
existing shadow

new shadow



SHADOW DIAGRAM - JUNE 12NOON

SCALE 1:200



REVISION A - 26/03/07

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Job:
PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-8 BRUCE AV.
KILLARA NSW

Drawing title:
SHADOW DIAGRAM
12NOON

North point:

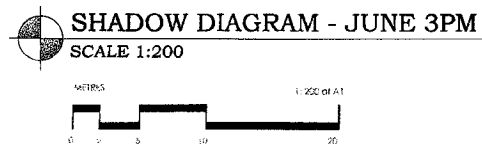
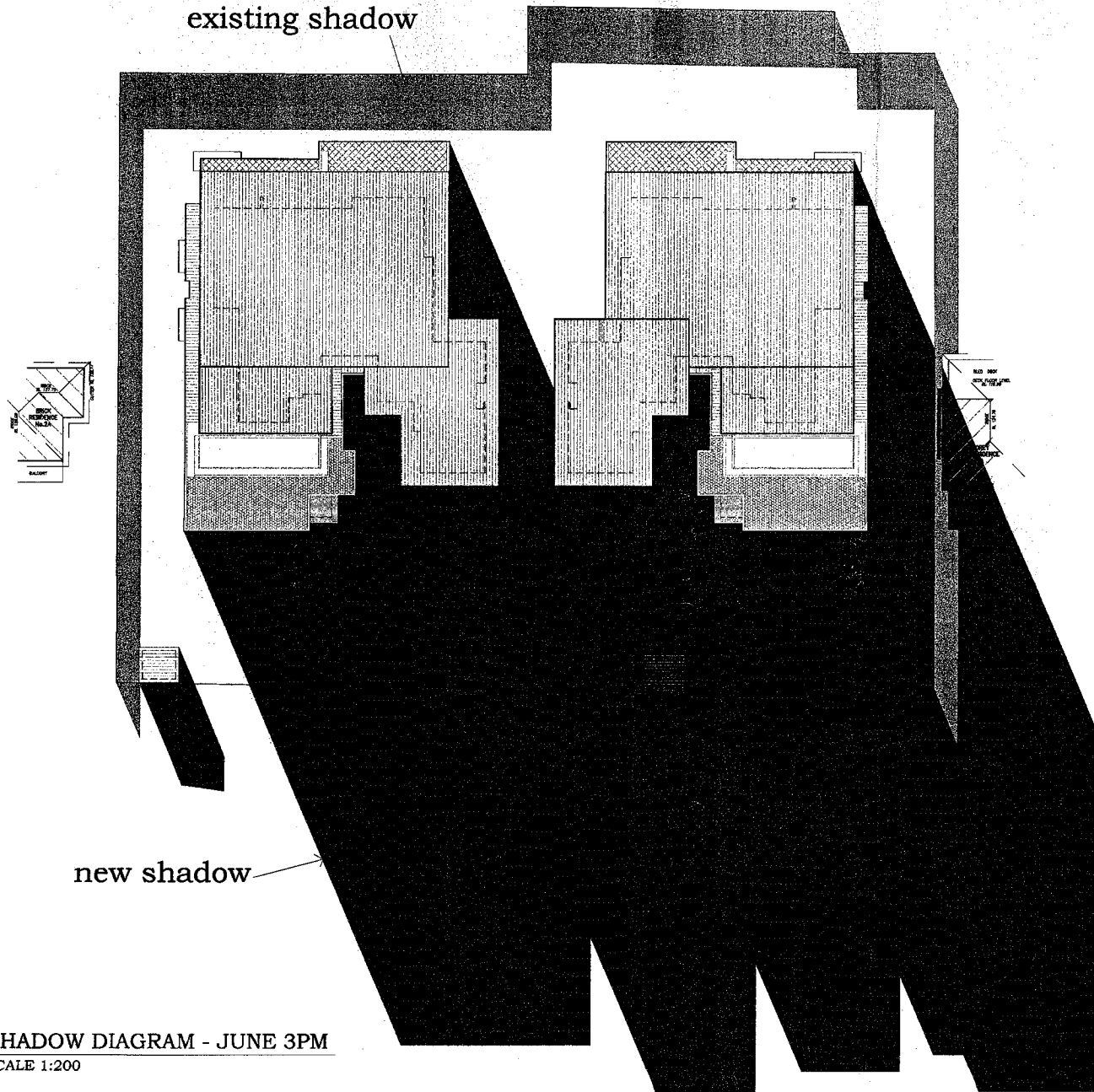


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| |
|------------------------------------------------------------------------------------------------|
| REVISION A - 26/03/07 |
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| - Subtraction of 1 penthouse unit |
| - Change of exterior materials and colours |

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Job:
PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-4 BRUCE AV.
KILLARA NSW

Drawing title:
SHADOW DIAGRAM
3PM

North point:

Scale:
1:200 @ A1

Date:
26.03.2007

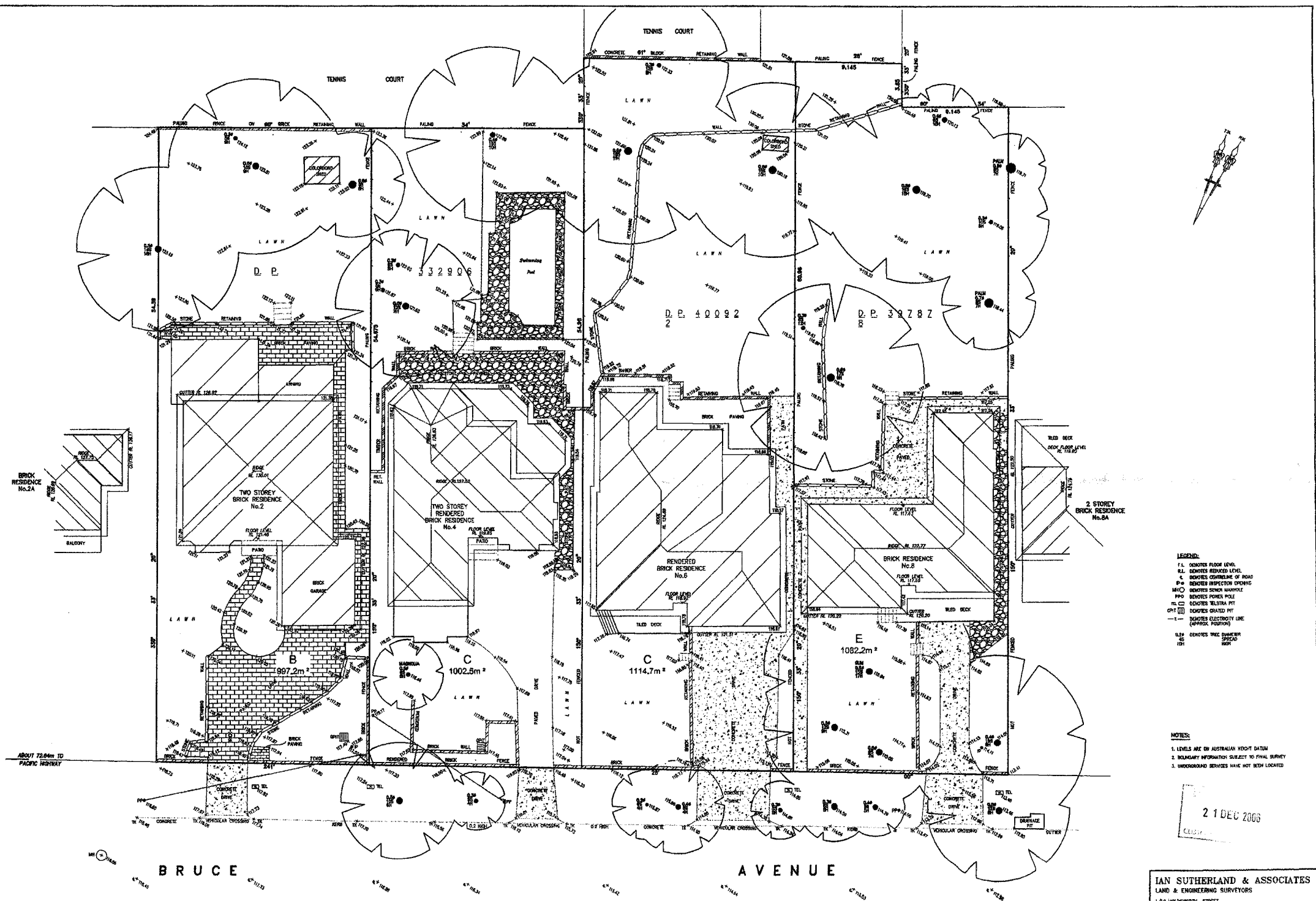
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SD03A

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7 MAR 2007
CLUTONIA

I, the undersigned, being a registered architect, hereby certify that this is a true and correct copy of the original drawing as submitted to the Council for approval.



LEGEND:

- 1.1. INDICATES FLOOR LEVEL
- EL. INDICATES REDUCED LEVEL
- INDICATES CENTRELINE OF ROAD
- INDICATES INSPECTION DRAINING
- INDICATES SINK MANHOLE
- PPH INDICATES POWER POLE
- INDICATES TELSTRA PTT
- INDICATES GRATED PIT
- INDICATES ELECTRICITY LINE (APPROX. POSITION)
- INDICATES TREE DIMENSIONS (HEIGHT, SPREAD, Girth)

NOTES:

1. LEVELS ARE BY AUSTRALIAN HEIGHT DATUM
2. BOUNDARY INFORMATION SUBJECT TO FINAL SURVEY
3. UNDERGROUND SERVICES HAVE NOT BEEN LOCATED

21 DEC 2006

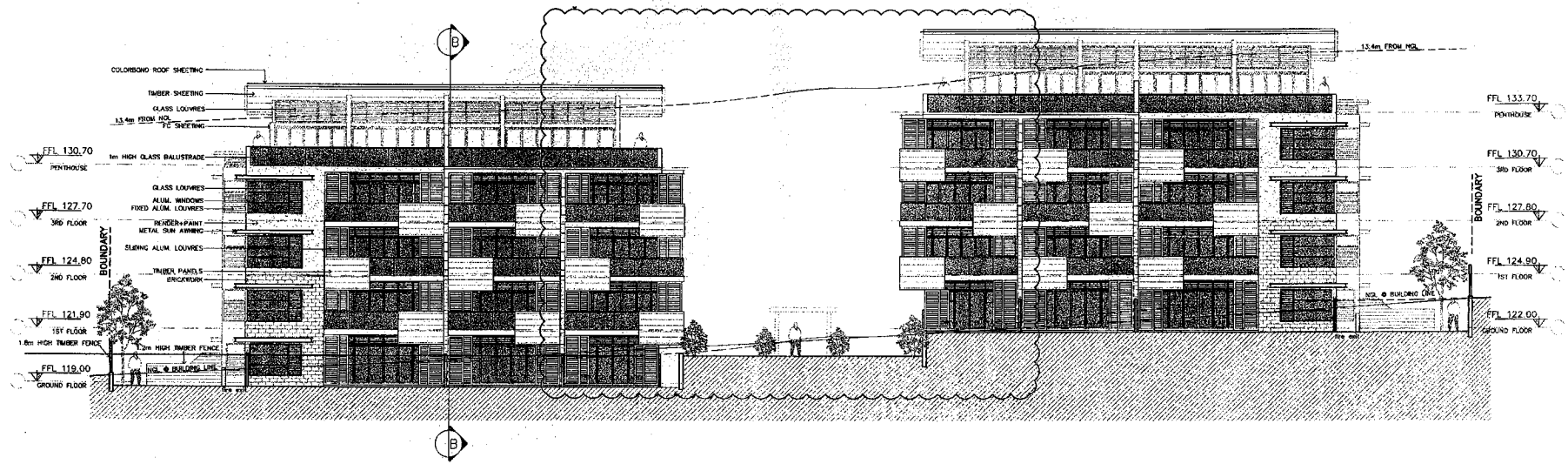
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LAND & ENGINEERING SURVEYORS

1/10 HOLLOWORTH STREET
NEUTRAL BAY N.S.W. 2088 PHONE: 9954 7037

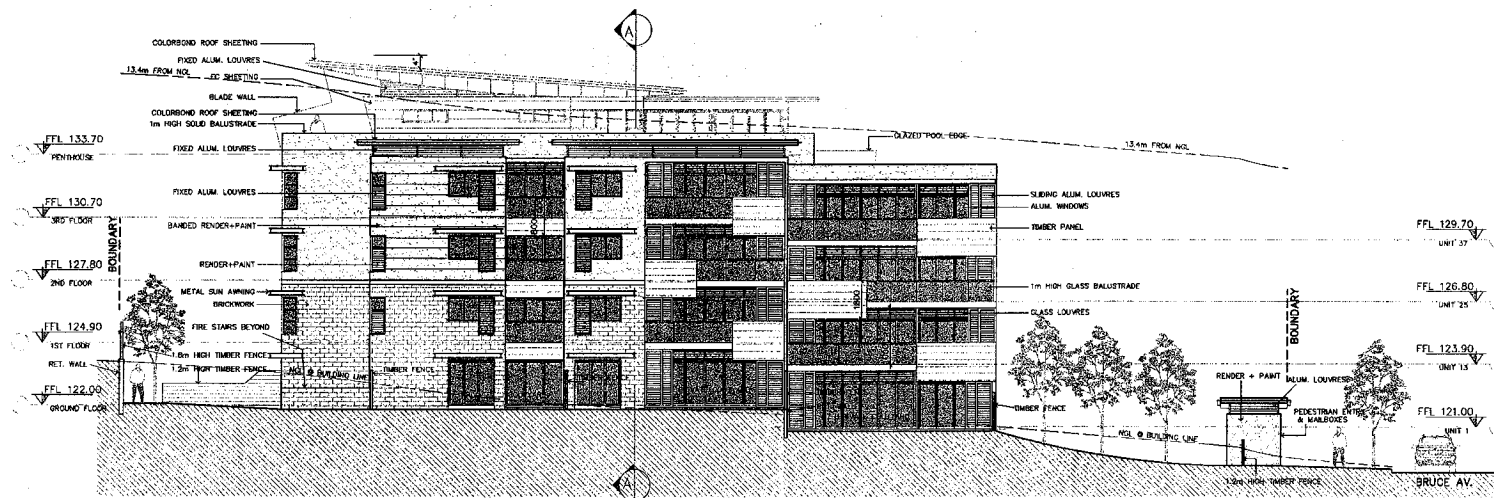
PLAN SHOWING DETAIL & LEVELS OVER
PROPERTY No. 2-8 BRUCE AVENUE, KILLARA
(LOTS B & C IN DP. 332905, LOT C IN
DP. 400922 & LOT E IN DP. 397873)

SCALE: 1:250
DATE: 22/08/2006
DRAFT

BENCH MARK
BRASS PLAQUE IN KERB
RL: 117.18
(SSM 48783)



NORTHERN ELEVATION
SCALE 1:125



WESTERN ELEVATION
SCALE 1:125



- REVISION A - 26/03/07**
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 - Change of exterior materials and colours

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PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-8 BRUCE AV.
KILLARA NSW

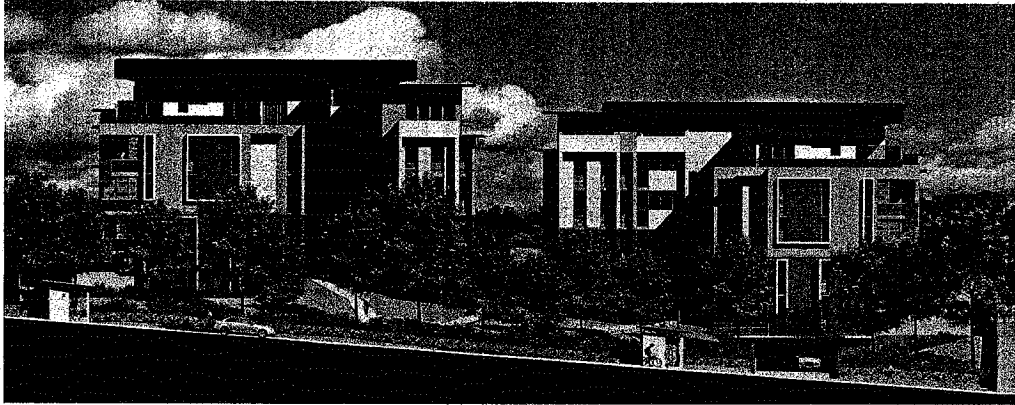
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
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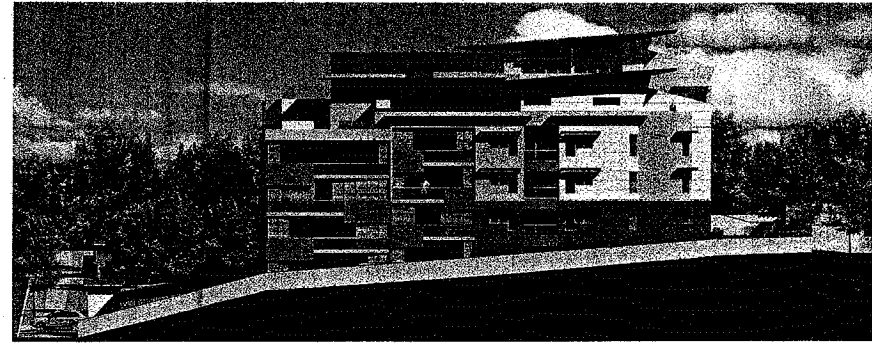
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Date: 26.03.2007
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 **SOUTHERN ELEVATION (BRUCE AV.)**
SCALE 1:200




 **EASTERN ELEVATION**
SCALE 1:200



 **NORTHERN ELEVATION**
SCALE 1:200



 **WESTERN ELEVATION**
SCALE 1:200

REVISION A - 26/03/07

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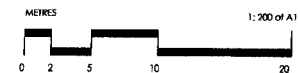
Job:
PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-4 BRUCE AV.
KILLARA NSW

Drawing title:
RENDER
ELEVATIONS

North point

Scale: 1:200 @ A1 Date: 26.03.2007
Drawn: CM Checked: DM
Drawing no.

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28 MAR 2007
CUTTING EDGE ARCHITECTS

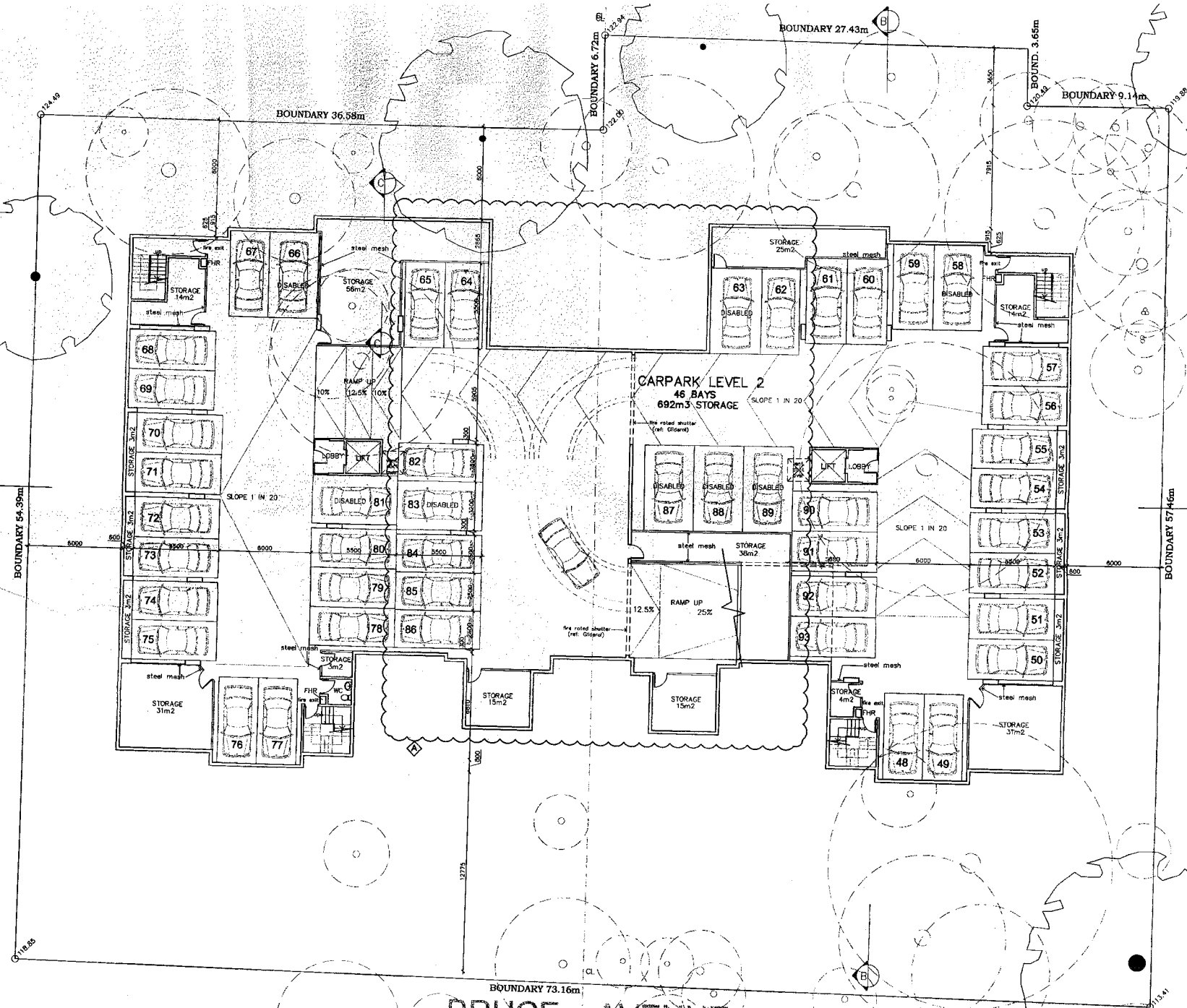


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BASEMENT 2 FLOOR PLAN SCALE 1:125



BRUCE AVENUE



REVISION A - 26/03/07

- Separation of the building along centre line
- Both blocks moved 0.57m towards southern boundary.
- Amendments made to car park 1 & 2
- Amendments made to units 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32, 41, 42, 43, 44, 50 & 51
- Subtraction of 1 penthouse unit
- Change of exterior materials and colours

ARCHITECTS **DUGALD C. MACKENZIE & ASSOCIATES**

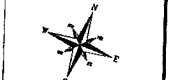
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PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-8 BRUCE AV.
KILLARA NSW

Drawing title:
BASEMENT 2
FLOOR PLAN

North point:



Scale: Date:

Drawn by: G-2
CM

Checked by: DM

SK02A

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BASEMENT 1 FLOOR PLAN
SCALE 1:125

BRUCE AVENUE

REVISION A - 28/03/07

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PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-8 BRUCE AV.
KILLARA NSW
Drawing title:
BASEMENT 1
FLOOR PLAN

North point:

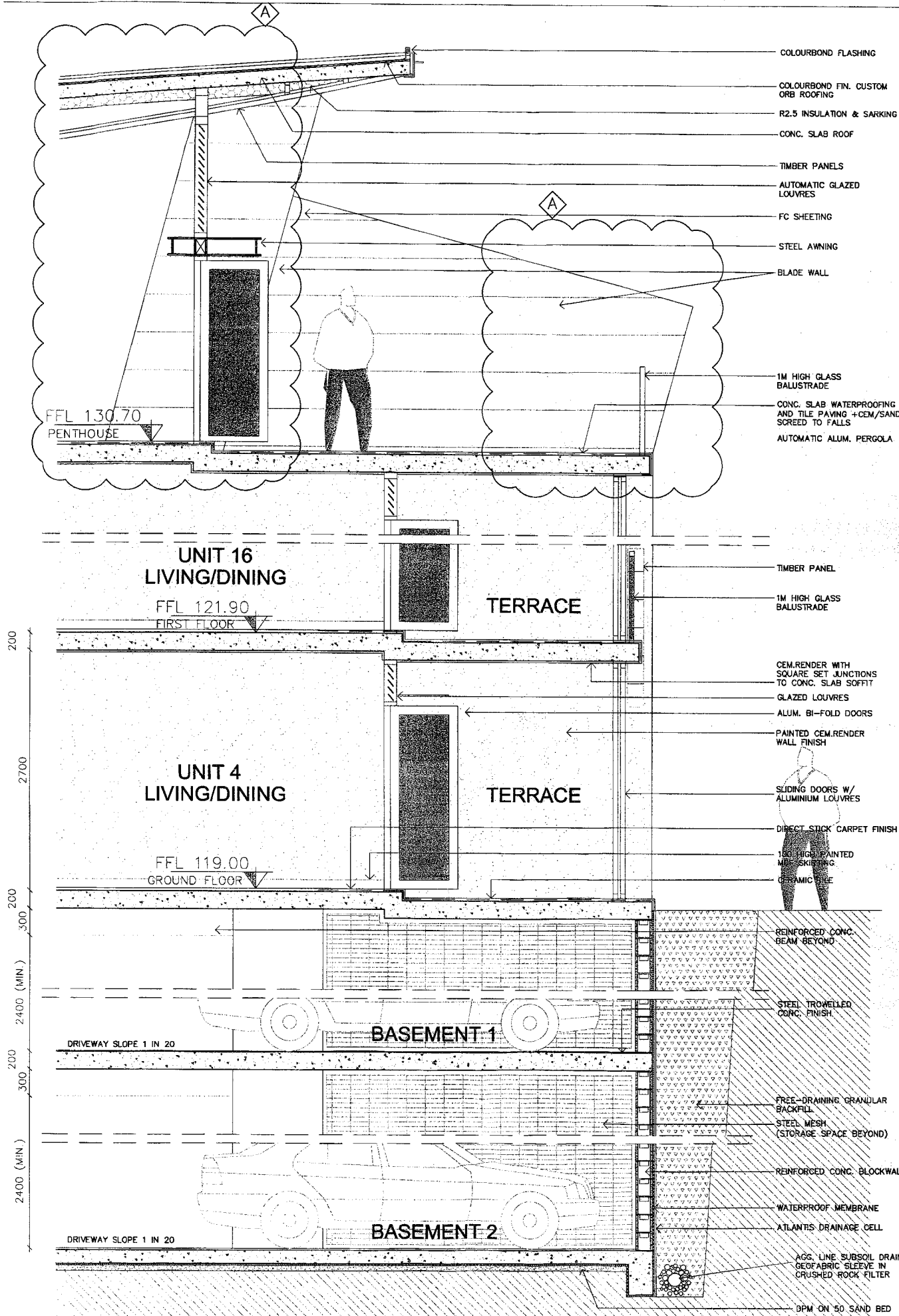


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- COLOURBOND FLASHING
- COLOURBOND FIN. CUSTOM ORB ROOFING
- R2.5 INSULATION & SARKING
- CONC. SLAB ROOF
- TIMBER PANELS
- AUTOMATIC GLAZED LOUVRES
- FC SHEETING
- STEEL AWNING
- BLADE WALL
- 1M HIGH GLASS BALUSTRADE
- CONC. SLAB WATERPROOFING AND TILE PAVING +CEM/SAND SCREED TO FALLS
- AUTOMATIC ALUM. PERGOLA

- TIMBER PANEL
- 1M HIGH GLASS BALUSTRADE
- CEM.RENDER WITH SQUARE SET JUNCTIONS TO CONC. SLAB SOFFIT
- GLAZED LOUVRES
- ALUM. BI-FOLD DOORS
- PAINTED CEM.RENDER WALL FINISH
- SLIDING DOORS W/ ALUMINIUM LOUVRES
- DIRECT STICK CARPET FINISH
- 100. HIGH PAINTED MID-SKIRTING
- CERAMIC TILE

- REINFORCED CONC. BEAM BEYOND
- STEEL TROWELLED CONC. FINISH
- FREE-DRAINING GRANULAR BACKFILL
- STEEL MESH (STORAGE SPACE BEYOND)
- REINFORCED CONC. BLOCKWALL
- WATERPROOF MEMBRANE
- ATLANTIS DRAINAGE CELL
- AGG. LINE SUBSOIL DRAIN GEOTEXTILE SLEEVE IN CRUSHED ROCK FILTER
- DPM ON 50 SAND BED

REVISION A - 26/03/07

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PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
 2-8 BRUCE AV.
 KILLARA NSW

Drawing title:
SECTION DETAIL

North point:

Scale: 1:20 @ A1 Date: 26.03.2007

Drawn: CM Checked: DM

Drawing no.: **SK13A**

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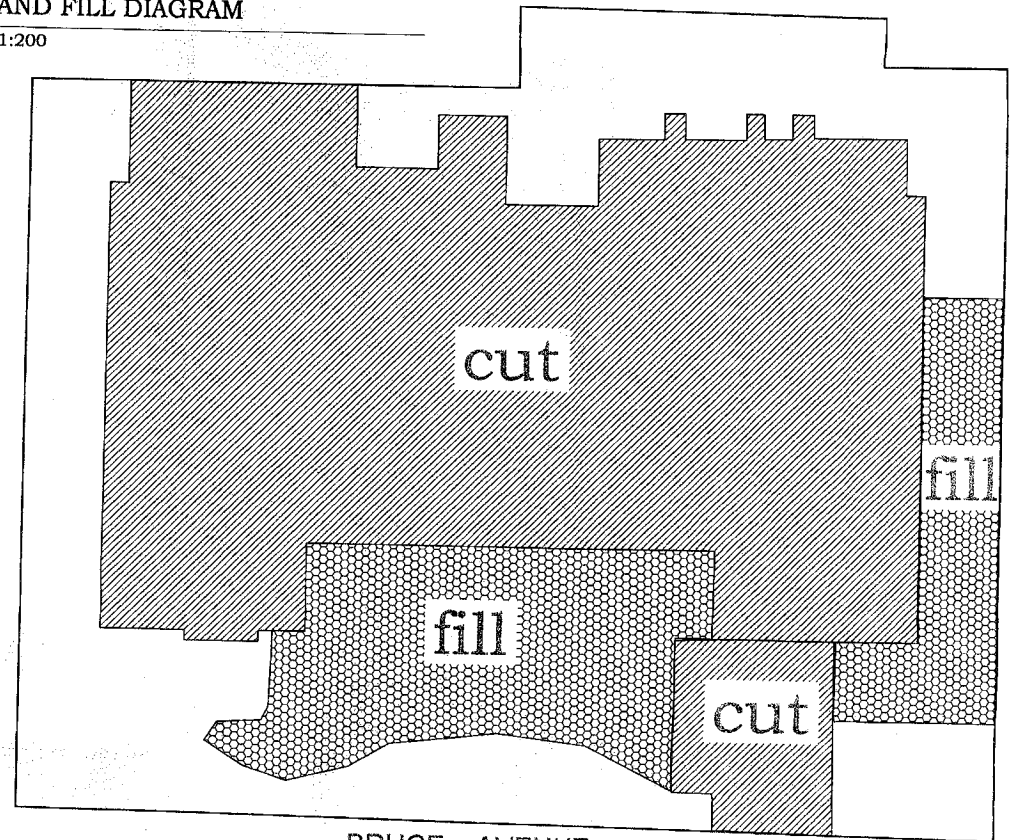
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 SCALE 1:20

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CUT AND FILL DIAGRAM

SCALE 1:200

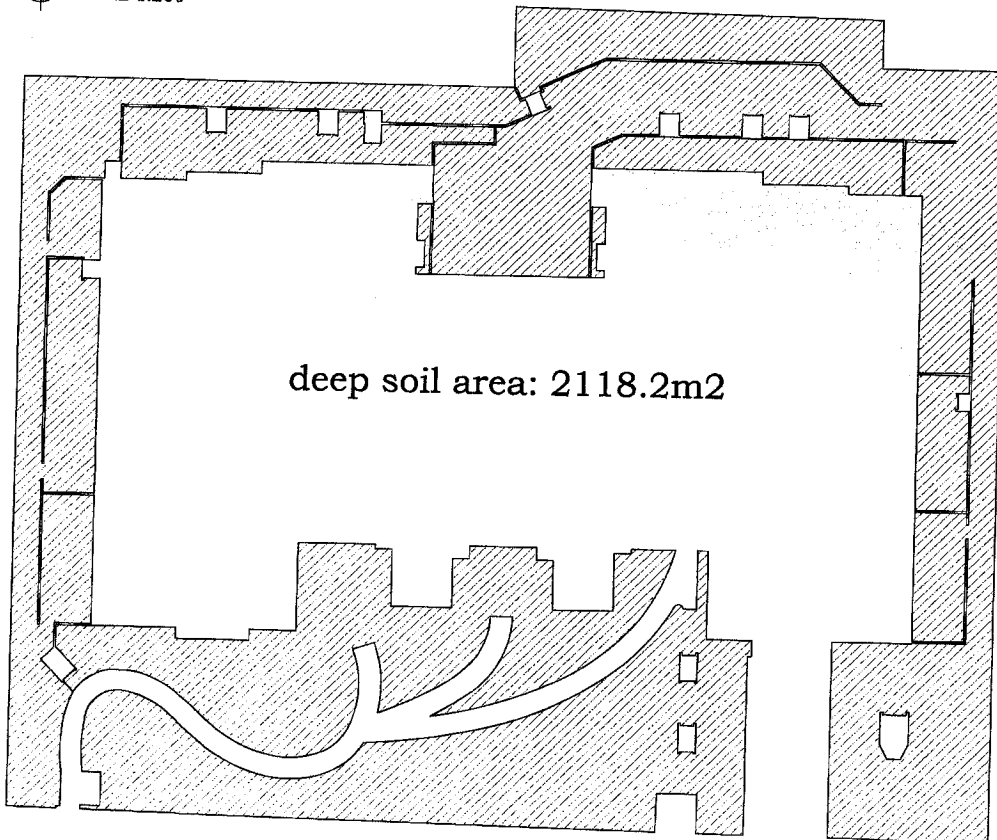


BRUCE AVENUE



SOFT LANDSCAPING AREA DIAGRAM

SCALE 1:200



deep soil area: 2118.2m2

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Job:
PROPOSED DEVELOPMENT
RESIDENTIAL BUILDING
2-4 BRUCE AV.
KILLARA NSW

Drawing title:
SOFT LANDSCAPING +
CUT AND FILL
DIAGRAMS

North point:



REVISION A - 28/03/07

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Scale: Date:
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Key Map

North Point

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| Issue | Rev. | Revision Description | Date |
|-------|------|----------------------|------|
| | | | |

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Client:

Mackenzie Architects

Project:

**2-8 Bruce Avenue
 KILLARA**

Site:

BASIX Commitment Plan

Proj. No:

2-8BA/01

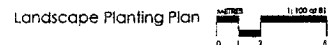
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| NC | AH | 10/05/2007 |

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| Code | Country | Language | Genre | Year | Score |
|------|---------|-------------------------|---------------|------|---------|
| 1 | USA | Academy Award Best Film | Academy Award | 1968 | 300/300 |
| 2 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 3 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 4 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 5 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 6 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 7 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 8 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 9 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 10 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 11 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 12 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 13 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 14 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 15 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 16 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 17 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 18 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 19 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |
| 20 | USA | Golden Globe Best Film | Golden Globe | 1968 | 300/300 |

[illegible]

| | | | | |
|------|-------------------------------|-------------|----|-------|
| Opel | <i>Citrullus pedunculatum</i> | Swarna Lily | 1m | 300mm |
| De | <i>Caryanthes esculor</i> | Oymica Lily | 3m | 300mm |

| | | | | | |
|------|---------------------------------------|--------------------------|--|--|--|
| Turf | <i>Phanotaphum secundatum</i> Parnell | Parnell 50 ft Leafy Bulb | | | |
|------|---------------------------------------|--------------------------|--|--|--|

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| Drawn: NC | Checked: AH | Date: 10/05/2007 |
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POTENTIAL HERITAGE ITEM REVIEW - CONSIDERATION OF SUBMISSIONS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the submissions on the non-statutory public exhibition of the potential heritage items and consider a process for the future management of the potential heritage items under the Ku-ring-gai Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

BACKGROUND:

In June 2006 Council considered the consultants report on the heritage assessment of the 154 potential heritage properties and resolved to place the study on non-statutory exhibition to seek further comment from the public. The potential heritage items were placed on non-statutory exhibition from 20 November to 20 December 2006.

COMMENTS:

This report provides the feedback from the non-statutory exhibition period of the potential items. The report makes recommendations on the listings and the future management of the potential heritage items within the Comprehensive LEP and DCP process and within the context of the potential heritage conservation areas for Ku-ring-gai.

RECOMMENDATION:

That Council adopt the recommendations to guide the future planning and management of the potential heritage items as outlined in this report.

PURPOSE OF REPORT

For Council to consider the submissions on the non-statutory public exhibition of the potential heritage items and consider a process for the future management of the potential heritage items under the Ku-ring-gai Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

BACKGROUND

A total of 154 properties were reviewed by Council's Heritage Consultants. The potential heritage item review is consistent with Council's Management Plan 2006/2007 to continue to review potential heritage items (including pre-war and inter-war), develop heritage inventory sheets and report as required 4th quarter.

Of the 154 properties reviewed, the Heritage Consultants Perumal Murphy Alessi recommended that 122 have heritage significance and are suitable for consideration as items of local heritage significance. The reasons for recommending listing vary between properties. Several commonly cited reasons for recommending listing include demonstration of a particular style of dwelling or as an intact example of a particular type of residence and / or the property makes a positive contribution to the streetscape.

For those properties not recommended for listing the most common reason given is that the property had been substantially altered to the extent where any possible heritage significance no longer exists. In some cases the context of the proposed items has also changed to an extent where a listing is not warranted.

At the Council meeting on 27 June 2006 Councillors considered the independent consultants report and the findings on each of the heritage properties.

Council resolved on 27 June 2006:-

- A. *That Council place the Potential Heritage Item Review Report on non-statutory public exhibition for a period of 28 days.*
- B. *That No 20 Nelson Road, Lindfield be subject to further heritage and urban design analysis and review as part of the Lindfield town centre program and that the matter be brought back to Council as part of the Lindfield centre planning process.*
- C. *That Council notifies all affected residents of its decision, including dates for the exhibition period and seeking comment.*
- D. *That a report be brought back to Council at the end of the non-statutory exhibition period with final recommendations as to the inclusion of heritage properties in the Comprehensive Local Environmental Plan.*

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E. That the submissions made to date on heritage inventory sheets be reviewed and taken into consideration as part of the proposed exhibition period.

F. That the headings to the report be changed as requested prior to exhibition.

A copy of the summary findings and recommendations of the exhibited Heritage Consultants report is provided in **Attachment 1** this includes the revisions from October 2006.

COMMENTS

The potential heritage items review was placed on non statutory exhibition from 20 November to 20 December 2006. In response to the exhibition period a total of 41 submissions were made.

Attachment 2 lists the submissions and provides a response to each of the matters raised. A recommendation is also made on each of the submissions.

Heritage listing – Local Heritage Items

The Heritage Council of NSW has established the criteria for heritage listing in NSW. An item must meet one or more of the following criteria to be of heritage significance:

- (a) Historical Significance.
- (b) Historical Association Significance.
- (c) Aesthetic Significance.
- (d) Social Significance.
- (e) Technical/ Research Significance.
- (f) Rarity.
- (g) Representativeness.

An item is not to be excluded from the heritage register on the grounds that items with similar characteristics are already listed on the register. While all criteria should be referred to during the assessment, only particularly complex items or places will be significant under all criteria. In many cases, items will meet only one or two criteria.

Summary of key issues raised in the submissions are included below:-

Maintenance of Heritage Properties

Several submissions raised the issue that if their properties were listed as a heritage item there would be additional requirements for maintenance.

All properties require maintenance, regardless if they are heritage listed or not and is generally expected as part of property management, whether or not the place has a heritage listing. The vast majority of historic places have been maintained by their owners often because the benefits of doing so exceed the costs. It is recognised that particular works for maintenance on heritage items- such as detailed timber work, brick tuck pointing, plaster and stone work require special materials and skills to repair and maintain and these may incur a higher cost.

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Where greater maintenance costs are a major issue an incentives scheme is the solution to managing the issue in most cases rather than a change to the statutory listing. In the case of State listed items the NSW Heritage Office provides free advice and grants to assist with the conservation and management of state listed items.

Council in the past has assisted in the maintenance of local heritage properties through a Heritage Assistance Fund, whilst this is recognised as a small scale limited fund; it provides an opportunity for a limited offset against the cost of maintenance. Council also provides heritage advice on the most suitable and cost effective methods of maintenance and repairs. As part of the 2007/2008 Heritage Program it is proposed to re-introduce the Heritage Assistance fund. Other direct financial incentives are available to listed items including grants by State and Federal agencies and reduction in rates and land tax which are based on the NSW Valuer General's valuation.

A heritage listing and alterations and additions

Many submissions raised concerns that if a property was heritage listed they would not be able to make alterations and additions, including changes to the interior.

As outlined in the heritage brochure that accompanied the exhibition material- it is recognised that heritage items and / or properties located within a Heritage Conservation Area (HCA) can be altered and adapted to suit the needs of the occupants. Listing as a local heritage item means that approval will be required for changes to the extension of a building, fences, garages etc. and structural changes to the interior. Approval is not required for maintenance work, provided new building materials match the existing.

Several submissions raised the issue that the dwellings were not in their original state and had been modified, and therefore not suitable for a heritage listing. This may be the case where significant unsympathetic modifications have compromised the significance. In these circumstances the recommendation is to remove the property from the draft list.

In most cases alterations and additions have recognised and built on the original heritage character of a building, without detracting from its potential heritage significance.

Cost of heritage and the potential impact on property values

Many submissions have raised the issue of the potential loss of value to a property if listed as a heritage item. There has been some debate over the potential economic effect of heritage listing a property and there is evidence that indicates there are many benefits to heritage listing as well as possible costs, although there has been no direct evidence that has been provided in the submissions. Some submissions raised the issue of private property owners bearing the cost of heritage, to the benefit of the overall community, without any compensation or recognition.

A recent study has been conducted into how the housing market values heritage in Ku-ring-gai. This study is titled "Does the housing market value heritage? Some empirical evidence" by Vinita Deodhar. Ku-ring-gai Council LGA was used as a case study as part of this research paper.

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This paper discusses an empirical study conducted in Sydney's upper north shore with the primary aim of estimating the market price differential between heritage-listed and regular, unlisted houses using the hedonic price technique. The research also examined the relationship between market price and the level of heritage significance of heritage houses. After controlling for main property attributes, heritage-listed houses were found to enjoy a premium over unlisted houses. This premium is a measure of the combined value placed by the market on both, the heritage character of houses and their statutory listing status. This level of heritage significance was also found to have a positive influence on price.

The study established that:

"Heritage listed houses in Ku-ring-gai enjoy a price premium compared to unlisted houses... Heritage listed houses commanded a premium of 12% on average. This premium reflects the combined value that the market places on their heritage character, their architectural style elements, and their statutory listing status"

The Study goes on to state:

"Residential development policies which permit high-density development on unlisted properties are likely to drive up land values and hence the opportunity costs thereby lowering net benefits to heritage home owners".

Other Costs

There may be additional costs in preparing a development application for a heritage item. A heritage impact statement is required and an additional DA fee for advertising the proposed development. This is an area where council could review these fees and charges to recognise the contribution heritage properties make to the streetscape and the community. In the case of the new standard LEP template there is provision to permit minor works to a heritage item without formal development consent- this may assist in reducing costs and time delays to the owners but needs to be adequately monitored by Council.

Conservation Incentives

Under the NSW Standard LEP instrument (that will provide the framework for the preparation of Ku-ring-gai's heritage controls for Council under the Comprehensive LEP Clause 35(9) there are new provisions for conservation incentives as shown below:

35(9) ***Conservation incentives***

The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan if the consent authority is satisfied that:

- (a) the conservation of the heritage item is facilitated by the granting of consent, and*
- (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and*

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- (c) *the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and*
- (d) *the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and*
- (e) *the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Productivity Commission

Some of the submissions on the potential heritage item review, made reference to the productivity commission heritage report and the need to take this report into account when Council makes a decision on the potential heritage item review.

In 2005 a Federal government productivity commission inquiry was held into the conservation of Australia's historic heritage places. This inquiry conducted an assessment of the existing policy and regulatory framework and incentives of Australia's historic heritage places.

At the Council meeting on 28 February 2006 a Council submission on the inquiry draft recommendation was considered and adopted.

The Final Commission's report was released in April 2006 and noted the importance of historic heritage conservation and the perceived importance of historic heritage to the community as reflected in private action by individuals, corporations and community groups in their identification, owning and conserving historic heritage places.

Since the release of the report Council staff have sought an update on the status of the Productivity Commissions Report on the Conservation of Australia's Historic Heritage.

The Australian Productivity Commission have advised:

- As far as they are concerned the report is final and no decisions have been made as to whether or not the Government will adopt the recommendations stated in the report or any of the findings.
- That this decision would be largely the responsibility of the state government, as most recommendations relate to them. As far as they are aware nothing has been done with the report since it was published.
- They also informed Council that the government has not made a formal response to the report but should be doing so in the near future.
- They suggested that this matter was now at cabinet submission stage and the government was either forming or has formed a state working party.
- It was suggested that the Department of Environment and Heritage (now called Department of Environment and Water Resources) be contacted to find out more information.

The Federal Department of Environment and Water Resources have advised:

- A working party has been formed consisting of the State and Commonwealth governments.

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- It was stated that currently the local governments are not part of this process.
- The government (cabinet) is currently preparing a response to the report by the productivity commission and this should be announced soon.
- It was stated that the government would most probably respond to the recommendations set out in the report and whether or not it supports them.

In summary the productivity report at this stage has not resulted in any further consultation or indication of upcoming policy reforms or legislative change resulting from the findings of the commission at the Federal or State level and if there was to be any change to heritage management at the local government level change there would need to be further consultation, review and debate of the issues and appropriate funding to prior to bringing any changes into effect at the local government level.

If there are any amendments to the identification and management of heritage items in NSW that arise from the Productivity Commission during the preparation of the Comprehensive LEP these will reported to Council and incorporated into the process.

Heritage Conservation Areas

Under Council's adopted approach to preparing the Ku-ring-gai Comprehensive LEP there will be an opportunity for Council, in consultation with the Department of Planning (including the NSW Heritage Office), to introduce Heritage Conservation Areas in Ku-ring-gai under the provisions of the Standard Instrument Local Environmental Plan. Under the Standard LEP Conservation areas are referred to as Heritage Conservation Areas (HCAs).

The benefits of introducing heritage conservation areas over individually listed items are listed below:-

- Ability to have planning controls for a range of heritage properties, their setting and streetscape, landscape in a holistic manner, including the public domain.
- Equity in the management of heritage- through a precinct based approach rather than a series of isolated heritage items, many submissions noted their property had some heritage value but similar properties in the vicinity had no identification or recognition under the current planning controls.
- Consideration of appropriate other forms of housing that may be suitable within an HCA.

Some of the issues in relation to introducing HCA include:

- Cost and resources in Council in managing larger areas and assessment of change
- Need for Staff, Councillor and community education on the role and management of HCAs
- Need to recognise and demonstrate the combined values of an HCA as a planning tool to manage local heritage, rather than means to prevent new development into the future. Over the years some metropolitan Councils have been prevented from introducing new conservation as the state government perceived this as a method of avoiding meeting housing requirements under the residential development strategies.

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In the case of new Heritage Conservation Areas, there has been support in some submissions as the dwellings and their heritage streetscape, setting and context are recognised and could be managed in a consistent and equitable manner rather than identifying and conserving individual isolated heritage items.

Ku-ring-gai Urban Conservation Areas

The National Trust report, titled; "Housing in NSW between the Wars" was finalised in 1996 and recommended 28 precincts in Ku-ring-gai for possible listing. All 28 precincts were subsequently classified by the National Trust in 1997. Twenty one (21) of the UCAs in Ku-ring-gai are currently listed on the National Estate Register as Indicative Places and the Australian Heritage Commission is assessing these precincts for possible inclusion in their Register.

Of the twenty eight (28) UCAs in Ku-ring-gai, (originally identified by the National Trust), Council has reviewed approximately fifteen (15).

The following is a list of the identified UCAs in Ku-ring-gai:-

- Urban Conservation Area 1-East Roseville
- Urban Conservation Area 2-Roseville East
- Urban Conservation Area 3- East Roseville
- Urban Conservation Area 4- West Roseville
- Urban Conservation Area 5-East Lindfield
- Urban Conservation Area 6- Lindfield
- Urban Conservation Area 7- West Lindfield
- Urban Conservation Area 8- Provincial Road Lindfield
- Urban Conservation Area 9- Killara
- Urban Conservation Area 10- Culworth Avenue, Killara
- Urban Conservation Area 11- Killara Golf Links
- Urban Conservation Area 12- Greengate Killara
- Urban Conservation Area 13- Gordon East
- Urban Conservation Area 14- No area listed
- Urban Conservation Area 15- West Gordon
- Urban Conservation Area 16- Pentecost Avenue, St Ives
- Urban Conservation Area 17- Pymble East
- Urban Conservation Area 18- Avon Road Pymble
- Urban Conservation Area 19- Bobbin Head Road
- Urban Conservation Area 20- Ku-ring-gai Avenue
- Urban Conservation Area 21- Kissing Point Road
- Urban Conservation Area 22- Challis Avenue Precinct, Turramurra
- Urban Conservation Area 23- Wahroonga
- Urban Conservation Area 24- Warrawee (Brentwood)
- Urban Conservation Area 25- Heydon Avenue (Warrawee)
- Urban Conservation Area 26- Mahratta (Wahroonga)
- Urban Conservation Area 27- Wahroonga East
- Urban Conservation Area 28- Wahroonga East
- Urban Conservation Area 28A- Wahroonga

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Further information on the UCA's is provided in **Attachment 3**.

The majority of potential heritage items are located within the abovementioned UCA's in many cases they are in local groups or within the vicinity of items already listed in the KPSO.

Comprehensive LEP Process and Heritage Conservation Areas

The new Standard LEP provides the mechanism for new Heritage conservation areas in Ku-ring-gai as part of the Comprehensive LEP process. There will be a review of the information prepared by:

- National Trust and other historical information on Ku-ring-gai,
- Reviews by Godden Mackay Logan of the UCA's
- Baseline Studies- including local neighbourhood analysis studies
- Draft Heritage conservation LEPs that were exhibited but not made,
- Information on currently listed item heritage items and
- Current potential heritage item review material.
- Other planning information on Ku-ring-gai

The perceived advantages of listing the properties as part of the Comprehensive LEP include:

1. Holistic Approach to Planning: The listing process can be undertaken as part of Council's overall preparation of the Comprehensive LEP including the existing heritage conservation areas information (National Trust and Godden Mackay Logan work), and detailed local urban neighbourhood analysis.
2. The State Government have indicated that they are not in favour of gazetting new LEPs under the KPSO given that Council is to focus on preparing a Comprehensive LEP – commencing with the six town centres.

The proposal to include the potential heritage review items into new heritage conservation areas is supported by the Heritage Consultants Perumal Murphy & Alessi. They have advised the concept of HCAs is supported, as there was a strong pattern emerging of grouping of the heritage items they reviewed and the even larger groups identified when you take into account the existing items listed under the KPSO. The heritage conservation areas would also take into account the heritage character of the streetscapes, heritage built form, setbacks, landscaping etc and this approach would also would assist in the future identification and management of these heritage areas.

Site Specific Assessment

A submission was made by the owners for 10 & 12 Culworth Ave Killara. An analysis of the submission is provided in **Attachment 2**.

10 & 12 Culworth, Killara – Currently zoned 2(c2) under the KPSO

In relation to 10 & 12 Culworth Ave, Killara- Council resolved on 18 October 2005 as part of the interface project to rezone these sites to residential 2(d3). These sites were also part of the original

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potential heritage items review, which has now recommended that these properties be listed as potential heritage items.

In August 2005, a development application was approved for 6-8 Culworth Avenue, Killara for the demolition of 2 residential dwelling houses and construction of 3 x 5 storey residential flat buildings comprising 54 units and basement car parking.

Due to the nature of the local subdivision pattern this development is located to the rear of 10 & 12 Culworth Ave, Killara.

The heritage consultants were advised of the adjoining 2 (d3) zoned land and the potential impact of the proposed development at 6-8 Culworth Ave. The Heritage consultants have reviewed the information and advised:

“It is recommended 10-12 Culworth Ave be retained in the study and that during the exhibition period, Council seek further submissions from the public and that a further review of the potential impacts of the adjoining residential apartment developments be undertaken and reported back to Council.”

The submissions on 10 -12 Culworth Ave, Killara, heritage inventory sheets and other information was provided to Council’s Urban Senior Urban Designer for review and comment which is reproduced below:-

URBAN DESIGN ASSESSMENT – 10 and 12 CULWORTH AVENUE KILLARA

Introduction

This report will assess the potential impact of 5 storey residential development on the future setting and amenity of 2 dwellings at 10 and 12 Culworth Avenue, Killara. The purpose is to provide advice that will assist Council in making a decision to further pursue the heritage listing, or not, of the subject properties.

The approved plans for 6-8 Culworth Avenue, Killara, were forwarded to Council's Senior Urban Designer. A summary of the proposed development 6-8 Culworth Avenue and a series of artist perspectives were provided by the applicant showing the proposed development, and location of 10 and 12 Culworth Avenue (refer Attachment 4).

I have visited the site and reviewed the documents. Here are my observations:

Context

Culworth Avenue is a narrow road running parallel to the rail line and within 100 metre of the station. It is fronted by one and two storey detached dwellings on one side and on the other side the edge of the rail corridor. The road slopes steeply down from Marian Street and from Stanhope Road to a low point in the middle of Selkirk Park.

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12 Culworth Avenue shares a boundary with Selkirk Park. 10 Culworth Avenue adjoins 6 and 8 Culworth Avenue which are zoned for 5 storey apartment buildings.

Recent 5 storey apartment building development has occurred in the area particularly along Marian Street. New buildings behind Marian Street theatre are visible from the site.

Impact assessment

Overshadowing

The proposed developments will be to the south and west of the houses at 10 and 12 Culworth Avenue which means they will retain an open aspect from the east to the north-west and therefore potential overshadowing will be minor.

Views

12 Culworth Avenue currently enjoys views over Selkirk Park. Future development will not impact on these views

Overlooking and loss of privacy

10 Culworth Avenue will be particularly affected by overlooking from the private balconies of the proposed development on the adjoining the property. Both properties will lose the privacy of a rear garden.

Noise

There is likely to be an increase in background noise in the area although the properties are located next to a major train line.

Bulk and scale

As noted Culworth Avenue rises fairly steeply to Stanhope Road from north to south. It is likely that the local topography will exacerbate the apparent bulk and scale of the proposed development in relation to the houses at 10 and 12 Culworth Avenue.

Streetscape

There are 6 properties fronting Culworth Avenue: 3 of these properties are zoned for Residential 2(d3); three properties are zoned 2(c2) including numbers 10 and 12. Over the long term this development pattern will have a negative impact on the streetscape as the street will be half 5 storey apartment buildings and half detached housing.

In urban design terms it is preferable to have a dominance of one form or the other in a streetscape. In this case, given past zonings, it is preferable for the whole street to be zoned for 5 storey apartment buildings.

Heritage

Neither house appears to be particularly significant, 10 Culworth probably the more interesting of the two. Given the context the houses would need to be of major significance to warrant retention on heritage grounds given the degree of change in the immediate vicinity.

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Open space

10 and 12 Culworth are currently zoned 2(c2) and allow potential for future acquisition and future expansion of Selkirk Park.

Summary

There will be impacts on 10-12 Culworth Avenue resulting from overlooking, loss of privacy and bulk and scale. It would be preferable in urban design terms not to list the properties as heritage items and allow rezoning to 5 storey apartments consistent with surrounding zones.

Recommendation that 10-12 Culworth Ave, Killara be deleted from the listing.

CONSULTATION

All Councillors were provided with a CD- Rom of the PMA Consultants Heritage Report, including the 154 individual heritage inventory sheets. All affected residents and owners were notified of the project at its commencement and asked for any information that they may have of assistance to the Consultant's review.

An advertisement was placed in the local paper, North shore times on the 17 November 2006, providing notification and information on the exhibition and where to make a submission. All property owners identified in the review were notified by letter of the non statutory exhibition period and provided the opportunity to make a submission.

A brochure was also prepared (**see attached 5**) that provided additional information on the purpose of the review, information about heritage in Ku-ring-gai and details of where to view information and to make a submission.

Council's web site included information on the exhibition and copy of the heritage exhibition brochure and summary information and reference to the previous reports to Council.

The list of properties considered as part of the review of potential heritage items was available on Council's website along with a description of the project.

Throughout the project Council's Heritage Advisory Committee (HAC) were kept informed of the potential heritage item reviews progress.

All affected property owners and persons who made a submission have been notified of this report going to Council. The report was released early on Friday 1 June 2007 ahead of normal release of business papers to provide additional time for review of the report. A briefing for councillors on this report has also been conducted.

FINANCIAL CONSIDERATIONS

Project costs for the potential heritage item review are covered by the Planning Department Capital Projects Budget. The Comprehensive LEP process will also include further heritage review and the outcomes of this report- this will be subject to a new budget.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has been undertaken with Council's Heritage Advisor, Department of Development & Assessment in consideration of the potential heritage item review and Council's Heritage Advisory Committee has been consulted throughout the project.

SUMMARY

Council engaged an independent heritage consultant to assess 154 properties identified in the Ku-ring-gai LGA to determine each properties suitability as a heritage listed property. All affected residents and owners were notified of the project at its commencement and again half way through the projects duration as an update of the reviews progress.

A total of 41 submissions were received in relation to the review of potential heritage items. The issues raised by owners varied with some residents offering information for the Consultants knowledge and others expressing concern over the possible heritage listing of their properties.

Given the anticipated redundancy of the KPSO and its replacement with a Comprehensive LEP, it is most appropriate to consider heritage listing those properties finally resolved for listing as part of the Comprehensive LEP preparation process as either individually listed items or as part of the proposed heritage conversation areas. In some cases further detailed research and assessment is required and these items have been deferred to a peer review process- in some cases this may involve additional historical research, research on the nature and extent of modifications to a dwelling and an assessment as to whether the property has sufficient heritage significance to warrant its individual listing or to be identified within the proposed heritage conservation area under the Ku-ring-gai Comprehensive LEP process.

Benefits of the Comprehensive LEP is this is a single process, that will involve further consultation, and an opportunity to consider a range of other factors that may influence the future identification and management of heritage in Ku-ring-gai eg groupings of items, neighbourhood character analysis , land zonings, overlays of existing listed items, urban design, environmentally sensitive lands, other forms of residential development and potential interface issues.

SUMMARY LIST

Category 1- Properties to be deleted from the list

Properties to be deleted from the list- these properties have limited or no heritage significance and will not be further considered for individual heritage listing in the Comprehensive LEP process. (Note some of these properties may be contained within the potential heritage conservation areas, and could be identified as non contributory items or removed). Some items have already been proposed for listing and included under the Ku-ring-gai Town Centres program (eg. 22 Russell Ave, Lindfield).

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Category 1- Properties to be deleted from the list:

1. 26 Alexander Parade, Roseville
2. 57 Boundary Street, Roseville
3. 7 Oliver Road, Roseville
4. 14 Roseville Avenue, Roseville
5. 14 Trafalgar Avenue, Roseville
6. 14 Victoria Street, Roseville
7. 57 Victoria Street, Roseville
8. 22 Russell Avenue, Lindfield
9. 20 Nelson Road, Lindfield
10. 17 Eton Street, Lindfield
11. 1 Middle Harbour Road, Lindfield
12. 30 Elva Avenue, Killara
13. 38 Karranga Avenue, Killara
14. 21A Lynwood Avenue, Killara
15. 3 Maples Avenue, Killara
16. 5 Maples Avenue, Killara
17. 16 Northcote Avenue, Killara
18. 10 Culworth Avenue, Killara
19. 12 Culworth Avenue, Killara
20. 3 Warwick Street, Killara
21. 1 Bushlands Avenue, Gordon
22. 3 Bushlands Avenue, Gordon
23. 5 Bushlands Avenue, Gordon
24. 21 Grandview Street, Pymble
25. 25 King Edward Street, Pymble
26. 18 Park Crescent, Pymble
27. 40 Park Crescent, Pymble
28. 15 Brentwood Avenue, Warrawee
29. 9 Pibrac Avenue, Warrawee
30. 1 Yosefa Avenue, Warrawee
31. 6 Yosefa Avenue, Warrawee
32. 42 Bangalla Street, Warrawee
33. 4 Burns Road, Wahroonga
34. 16 Burns Road, Wahroonga
35. 18 Burns Road, Wahroonga
36. 89 Coonabarra Road, Wahroonga
37. 92 Coonabarra Road, Wahroonga
38. 2 Fox Valley Road, Wahroonga
39. 59-61 Water Street, Wahroonga

Category 2- Properties to be included in the Comprehensive LEP/ DCP process

Properties to be included in the Comprehensive LEP/ DCP process as contributory items/ character items within the future Heritage conservation areas of Ku-ring-gai, some of these properties may have sufficient heritage significance to warrant individual heritage listing within an HCA or may

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be located outside of an HCA and be suitable for an individual heritage listing but this will be subject to more detailed localised assessment, comparative significance with other listed items and the rarity of the particular item.

Category 2- Properties to be included in the Comprehensive LEP/ DCP process:

1. 15 Alexander Parade, Roseville
2. 3 Bancroft Avenue, Roseville
3. 6 Bancroft Avenue, Roseville
4. 8 Bancroft Avenue, Roseville
5. 9 Bancroft Avenue, Roseville
6. 10 Bancroft Avenue, Roseville
7. 19 Bancroft Avenue, Roseville
8. 9 Belgium Avenue, Roseville
9. 15 Belgium Avenue, Roseville
10. 14 Clanville Road, Roseville
11. 31 Clanville Road, Roseville
12. 18 Gerald Avenue, Roseville
13. 5 The Grove, Roseville
14. 11 The Grove, Roseville
15. 21 The Grove, Roseville
16. 16 Kelburn Road, Roseville
17. 19 Lord Street, Roseville
18. 9 Oliver Road, Roseville
19. 35 Oliver Road, Roseville
20. 37 Oliver Road, Roseville
21. 10 Roseville Avenue, Roseville
22. 12 Roseville Avenue, Roseville
23. 16 Roseville Avenue, Roseville
24. 22 Roseville Avenue, Roseville
25. 29 Roseville Avenue, Roseville
26. 31 Roseville Avenue, Roseville
27. 32 Roseville Avenue, Roseville
28. 45 Roseville Avenue, Roseville
29. 12 Shirley Road, Roseville
30. 16 Shirley Road, Roseville
31. 33 Shirley Road, Roseville
32. 18 Trafalgar Avenue, Roseville
33. 16 Victoria Street, Roseville
34. 49 Victoria Street, Roseville
35. 28 Bent Street, Lindfield
36. 11 Blenheim Road, Lindfield
37. 12 Blenheim Road, Lindfield
38. 15 Blenheim Road, Lindfield
39. 19 Blenheim Road, Lindfield
40. 21 Frances Street, Lindfield
41. 22 Kenilworth Road, Lindfield

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42. 9 Middle Harbour Road, Lindfield
43. 31 Middle Harbour Road, Lindfield
44. 9 Nelson Road, Lindfield
45. 44 Nelson Road, Lindfield
46. 50 Nelson Road, Lindfield
47. 1 Ortona Road, Lindfield
48. 19 Russell Avenue, Lindfield
49. 23 Treatts Road, Lindfield
50. 45 Treatts Road, Lindfield
51. 47 Treatts Road, Lindfield
52. 17 Waimea Road, Lindfield
53. 2 Westbourne Road, Lindfield
54. 7 Arnold Street, Killara
55. 11 Arnold Street
56. 22 Buckingham Road, Killara
57. 14 Forsyth Street, Killara
58. 44 Greengate Road, Killara
59. 51 Greengate Road, Killara
60. 28 Karranga Avenue, Killara
61. 6 Lorne Avenue, Killara
62. 9 Lynwood Avenue, Killara
63. 21 Lynwood Avenue, Killara
64. 23 Lynwood Avenue, Killara
65. 28 Lynwood Avenue, Killara
66. 24 Marian Street, Killara
67. 27 Marian Street, Killara
68. 29 Marian Street, Killara
69. 2 Spencer Road, Killara
70. 8 Springdale Road, Killara
71. 24 Springdale Road, Killara
72. 12 Stanhope Road, Killara
73. 25 Stanhope Road, Killara
74. 22 Highlands Avenue, Gordon
75. 7 Robert Street, Gordon
76. 18 Rosedale Road, Gordon
77. 31 King Edward Street, Pymble
78. 20 Park Crescent, Pymble
79. 22 Park Crescent, Pymble
80. 24 Park Crescent, Pymble
81. 5 Taunton Street, Pymble
82. 7 Taunton Street, Pymble
83. 34 Eastern Road, Turramurra
84. 14 Warrangi Street, Turramurra
85. 8 Brentwood Avenue, Warrawee
86. 42 Hastings Road, Warrawee
87. 2 Heydon Avenue, Warrawee
88. 17 Heydon Avenue, Warrawee

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89. 18 Warrawee Avenue, Warrawee
90. 2 Yosefa Avenue, Warrawee
91. 3 Yosefa Avenue, Warrawee
92. 4 Yosefa Avenue, Warrawee
93. 5 Yosefa Avenue, Warrawee
94. 7 Yosefa Avenue, Warrawee
95. 8 Yosefa Avenue, Warrawee
96. 9 Yosefa Avenue, Warrawee
97. 11 Yosefa Avenue, Warrawee
98. 12 Billyard Avenue, Wahroonga
99. 6 Burns Road, Wahroonga
100. 11 Burns Road, Wahroonga
101. 17 Burns Road, Wahroonga
102. 25 Burns Road, Wahroonga
103. 15 Cleveland Street, Wahroonga
104. 3 Gilda Avenue, Wahroonga
105. 18 Gilda Avenue, Wahroonga
106. 6 Munderah Street, Wahroonga
107. 1564 Pacific Highway, Wahroonga
108. 1566 Pacific Highway, Wahroonga
109. 1 Water Street, Wahroonga

Category 3- Peer Review/ Additional Information

In some cases further detailed research and assessment is required as a result of the information provided in the submissions. These items have been deferred to a peer review- in some cases this may involve additional historical research, research on the nature and extent of modification to a dwelling and an assessment as to whether the property has sufficient heritage significance to warrant its individual listing or to be identified within the proposed heritage conservation area under the Ku-ring-gai Comprehensive LEP process.

Category 3- Peer Review / Additional Information:

1. 10 Munderah Street, Wahroonga
2. 33 Illoura Avenue, Wahroonga
3. 16 Stanhope Road, Killara
4. 31 Elva Street, Killara
5. 2 Mackenzie Street, Lindfield
6. 11 King Edward Street, Pymble

RECOMMENDATION

- A. That the properties identified as Category 1 in this report be deleted from the potential heritage items review list.
- B. That the properties identified as Category 2 in this report be included in the Comprehensive Local Environmental Plan (LEP) / Development Control Plan (DCP)

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process as contributory items / character items within potential future Heritage Conservation Areas (HCA) or as potential heritage items under the Comprehensive LEP process.

- C. That the properties identified as Category 3 in this report be subject to further independent peer review to determine if the properties should be identified in potential Heritage Conservation Areas under the Comprehensive LEP process, listed as an individual heritage item under the Comprehensive LEP process or deleted from the list.
- D. That the peer review for 16 Stanhope Road, Killara be expedited with a report back from an independent heritage consultant, to enable this information to be considered as part of the report on current development application for the site.
- E. That all persons who made a submission be notified of Council's decision.

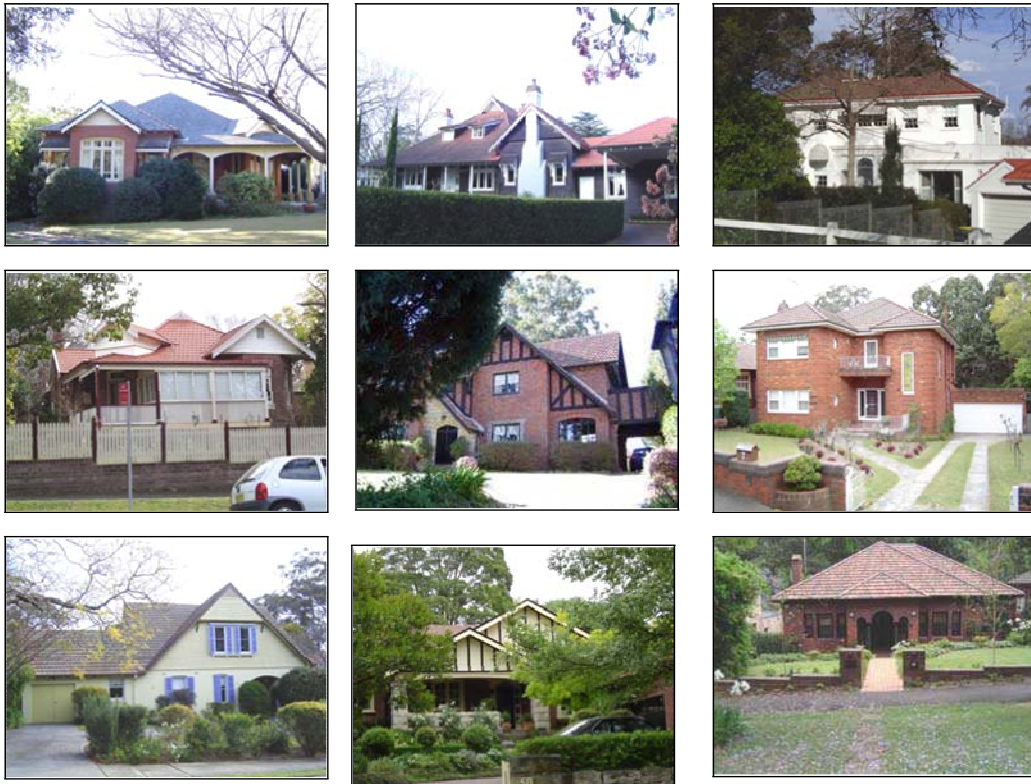
Karen Chapman
Student Planner

Antony Fabbro
Acting Director Strategy

Paul Dignam
Heritage Advisor

- Attachments:**
- 1. Potential Heritage Review report - 779265**
 - 2. Submissions table - 779266**
 - 3. UCA listing and summaries - 779267**
 - 4. 10-12 Culworth artist impressions - 758834**
 - 5. Heritage brochure - 778235**
 - 6. Submission booklet circulated separately**
 - 7. Inventory sheets on CD circulated separately.**

Review of Potential Heritage Items in the Ku-ring-gai Local Government Area



VOLUME 1

Final Report

April 2006 (and October 2006 Revisions)

Prepared for Ku-ring-gai Council

By Perumal Murphy Alessi Pty Ltd in association with Glen Cowell Heritage Services Pty Ltd

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NOTE: For the full set of inventory sheets please see the CD that is attached to this document.

VOLUME ONE

PART A

1.0 Introduction

1.1 Background

In June 2005, Ku-ring-gai Municipal Council commissioned Perumal Murphy Wu Pty Ltd (now trading as Perumal Murphy Alessi Pty Ltd) and Glen Cowell Heritage Services Pty Ltd, to undertake the assessment of 154 potential heritage items within the Ku-ring-gai local government area in the suburbs of Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra, Warrawee and Wahroonga. These items were chosen by Council for immediate review, out of a possible 464 items within the local government area which were identified in a study prepared by Council in 2001 (Potential Heritage Item Study) as of potential heritage significance.

Following Gazettal of Local Environmental Plan 194 – Ku-ring-gai Residential Development Strategy and LEP 200 in 2004, Council re-examined the 464 potential items and developed a strategy for prioritizing the review of selected properties. The 154 properties which are the subject of this review are those that Council selected for immediate review.

1.2 Outline of the Project

The project included the site inspection of each of the selected properties which required site identification of the property; a physical examination of the style, fabric, current use, and condition of each property as assessed from a public street or place; search of Council's records to identify original fabric and design from later modifications; Sands Directory and Land Title search for each property to identify owners and occupants; historical research at Ku-ring-gai Library to identify significant items or local identities associated with the properties and assessment of the Heritage and Neighbourhood Character Study (2000) and Potential Heritage Items Study (2001) and other relevant historical material in the assessment of the significance of each of the potential items.

1.3 Potential Heritage Items

The list of potential heritage items under review is identified in the Project List added in the Appendices.

1.4 Recommendations

A summary of individual recommendations for each of the potential heritage items has been compiled outlining the recommendation for “inclusion” / “exclusion” and including justification statements for each decision based on the assessments provided by the study team. (**See Part C Section 1.12**)

1.5 Study Team

The review brought together the specialist skills of two separate firms, Perumal Murphy Alessi (PMA, formerly Perumal Murphy Wu) Heritage Consultants and Glen Cowell Heritage Services (GCHS), Conservation Architect & Heritage Consultants to undertake the research and assessment of the potential heritage items.

Luisa Alessi and Glen Cowell both took responsibility for site inspections and photography while PMA took responsibility for historical, Sands and Land Title research and assessment of the fabric and GCHS the responsibility of images, assessing significance, recommendations and reports.

1.6 Limitations

A six month deadline was imposed by the brief which began with the engagement of the Project Team on 12th July 2005. The completed Inventory Sheets and Draft Report were to be submitted to Council by 9th January 2006, however this date was extended by Council due to Christmas holiday period. A subsequent meeting on Monday 6th February was arranged.

Due to the quantity of material to be assessed, the study Team will request an additional 6 week period in order to fully assess the items under review.

The assessment of quality and condition of each of the buildings has been undertaken from the public domain. It is therefore not possible to fully assess the condition of interiors or areas which are not visible from the street. As entry to each of the properties was not part of this review, recommendations have therefore had to be made on the visual condition and significance as identified from the public domain.

In the case of two properties which were not visible from the public domain, permission was gained by Council staff for the research team to enter the property for the inspection. The inspection of these properties was restricted to the exterior of the buildings and interiors have not been assessed as part of this review

Council's database was used to determine modifications and alterations to the properties. As the database only starts from early 1980s, no record of works, that is DA and BAs before that date are recorded. It is possible to search Council's hand written registers for information prior to the 1980s but this would take more time to go through than is possible within the budget limitations of this project.

1.7 Report Format

The report contains two parts which are presented in four volumes. Volume One contains the Final Report (Part A), Recommendations (Part B) and Appendices (Part C). Volumes two, Three and Four contain the hard copies of the State Heritage Inventory Data Sheets for each of the potential heritage Items

1.8 Acknowledgements

The study team wished to acknowledge the assistance of the following organizations and individuals.

Ku-ring-gai Council:

- Mr Antony Fabbro
- Ms Louise O'Flynn
- Ku-ring-gai Historical Society and Library staff.

Also property owners and interested members of the public who provided information and written submissions for individual properties.

1.9 Terminology

This report adopts the terminology accepted by the Burra Charter of Australia, ICOMOS and the Guidelines of the Heritage Office of NSW.

The terminology used to describe building styles follows the stylistic identification as set out by *A Pictorial Guide to Identifying Australian Architecture* by Apperly, Irving & Reynolds 1989.

1.10 Conclusion

Of the 154 potential items reviewed in this study, 125 have been recommended for listing and 29 have been rejected as not fulfilling the required criteria.

The criteria for inclusion follows the Guidelines set out by the Heritage Office of New South Wales. In the assessment of these items, they had to impart a measure of cultural significance in one or more of the criteria set down within the "Guidelines". These criteria include Historic, Associational, Aesthetic, Social and Technical significance. It is not necessary to fulfill all criteria, however the item should show a measure of significance within one or more of the criteria. The item could be a "rare" or "representative" example and the integrity of the building should be of a level that the form, fabric and style of the item was "substantially intact". In other words, still retaining the majority of its fabric or having undergone alterations and additions which do not visually impact on the item or able to be reversed at a later time.

Many of the identified potential items within this study are aged between 80 and 100 years old. Buildings of this age are rarely completely intact in their original form, fabric and style. Modifications are often necessary to allow the continued use of the building in a modern age. Consideration has been given to this requirement for change and the potential items have been assessed with the consideration that these items can be modified but that the changes do not impact to any great degree on the visual character of the item when viewed from a public place. Alterations to the interiors of these items was not a consideration within this review.

Modifications such as intrusive colour schemes or cosmetic changes to detailing on a building have been treated as a minor intrusion as these changes are usually largely, if not fully reversible. Modifications where substantial changes, such as roof additions or façade remodelling, have altered the style or character of the building when viewed from the street are largely irreversible and these changes are considered as reasons for rejection. Where buildings are of a style or character which is common within the LGA and which better examples can be identified elsewhere within the suburb or LGA, this has been considered a legitimate reason for rejection.

The 125 recommended items provide a fairly wide range of stylistic variations in both Federation and Inter-War period buildings. Many of the items are modest scale residences which reflect the changing economic situation throughout the 20th Century and the ever changing attitudes to housing and architectural styles within the community.

PART B

1.11 Brief Outline of The Stylistic Variations

“The prevailing pattern of residential development in the Ku-ring-gai Local Government Area is characterized by single dwelling houses addressing the street across an open front garden, and providing a private rear garden. This pattern has enabled the landscape to flourish and provide the most significant characteristic of Ku-ring-gai – its tree cover. The consistency of this pattern, the abundant landscape and the relative cohesiveness of housing scale, form and style within the [suburbs] of Ku-ring-gai make the neighbourhood special.”¹

The eight suburbs which make up the LGA, Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra, Warrawee and Wahroonga are located along the spine of the Railway and Highway. These spine areas contain the majority of heritage items identified in the 1987 Heritage Study. A substantial group of relatively intact Federation and Inter-War Period dwellings have recently been identified as potential heritage items and the 154 buildings which make up this Review have been selected from the identified items.

ROSEVILLE

Four land grants make up the neighbourhood area of Roseville: to the east Mathew’s 400 acre grant, *Clanville*, developed by Richard Archbold after 1830, to the west, the holdings of John Jenkins, William Henry and Michael Fitzgerald. From 1840 to 1880 the land to the east of Lane Cove Road was developed as orchards and market gardens. Major subdivisions did not occur until after the railway was established in 1890. East of the railway, the subdivisions were well underway by the 1900s and to the west, the greater part of the suburb was developed by the 1920s. Several shops were established before World War 1, together with churches and schools.

There are 41 items within this review which are located within the suburb of Roseville. Their construction dates range from c1893 (Federation Bungalow) in Victoria Street to c.1938 (Inter-War Functionalist) in Trafalgar Avenue. The majority of the items (19) are identified as Federation Bungalows dated between c.1901 and c.1919, with Inter-War Bungalows (11) dated between c.1917 and c.1935. of the remaining buildings, six (6) are Federation Queen Anne and Arts and Crafts style, while only three (3) fall within the popular Inter-War styles with one of these being a rare Inter-War Stripped classical style and another being the Inter-War Functionalist style which appeared most often towards the late 1930s. The last building is a Scout Hall dated c.1931 which is an Inter-War building which does not fit within the residential styles.

Of the 41 potential items located in Roseville, 34 are recommended for listing and 7 are rejected.

LINDFIELD

“The early land grants in the Lindfield ... area were Daniel McNally, Alexander Munroe and DD Mathew to the east of the Lane Cove Road, and Joseph Fidden, Thomas Wilson and Henry Robey & Timothy Surr to the west. From 1815 to 1840 timber was removed from the land grants in the area.

¹ Godden Mackay Logan, Ku-ring-gai Neighbourhood Character Study, Prepared for Ku-ring-gai Municipal Council , 2000, p. 1

The earliest subdivision, in 1884, was to the west of the Lane Cove Road and was named Gordon Park.”² Further subdivision of this area had occurred by 1905 and an established community of shops, schools, churches and clubs had developed, although major commercial development did not occur until the 1930s. .

There are 24 items within this review which are located within the suburb of Lindfield. Their construction dates all fall after the turn of the century with Federation Queen Anne (3) and Federation Arts and Crafts (3) dating between c.1908 to c.1920 and Federation Bungalows (11) between c.1911 and c.1921. The Inter-War styles are fairly sparse in Lindfield with Inter-War Bungalows (3) between c.1916 and c.1924, Inter-War Old English (1) c.1914, Inter-War Mediterranean (1) c.1938, Inter-War Georgian Revival (1) c.1939 and a rare example of Inter-War Stripped Classical in Eton Road dated c.1935.

Of the 24 potential items located in Lindfield, 22 are recommended for listing and 2 are rejected.

KILLARA

“In the Killara area, land was granted along the Lane Cove Road between 1821 and 1834”. These grants were held by “William Foster, Edwin Booker, Jane McGillivray and Henry Oliver to the east and John Griffiths and Samuel Midgely to the west. Development began between 1879 and 1900 when estates were subdivided between Fiddens Wharf and south of Highfields Road to the west and between Powell Street and Stanhope Road to the east. In central Killara, development was dominated by James George Edwards’ promotion of Jane McGillivray’s 160 acres, Springdale Estate.” Edwards worked to prevent commercial development and to promote the development of recreational and cultural facilities. “Substantial homes were constructed in the Springdale Estate and surrounding estates” on the eastern side of the main road. “Less pretentious bungalows were built to the west in the Great Northern Township... between 1905 and 1910.”

“In the Inter-War years, Killara’s architectural heritage was reinforced by the building of many significant homes... as large holdings were subdivided to provide for groups of homes in similar style.”³

There are 32 items within this review which are located within the suburb of Killara. Their construction dates all fall after the turn of the century with the greatest number of houses dating from the 1930s period. The Federation styles only account for 8 items with Federation Bungalows (5) between c.1900 and c.1924, Federation Queen Anne (1) c.1907 and Federation Arts and Crafts (2) c.1905 and c.1913.

The Inter-War styles are located all around the suburb with Inter-War Georgian Revival (7) constructed from c.1923 to c.1941 and Inter-War Old English (7) constructed between c.1936 to c.1939 being the most popular styles, particularly for the large scale mansions. Inter-War Mediterranean (4) constructed between c.1931 and c.1936 has some popularity as medium scale residences while the modest scale dwellings were usually Inter-War Bungalows (2) constructed in the early 1930s. One large Inter-War Functionalist style mansion was constructed in c.1940 and a medium scale Post-War International style residence built in c.1938. One Inter-War period “English Cottage” style residence was constructed for the daughter of James George Edwards in Marian Street in c.1934.

Of the 32 potential items located in Killara, 26 are recommended for listing and 6 are rejected.

² *Ibid*, p.469

³ *Ibid*. p.443

GORDON

The suburb of Gordon is located within the land grants of DD Mathews, Benjamin Clayton and Michael Ansell to the east of Lane Cove Road, and to the grants of Henry Henry & Joseph Smith, and the holding of John Bean to the west of the main road.

“From the beginning of settlement in Ku-ring-gai, Gordon was the centre of the early timbergetting / orcharding community. Prior to 1880, as Lane Cove, it was also home to the community’s first schools, churches, store and post office.”⁴

In preparation for the new railway line, the name “Lane Cove” was changed to “Gordon” for the school and post office by 1885. As a direct result of the establishment of the railway line, land to the east and west of the Lane Cove Road was subdivided between 1879 and 1900. By 1891 Gordon had the highest population in the parish: 360 out of a total population of 921. By 1903 a significant number of businesses were operating in the present day commercial area. The residential development of the suburb occurs in two distinct sections with large brick houses in spacious gardens built to the east of the main road for well-to-do owners with more modest scale houses on smaller allotments built for the working man to the west.

There are only 6 items within this review which are located within the suburb of Gordon. Three of them are Inter-War Bungalows of similar style and scale constructed between 1928 and 1932 in a fairly bushland setting to the western side of the main road. The other three are a Victorian Italianate style residence c.1905 to the east of the railway line, a Federation Bungalow c.1914 and a medium scale Inter-War Functionalist residence dating from c.1938. Of these six potential items, three are recommended for listing and three are rejected.

PYMBLE

The suburb of Pymble is located within the land grants of Robert Pymble and DD Mathews to the east of the Lane Cove Road and the grants of Archibald McCole, William Wright, Richard Wall and William Lysett to the west of Lane Cove Road. Timber was extracted until about 1840, when the area became a prime orcharding community. Major subdivisions of the orchards occurred between 1879 and 1900 as a result of the establishment of the north shore railway line. The estates subdivided before 1900 were to be re-offered until 1910, by which time most lots were sold. After 1910 there was re-subdivision of some of the major holdings formed after the first wave of subdivision. More homes were built as larger lots were further broken up after 1925, 1940 and 1950.

There are 11 items within this review which are located within the suburb of Pymble. Only three of these residences were constructed around the turn of the century with a c.1904 Federation Bungalow and a c.1909 Federation Queen Anne style residence, another Queen Anne style house is dated c.1924 and they are all located in King Edward Street. Of the remaining residences, all are from the Inter-War period c.1930 to c.1936 with three constructed in Inter-War Old English, one Inter-war Georgian Revival, one Inter-War Spanish Mission, one Inter-War Mediterranean and two Inter-War Bungalows. Of these eleven potential items, seven are recommended for listing and four are rejected.

⁴ Ibid, p.417

TURRAMURRA

“The suburb of Turramurra was located within the land grants of John Beattie, Thomas Boyd, John McMahon, Richard Gilbert and John Terry Hughes. By 1881, the central part of what is now Turramurra was a farming area of orchards and market gardens. Major subdivision was to occur by 1900 and by 1910 a number of significant homes had been built on lots consisting of one or more acres.”

“By 1905 a thriving shopping and small business centre had been established and further subdivision of large lots in all estates was to occur between 1910 and 1920.”⁵

There are two items within this review which are located within the suburb of Turramurra. One is a Federation Queen Anne residence constructed in c.1900, the second is a Federation Bungalow constructed in c.1930.

WARRAWEE

“Warrawee was a prime timbergetting area from c. 1815, dominated by the holdings of timber contractor, Thomas Hyndes to the east and west of Lane Cove road, where vast stands of cedar, mahogany, turpentine, ironbark and bluegum were removed from the land.

Lands to the east of the Lane Cove Road were totally contained within the 1876 subdivision of “The Big Island Estate”. The nucleus of the estate was bought, and in turn marketed, by a group of politicians – Burns, Withers and Burdett Smith – in 1878. Forty-one blocks, varying in size between one and seven acres were sold to orchardists and market gardeners who took up occupation.

“Plans for the new railway were announced in 1882, and this announcement heralded the beginnings of the Warrawee we know today. Once the residential potential of the area was realized, immediate re-subdivision occurred. The new owners were professional men, businessmen and politicians.”

“Contrary to other communities which developed along the main road from c.1870, Warrawee had no shops, no post office, no public school, no churches, and no railway station until 1899. Individual holdings of between one and four acres were largely retained from 1890 until the late twenties. By that time, the pressure of suburban consolidation meant that further subdivision was being planned.”⁶

“The Warrawee precinct retains the early subdivision pattern of large allotments, with substantial residences from each period of growth. A few weatherboard cottages remain from the orchard days (1860-1880) and several houses date back to the 1890s and early 1900s. The majority of building date from the 1920s onwards and reflect subsequent architectural tastes and life styles.”⁷

There are 18 items within this review which are located within the suburb of Warrawee. Their construction dates range from a Federation Period semi-rural weatherboard cottage c.1902 to a Federation Bungalow c.1912, and a large Federation Arts and Crafts mansion on a large site dated c.1918. The majority of the items (10) are identified as a cohesive group of buildings in the Yosefa Avenue subdivision which are mainly Inter-War style residences dated between 1927 and 1936 with two replacement buildings in modern contemporary styles.

⁵ Ibid, p. 367

⁶ Ibid, pp. 343-344

⁷ Ibid, p352

Three Inter-War Georgian Revival residences are dated between c.1923 and c.1936 with a much later use of the style in one residence dated 1952. Four Inter-War Old English are dated between c.1926 and c.1933. Three Inter-war Mediterranean and two Inter war Bungalow are dated between 1927 and c1931.

Of the 18 potential items located in Warrawee, 14 are recommended for listing plus one group listing and 4 are rejected.

WAHROONGA

Wahroonga was a prime timbergetting area from c.1815, dominated by the holdings of timber contractor, Thomas Hyndes to the east and west of Lane Cove road, where vast stands of cedar, mahogany, turpentine, ironbark and bluegum were removed from the land. The dominant section of the Wahroonga area consists of the lands to the east of the highway. This section contains a shopping centre, railway, churches and major buildings and many educational and institutional buildings. The area to the west of the highway is dominated by the Abbotsleigh School for Girls.

“Lands to the east of the Lane Cove Road were totally contained within the 1876 subdivision of “The Big Island Estate”. The nucleus of the estate was bought, and in turn marketed, by a group of politicians – Burns, Withers and Burdett Smith – in 1878. Forty-one blocks, varying in size between one and seven acres were sold to orchadists and market gardeners who took up occupation.”

“The period 1890 to 1923 defined the character of present day Wahroonga. The continued subdivision of large blocks of land within the residential estates resulted in the building of a number of significant homes. These first residences were described as palatial, often with one to three acres planted with magnificent gardens, complimented with impressive driveways and orchards. The large estates began to be divided after 1920, and pockets of twenties and thirties housing are found scattered through the early 1895-1900 estates. The pattern of large homes set in luxurious gardens has remained.”⁸

There are 21 items within this review which are located within the suburb of Wahroonga. The items include one Late Victorian semi rural style residence dated 1914, two Federation Queen Anne residences, one dated c.1894, the other 1925 and three Federation Arts and Crafts residences dating from 1905 to 1922. There are five Federation Bungalows between c.1908 and 1914 with a Post-War Bungalow dated 1959. There are seven Inter-war period residences, four are in a Georgian Revival style and dated between 1909 and 1920 and three Inter-War Old English style dated 1909, 1914, 1940 and 1951. A large school building dated 2001 has been added to the existing Knox School complex in Cleveland Street

Of the 21 potential items located in Wahroonga, 15 are recommended for listing and 6 are rejected.

⁸ Ibid, p.313

PART C

1.12 Recommendations

ROSEVILLE

15 Alexander Parade, Roseville

It is recommended that No. 15 Alexander Parade, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of an Inter-War Bungalow with Art Deco detailing dating from the years immediately before WWII; and
- the building makes a positive contribution to the streetscape and area in general.

26 Alexander Parade, Roseville

It is recommended that No. 26 Alexander Parade Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is not intact or aesthetically significant and there are better examples within the suburb.

3 Bancroft Avenue, Roseville

It is recommended that No. 3 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

6 Bancroft Avenue, Roseville

It is recommended that No. 6 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

8 Bancroft Avenue, Roseville

It is recommended that No. 8 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a two storey simplified Federation Queen Anne style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

9 Bancroft Avenue, Roseville

It is recommended that No. 9 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a single storey Federation Bungalow style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

10 Bancroft Avenue, Roseville

It is recommended that No. 10 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of an Inter-War Bungalow style dwelling which has a high degree of aesthetic significance for its unusual design; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

19 Bancroft Avenue, Roseville

It is recommended that No. 19 Bancroft Avenue Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Arts and Crafts style dwelling which has a high degree of aesthetic significance; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

9 Belgium Avenue, Roseville

It is recommended that No. 9 Belgium Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of an Inter-war Bungalow with Federation Period detailing; and
- the building makes a positive contribution to the streetscape and area in general.

15 Belgium Avenue, Roseville

It is recommended that No. 15 Belgium Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- As a good and largely intact example of an Inter-War Georgian Revival dwelling which, although having some modifications, remains largely intact externally and has a high degree of aesthetic significance;
- The building has a high degree of social significance as one of the earliest houses in this subdivision and being the home on one family for over 50 years; and
- The building makes a positive contribution to the streetscape and area in general.

57 Boundary Street, Roseville

It is recommended that No. 57 Boundary Street, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 57 Boundary Street Roseville has little historic and social significance. The building is not located in an area where it contributes to the context of any other heritage item and is not of a quality or condition that requires its listing as a heritage item.

14 Clanville Road, Roseville

It is recommended that No. 14 Clanville Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Period dwelling;
- even though it has had extensive additions, the building has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building made a positive contribution to the streetscape for over 100 years and has historical significance as one of the earliest buildings in the area.

Additional comments from the **October 30 2006** report:

14 Clanville Road, Roseville, **SHOULD BE INCLUDED** as a heritage item as a good representative example of a Federation Period dwelling that retains its original character and details largely intact. Despite subdivision of the original site, with modifications and additions to the building, it makes a strong contribution to the streetscape and contributes to the character of heritage items in the vicinity.

31 Clanville Road, Roseville

It is recommended that No. 31 Clanville Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Arts and Crafts dwelling;
- even though it has had extensive additions, the building has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building has been a positive contributor to the streetscape for over 100 years and has historical significance as one of the earliest buildings in the area.

18 Gerald Avenue, Roseville

It is recommended that No. 18 Gerald Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Queen Anne dwelling of substantial size;
- even with extensive additions to rear, the building has retained a high degree of aesthetic significance and makes a strong contribution to the streetscape with its prominent position;
- contributes to the group of listed and potential items in the immediate area; and the building has historical significance as one of the earliest buildings in the area.

5 The Grove, Roseville

It is recommended that No. 5 The Grove, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation /Inter-War Period Bungalow;
- additions to the rear are largely hidden by the original dwelling and the building has retained a high degree of aesthetic significance and contributes to the group of Federation /Inter-War Period items in the immediate area; and
- The building is a positive contributor to the streetscape in the immediate area.

11 The Grove, Roseville

It is recommended that No. 11 The Grove, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow constructed in the Inter-War Period which has retained its form and stylistic detailing intact;
- the building has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building was the home of Florence Pockley.

21 The Grove, Roseville

It is recommended that No. 21 The Grove, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- has aesthetic significance as a good and largely intact example (externally) of a medium scale Inter-War Stripped Classical style apartment block constructed as part of the Late Inter-War redevelopment of the area;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- The building on its prominent corner location is a positive contributor to the streetscape in the immediate area.

16 Kelburn Road, Roseville

It is recommended that No. 16 Kelburn Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Bungalow;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building in a corner location with its mature trees and Jacaranda street plantings is a positive contributor to the streetscape in the immediate area.

19 Lord Street, Roseville

It is recommended that No. 19 Lord Street, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Bungalow which makes a strong contribution to the streetscape character;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building and its original garden is a positive contributor to the streetscape in the immediate area.

7 Oliver Road, Roseville

It is recommended that No. 7 Oliver Road, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a Inter-war Bungalow with some alterations which impact on its presentation to the street;
- the building has a low degree of aesthetic significance; and
- there are better examples in the area

9 Oliver Road, Roseville

It is recommended that No. 9 Oliver Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Bungalow which has a prominent off-set presentation to the street;
- the building has had some additions and a recent garage but these do not greatly impact on the style or character of the building;
- the building remains largely intact externally when viewed from street, retained a high degree of aesthetic significance and contributes to the immediate area; and
- the building occupies a prominent location and with its mature trees and large garden is a positive contributor to the streetscape.

35 Oliver Road, Roseville

It is recommended that No. 35 Oliver Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation/Inter-War Bungalow;
- the building is largely intact externally which exhibits a high degree of aesthetic significance and contributes to the group of potential items in the immediate area; and
- the building is a positive contributor to the streetscape in the immediate area.

37 Oliver Road, Roseville

It is recommended that No. 37 Oliver Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Bungalow;
- the building is largely intact externally with extensive rear additions which are not readily visible from the street and do not detract from the aesthetic significance of the house;
- the building retains a high degree of aesthetic significance and contributes to the group of potential items in the immediate area; and
- the building and its mature garden is a positive contributor to the streetscape in the immediate area.

10 Roseville Avenue, Roseville

It is recommended that No. 10 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a medium scale Federation Bungalow with Queen Ann timber detailing;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the adjoining group of potential items and items in the immediate area; and
- the building with its Jacaranda plantings is a positive contributor to the streetscape in the immediate area.

Additional comments from the **October 30 2006** report:

10 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item as a good and largely intact example a modest Federation dwelling that despite some modifications retain its original character, details and cartilage. In combination with the adjacent 'potential' heritage items this building forms part of a significant grouping which demonstrates the early subdivision pattern and residential development within Roseville.

12 Roseville Avenue, Roseville

It is recommended that No. 12 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a medium scale Inter-War Mediterranean Bungalow; and
- the building has had additions but is largely intact when viewed from the street and has retained a degree of aesthetic significance and contributes to the adjoining group of potential items in the immediate area.

14 Roseville Avenue, Roseville

It is recommended that No. 14 Roseville Avenue, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has undergone extensive modifications which impact on its presentation to the street; and
- retains a low degree of aesthetic significance.

16 Roseville Avenue, Roseville

It is recommended that No. 16 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Bungalow;
- despite additions of the side roof dormers and garage, the main house generally retains original scale, form, details and fabric and makes a positive contribution to the streetscape;
- the building, with its dual hip roofline is an unusual and rare stylistic item within the LGA;
- the building retained a high degree of aesthetic significance and contributes to the adjoining group of potential items in the immediate area; and
- the building is a positive contributor to the streetscape in the immediate area.

22 Roseville Avenue, Roseville

It is recommended that No. 22 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and example of a Federation Bungalow with rear 2 storey addition and garage;
- the building is largely intact externally at the front and contributes to the group of potential items in the immediate area; and
- the building in a corner location with its mature trees and street plantings is a positive contributor to the Federation/Inter War items in the immediate area.

29 Roseville Avenue, Roseville

It is recommended that No. 29 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Inter-War period Scout Hall;
- the building has had additions to the rear but with the small sandstone hall at the rear of the site has a high degree of aesthetic and social significance and contributes to the group of potential items in the immediate area; and
- the building in its corner location is a positive contributor to the streetscape.

31 Roseville Avenue, Roseville

It is recommended that No. 31 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Federation Bungalow which retains its style and fabric as presents to the street; and
- the building has retained a high degree of aesthetic significance and contributes to the group of potential Federation and Inter-War period items in the immediate area.

32 Roseville Avenue, Roseville

It is recommended that No. 32 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- the building has additions to rear but is largely intact in street presentation;
- contributes to the group of potential items in the immediate area; and
- the building occupies a prominent, high location with its original curtilage and makes a strong contribution to the streetscape.

45 Roseville Avenue, Roseville

It is recommended that No. 45 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- the building has had additions but these are largely hidden from view;
- the extant contributes to the context of the listed heritage items adjoining and opposite as well as the group of potential items in the immediate area; and
- the building has a strong visual location and with its mature ornamental plantings is a positive contributor to the streetscape in the immediate area.

12 Shirley Road, Roseville

It is recommended that No. 12 Shirley Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow with Arts and Crafts style detailing;
- the building is largely intact externally with some modifications which do not detract from its significance;
- the building has retained some degree of significance as one of a pair of near identical dwellings within one allotment of each other; and
- the building requires some maintenance, however as part of a pair with No.16 is a positive contributor to the streetscape in the immediate area.

16 Shirley Road, Roseville

It is recommended that No. 16 Shirley Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow with Arts and Crafts style detailing;
- the building is largely intact externally with some modifications which do not detract from its significance;
- the building has retained some degree of significance as one of a pair of near identical dwellings within one allotment of each other; and
- the building requires some maintenance, however as part of a pair with No. 12 is a positive contributor to the streetscape in the immediate area.

33 Shirley Road, Roseville

It is recommended that No. 33 Shirley Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a Federation Bungalow;
- the building is largely intact externally in its presentation to Shirley Road and has retained a high degree of aesthetic significance; and
- the building and its garden contributes strongly to the character of the immediate area.

14 Trafalgar Avenue, Roseville

It is recommended that No. 14 Trafalgar Avenue, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has undergone extensive modifications to the roof which impact on its presentation to the street; and
- retains little significance.

18 Trafalgar Avenue, Roseville

It is recommended that No. 18 Trafalgar Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a medium to large scale Inter-War Functionalist residence which has retained its simple style and form intact;
- the building is largely intact externally with a high degree of aesthetic significance gained from the strong visual appearance of the red brickwork and functionalist detailing; and
- the building is located on a raised allotment with a very open garden and is a positive contributor to the character of the immediate area.

14 Victoria Street, Roseville

It is recommended that No. 14 Victoria Street, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has undergone extensive modifications with a full upper level added to the single storey building and rendering of the external walls which impact on its presentation to the street; and
- retains little original fabric or significance.

16 Victoria Street, Roseville

It is recommended that No. 16 Victoria Street, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- the building has high historical significance as one of the earliest remaining residences in the immediate area;
- the additions to the roof, side and rear of the house are sympathetic, are not highly visible and do not detract from the original character and scale of the building and presentation to the streetscape. The reduction of the original curtilage has not reduced the significance of the building; and
- the building is a positive contributor to the streetscape in the immediate area.

49 Victoria Street, Roseville

It is recommended that No. 49 Victoria Street, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- The building is a prominent item in the street and strong contributor to the character of the immediate area.

57 Victoria Street, Roseville

It is recommended that No. 57 Victoria Street, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- any aesthetic significance of the original single storey Federation Bungalow has been severely diminished by the uncharacteristic first floor additions to the original building.

LINDFIELD

28 Bent Street, Lindfield

It is recommended that No. 28 Bent Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation / Inter-War Bungalow;
- although the house had extensive additions at the rear, these additions are not readily visible from the street;
- the building is largely intact and has retained a high degree of aesthetic significance, (the adjoining house No.26 is almost identical but has undergone modification to the frontage); and
- the building is one of the original houses in the subdivision, a prominent item in the street and contributor to the character of the immediate area.

11 Blenheim Road, Lindfield

It is recommended that No. 11 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation / Inter-War Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications , these changes are sympathetic and not readily visible from the street;
- the building contributes to the context of the group, Nos. 12, 15 and 19 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

12 Blenheim Road, Lindfield

It is recommended that No. 12 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation / Inter-War Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications , these changes are sympathetic and not readily visible from the street;
- the building contributes to the context of the group, Nos. 11, 15 and 19 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

12 Blenheim Road, Lindfield, **SHOULD BE INCLUDED** as a heritage item as good and largely intact Inter-War Bungalow that despite some modifications retains its original stylistic detailing, curtilage and garden setting. With other potential items in the area is forms part of a significant grouping and makes a positive contribution to the streetscape.

15 Blenheim Road, Lindfield

It is recommended that No. 15 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Queen Anne style building which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications and construction of a steel carport is visually intrusive, this structure is fully removable and the building is largely intact in its presentation to the streetscape;
- the building contributes to the context of the group, Nos. 11, 12 and 19 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

19 Blenheim Road, Lindfield

It is recommended that No. 19 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications, these changes are sympathetic and not readily visible from the street;
- the building contributes to the context of the group, Nos. 11, 12 and 15 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

17 Eton Road, Lindfield

It is recommended that No. 17 Eton Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a large prominent example of Inter-War Stripped Classical style residence which has been visually compromised by the construction of a large brick garage immediately in front of the house. This intrusive structure is not considered removable and this building has lost all aesthetic significance as a streetscape element.

21 Francis Street, Lindfield

It is recommended that No. 21 Francis Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a modest scale Inter-War Mediterranean style Bungalow;
- although the house has undergone some modifications including garages and colour scheme, the changes are largely sympathetic and have little impact on the significance of the building on its prominent corner site; and
- the building is a strong contributor to the character of the immediate area.

22 Kenilworth Road, Lindfield

It is recommended that No. 22 Kenilworth Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a transitional Federation / Inter-War period Bungalow;
- the building is unusual in its weatherboard construction within a predominately brick area;
- the later additions and garage are largely hidden at the rear of the house and do not detract from the aesthetic significance of the property when viewed from Kenilworth road; and
- the building is largely intact externally and has retained a high degree of aesthetic significance.

2 Mackenzie Street, Lindfield

It is recommended that No. 2 Mackenzie Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a large scale composite Inter-War Georgian Revival and Inter-War Functionalist style residence;
- although the house has undergone some modifications including a large garage, these additions are largely hidden from the street or in the case of the garage, do not diminish the aesthetic significance;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item addressing three streets and is a strong contributor to the character of the immediate area.

1 Middle Harbour Road, Lindfield

It is recommended that No. 1 Middle Harbour Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house is a two storey Inter-War Old English style residence on a prominent corner location and has undergone extensive modifications which have visually impacted on its significance. The original style and fabric of the extant building is now difficult to determine.

9 Middle Harbour Road, Lindfield

It is recommended that No. 9 Middle Harbour Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow which has undergone extensive sympathetic additions which do not visually impact on the significance of the building;
- the building is largely intact externally and with its original garden setting has retained a high degree of aesthetic significance; and
- the building and its curtilage is a strong contributor to the character of the immediate area.

31 Middle Harbour Road, Lindfield

It is recommended that No. 31 Middle Harbour Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- for its association with the early development of the immediate area and as a fine example of a modest scale Federation Arts and Crafts residence;
- the house does not appear to have undergone any significant modifications;
- the building is largely intact externally and has retained a high degree of aesthetic significance in style and original fabric; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

9 Nelson Road, Lindfield

It is recommended that No. 9 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a one and a half storey Inter-War Bungalow. Significant as a largely intact example of the variety of Inter-War style residences within the immediate area;
- although the house has undergone some additions, these changes are not readily visible from the street and the building retains a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character and variety of the immediate area.

Additional comments from the **October 30 2006** report:

9 Nelson Road, Lindfield, is **RECOMMENDED FOR INCLUSION** as a heritage item due to its historical and aesthetic significance as a good and largely intact example of an Inter-War Bungalow. The building retains a large degree of intactness in its original fabric and details and makes a strong contribution to the immediate streetscape character and context and to the Inter-war buildings within Lindfield in general.

20 Nelson Road, Lindfield

It is recommended that No. 20 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is largely intact externally and has retained a high degree of aesthetic significance;
- as a good and largely intact example of a modest scale Federation Bungalow;
- although the house has undergone some modifications, these additions are not readily visible from the street;
- the building on its heavily wooded site is a strong contributor to the listed and potential items and the character of the immediate area.

44 Nelson Road, Lindfield

It is recommended that No. 44 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good example of a largely intact Federation Bungalow which has retained a high degree of aesthetic significance with its original Federation Queen Anne stylistic detailing which is only slightly degraded by the addition of a small garage to the northern side;
- apart from the early garage, any modifications are sympathetic and not readily visible from the street; and
- with trimming of the overgrown cypress trees, the building would be a prominent item in the street and a strong contributor to the character of the listed and potential items nearby and the character of the immediate area.

50 Nelson Road, Lindfield

It is recommended that No. 50 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Period Bungalow. The modern garage detracts slightly from the aesthetic significance of the building however it is located towards the side boundary and the house retains aesthetic significance; and
- the building in its garden setting is a prominent item in the street and strong contributor to the context of listed and potential items nearby and to the character of the immediate area.

1 Ortona Road, Lindfield

It is recommended that No. 1 Ortona Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Federation style residence;
- although the house has undergone some recent modifications to the rear, these additions are not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance;
- the building is a prominent item in the street and strong contributor to the context of a number of heritage items in the immediate area; and
- the mature Hoop Pines on the corner street verge are of landmark significance and should be listed as significant landscape elements.

19 Russell Avenue, Lindfield

It is recommended that No. 19 Russell Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- although the house has undergone modifications, these additions are sympathetic to the existing character and not readily visible from the street. The building retains a high degree of aesthetic significance; and
- the building is partially hidden by overgrown shrubs but contributes to the character of the immediate area.

22 Russell Avenue, Lindfield

It is recommended that No. 22 Russell Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a very prominent element within the streetscape and has a high level of aesthetic significance as a large scale 2 storey Federation Arts and Crafts mansion; and
- although the house has undergone modifications, these additions are largely sympathetic and have not impacted on the character of the building, some alterations such as infill of the verandahs is capable of restoration.

23 Treatts Road, Lindfield

It is recommended that No. 23 Treatts Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation period bungalow in a semi-rural style;
- although the house has undergone some additions, these modifications are sympathetic and not readily visible from the street;
- the building is largely intact externally in its form and style and while some fabric, such as the roofing, has been replaced, overall the building retains a high degree of aesthetic significance; and
- the building is a prominent item at the end of the street and a strong contributor to the character of the immediate area.

45 Treatts Road, Lindfield

It is recommended that No. 45 Treatts Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a modest scale Federation Queen Anne style residence;
- although the house has undergone recent modifications including complete painting in white, a degree of significance could be regained with a more sympathetic colour scheme. The building form, style and fabric is largely intact externally; and
- the building is a prominent item in the street and strong contributor to the context of nearby listed items and the potential item adjoining at No 47 Treatts Road.

47 Treatts Road, Lindfield

It is recommended that No. 47 Treatts Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a modest scale Federation Arts and Crafts style Bungalow;
- although the house has undergone recent additions such as the large garage at the rear, these additions are sympathetic and have little visual impact on the character of the building when viewed from the street, the building is largely intact externally in its form, fabric and detailing and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the potential item adjoining at No. 45 Treatts Road as well as the character of the listed item opposite.

17 Waimera Road, Lindfield

It is recommended that No. 17 Waimera Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a modest scale Late Federation period Bungalow with Art Nouveau detailing;
- although the house has undergone some modifications, these additions are sympathetic and the building has retained a degree of aesthetic significance; and
- the building is a prominent item in the street and contributes to the context of the listed items in the immediate area.

2 Westbourne Road, Lindfield

It is recommended that No. 2 Westbourne Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Late Federation Period Bungalow; and
- although the house has had significant additions, these additions are largely located at the rear and are not readily visible from the street; and
- the building is largely intact and has retained a high degree of aesthetic significance as a prominent item in the streetscape of the immediate area.

KILLARA

7 Arnold Street, Killara

It is recommended that No. 7 Arnold Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 7 Arnold Street, Killara is a two storey Inter-war Georgian Revival duplex which has had little change and retains its aesthetic significance in the original style, form and scale;
- the various additions such as the detached garage in the front yard do not visually detract from the significance of the building; and
- the building makes a positive contribution to the streetscape of the immediate area and to the context of listed items at Nos. 3 and 9 Arnold Street.

11 Arnold Street, Killara

It is recommended that No.11 Arnold Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a rare example of a small scale Late Federation / Inter-War period Bungalow with Art Nouveau detailing;
- although having undergone some modifications to the original building, the house remains largely intact externally with much of its original fabric and stylistic detailing;
- the additions to the building are generally sympathetic and not readily visible from the street;
- a modern garage is located in the basement under the front balcony which has been extended to cover the garage and retain the character of the building; and
- the building has retained a high degree of aesthetic significance and is contributory to the adjoining heritage item at No.13 Arnold as well as other culturally significant items in the streetscape

22 Buckingham Road, Killara

It is recommended that No. 22 ~~Buckingham Road~~ ^{Buckingham Road}, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a large scale Inter-War Georgian Revival mansion set in expansive grounds;
- the building has aesthetic and social significance as a large residence dating from the early 1940s which is situated in its original bushland garden which was characteristic of the development of the immediate area prior to the Second World War; and
- the building is largely intact externally and is a prominent item in the streetscape and strong contributor to the character of the immediate area and the context of listed items nearby at Nos. 10, 11, 26 and 41 Buckingham Road.

10 Culworth Avenue, Killara

It is recommended that No. 10 Culworth, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact representative example of an Australian version of the North American “Shingle Style” which gained popularity with architects and their clients following the construction of “Pibrac” and “Cheddington” at nearby Warrawee c.1888;
- the existing house appears to have been the residence constructed for Henry Selkirk in c.1924 as his home “Geraldine”;
- the integrity of the house in visual terms is currently reduced by the painting of the original face brickwork and timber shingles in an intrusive colour scheme. The aesthetic significance of the house, which is largely intact in both fabric and detail externally, could easily be recaptured by stripping the brickwork and re- painting the timber shingles in a characteristic colour scheme; and
- the building is a prominent item in the street and combined with the neighbouring residence at No 12 is a strong contributor to the character of the immediate area.

12 Culworth Avenue, Killara

It is recommended that No. 12 Culworth Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Old English residence;
- although the house has undergone recent modifications, these additions do not detract from the visual character of the building which has retained a high degree of aesthetic significance; and
- the building with its adjoining neighbour No. 10 has been painted in unsympathetic colours. The building however, is able to be restored to its former character with a change of colour scheme and remains as a

Additional comments from the **October 30 2006** report:

12 Culworth Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item as a good and largely intact example of an Inter-war period dwelling with Old English stylistic detailing. Although the building has undergone painting in an intrusive colour scheme and extensive additions at the rear, the form, fabric and character of the house remains largely intact. The building has significance for its contribution to the character of the immediate area for over sixty years. In combination with the adjoining residence at No. 10 Culworth Avenue, "Geraldine", the two buildings contribute to the context of the adjoining Selkirk Park with its association to one of the well known identities in the early years of development of the suburb of Killara.

30 Elva Avenue, Killara

It is recommended that No. 30 Elva Street **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a medium sized two storey Inter-War Georgian Revival style residence which is currently undergoing substantial modification; and
- the current alterations have reduced the original character and integrity and the building now has little remaining cultural significance.

31 Elva Avenue, Killara

It is recommended that No. 31 Elva Street **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Old English residence which is a prominent element within the Elva Avenue streetscape; and
- although the house has undergone some modifications, the changes do not detract from the visual character of the building which has retained a high degree of aesthetic significance.

14 Forsyth Street, Killara

It is recommended that No. 14 Forsyth Street **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a Late Federation Period Bungalow which is a prominent element within the Forsyth Street streetscape;
- although having undergone some modifications to the original building, the house remains largely intact externally with much of its original fabric and stylistic detailing; and
- the building has retained a high degree of aesthetic significance and is contributory to character of the streetscape.

44 Greengate Road, Killara

It is considered that No. 44 Greengate Road **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a large scale 2 storey Inter-War Georgian Revival residence which is a prominent visual element in Greengate Road;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to Greengate Road; and
- the building has a high degree of aesthetic significance and on its original large site located between two listed heritage items, it is contributory to the context of these items as well as to the character of the streetscape.

51 Greengate Road, Killara

It is recommended that No. 51 Greengate Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a medium sized Federation Bungalow which is a prominent visual element in Greengate Road;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to Greengate Road. Extensive sympathetic additions have been made to the rear of the house which do not reduce the aesthetic quality of the original building;
- the building retains a high degree of aesthetic significance and on its original large site, is contributory to the character of the streetscape; and
- social significance as the home of S.H. Robertson and his descendants for over 90 years.

28 Karranga Avenue, Killara

It is recommended that No. 28 Karranga Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 28 Karranga Avenue, Killara is a fine and largely intact example of an Inter-War Bungalow style dwelling;
- significant as a design of the English trained architect James Peddle;
- significant as an interesting variation of style from this period. The building and its garden are prominent visual elements within the streetscape and make an important contribution to character of the streetscape and the listed heritage items in the immediate vicinity; and
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street.

38 Karranga Avenue, Killara

It is recommended that No. 38 Karranga Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item for the following reasons:

- the building is a one and a half storey Federation Bungalow which has had substantial alterations and additions;
- the additions are largely sympathetic however the extent of changes such as the extensive roof additions, dormers, side and rear additions and painting of face brickwork have significantly altered the character of the building and reduced the integrity of both character and fabric; and
- the building retains little cultural significance as a result of these modifications.

6 Lorne Avenue, Killara

It is considered that No. 6 Lorne Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a large scale, 2 storey Inter-War Functionalist mansion;
- the stylistic geometric forms and simple clean lines of the late Inter-War residence contributes to its character and aesthetic significance;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact. The rear additions do not detract from the significance of the existing building and the style, form and detailing of the residence contribute to the character of the streetscape and the context of the nearby listed items; and
- the building has a high degree of aesthetic significance and as a prominent element on its original large site near the eastern end of Lorne Avenue, the extant building is contributory to the character of the immediate area.

9 Lynwood Avenue, Killara

It is considered that No. 9 Lynwood Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a 2 storey Inter-War Functionalist residence which, even with a carport structure located on the front boundary, is a prominent visual element in Lynwood Avenue;
- associated with architect Augustus Aley. The property was also owned by architect, Frederick Herbert Broughton Wilton, however, it would appear that Wilton did not modify the building in any significant way;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to the street; and
- the building has a high degree of aesthetic significance and it is contributory to the context of the items at No. 11 as well as Nos. 4 and 6 Lynwood Avenue as well as to the character of the streetscape.

21 Lynwood Avenue, Killara

It is considered that No. 21 Lynwood Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a medium scale 2 storey Inter-War Georgian Revival residence which is a prominent visual element in Lynwood Avenue;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to the streetscape; and
- the building, as a small scale example contributes to the variety of Inter-War housing within the immediate streetscape and in combination with the nearby potential items in Lynwood Avenue, makes a strong contribution to the character of the immediate area.

21A Lynwood Avenue, Killara

It is considered that No. 21A Lynwood Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a large scale 2 storey Inter-War Period residence which has undergone extensive renovation and now retains little stylistic integrity; and
- the building has the appearance of a contemporary building and has little if any remaining significance.

23 Lynwood Avenue, Killara

It is considered that No. 23 Lynwood Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a modest scale Inter-War Mediterranean style residence;
- although having undergone some modifications to the original building, the house remains largely intact externally with its original Inter -War Mediterranean stylistic detailing; and
- the building, as a small scale example contributes to the variety of Inter-War housing within the immediate streetscape and in combination with the nearby potential items in Lynwood Avenue, makes a strong contribution to the character of the immediate area.

Additional comments from the **October 30 2006** report:

23 Lynwood Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item as a good representative example of Inter-war dwelling with Mediterranean details. Despite some modifications and additions the building retains its original form and details and with other potential items forms part of a grouping which contributes to the variety of Inter-war buildings in the immediate area.

28 Lynwood Avenue, Killara

It is considered that No. 28 Lynwood Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine representative example of a modest scale one and a half storey Inter-War Old English residence;
- the house remains largely intact externally with its original Inter -War Old English stylistic detailing ;
- as a design of the architectural firm of Robertson, Marks and McCredie;
- although having undergone some modifications to the original building, the house retains most of its original fabric intact; and
- the building has a high degree of aesthetic significance and in combination with the nearby potential items in Lynwood Avenue, makes a strong contribution to the character of the immediate area.

3 Maples Avenue, Killara

It is considered that No. 3 Maples Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the Inter-War Old English style residence has remained in the ownership of the Cathels Family for over 60 years, however has undergone some modifications and it is considered that there are other, better examples of the style within the LGA

5 Maples Avenue, Killara

It is considered that No. 5 Maples Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- Although having undergone some modifications to the original building, the Inter-War Old English residence remains largely intact externally, however, it is considered that there are other, better examples of the style in the LGA

24 Marian Street, Killara

It is considered that No. 24 Marian Street, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact external example of a simplified Inter-War Spanish Mission style dwelling;
- as a representative example of the variety of Inter-War Mediterranean style and as part of the earliest development of the subdivision associated with James George Edwards, “the Father of Killara”;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to the street; and
- this building is contributory to the character of the immediate area in combination with the potential items opposite at Nos. 27 and 29 Marian Street as well as contributory to the heritage item adjoining at No. 1 Cathiness Street.

27 Marian Street, Killara

It is considered that No. 27 Marian Street, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a modest scale Inter-War English Cottage style dwelling;
- which is a prominent visual element in Marian Street;
- for its association with James George Edwards who was instrumental in the development of the suburb of Killara;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to Marian Street; and
- this building has a high degree of aesthetic significance when combined with the adjoining potential items at Nos. 29 and 24 Marian Street. These buildings are contributory to the context of the listed item at No. 31 Marian Street as well as to the character of the streetscape.

29 Marian Street, Killara

It is considered that No. 29 Marian Street, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- for its association as the home of James George Edwards who was instrumental in the development of the suburb of Killara;
- as a good and largely intact external example of an Inter-War Spanish Mission style dwelling; and
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact and the building has a high degree of aesthetic significance in its contribution to the character of the streetscape.

16 Northcote Avenue, Killara

It is recommended that No. 16 Northcote Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- The building is a modified Federation Queen Anne dwelling which has undergone substantial modifications and is not recommended for listing as there are more intact examples elsewhere within the district.

5 Powell Street, Killara

It is recommended that No. 5 Powell Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a variation of a Inter-War Old English style residence which is largely intact;
- the subject building contributes to the context of listed heritage items on either side with two additional listed items located close by on the north side of Powell Street;
- the building and its garden contributes to the character and quality of the streetscape; and
- the building is largely intact externally with no records of alterations and additions and has retained a high degree of aesthetic significance.

Additional comments from the **October 30 2006** report:

5 Powell Street, Killara, **SHOULD BE INCLUDED** as a heritage item as a good and intact example of a medium scale Inter-war period dwelling which retains its original character and “Old English” stylistic details. Despite modifications the building within its garden setting contributes strongly to the context of the adjacent heritage items and streetscape in general.

2 Spencer Road, Killara

It is recommended that No. 2 Spencer Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and interesting representative example of an Inter-War Mediterranean style residence;
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance as a variation of the style; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

8 Springdale Road, Killara

It is recommended that No. 8 Springdale Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a large scale, 2 storey Federation Arts and Crafts dwelling;
- although the house has undergone modifications which have diminished its stylistic integrity, the building retains a degree of significance as a very dominant element within the streetscape; and
- the building on its large allotment, is a prominent item within the street and strong contributor to the character of the immediate area as well as contributory to the context of listed items at Nos. 1, 7 and 16 Springdale Road.

24 Springdale Road, Killara

It is recommended that No. 24 Springdale Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a Federation Bungalow. No 24 Springdale Road has a high degree of integrity in the fabric and detailing;
- the building has been modified with the addition of a garage. This garage, located within the front façade has been designed in a sympathetic form and does not visually detract from the significance of the building when viewed within its garden setting on Springdale Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

12 Stanhope Road, Killara

It is recommended that No. 12 Stanhope Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a 2 storey Inter-War Georgian Revival mansion in expansive gardens;
- although having undergone some modifications to the original building, the house remains largely intact externally with its original Georgian Revival stylistic detailing . The mature gardens at the front of the house contribute to the streetscape character and are representative of the original curtilage to this significant residence;
- although the house has undergone recent modifications , these additions are sympathetic and do not detract from the significance of the building within the streetscape; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area as well as contributory to a number of potential and listed heritage items within Stanhope Road.

16 Stanhope Road, Killara

It is recommended that No. 16 Stanhope Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine example of a visually prominent Inter-war Georgian Revival mansion located in its expansive original garden;
- a rare example of Inter-war Georgian Revival constructed in dark liver brickwork;
- the properties on Stanhope Road (formerly Springdale Road) were originally occupied by a number of residents of high standing in the community including many JPs and Doctors. The quality of residence within this street is a reflection of its early importance and most of the original large residences in Stanhope Road, on the western side of the railway line, remain largely intact;
- although the house has undergone some modifications , these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area as well as contributory to a number of potential and listed heritage items within Stanhope Road.

25 Stanhope Road, Killara

It is recommended that No. 25 Stanhope Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a large scale 2 storey Inter-War Old English mansion with Spanish Mission detailing, and as an example of the variety of Inter-War styles which were popular with the owners as a reflection of their status within the community;
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and a strong contributor to the context of the neighbouring listed items and character of the immediate area.

3 Warwick Street, Killara

It is recommended that No. 3 Warwick Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a modest scale Inter-war Old English style residence;
- although the house has undergone modifications, the additions are largely sympathetic and do not detract from the aesthetic significance of the building when viewed from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

3 Warwick Street, Killara **SHOULD NOT BE INCLUDED** as heritage items as alterations and additions have impacted in the integrity and overall form and character of these buildings.

GORDON

1 Bushlands Avenue, Gordon

It is recommended that No. 1 Bushlands Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 1 Bushlands Avenue is an Inter-War Bungalow which has some social significance as the home of a former Methodist Minister. The building is one of three adjoining buildings of similar style and age, however, it makes little contribution to the streetscape and there are better examples elsewhere in the LGA.

3 Bushlands Avenue, Gordon

It is recommended that No 3 Bushlands Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 3 Bushlands Avenue is an Inter-War Bungalow which has some social significance as part of the early subdivision of the immediate area, however this significance is slight. The house is not highly visible from the street and makes little contribution to the character of the immediate area. There are better representative examples of this style of building elsewhere in the LGA.

5 Bushlands Avenue, Gordon

It is recommended that No. 5 Bushlands Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 5 Bushlands Avenue is an inter-War Bungalow which has some social significance as part of the early subdivision of the immediate area, however this significance is slight and the building is not recommended for listing as there are better representative examples of this style of residence elsewhere in the LGA.

22 Highlands Avenue, Gordon

It is recommended that No. 22 Highlands Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- the building is significant as a fine and largely intact example of the variety of stylistic housing types. The building is largely intact with a verandah infilled, however this is reversible and has not had any great visual impact on the street façade. The building retains a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

7 Robert Street, Gordon

It is recommended that No. 7 Robert Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 7 Robert Street is a good representative example of an Inter-war Functionalist residence;
- although the house has undergone some modifications such as the attached garage and rear additions, the building remains largely intact externally and has retained a high degree of aesthetic significance;
- the building is a prominent item in the street and contributes to the character of the immediate area.

18 Rosedale Road, Gordon

It is recommended that No. 18 Rosedale Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a medium scale representative example of a Late Victorian Italianate dwelling that despite some alterations retains its original character and decorative details;
- although the house has undergone some modifications, these additions are sympathetic and do not detract from the original details and character of the building; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

PYMBLE

21 Grandview Street, Pymble

It is recommended that No. 21 Grandview Street, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 21 Grandview Street, is an example of the Inter-War Mediterranean style, which has limited aesthetic significance. The building makes little contribution to the character of the area and there are many better examples of this style within the Ku-ring-gai LGA.

11 King Edward Street, Pymble

It is recommended that No. 11 King Edward Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow with fine timber detailing;
- although having undergone additions to the original building, the house remains largely intact externally with its original stylistic detailing;
- the modern carport at the front of the house creates a visual intrusion on the character of the building however, the extant building imparts such a strong character to the streetscape, that its contribution is only slightly reduced by this intrusive element; and
- the building on its prominent corner allotment makes a strong contribution to the character of the immediate area.

Additional comments from the **October 30 2006** report:

11 King Edward Street, Pymble, **SHOULD BE LISTED** as a heritage item as a good representative example of a Federation dwelling that despite additions and modifications, retains its original character and stylistic details. The building is located on a prominent corner location and makes a strong contribution to the streetscape and immediate area.

25 King Edward Street, Pymble

It is recommended that No. 25 King Edward Street, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building appears to have undergone extensive modifications throughout its lifetime which has impacted greatly on the character of the building, resulting in substantially reduced aesthetic significance; and
- the existing building contributes little to the streetscape character.

31 King Edward Street, Pymble

It is recommended that No. 31 King Edward Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a modest scale example of a Federation Queen Anne residence;
- although the house has undergone substantial additions including a side addition which is visually intrusive due to its unsympathetic yellow colour scheme and a rear garage structure. These additions are visible from the side in Church Street but have no visual impact on the significance of the largely intact building in its prominent corner location when viewed from King Edward Street; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

18 Park Crescent, Pymble

It is recommended that No. 18 Park Crescent, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a medium scale residence with Inter-War Stripped Classical stylistic detailing;
- the house remains largely intact with little external modification apart from a side wing addition. The has retained a high degree of aesthetic significance with its simple detailing; and
- the building is located on a prominent site and with some trimming of the shrubs which enclose the front garden, this building would make a strong visual contribution to the nearby Park Crescent Group and the character of the immediate area in general.

Additional comments from the **October 30 2006** report:

18 Park Crescent, Pymble, **SHOULD NOT BE INCLUDED** as heritage items as alterations and additions have impacted on the integrity and overall form and character of these buildings.

20 Park Crescent, Pymble

It is recommended that No. 20 Park Crescent, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is an Inter-War Spanish Mission dwelling which has been modified with substantial additions. The building has no historic or social significance which would demand its inclusion as a listed item. The battle axe site also means that the building and grounds are not visible from the street and therefore results in the building making no contribution to the character of the immediate area.

22 Park Crescent, Pymble

It is recommended that No. 22 Park Crescent, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a good and representative example of a medium scale Inter-War Old English style residence;
- significant as a contributory item to the variety of Inter-War style residences within the immediate area;
- although the house has undergone modifications , these additions are sympathetic to the original style and fabric; and
- the building has retained a high degree of aesthetic significance and is located on a prominent site. The building makes a substantial contribution to the Park Crescent Group and the character of the streetscape generally

24 Park Crescent, Pymble

It is recommended that No. 24 Park Crescent, Pymble, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and representative example of a medium scale Inter-War dwelling with Modernist stylistic tendencies;
- although the house has undergone some additions, these changes do not impact on the character and fabric of the building and its contribution to the Park Crescent Group; and
- the building has retained a degree of aesthetic significance and its prominent location in the street makes it a strong contributor to the character of the immediate area.

40 Park Crescent, Pymble

It is recommended that No. 40 Park Crescent, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a composite Inter-War Georgian Revival dwelling with Spanish Mission detailing which has been heavily modified with substantial additions, resulting in loss of aesthetic significance. The building style is now largely indeterminate and it makes little contribution to the character of the area; and
- The building has little historic or social significance which would demand its inclusion as a listed item.

5 Taunton Street, Pymble

It is recommended that No. 5 Taunton Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house has had substantial additions and alterations, however it remains largely intact with its original Inter-War Old English stylistic detailing and is a fine representative example of a large scale residential building of this style within Ku-ring-gai Local Government Area;
- the largely intact and mature gardens at the front of the house are significant to the contribution this building makes to the streetscape character as the original curtilage to this early 20th Century Inter-War style residence; and
- together with No 7 Taunton Street, these two building present as a fine pair of large scale Inter-War residences and make a strong contribution to the character of the immediate area.

7 Taunton Street, Pymble

It is recommended that No. 7 Taunton Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house remains largely intact with little change to its original Inter-War Old English stylistic detailing and is a fine representative example of a large scale residential building of this style within Ku-ring-gai Local Government Area;
- the largely intact and mature gardens at the front of the house are significant to the contribution this building makes to the streetscape character as the original curtilage to this early 20th Century Inter-War style residence; and
- together with No. 5 Taunton Street, these two building present as a fine pair of large scale Inter-War residences and make a strong contribution to the character of the immediate area.

TURRAMURRA

34 Eastern Road, Turramurra

It is recommended that No. 34 Eastern Road, Turramurra, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has some associational significance as the home of Professor Kenneth Edward, and historic and social significance for its use as a Manse by the Presbyterian Church of NSW from 1935 and The Uniting Church in Australia from 1980;
- although the house has undergone recent modifications, these additions are sympathetic and do not detract from the original character and scale of the building ;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street, located on a corner site, and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

34 Eastern Road, Turramurra, **SHOULD BE LISTED** as a heritage item as a good and largely intact example of a modest Federation dwelling constructed as part of the early subdivision of the larger estates. The building has some social and associational significance for its connection to the adjoining church and despite some additions and alterations; it largely retains the original stylistic details which contribute to its character on this prominent corner location.

14 Warrangi Street, Turramurra

It is recommended that No. 14 Warrangi Street, Turramurra, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a modest size Inter-War Bungalow style residence with intact features and Art Nouveau stylistic detail. Although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

WARRAWEE

42 Bangalla Street, Warrawee

It is recommended that No. 42 Bangalla Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a two storey Inter-war Mediterranean Style dwelling that retains its original character within a garden setting;
- the building in its garden setting makes a positive contribution to the character of the immediate area; and
- associational significance as the home of Sydney architect Hugh Venables Vernon, son of Walter Liberty Vernon (NSW Government Architect 1890-1911).

8 Brentwood Avenue, Warrawee

It is recommended that No. 8 Brentwood Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact external example of a Post-War Old English Revival Style dwelling that retains its original form and scale as presents to Brentwood Avenue. The building has undergone some modifications but these works have not reduced the significance of the dwelling within the streetscape;
- the garden retains mature trees that may be associated with the construction of the adjacent Federation Period house; and
- the building contributes to the character and context of the nearby listed heritage items.

15 Brentwood Avenue, Warrawee

It is recommended that No.15 Brentwood Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building retains its earlier form and some details at the front however the successive additions and alterations have compromised the overall integrity of the property;
- the building now has limited aesthetic significance due to the extensive modifications and additions which are a result of its current use as a Pre School Kindergarten; and
- the modifications to the garden and yard have impacted on the character of the building.

42 Hastings Road, Warrawee

It is recommended that No. 42 Hastings Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a design of the early 20th Century architect Hugh Venables Vernon; and
- as a largely intact example of the Inter War Georgian Revival style which has retained its original form, style, fabric and garden context.

2 Heydon Avenue, Warrawee

It is recommended that No. 2 Heydon Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Transitional style dwelling with "Richardson Romanesque" detail; and
- significance as one of the remaining large scale residences on large allotments featuring gardens and tennis courts.

17 Heydon Avenue, Warrawee

It is recommended that No. 17 Heydon Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significance as a largely intact example of a late Federation Period “rural” style dwellings attributed to the architectural firm of Castledon and Lake; and
- social significance as the home of Rev. Jackson and his family for over 60 years.

Additional comments from the **October 30 2006** report:

17 Heydon Avenue, Warrawee, **SHOULD BE INCLUDED** as a heritage item as one of the earliest residences constructed as part of the initial subdivision of the larger estates. Despite some modifications the house remains as a good and fairly rare surviving example of a Federation period ‘rural’ style dwelling with associational and social significance.

9 Pibrac Avenue, Warrawee

It is recommended that No.9 Pibrac Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house and garden at No. 9 Pibrac Avenue, Warrawee have undergone extensive modification within the last 12 months which has greatly impacted on the nature of the building both externally and internally;
- these changes have reduced the significance of the property to such a degree that it is now difficult to identify the style and character of the original building or garden layout; however, there are a number of ornamental trees and shrubs on the site which possibly have association with the adjacent heritage item “Pibrac”; and
- the house and garden are not visible from the street and make no visual contribution to the streetscape or area.

18 Warrawee Avenue, Warrawee

It is recommended that No.18 Warrawee Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a fine and largely intact example of a substantial residence constructed in the Inter-War Georgian Revival style;
- the building has undergone some modification however this does not impact on the aesthetic significance of the building in its presentation to Warrawee Avenue; and
- the building holds some associational significance as the home of Wellesley Burgoyne Hudson, an engineer of Sydney.

1 Yosefa Avenue, Warrawee

It is recommended that No. 1 Yosefa Avenue **SHOULD NOT BE INCLUDED** as a Heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a very recent addition to the streetscape of the Yosefa Avenue Group; and
- the extant building, although of good design and construction, makes no positive contribution to the Inter-War style characteristics of the original “Yosefa Estate” Group.

2 Yosefa Avenue, Warrawee

It is recommended that No. 2 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact example of an Inter-war dwelling that retains its original character and integrity as it retains its original form, fabric and detailing as a single storey Inter-War style residence;
- the extant building presents as a dominant face brick element on the high corner of the Yosefa and Heydon Avenue streetscapes and identifies the entry to the ‘Yosefa Estate’ Group; and
- the building addresses both streetscapes retaining its original matching fence and makes a positive contribution to the Yosefa Avenue streetscape and the area in general.

3 Yosefa Avenue, Warrawee

It is recommended that No. 3 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of an of an Inter-war Mediterranean style dwelling that makes an active contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing; and
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general.

4 Yosefa Avenue, Warrawee

It is recommended that No. 4 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a modest Inter-War Old English style dwelling that makes an active contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing; and
- despite some modifications the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general.

5 Yosefa Avenue, Warrawee

It is recommended that No. 5 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a modest Inter-War Bungalow style dwelling that makes an active contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the early suburban designs of the architectural firm of Peddle Thorp & Walker.

6 Yosefa Avenue, Warrawee

It is recommended that No. 6 Yosefa Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- The extant building is a largely intact (external) example of a modern style dwelling of indiscernible style that makes no positive contribution to the character of the “Yosefa Estate” group.

7 Yosefa Avenue, Warrawee

It is recommended that No.7 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of an of an Inter-war Mediterranean style dwelling that makes a strong contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Alley, the other three being Nos. 8, 9 and 11.

8 Yosefa Avenue, Warrawee

It is recommended that No. 8 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building was the home of the architect Augustus Aley;
- the extant building is a good and largely intact (external) example of an of an Inter-war Bungalow style dwelling that makes an active contribution to the "Yosefa Estate" group.
- the extant building although modified, has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Aley, the other three being Nos. 7, 9 and 11.

Additional comments from the **October 30 2006** report:

8 Yosefa Avenue, Warrawee, **SHOULD BE INCLUDED** as a heritage item as an example of a modest Inter-war dwelling that despite modifications retains its original character and details in its presentation to the streetscape. The building has associational significance as one of a group of four simple Inter-war style dwellings within this street designed by the architect, Augustus Aley. The building makes a contribution to the character of the streetscape and Yosefa Estate group.

9 Yosefa Avenue, Warrawee

It is recommended that No. 9 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of an of an Inter-War Georgian Revival style dwelling that makes an active contribution to the "Yosefa Estate" group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Aley, the other three being Nos. 7, 8 and 11.

11 Yosefa Avenue, Warrawee

It is recommended that No.11 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a two storey Inter-War Georgian Revival style dwelling that makes an active contribution to the "Yosefa Estate" group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general;
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Aley, the other three being Nos. 7,8 and 9.

WAHROONGA

12 Billyard Avenue, Wahroonga

It is recommended that No. 12 Billyard Avenue Wahroonga, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 12 Billyard Avenue, Wahroonga has aesthetic significance as a largely intact and fine example of a modest size Inter-War Georgian Revival residential building;
- the building has undergone some modifications to the roof, however these changes are minimal and do not impact on the fundamental character and presentation within the streetscape; and
- the building in its garden setting makes a positive contribution to the streetscape and area in general.

4 Burns Road, Wahroonga

It is recommended that No. 4 Burns Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- whilst an interesting building dating from the first decade of the 20th Century and incorporating fabric and detail from many periods, successive works have obscured the original character and overall integrity of the place; and
- due to the extent of the modifications, any future return of this building to something resembling its original style or character is not considered a possibility.

6 Burns Road, Wahroonga

It is recommended that No. 6 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- historic and social significance as one of the earliest houses in the western section of Burns Road;
- aesthetic significance as a good and largely intact example of a late Federation Period dwelling;
- significant for its contribution to the general visual character of Burns Road and to the adjacent listed heritage item at No. 7 Burns Road; and
- the house and its mature garden contribute strongly to the overall character of the immediate area.

11 Burns Road, Wahroonga

It is recommended that No. 11 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building, despite some additions at the rear and western infill and replacement of the roof cladding, is a good and largely intact example of a late Victorian (rural style) dwelling that retains its fundamental character and overall integrity as presents to the street;
- historic association with the early development of the Wahroonga Estate Precinct and dating from the late 19th century subdivisions of the earlier large allotments; and
- the additions are not largely visible from the street and appear to be sympathetic to the character of the building.

16 Burns Road, Wahroonga

It is recommended that No.16 Burns Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building does not represent any particular style and due to deep setback and overgrown front garden plantings it makes no visual contribution to the streetscape or area in general; and
- the trees, planting and garden may relate to the neighbouring property (No.14) , however the large box hedge, that runs across the front, street boundary largely obscures any view of the garden from the street.

17 Burns Road, Wahroonga

It is recommended that No. 17 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a good and largely (externally) intact example of a modest bungalow constructed in the Federation Arts and Craft style that retains characteristic details, form and scale;
- the property is significant for its association with William Walker an Alderman in the Local Council in the first decade of the 20th century;
- the building makes a positive contribution to the streetscape and area in general; and
- the subdivision of the property does not detract from the overall integrity and presentation in the streetscape.

18 Burns Road, Wahroonga

It is recommended that No. 18 Burns Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 18 Burns Road is not recommended for listing as recent modifications and additions have substantially altered the original character, the modernization of the building with rendering, painting and replacement of original fabric and detail has resulted in a loss of character which is not possible to regain; and
- although the property has retained a large site, the construction of a new modern carport structure close to the front boundary of the site has visually impacted on the character of the building and its contribution to the streetscape in general.

25 Burns Road, Wahroonga

It is recommended that No. 25 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a good and largely (externally) intact representative example of a Late Federation Period dwelling that retains its stylistic identity and contributes strongly to the character of the immediate area; and
- the mature trees and plantings in the front garden contribute to the overall aesthetic character and presentation of the property within the streetscape.

15 Cleveland Street, Wahroonga

It is recommended that No. 15 Cleveland Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 15 Cleveland Street, Wahroonga is significant for its contribution to the overall character and significance of the Knox Preparatory School; and
- the building is a good intact representative example of a Early 21st Century school building which is sympathetic to the character of the school complex.

89 Coonabarra Road, Wahroonga

It is recommended that No. 89 Coonabarra Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- its significance has been greatly reduced by the visual impact of additions which have substantially modified the character of the building and its streetscape presentation.

92 Coonabarra Road, Wahroonga

It is recommended that No. 92 Coonabarra Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a typical, recently constructed, contemporary residence which has no particular definable stylistic references and does not contribute to the context of surrounding heritage items or add to the character of the area.

2 Fox Valley Road, Wahroonga

It is recommended that No. 2 Fox Valley Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the front of the building retains its original character and details, however, there have been extensive alterations to the side and rear of the building;
- the building is not readily visible and makes limited contribution to busy intersection on Pacific Highway and Fox Valley Road; and
- there are better, more intact examples of the style within the LGA.

3 Gilda Avenue, Wahroonga

It is recommended that No. 3 Gilda Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 3 Gilda Avenue is a fine, largely intact example of a Late Federation Period, Queen Anne Style dwelling of modest scale that makes a strong contribution to the character of the Gilda Avenue streetscape;
- the building retains its original form, fabric and details despite alterations and additions to the rear of the house; and
- the extant garden setting contributes to the overall aesthetic quality of the house and should be included in the listing.

18 Gilda Avenue, Wahroonga

It is recommended that No. 18 Gilda Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a good and largely intact example (externally) of an Inter-War Old English style residence constructed in the early Post-War years

33 Illoura Avenue, Wahroonga

It is recommended that No. 33 Illoura Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant for its association with Sir Sydney Snow;
- significant as an example of an early Inter-War period residence and as a fine example of the variety of style from this period; and
- the building makes an important contribution to the listed heritage items in the immediate vicinity.

6 Munderah Street, Wahroonga

It is recommended that No. 6 Munderah Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- a high degree of significance as one of a pair of houses formerly on adjoining allotments, which were associated with RW McCoy the Crown Solicitor;
- significant as a good and largely intact example of a Late Federation Period / Inter-War Bungalow style residence designed and constructed by the Government Architect as a home for the Crown Solicitor;
- significance as a fine and strong contributory item to the variety of Inter-War style residences within the immediate area;
- a rare example of residential design by Government Architect for Government Appointed personnel (Crown Solicitor).

10 Munderah Street, Wahroonga

It is recommended that No.10 Munderah Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- a high degree of significance as one of a pair of houses formerly on adjoining allotments, which were associated with the McCoy family;
- significant as a good and largely intact example of a Inter-War Georgian Revival Bungalow style residence designed and constructed by the Government Architect W.L Vernon;
- significance as a fine and strong contributory item to the variety of Inter-War style residences within the immediate area; and
- the building makes an important contribution to the listed heritage items in the immediate vicinity.

Additional comments from the **October 30 2006** report:

10 Munderah Street, Wahroonga, **SHOULD BE LISTED** as a heritage item as an example of a Federation Bungalow constructed in the transitional period between the Federation and Inter-War styles. It has associational significance as one of a pair of houses attributed to the NSW Government Architects Office during the time that Walter Liberty Vernon was the Government Architect. Despite some modifications and additions the house retains a large degree of intactness in its original form and details and in combination with No. 6 Munderah Avenue contributes to the variety of Inter-war residences within the immediate area.

1564 Pacific Highway, Wahroonga

It is recommended that No. 1564 Pacific Highway Wahroonga, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house at No. 1564 Pacific Highway Wahroonga is a fine and largely intact two storey example of an Inter-War Old English style residence located on a prominent corner site on the Highway;
- the building, with its neighbour, No 1566 Pacific Highway contributes to the context of the listed heritage item in the immediate vicinity and the potential items in Gilda Avenue.

1566 Pacific Highway, Wahroonga

It is recommended that No. 1566 Pacific Highway Wahroonga, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house at No. 1566 Pacific Highway, Wahroonga, is a fine and largely intact two storey example of an Inter-War Old English style residence located on a prominent site on the Highway;
- the building is representative of the variety of detail in similar style residences of the period; and
- the building, with its neighbour, No 1564 Pacific Highway contributes to the context of the listed heritage item in the immediate vicinity and the potential items in Gilda Avenue.

1 Water Street, Wahroonga

It is recommended that No. 1 Water Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant for its ownership by the Bennett family for over 90 years and its association with the architect Howard Joseland;
- representative of the residential development within the Wahroonga Heights Estate from the inception of the Wahroonga Progress Association;
- significant as a fine and largely intact example of a modest bungalow in the Federation Queen Anne style located on a prominent corner location; and
- the building makes an important contribution to the context of the many listed heritage items in the immediate vicinity.

59-61 Water Street, Wahroonga

It is recommended that No. 59-61 Water Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant for its association with the Andreas Von Faber-Castell family;
- significant as a good and largely intact example of an early Post- War residence constructed in the popular Inter-War Georgian Revival style; and
- the building has social significance for its contribution to the character of the immediate area throughout the second half of the 20th Century.

Additional comments from the **October 30 2006** report:

59-61 Water Street, Wahroonga **SHOULD NOT BE INCLUDED** as heritage items as alterations and additions have impacted on the integrity and overall form and character of these buildings.

PART D

1.13 Appendices

1.13.1 List of Potential items

1.13.2 Culworth Avenue, Killara

In relation to Nos. 10 and 12 Culworth Avenue, Killara

Source: Ku-ring-gai local Studies file and Sydney Water Plan Room.

1.13.3 No. 17 Heydon Avenue, Warrawee

In relation to No. 17 Heydon Avenue, Warrawee

Source: Ku-ring-gai Council

1.13.4 Biographies

Biographies of some associated Architects

Source: Royal Australian Institute of Architects

PART E

Black and White Photographic Record

VOLUME 2

2.1 Recommendations for Roseville

15 Alexander Parade, Roseville

It is recommended that No. 15 Alexander Parade, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of an Inter-War Bungalow with Art Deco detailing dating from the years immediately before WWII; and
- the building makes a positive contribution to the streetscape and area in general.

26 Alexander Parade, Roseville

It is recommended that No. 26 Alexander Parade Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is not intact or aesthetically significant and there are better examples within the suburb.

3 Bancroft Avenue, Roseville

It is recommended that No. 3 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

6 Bancroft Avenue, Roseville

It is recommended that No. 6 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

8 Bancroft Avenue, Roseville

It is recommended that No. 8 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a two storey simplified Federation Queen Anne style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

9 Bancroft Avenue, Roseville

It is recommended that No. 9 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a single storey Federation Bungalow style dwelling; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

10 Bancroft Avenue, Roseville

It is recommended that No. 10 Bancroft Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of an Inter-War Bungalow style dwelling which has a high degree of aesthetic significance for its unusual design; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

19 Bancroft Avenue, Roseville

It is recommended that No. 19 Bancroft Avenue Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Arts and Crafts style dwelling which has a high degree of aesthetic significance; and
- the building makes a positive contribution to the Belgium Avenue Group and the streetscape and area in general.

9 Belgium Avenue, Roseville

It is recommended that No. 9 Belgium Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of an Inter-war Bungalow with Federation Period detailing; and
- the building makes a positive contribution to the streetscape and area in general.

15 Belgium Avenue, Roseville

It is recommended that No. 15 Belgium Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- As a good and largely intact example of an Inter-War Georgian Revival dwelling which, although having some modifications, remains largely intact externally and has a high degree of aesthetic significance;
- The building has a high degree of social significance as one of the earliest houses in this subdivision and being the home on one family for over 50 years; and
- The building makes a positive contribution to the streetscape and area in general.

57 Boundary Street, Roseville

It is recommended that No. 57 Boundary Street, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 57 Boundary Street Roseville has little historic and social significance. The building is not located in an area where it contributes to the context of any other heritage item and is not of a quality or condition that requires its listing as a heritage item.

14 Clanville Road, Roseville

It is recommended that No. 14 Clanville Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Period dwelling;
- even though it has had extensive additions, the building has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building made a positive contribution to the streetscape for over 100 years and has historical significance as one of the earliest buildings in the area.

Additional comments from the **October 30 2006** report:

14 Clanville Road, Roseville, **SHOULD BE INCLUDED** as a heritage item as a good representative example of a Federation Period dwelling that retains its original character and details largely intact. Despite subdivision of the original site, with modifications and additions to the building, it makes a strong contribution to the streetscape and contributes to the character of heritage items in the vicinity.

31 Clanville Road, Roseville

It is recommended that No. 31 Clanville Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Arts and Crafts dwelling;
- even though it has had extensive additions, the building has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building has been a positive contributor to the streetscape for over 100 years and has historical significance as one of the earliest buildings in the area.

18 Gerald Avenue, Roseville

It is recommended that No. 18 Gerald Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Queen Anne dwelling of substantial size;
- even with extensive additions to rear, the building has retained a high degree of aesthetic significance and makes a strong contribution to the streetscape with its prominent position;
- contributes to the group of listed and potential items in the immediate area; and
- the building has historical significance as one of the earliest buildings in the area.

5 The Grove, Roseville

It is recommended that No. 5 The Grove, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation /Inter-War Period Bungalow;
- additions to the rear are largely hidden by the original dwelling and the building has retained a high degree of aesthetic significance and contributes to the group of Federation /Inter-War Period items in the immediate area; and
- The building is a positive contributor to the streetscape in the immediate area.

11 The Grove, Roseville

It is recommended that No. 11 The Grove, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow constructed in the Inter-War Period which has retained its form and stylistic detailing intact;
- the building has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building was the home of Florence Pockley.

21 The Grove, Roseville

It is recommended that No. 21 The Grove, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- has aesthetic significance as a good and largely intact example (externally) of a medium scale Inter-War Stripped Classical style apartment block constructed as part of the Late Inter-War redevelopment of the area;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- The building on its prominent corner location is a positive contributor to the streetscape in the immediate area.

16 Kelburn Road, Roseville

It is recommended that No. 16 Kelburn Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Bungalow;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building in a corner location with its mature trees and Jacaranda street plantings is a positive contributor to the streetscape in the immediate area.

19 Lord Street, Roseville

It is recommended that No. 19 Lord Street, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Bungalow which makes a strong contribution to the streetscape character;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the group of listed and potential items in the immediate area; and
- the building and its original garden is a positive contributor to the streetscape in the immediate area.

7 Oliver Road, Roseville

It is recommended that No. 7 Oliver Road, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a Inter-war Bungalow with some alterations which impact on its presentation to the street;
- the building has a low degree of aesthetic significance; and
- there are better examples in the area.

9 Oliver Road, Roseville

It is recommended that No. 9 Oliver Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Bungalow which has a prominent off-set presentation to the street;
- the building has had some additions and a recent garage but these do not greatly impact on the style or character of the building;
- the building remains largely intact externally when viewed from street, retained a high degree of aesthetic significance and contributes to the immediate area; and
- the building occupies a prominent location and with its mature trees and large garden is a positive contributor to the streetscape.

35 Oliver Road, Roseville

It is recommended that No. 35 Oliver Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation/Inter-War Bungalow;
- the building is largely intact externally which exhibits a high degree of aesthetic significance and contributes to the group of potential items in the immediate area; and
- the building is a positive contributor to the streetscape in the immediate area.

37 Oliver Road, Roseville

It is recommended that No. 37 Oliver Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Bungalow;
- the building is largely intact externally with extensive rear additions which are not readily visible from the street and do not detract from the aesthetic significance of the house;
- the building retains a high degree of aesthetic significance and contributes to the group of potential items in the immediate area; and
- the building and its mature garden is a positive contributor to the streetscape in the immediate area.

10 Roseville Avenue, Roseville

It is recommended that No. 10 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a medium scale Federation Bungalow with Queen Ann timber detailing;
- the building is largely intact externally and has retained a high degree of aesthetic significance and contributes to the adjoining group of potential items and items in the immediate area; and
- the building with its Jacaranda plantings is a positive contributor to the streetscape in the immediate area.

Additional comments from the **October 30 2006** report:

10 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item as a good and largely intact example a modest Federation dwelling that despite some modifications retain its original character, details and cartilage. In combination with the adjacent 'potential' heritage items this building forms part of a significant grouping which demonstrates the early subdivision pattern and residential development within Roseville.

12 Roseville Avenue, Roseville

It is recommended that No. 12 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a medium scale Inter-War Mediterranean Bungalow; and
- the building has had additions but is largely intact when viewed from the street and has retained a degree of aesthetic significance and contributes to the adjoining group of potential items in the immediate area.

14 Roseville Avenue, Roseville

It is recommended that No. 14 Roseville Avenue, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has undergone extensive modifications which impact on its presentation to the street; and
- retains a low degree of aesthetic significance.

16 Roseville Avenue, Roseville

It is recommended that No. 16 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Bungalow;
- despite additions of the side roof dormers and garage, the main house generally retains original scale, form, details and fabric and makes a positive contribution to the streetscape;
- the building, with its dual hip roofline is an unusual and rare stylistic item within the LGA;
- the building retained a high degree of aesthetic significance and contributes to the adjoining group of potential items in the immediate area; and
- the building is a positive contributor to the streetscape in the immediate area.

22 Roseville Avenue, Roseville

It is recommended that No. 22 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and example of a Federation Bungalow with rear 2 storey addition and garage;
- the building is largely intact externally at the front and contributes to the group of potential items in the immediate area; and
- the building in a corner location with its mature trees and street plantings is a positive contributor to the Federation/Inter War items in the immediate area.

29 Roseville Avenue, Roseville

It is recommended that No. 29 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Inter-War period Scout Hall;
- the building has had additions to the rear but with the small sandstone hall at the rear of the site has a high degree of aesthetic and social significance and contributes to the group of potential items in the immediate area; and
- the building in its corner location is a positive contributor to the streetscape.

31 Roseville Avenue, Roseville

It is recommended that No. 31 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Federation Bungalow which retains its style and fabric as presents to the street; and
- the building has retained a high degree of aesthetic significance and contributes to the group of potential Federation and Inter-War period items in the immediate area.

32 Roseville Avenue, Roseville

It is recommended that No. 32 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- the building has additions to rear but is largely intact in street presentation;
- contributes to the group of potential items in the immediate area; and
- the building occupies a prominent, high location with its original curtilage and makes a strong contribution to the streetscape.

45 Roseville Avenue, Roseville

It is recommended that No. 45 Roseville Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- the building has had additions but these are largely hidden from view;
- the extant contributes to the context of the listed heritage items adjoining and opposite as well as the group of potential items in the immediate area; and
- the building has a strong visual location and with its mature ornamental plantings is a positive contributor to the streetscape in the immediate area.

12 Shirley Road, Roseville

It is recommended that No. 12 Shirley Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow with Arts and Crafts style detailing;
- the building is largely intact externally with some modifications which do not detract from its significance;
- the building has retained some degree of significance as one of a pair of near identical dwellings within one allotment of each other; and
- the building requires some maintenance, however as part of a pair with No.16 is a positive contributor to the streetscape in the immediate area.

16 Shirley Road, Roseville

It is recommended that No. 16 Shirley Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow with Arts and Crafts style detailing;
- the building is largely intact externally with some modifications which do not detract from its significance;
- the building has retained some degree of significance as one of a pair of near identical dwellings within one allotment of each other; and
- the building requires some maintenance, however as part of a pair with No. 12 is a positive contributor to the streetscape in the immediate area.

33 Shirley Road, Roseville

It is recommended that No. 33 Shirley Road, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a Federation Bungalow;
- the building is largely intact externally in its presentation to Shirley Road and has retained a high degree of aesthetic significance; and
- the building and its garden contributes strongly to the character of the immediate area.

14 Trafalgar Avenue, Roseville

It is recommended that No. 14 Trafalgar Avenue, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has undergone extensive modifications to the roof which impact on its presentation to the street; and
- retains little significance.

18 Trafalgar Avenue, Roseville

It is recommended that No. 18 Trafalgar Avenue, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a medium to large scale Inter-War Functionalist residence which has retained its simple style and form intact;
- the building is largely intact externally with a high degree of aesthetic significance gained from the strong visual appearance of the red brickwork and functionalist detailing; and
- the building is located on a raised allotment with a very open garden and is a positive contributor to the character of the immediate area.

14 Victoria Street, Roseville

It is recommended that No. 14 Victoria Street, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has undergone extensive modifications with a full upper level added to the single storey building and rendering of the external walls which impact on its presentation to the street; and
- retains little original fabric or significance.

16 Victoria Street, Roseville

It is recommended that No. 16 Victoria Street, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- the building has high historical significance as one of the earliest remaining residences in the immediate area;
- the additions to the roof, side and rear of the house are sympathetic, are not highly visible and do not detract from the original character and scale of the building and presentation to the streetscape. The reduction of the original curtilage has not reduced the significance of the building; and
- the building is a positive contributor to the streetscape in the immediate area.

49 Victoria Street, Roseville

It is recommended that No. 49 Victoria Street, Roseville, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- The building is a prominent item in the street and strong contributor to the character of the immediate area.

57 Victoria Street, Roseville

It is recommended that No. 57 Victoria Street, Roseville, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- any aesthetic significance of the original single storey Federation Bungalow has been severely diminished by the uncharacteristic first floor additions to the original building.

2.2 Roseville SHI Data Sheets

VOLUME 3

3.1 Recommendations for Lindfield

28 Bent Street, Lindfield

It is recommended that No. 28 Bent Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation / Inter-War Bungalow;
- although the house had extensive additions at the rear, these additions are not readily visible from the street;
- the building is largely intact and has retained a high degree of aesthetic significance, (the adjoining house No.26 is almost identical but has undergone modification to the frontage); and
- the building is one of the original houses in the subdivision, a prominent item in the street and contributor to the character of the immediate area.

11 Blenheim Road, Lindfield

It is recommended that No. 11 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation / Inter-War Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications , these changes are sympathetic and not readily visible from the street;
- the building contributes to the context of the group, Nos. 12, 15 and 19 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

12 Blenheim Road, Lindfield

It is recommended that No. 12 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation / Inter-War Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications , these changes are sympathetic and not readily visible from the street;
- the building contributes to the context of the group, Nos. 11, 15 and 19 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

12 Blenheim Road, Lindfield, **SHOULD BE INCLUDED** as a heritage item as good and largely intact Inter-War Bungalow that despite some modifications retains its original stylistic detailing, curtilage and garden setting. With other potential items in the area it forms part of a significant grouping and makes a positive contribution to the streetscape.

15 Blenheim Road, Lindfield

It is recommended that No. 15 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Queen Anne style building which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications and construction of a steel carport is visually intrusive, this structure is fully removable and the building is largely intact in its presentation to the streetscape;
- the building contributes to the context of the group, Nos. 11, 12 and 19 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

19 Blenheim Road, Lindfield

It is recommended that No. 19 Blenheim Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow which is largely intact externally and has retained a high degree of aesthetic significance;
- although the house has undergone some modifications, these changes are sympathetic and not readily visible from the street;
- the building contributes to the context of the group, Nos. 11, 12 and 15 Blenheim Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

17 Eton Road, Lindfield

It is recommended that No. 17 Eton Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a large prominent example of Inter-War Stripped Classical style residence which has been visually compromised by the construction of a large brick garage immediately in front of the house. This intrusive structure is not considered removable and this building has lost all aesthetic significance as a streetscape element.

21 Francis Street, Lindfield

It is recommended that No. 21 Francis Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a modest scale Inter-War Mediterranean style Bungalow;
- although the house has undergone some modifications including garages and colour scheme, the changes are largely sympathetic and have little impact on the significance of the building on its prominent corner site; and
- the building is a strong contributor to the character of the immediate area.

22 Kenilworth Road, Lindfield

It is recommended that No. 22 Kenilworth Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a transitional Federation / Inter-War period Bungalow;
- the building is unusual in its weatherboard construction within a predominately brick area;
- the later additions and garage are largely hidden at the rear of the house and do not detract from the aesthetic significance of the property when viewed from Kenilworth road; and
- the building is largely intact externally and has retained a high degree of aesthetic significance.

2 Mackenzie Street, Lindfield

It is recommended that No. 2 Mackenzie Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a large scale composite Inter-War Georgian Revival and Inter-War Functionalist style residence;
- although the house has undergone some modifications including a large garage, these additions are largely hidden from the street or in the case of the garage, do not diminish the aesthetic significance;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item addressing three streets and is a strong contributor to the character of the immediate area.

1 Middle Harbour Road, Lindfield

It is recommended that No. 1 Middle Harbour Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house is a two storey Inter-War Old English style residence on a prominent corner location and has undergone extensive modifications which have visually impacted on its significance. The original style and fabric of the extant building is now difficult to determine.

9 Middle Harbour Road, Lindfield

It is recommended that No. 9 Middle Harbour Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow which has undergone extensive sympathetic additions which do not visually impact on the significance of the building;
- the building is largely intact externally and with its original garden setting has retained a high degree of aesthetic significance; and
- the building and its curtilage is a strong contributor to the character of the immediate area.

31 Middle Harbour Road, Lindfield

It is recommended that No. 31 Middle Harbour Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- for its association with the early development of the immediate area and as a fine example of a modest scale Federation Arts and Crafts residence;
- the house does not appear to have undergone any significant modifications;
- the building is largely intact externally and has retained a high degree of aesthetic significance in style and original fabric; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

9 Nelson Road, Lindfield

It is recommended that No. 9 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a one and a half storey Inter-War Bungalow. Significant as a largely intact example of the variety of Inter-War style residences within the immediate area;
- although the house has undergone some additions, these changes are not readily visible from the street and the building retains a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character and variety of the immediate area.

Additional comments from the **October 30 2006** report:

9 Nelson Road, Lindfield, is **RECOMMENDED FOR INCLUSION** as a heritage item due to its historical and aesthetic significance as a good and largely intact example of an Inter-War Bungalow. The building retains a large degree of intactness in its original fabric and details and makes a strong contribution to the immediate streetscape character and context and to the Inter-war buildings within Lindfield in general.

20 Nelson Road, Lindfield

It is recommended that No. 20 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is largely intact externally and has retained a high degree of aesthetic significance;
- as a good and largely intact example of a modest scale Federation Bungalow;
- although the house has undergone some modifications, these additions are not readily visible from the street;
- the building on its heavily wooded site is a strong contributor to the listed and potential items and the character of the immediate area.

44 Nelson Road, Lindfield

It is recommended that No. 44 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good example of a largely intact Federation Bungalow which has retained a high degree of aesthetic significance with its original Federation Queen Anne stylistic detailing which is only slightly degraded by the addition of a small garage to the northern side;
- apart from the early garage, any modifications are sympathetic and not readily visible from the street; and
- with trimming of the overgrown cypress trees, the building would be a prominent item in the street and a strong contributor to the character of the listed and potential items nearby and the character of the immediate area.

50 Nelson Road, Lindfield

It is recommended that No. 50 Nelson Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Period Bungalow. The modern garage detracts slightly from the aesthetic significance of the building however it is located towards the side boundary and the house retains aesthetic significance; and
- the building in its garden setting is a prominent item in the street and strong contributor to the context of listed and potential items nearby and to the character of the immediate area.

1 Ortona Road, Lindfield

It is recommended that No. 1 Ortona Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Federation style residence;
- although the house has undergone some recent modifications to the rear, these additions are not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance;
- the building is a prominent item in the street and strong contributor to the context of a number of heritage items in the immediate area; and
- the mature Hoop Pines on the corner street verge are of landmark significance and should be listed as significant landscape elements.

19 Russell Avenue, Lindfield

It is recommended that No. 19 Russell Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- although the house has undergone modifications, these additions are sympathetic to the existing character and not readily visible from the street. The building retains a high degree of aesthetic significance; and
- the building is partially hidden by overgrown shrubs but contributes to the character of the immediate area.

22 Russell Avenue, Lindfield

It is recommended that No. 22 Russell Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a very prominent element within the streetscape and has a high level of aesthetic significance as a large scale 2 storey Federation Arts and Crafts mansion; and
- although the house has undergone modifications, these additions are largely sympathetic and have not impacted on the character of the building, some alterations such as infill of the verandahs is capable of restoration.

23 Treatts Road, Lindfield

It is recommended that No. 23 Treatts Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation period bungalow in a semi-rural style;
- although the house has undergone some additions, these modifications are sympathetic and not readily visible from the street;
- the building is largely intact externally in its form and style and while some fabric, such as the roofing, has been replaced, overall the building retains a high degree of aesthetic significance; and
- the building is a prominent item at the end of the street and a strong contributor to the character of the immediate area.

45 Treatts Road, Lindfield

It is recommended that No. 45 Treatts Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a modest scale Federation Queen Anne style residence;
- although the house has undergone recent modifications including complete painting in white, a degree of significance could be regained with a more sympathetic colour scheme. The building form, style and fabric is largely intact externally; and
- the building is a prominent item in the street and strong contributor to the context of nearby listed items and the potential item adjoining at No 47 Treatts Road.

47 Treatts Road, Lindfield

It is recommended that No. 47 Treatts Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a modest scale Federation Arts and Crafts style Bungalow;
- although the house has undergone recent additions such as the large garage at the rear, these additions are sympathetic and have little visual impact on the character of the building when viewed from the street, the building is largely intact externally in its form, fabric and detailing and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the potential item adjoining at No. 45 Treatts Road as well as the character of the listed item opposite.

17 Waimera Road, Lindfield

It is recommended that No. 17 Waimera Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a modest scale Late Federation period Bungalow with Art Nouveau detailing;
- although the house has undergone some modifications, these additions are sympathetic and the building has retained a degree of aesthetic significance; and
- the building is a prominent item in the street and contributes to the context of the listed items in the immediate area.

2 Westbourne Road, Lindfield

It is recommended that No. 2 Westbourne Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact example of a Late Federation Period Bungalow; and
- although the house has had significant additions, these additions are largely located at the rear and are not readily visible from the street; and
- the building is largely intact and has retained a high degree of aesthetic significance as a prominent item in the streetscape of the immediate area.

3.2 Lindfield SHI Data Sheets

VOLUME 4

4.1 Recommendations for Killara

7 Arnold Street, Killara

It is recommended that No. 7 Arnold Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 7 Arnold Street, Killara is a two storey Inter-war Georgian Revival duplex which has had little change and retains its aesthetic significance in the original style, form and scale;
- the various additions such as the detached garage in the front yard do not visually detract from the significance of the building; and
- the building makes a positive contribution to the streetscape of the immediate area and to the context of listed items at Nos. 3 and 9 Arnold Street.

11 Arnold Street, Killara

It is recommended that No.11 Arnold Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a rare example of a small scale Late Federation / Inter-War period Bungalow with Art Nouveau detailing;
- although having undergone some modifications to the original building, the house remains largely intact externally with much of its original fabric and stylistic detailing;
- the additions to the building are generally sympathetic and not readily visible from the street;
- a modern garage is located in the basement under the front balcony which has been extended to cover the garage and retain the character of the building; and
- the building has retained a high degree of aesthetic significance and is contributory to the adjoining heritage item at No.13 Arnold as well as other culturally significant items in the streetscape

22 Buckingham Road, Killara

It is recommended that No. 22 Buckingham Road, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a large scale Inter-War Georgian Revival mansion set in expansive grounds;
- the building has aesthetic and social significance as a large residence dating from the early 1940s which is situated in its original bushland garden which was characteristic of the development of the immediate area prior to the Second World War; and
- the building is largely intact externally and is a prominent item in the streetscape and strong contributor to the character of the immediate area and the context of listed items nearby at Nos. 10, 11, 26 and 41 Buckingham Road.

10 Culworth Avenue, Killara

It is recommended that No. 10 Culworth Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a largely intact representative example of an Australian version of the North American “Shingle Style” which gained popularity with architects and their clients following the construction of “Pibrac” and “Cheddington” at nearby Warrawee c.1888;
- the existing house appears to have been the residence constructed for Henry Selkirk in c.1924 as his home “Geraldine”;
- the integrity of the house in visual terms is currently reduced by the painting of the original face brickwork and timber shingles in an intrusive colour scheme. The aesthetic significance of the house, which is largely intact in both fabric and detail externally, could easily be recaptured by stripping the brickwork and re-painting the timber shingles in a characteristic colour scheme; and
- the building is a prominent item in the street and combined with the neighbouring residence at No 12 is a strong contributor to the character of the immediate area.

12 Culworth Avenue, Killara

It is recommended that No. 12 Culworth Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Old English residence;
- although the house has undergone recent modifications, these additions do not detract from the visual character of the building which has retained a high degree of aesthetic significance; and
- the building with its adjoining neighbour No. 10 has been painted in unsympathetic colours. The building however, is able to be restored to its former character with a change of colour scheme and remains as a prominent item in the street and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

12 Culworth Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item as a good and largely intact example of an Inter-war period dwelling with Old English stylistic detailing. Although the building has undergone painting in an intrusive colour scheme and extensive additions at the rear, the form, fabric and character of the house remains largely intact. The building has significance for its contribution to the character of the immediate area for over sixty years. In combination with the adjoining residence at No. 10 Culworth Avenue, “Geraldine”, the two buildings contribute to the context of the adjoining Selkirk Park with its association to one of the well known identities in the early years of development of the suburb of Killara.

30 Elva Avenue, Killara

It is recommended that No. 30 Elva Avenue **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a medium sized two storey Inter-War Georgian Revival style residence which is currently undergoing substantial modification; and
- the current alterations have reduced the original character and integrity and the building now has little remaining cultural significance.

31 Elva Avenue, Killara

It is recommended that No. 31 Elva Avenue **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Inter-War Old English residence which is a prominent element within the Elva Avenue streetscape; and
- although the house has undergone some modifications, the changes do not detract from the visual character of the building which has retained a high degree of aesthetic significance.

14 Forsyth Street, Killara

It is recommended that No. 14 Forsyth Street **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a Late Federation Period Bungalow which is a prominent element within the Forsyth Street streetscape;
- although having undergone some modifications to the original building, the house remains largely intact externally with much of its original fabric and stylistic detailing; and
- the building has retained a high degree of aesthetic significance and is contributory to character of the streetscape.

44 Greengate Road, Killara

It is considered that No. 44 Greengate Road **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a large scale 2 storey Inter-War Georgian Revival residence which is a prominent visual element in Greengate Road;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to Greengate Road; and
- the building has a high degree of aesthetic significance and on its original large site located between two listed heritage items, it is contributory to the context of these items as well as to the character of the streetscape.

51 Greengate Road, Killara

It is recommended that No. 51 Greengate Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a medium sized Federation Bungalow which is a prominent visual element in Greengate Road;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to Greengate Road. Extensive sympathetic additions have been made to the rear of the house which do not reduce the aesthetic quality of the original building;
- the building retains a high degree of aesthetic significance and on its original large site, is contributory to the character of the streetscape; and
- social significance as the home of S.H. Robertson and his descendants for over 90 years.

28 Karranga Avenue, Killara

It is recommended that No. 28 Karranga Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 28 Karranga Avenue, Killara is a fine and largely intact example of an Inter-War Bungalow style dwelling;
- significant as a design of the English trained architect James Peddle;
- significant as an interesting variation of style from this period. The building and its garden are prominent visual elements within the streetscape and make an important contribution to character of the streetscape and the listed heritage items in the immediate vicinity; and
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street.

38 Karranga Avenue, Killara

It is recommended that No. 38 Karranga Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item for the following reasons:

- the building is a one and a half storey Federation Bungalow which has had substantial alterations and additions;
- the additions are largely sympathetic however the extent of changes such as the extensive roof additions, dormers, side and rear additions and painting of face brickwork have significantly altered the character of the building and reduced the integrity of both character and fabric; and
- the building retains little cultural significance as a result of these modifications.

6 Lorne Avenue, Killara

It is considered that No. 6 Lorne Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a large scale, 2 storey Inter-War Functionalist mansion;
- the stylistic geometric forms and simple clean lines of the late Inter-War residence contributes to its character and aesthetic significance;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact. The rear additions do not detract from the significance of the existing building and the style, form and detailing of the residence contribute to the character of the streetscape and the context of the nearby listed items; and
- the building has a high degree of aesthetic significance and as a prominent element on its original large site near the eastern end of Lorne Avenue, the extant building is contributory to the character of the immediate area.

9 Lynwood Avenue, Killara

It is considered that No. 9 Lynwood Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a 2 storey Inter-War Functionalist residence which, even with a carport structure located on the front boundary, is a prominent visual element in Lynwood Avenue;
- associated with architect Augustus Aley. The property was also owned by architect, Frederick Herbert Broughton Wilton, however, it would appear that Wilton did not modify the building in any significant way;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to the street; and
- the building has a high degree of aesthetic significance and it is contributory to the context of the items at No. 11 as well as Nos. 4 and 6 Lynwood Avenue as well as to the character of the streetscape.

21 Lynwood Avenue, Killara

It is considered that No. 21 Lynwood Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a medium scale 2 storey Inter-War Georgian Revival residence which is a prominent visual element in Lynwood Avenue;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to the streetscape; and
- the building, as a small scale example contributes to the variety of Inter-War housing within the immediate streetscape and in combination with the nearby potential items in Lynwood Avenue, makes a strong contribution to the character of the immediate area.

21A Lynwood Avenue, Killara

It is considered that No. 21A Lynwood Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a large scale 2 storey Inter-War Period residence which has undergone extensive renovation and now retains little stylistic integrity; and
- the building has the appearance of a contemporary building and has little if any remaining significance.

23 Lynwood Avenue, Killara

It is considered that No. 23 Lynwood Avenue, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a modest scale Inter-War Mediterranean style residence;
- although having undergone some modifications to the original building, the house remains largely intact externally with its original Inter -War Mediterranean stylistic detailing; and
- the building, as a small scale example contributes to the variety of Inter-War housing within the immediate streetscape and in combination with the nearby potential items in Lynwood Avenue, makes a strong contribution to the character of the immediate area.

Additional comments from the **October 30 2006** report:

23 Lynwood Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item as a good representative example of Inter-war dwelling with Mediterranean details. Despite some modifications and additions the building retains its original form and details and with other potential items forms part of a grouping which contributes to the variety of Inter-war buildings in the immediate area.

28 Lynwood Avenue, Killara

It is considered that No. 28 Lynwood Avenue, Killara, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine representative example of a modest scale one and a half storey Inter-War Old English residence;
- the house remains largely intact externally with its original Inter -War Old English stylistic detailing ;
- as a design of the architectural firm of Robertson, Marks and McCredie;
- although having undergone some modifications to the original building, the house retains most of its original fabric intact; and
- the building has a high degree of aesthetic significance and in combination with the nearby potential items in Lynwood Avenue, makes a strong contribution to the character of the immediate area.

3 Maples Avenue, Killara

It is considered that No. 3 Maples Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the Inter-War Old English style residence has remained in the ownership of the Cathels Family for over 60 years, however has undergone some modifications and it is considered that there are other, better examples of the style within the LGA

5 Maples Avenue, Killara

It is considered that No. 5 Maples Avenue, Killara, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- Although having undergone some modifications to the original building, the Inter-War Old English residence remains largely intact externally, however, it is considered that there are other, better examples of the style in the LGA

24 Marian Street, Killara

It is considered that No. 24 Marian Street, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact external example of a simplified Inter-War Spanish Mission style dwelling;
- as a representative example of the variety of Inter-War Mediterranean style and as part of the earliest development of the subdivision associated with James George Edwards, “the Father of Killara”;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to the street; and
- this building is contributory to the character of the immediate area in combination with the potential items opposite at Nos. 27 and 29 Marian Street as well as contributory to the heritage item adjoining at No. 1 Cathiness Street.

27 Marian Street, Killara

It is considered that No. 27 Marian Street, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a modest scale Inter-War English Cottage style dwelling;
- which is a prominent visual element in Marian Street;
- for its association with James George Edwards who was instrumental in the development of the suburb of Killara;
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact in its presentation to Marian Street; and
- this building has a high degree of aesthetic significance when combined with the adjoining potential items at Nos. 29 and 24 Marian Street. These buildings are contributory to the context of the listed item at No. 31 Marian Street as well as to the character of the streetscape.

29 Marian Street, Killara

It is considered that No. 29 Marian Street, Killara **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- for its association as the home of James George Edwards who was instrumental in the development of the suburb of Killara;
- as a good and largely intact external example of an Inter-War Spanish Mission style dwelling; and
- although having undergone some modifications to the original building, the house retains most of its original fabric and stylistic detailing intact and the building has a high degree of aesthetic significance in its contribution to the character of the streetscape.

16 Northcote Avenue, Killara

It is recommended that No. 16 Northcote Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- The building is a modified Federation Queen Anne dwelling which has undergone substantial modifications and is not recommended for listing as there are more intact examples elsewhere within the district.

5 Powell Street, Killara

It is recommended that No. 5 Powell Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a variation of a Inter-War Old English style residence which is largely intact;
- the subject building contributes to the context of listed heritage items on either side with two additional listed items located close by on the north side of Powell Street;
- the building and its garden contributes to the character and quality of the streetscape; and
- the building is largely intact externally with no records of alterations and additions and has retained a high degree of aesthetic significance.

Additional comments from the **October 30 2006** report:

5 Powell Street, Killara, **SHOULD BE INCLUDED** as a heritage item as a good and intact example of a medium scale Inter-war period dwelling which retains its original character and “Old English” stylistic details. Despite modifications the building within its garden setting contributes strongly to the context of the adjacent heritage items and streetscape in general.

2 Spencer Road, Killara

It is recommended that No. 2 Spencer Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and interesting representative example of an Inter-War Mediterranean style residence;
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance as a variation of the style; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

8 Springdale Road, Killara

It is recommended that No. 8 Springdale Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a large scale, 2 storey Federation Arts and Crafts dwelling;
- although the house has undergone modifications which have diminished its stylistic integrity, the building retains a degree of significance as a very dominant element within the streetscape; and
- the building on its large allotment, is a prominent item within the street and strong contributor to the character of the immediate area as well as contributory to the context of listed items at Nos. 1, 7 and 16 Springdale Road.

24 Springdale Road, Killara

It is recommended that No. 24 Springdale Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a Federation Bungalow. No 24 Springdale Road has a high degree of integrity in the fabric and detailing;
- the building has been modified with the addition of a garage. This garage, located within the front façade has been designed in a sympathetic form and does not visually detract from the significance of the building when viewed within its garden setting on Springdale Road; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

12 Stanhope Road, Killara

It is recommended that No. 12 Stanhope Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a 2 storey Inter-War Georgian Revival mansion in expansive gardens;
- although having undergone some modifications to the original building, the house remains largely intact externally with its original Georgian Revival stylistic detailing . The mature gardens at the front of the house contribute to the streetscape character and are representative of the original curtilage to this significant residence;
- although the house has undergone recent modifications , these additions are sympathetic and do not detract from the significance of the building within the streetscape; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area as well as contributory to a number of potential and listed heritage items within Stanhope Road.

16 Stanhope Road, Killara

It is recommended that No. 16 Stanhope Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine example of a visually prominent Inter-war Georgian Revival mansion located in its expansive original garden;
- a rare example of Inter-war Georgian Revival constructed in dark liver brickwork;
- the properties on Stanhope Road (formerly Springdale Road) were originally occupied by a number of residents of high standing in the community including many JPs and Doctors. The quality of residence within this street is a reflection of its early importance and most of the original large residences in Stanhope Road, on the western side of the railway line, remain largely intact;
- although the house has undergone some modifications , these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area as well as contributory to a number of potential and listed heritage items within Stanhope Road.

25 Stanhope Road, Killara

It is recommended that No. 25 Stanhope Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good representative example of a large scale 2 storey Inter-War Old English mansion with Spanish Mission detailing, and as an example of the variety of Inter-War styles which were popular with the owners as a reflection of their status within the community;
- although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and a strong contributor to the context of the neighbouring listed items and character of the immediate area.

3 Warwick Street, Killara

It is recommended that No. 3 Warwick Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a modest scale Inter-war Old English style residence;
- although the house has undergone modifications, the additions are largely sympathetic and do not detract from the aesthetic significance of the building when viewed from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

3 Warwick Street, Killara **SHOULD NOT BE INCLUDED** as heritage items as alterations and additions have impacted in the integrity and overall form and character of these buildings.

4.2 Recommendations for Gordon

1 Bushlands Avenue, Gordon

It is recommended that No. 1 Bushlands Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 1 Bushlands Avenue is an Inter-War Bungalow which has some social significance as the home of a former Methodist Minister. The building is one of three adjoining buildings of similar style and age, however, it makes little contribution to the streetscape and there are better examples elsewhere in the LGA.

3 Bushlands Avenue, Gordon

It is recommended that No 3 Bushlands Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 3 Bushlands Avenue is an Inter-War Bungalow which has some social significance as part of the early subdivision of the immediate area, however this significance is slight. The house is not highly visible from the street and makes little contribution to the character of the immediate area. There are better representative examples of this style of building elsewhere in the LGA.

5 Bushlands Avenue, Gordon

It is recommended that No. 5 Bushlands Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 5 Bushlands Avenue is an inter-War Bungalow which has some social significance as part of the early subdivision of the immediate area, however this significance is slight and the building is not recommended for listing as there are better representative examples of this style of residence elsewhere in the LGA.

22 Highlands Avenue, Gordon

It is recommended that No. 22 Highlands Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow;
- the building is significant as a fine and largely intact example of the variety of stylistic housing types. The building is largely intact with a verandah infilled, however this is reversible and has not had any great visual impact on the street façade. The building retains a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

7 Robert Street, Gordon

It is recommended that No. 7 Robert Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 7 Robert Street is a good representative example of an Inter-war Functionalist residence;
- although the house has undergone some modifications such as the attached garage and rear additions, the building remains largely intact externally and has retained a high degree of aesthetic significance;
- the building is a prominent item in the street and contributes to the character of the immediate area.

18 Rosedale Road, Gordon

It is recommended that No. 18 Rosedale Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a medium scale representative example of a Late Victorian Italianate dwelling that despite some alterations retains its original character and decorative details;
- although the house has undergone some modifications, these additions are sympathetic and do not detract from the original details and character of the building; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

4.3 Recommendations for Pymble

21 Grandview Street, Pymble

It is recommended that No. 21 Grandview Street, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 21 Grandview Street, is an example of the Inter-War Mediterranean style, which has limited aesthetic significance. The building makes little contribution to the character of the area and there are many better examples of this style within the Ku-ring-gai LGA.

11 King Edward Street, Pymble

It is recommended that No. 11 King Edward Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Federation Bungalow with fine timber detailing;
- although having undergone additions to the original building, the house remains largely intact externally with its original stylistic detailing;
- the modern carport at the front of the house creates a visual intrusion on the character of the building however, the extant building imparts such a strong character to the streetscape, that its contribution is only slightly reduced by this intrusive element; and
- the building on its prominent corner allotment makes a strong contribution to the character of the immediate area.

Additional comments from the **October 30 2006** report:

11 King Edward Street, Pymble, **SHOULD BE LISTED** as a heritage item as a good representative example of a Federation dwelling that despite additions and modifications, retains its original character and stylistic details. The building is located on a prominent corner location and makes a strong contribution to the streetscape and immediate area.

25 King Edward Street, Pymble

It is recommended that No. 25 King Edward Street, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building appears to have undergone extensive modifications throughout its lifetime which has impacted greatly on the character of the building, resulting in substantially reduced aesthetic significance; and
- the existing building contributes little to the streetscape character.

31 King Edward Street, Pymble

It is recommended that No. 31 King Edward Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a modest scale example of a Federation Queen Anne residence;
- although the house has undergone substantial additions including a side addition which is visually intrusive due to its unsympathetic yellow colour scheme and a rear garage structure. These additions are visible from the side in Church Street but have no visual impact on the significance of the largely intact building in its prominent corner location when viewed from King Edward Street; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

18 Park Crescent, Pymble

It is recommended that No. 18 Park Crescent, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a medium scale residence with Inter-War Stripped Classical stylistic detailing;
- the house remains largely intact with little external modification apart from a side wing addition. The has retained a high degree of aesthetic significance with its simple detailing; and
- the building is located on a prominent site and with some trimming of the shrubs which enclose the front garden, this building would make a strong visual contribution to the nearby Park Crescent Group and the character of the immediate area in general.

Additional comments from the **October 30 2006** report:

18 Park Crescent, Pymble, **SHOULD NOT BE INCLUDED** as heritage items as alterations and additions have impacted on the integrity and overall form and character of these buildings.

20 Park Crescent, Pymble

It is recommended that No. 20 Park Crescent, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is an Inter-War Spanish Mission dwelling which has been modified with substantial additions. The building has no historic or social significance which would demand its inclusion as a listed item. The battle axe site also means that the building and grounds are not visible from the street and therefore results in the building making no contribution to the character of the immediate area.

22 Park Crescent, Pymble

It is recommended that No. 22 Park Crescent, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a good and representative example of a medium scale Inter-War Old English style residence;
- significant as a contributory item to the variety of Inter-War style residences within the immediate area;
- although the house has undergone modifications , these additions are sympathetic to the original style and fabric; and
- the building has retained a high degree of aesthetic significance and is located on a prominent site. The building makes a substantial contribution to the Park Crescent Group and the character of the streetscape generally

24 Park Crescent, Pymble

It is recommended that No. 24 Park Crescent, Pymble, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and representative example of a medium scale Inter-War dwelling with Modernist stylistic tendencies;
- although the house has undergone some additions, these changes do not impact on the character and fabric of the building and its contribution to the Park Crescent Group; and
- the building has retained a degree of aesthetic significance and its prominent location in the street makes it a strong contributor to the character of the immediate area.

40 Park Crescent, Pymble

It is recommended that No. 40 Park Crescent, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a composite Inter-War Georgian Revival dwelling with Spanish Mission detailing which has been heavily modified with substantial additions, resulting in loss of aesthetic significance. The building style is now largely indeterminate and it makes little contribution to the character of the area; and
- The building has little historic or social significance which would demand its inclusion as a listed item.

5 Taunton Street, Pymble

It is recommended that No. 5 Taunton Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house has had substantial additions and alterations, however it remains largely intact with its original Inter-War Old English stylistic detailing and is a fine representative example of a large scale residential building of this style within Ku-ring-gai Local Government Area;
- the largely intact and mature gardens at the front of the house are significant to the contribution this building makes to the streetscape character as the original curtilage to this early 20th Century Inter-War style residence; and
- together with No 7 Taunton Street, these two building present as a fine pair of large scale Inter-War residences and make a strong contribution to the character of the immediate area.

7 Taunton Street, Pymble

It is recommended that No. 7 Taunton Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house remains largely intact with little change to its original Inter-War Old English stylistic detailing and is a fine representative example of a large scale residential building of this style within Ku-ring-gai Local Government Area;
- the largely intact and mature gardens at the front of the house are significant to the contribution this building makes to the streetscape character as the original curtilage to this early 20th Century Inter-War style residence; and
- together with No. 5 Taunton Street, these two building present as a fine pair of large scale Inter-War residences and make a strong contribution to the character of the immediate area.

4.4 Killara, Gordon & Pymble SHI Data Sheets

VOLUME 5

5.1 Recommendations for Turramurra

34 Eastern Road, Turramurra

It is recommended that No. 34 Eastern Road, Turramurra, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building has some associational significance as the home of Professor Kenneth Edward, and historic and social significance for its use as a Manse by the Presbyterian Church of NSW from 1935 and The Uniting Church in Australia from 1980;
- although the house has undergone recent modifications, these additions are sympathetic and do not detract from the original character and scale of the building ;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street, located on a corner site, and strong contributor to the character of the immediate area.

Additional comments from the **October 30 2006** report:

34 Eastern Road, Turramurra, **SHOULD BE LISTED** as a heritage item as a good and largely intact example of a modest Federation dwelling constructed as part of the early subdivision of the larger estates. The building has some social and associational significance for its connection to the adjoining church and despite some additions and alterations; it largely retains the original stylistic details which contribute to its character on this prominent corner location.

14 Warrangi Street, Turramurra

It is recommended that No. 14 Warrangi Street, Turramurra, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a fine and largely intact example of a modest size Inter-War Bungalow style residence with intact features and Art Nouveau stylistic detail. Although the house has undergone recent modifications, these additions are sympathetic and not readily visible from the street;
- the building is largely intact externally and has retained a high degree of aesthetic significance; and
- the building is a prominent item in the street and strong contributor to the character of the immediate area.

5.2 Recommendations for Warrawee

42 Bangalla Street, Warrawee

It is recommended that No. 42 Bangalla Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a two storey Inter-war Mediterranean Style dwelling that retains its original character within a garden setting;
- the building in its garden setting makes a positive contribution to the character of the immediate area; and
- associational significance as the home of Sydney architect Hugh Venables Vernon, son of Walter Liberty Vernon (NSW Government Architect 1890-1911).

8 Brentwood Avenue, Warrawee

It is recommended that No. 8 Brentwood Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact external example of a Post-War Old English Revival Style dwelling that retains its original form and scale as presents to Brentwood Avenue. The building has undergone some modifications but these works have not reduced the significance of the dwelling within the streetscape;
- the garden retains mature trees that may be associated with the construction of the adjacent Federation Period house; and
- the building contributes to the character and context of the nearby listed heritage items.

15 Brentwood Avenue, Warrawee

It is recommended that No.15 Brentwood Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building retains its earlier form and some details at the front however the successive additions and alterations have compromised the overall integrity of the property;
- the building now has limited aesthetic significance due to the extensive modifications and additions which are a result of its current use as a Pre School Kindergarten; and
- the modifications to the garden and yard have impacted on the character of the building.

42 Hastings Road, Warrawee

It is recommended that No. 42 Hastings Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a design of the early 20th Century architect Hugh Venables Vernon; and
- as a largely intact example of the Inter War Georgian Revival style which has retained its original form, style, fabric and garden context.

2 Heydon Avenue, Warrawee

It is recommended that No. 2 Heydon Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- as a good and largely intact example of a Late Federation Transitional style dwelling with “Richardson Romanesque” detail; and
- significance as one of the remaining large scale residences on large allotments featuring gardens and tennis courts.

17 Heydon Avenue, Warrawee

It is recommended that No. 17 Heydon Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significance as a largely intact example of a late Federation Period “rural” style dwellings attributed to the architectural firm of Castledon and Lake; and
- social significance as the home of Rev. Jackson and his family for over 60 years.

Additional comments from the **October 30 2006** report:

17 Heydon Avenue, Warrawee, **SHOULD BE INCLUDED** as a heritage item as one of the earliest residences constructed as part of the initial subdivision of the larger estates. Despite some modifications the house remains as a good and fairly rare surviving example of a Federation period ‘rural’ style dwelling with associational and social significance.

9 Pibrac Avenue, Warrawee

It is recommended that No.9 Pibrac Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house and garden at No. 9 Pibrac Avenue, Warrawee have undergone extensive modification within the last 12 months which has greatly impacted on the nature of the building both externally and internally;
- these changes have reduced the significance of the property to such a degree that it is now difficult to identify the style and character of the original building or garden layout; however, there are a number of ornamental trees and shrubs on the site which possibly have association with the adjacent heritage item “Pibrac”; and
- the house and garden are not visible from the street and make no visual contribution to the streetscape or area.

18 Warrawee Avenue, Warrawee

It is recommended that No.18 Warrawee Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a fine and largely intact example of a substantial residence constructed in the Inter-War Georgian Revival style;
- the building has undergone some modification however this does not impact on the aesthetic significance of the building in its presentation to Warrawee Avenue; and
- the building holds some associational significance as the home of Wellesley Burgoyne Hudson, an engineer of Sydney.

1 Yosefa Avenue, Warrawee

It is recommended that No. 1 Yosefa Avenue **SHOULD NOT BE INCLUDED** as a Heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a very recent addition to the streetscape of the Yosefa Avenue Group; and
- the extant building, although of good design and construction, makes no positive contribution to the Inter-War style characteristics of the original “Yosefa Estate” Group.

2 Yosefa Avenue, Warrawee

It is recommended that No. 2 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact example of an Inter-war dwelling that retains its original character and integrity as it retains its original form, fabric and detailing as a single storey Inter-War style residence;
- the extant building presents as a dominant face brick element on the high corner of the Yosefa and Heydon Avenue streetscapes and identifies the entry to the ‘Yosefa Estate’ Group; and
- the building addresses both streetscapes retaining its original matching fence and makes a positive contribution to the Yosefa Avenue streetscape and the area in general.

3 Yosefa Avenue, Warrawee

It is recommended that No. 3 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of an of an Inter-war Mediterranean style dwelling that makes an active contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing; and
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general.

4 Yosefa Avenue, Warrawee

It is recommended that No. 4 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a modest Inter-War Old English style dwelling that makes an active contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing; and
- despite some modifications the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general.

5 Yosefa Avenue, Warrawee

It is recommended that No. 5 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a modest Inter-War Bungalow style dwelling that makes an active contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the early suburban designs of the architectural firm of Peddle Thorp & Walker.

6 Yosefa Avenue, Warrawee

It is recommended that No. 6 Yosefa Avenue, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- The extant building is a largely intact (external) example of a modern style dwelling of indiscernible style that makes no positive contribution to the character of the “Yosefa Estate” group.

7 Yosefa Avenue, Warrawee

It is recommended that No.7 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of an of an Inter-war Mediterranean style dwelling that makes a strong contribution to the “Yosefa Estate” group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Alley, the other three being Nos. 8, 9 and 11.

8 Yosefa Avenue, Warrawee

It is recommended that No. 8 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building was the home of the architect Augustus Aley;
- the extant building is a good and largely intact (external) example of an of an Inter-war Bungalow style dwelling that makes an active contribution to the "Yosefa Estate" group.
- the extant building although modified, has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Aley, the other three being Nos. 7, 9 and 11.

Additional comments from the **October 30 2006** report:

8 Yosefa Avenue, Warrawee, **SHOULD BE INCLUDED** as a heritage item as an example of a modest Inter-war dwelling that despite modifications retains its original character and details in its presentation to the streetscape. The building has associational significance as one of a group of four simple Inter-war style dwellings within this street designed by the architect, Augustus Aley. The building makes a contribution to the character of the streetscape and Yosefa Estate group.

9 Yosefa Avenue, Warrawee

It is recommended that No. 9 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of an of an Inter-War Georgian Revival style dwelling that makes an active contribution to the "Yosefa Estate" group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general; and
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Aley, the other three being Nos. 7, 8 and 11.

11 Yosefa Avenue, Warrawee

It is recommended that No.11 Yosefa Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a good and largely intact (external) example of a two storey Inter-War Georgian Revival style dwelling that makes an active contribution to the "Yosefa Estate" group;
- the extant building has retained its original character and integrity in its form, fabric and detailing;
- the building makes a positive contribution to the Yosefa Avenue streetscape and the area in general;
- the building is one of the four residences in Yosefa Avenue designed by the architect Augustus Aley, the other three being Nos. 7,8 and 9.

5.3 Recommendations for Wahroonga

12 Billyard Avenue, Wahroonga

It is recommended that No. 12 Billyard Avenue Wahroonga, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 12 Billyard Avenue, Wahroonga has aesthetic significance as a largely intact and fine example of a modest size Inter-War Georgian Revival residential building;
- the building has undergone some modifications to the roof, however these changes are minimal and do not impact on the fundamental character and presentation within the streetscape; and
- the building in its garden setting makes a positive contribution to the streetscape and area in general.

4 Burns Road, Wahroonga

It is recommended that No. 4 Burns Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- whilst an interesting building dating from the first decade of the 20th Century and incorporating fabric and detail from many periods, successive works have obscured the original character and overall integrity of the place; and
- due to the extent of the modifications, any future return of this building to something resembling its original style or character is not considered a possibility.

6 Burns Road, Wahroonga

It is recommended that No. 6 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons: .

- historic and social significance as one of the earliest houses in the western section of Burns Road;
- aesthetic significance as a good and largely intact example of a late Federation Period dwelling;
- significant for its contribution to the general visual character of Burns Road and to the adjacent listed heritage item at No. 7 Burns Road; and
- the house and its mature garden contribute strongly to the overall character of the immediate area.

11 Burns Road, Wahroonga

It is recommended that No. 11 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building, despite some additions at the rear and western infill and replacement of the roof cladding, is a good and largely intact example of a late Victorian (rural style) dwelling that retains its fundamental character and overall integrity as presents to the street;
- historic association with the early development of the Wahroonga Estate Precinct and dating from the late 19th century subdivisions of the earlier large allotments; and
- the additions are not largely visible from the street and appear to be sympathetic to the character of the building.

16 Burns Road, Wahroonga

It is recommended that No.16 Burns Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building does not represent any particular style and due to deep setback and overgrown front garden plantings it makes no visual contribution to the streetscape or area in general; and
- the trees, planting and garden may relate to the neighbouring property (No.14) , however the large box hedge, that runs across the front, street boundary largely obscures any view of the garden from the street.

17 Burns Road, Wahroonga

It is recommended that No. 17 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a good and largely (externally) intact example of a modest bungalow constructed in the Federation Arts and Craft style that retains characteristic details, form and scale;
- the property is significant for its association with William Walker an Alderman in the Local Council in the first decade of the 20th century;
- the building makes a positive contribution to the streetscape and area in general; and
- the subdivision of the property does not detract from the overall integrity and presentation in the streetscape.

18 Burns Road, Wahroonga

It is recommended that No. 18 Burns Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 18 Burns Road is not recommended for listing as recent modifications and additions have substantially altered the original character, the modernization of the building with rendering, painting and replacement of original fabric and detail has resulted in a loss of character which is not possible to regain; and
- although the property has retained a large site, the construction of a new modern carport structure close to the front boundary of the site has visually impacted on the character of the building and its contribution to the streetscape in general.

25 Burns Road, Wahroonga

It is recommended that No. 25 Burns Road, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the building is a good and largely (externally) intact representative example of a Late Federation Period dwelling that retains its stylistic identity and contributes strongly to the character of the immediate area; and
- the mature trees and plantings in the front garden contribute to the overall aesthetic character and presentation of the property within the streetscape.

15 Cleveland Street, Wahroonga

It is recommended that No. 15 Cleveland Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 15 Cleveland Street, Wahroonga is significant for its contribution to the overall character and significance of the Knox Preparatory School; and
- the building is a good intact representative example of a Early 21st Century school building which is sympathetic to the character of the school complex.

89 Coonabarra Road, Wahroonga

It is recommended that No. 89 Coonabarra Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- its significance has been greatly reduced by the visual impact of additions which have substantially modified the character of the building and its streetscape presentation.

92 Coonabarra Road, Wahroonga

It is recommended that No. 92 Coonabarra Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the extant building is a typical, recently constructed, contemporary residence which has no particular definable stylistic references and does not contribute to the context of surrounding heritage items or add to the character of the area.

2 Fox Valley Road, Wahroonga

It is recommended that No. 2 Fox Valley Road, **SHOULD NOT BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the front of the building retains its original character and details, however, there have been extensive alterations to the side and rear of the building;
- the building is not readily visible and makes limited contribution to busy intersection on Pacific Highway and Fox Valley Road; and
- there are better, more intact examples of the style within the LGA.

3 Gilda Avenue, Wahroonga

It is recommended that No. 3 Gilda Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- No. 3 Gilda Avenue is a fine, largely intact example of a Late Federation Period, Queen Anne Style dwelling of modest scale that makes a strong contribution to the character of the Gilda Avenue streetscape;
- the building retains its original form, fabric and details despite alterations and additions to the rear of the house; and
- the extant garden setting contributes to the overall aesthetic quality of the house and should be included in the listing.

18 Gilda Avenue, Wahroonga

It is recommended that No. 18 Gilda Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant as a good and largely intact example (externally) of an Inter-War Old English style residence constructed in the early Post-War years

33 Illoura Avenue, Wahroonga

It is recommended that No. 33 Illoura Avenue, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant for its association with Sir Sydney Snow;
- significant as an example of an early Inter-War period residence and as a fine example of the variety of style from this period; and
- the building makes an important contribution to the listed heritage items in the immediate vicinity.

6 Munderah Street, Wahroonga

It is recommended that No. 6 Munderah Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- a high degree of significance as one of a pair of houses formerly on adjoining allotments, which were associated with RW McCoy the Crown Solicitor;
- significant as a good and largely intact example of a Late Federation Period / Inter-War Bungalow style residence designed and constructed by the Government Architect as a home for the Crown Solicitor;
- significance as a fine and strong contributory item to the variety of Inter-War style residences within the immediate area;
- a rare example of residential design by Government Architect for Government Appointed personnel (Crown Solicitor).

10 Munderah Street, Wahroonga

It is recommended that No.10 Munderah Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- a high degree of significance as one of a pair of houses formerly on adjoining allotments, which were associated with the McCoy family;
- significant as a good and largely intact example of a Inter-War Georgian Revival Bungalow style residence designed and constructed by the Government Architect W.L Vernon;
- significance as a fine and strong contributory item to the variety of Inter-War style residences within the immediate area; and
- the building makes an important contribution to the listed heritage items in the immediate vicinity.

Additional comments from the **October 30 2006** report:

10 Munderah Street Wahroonga, **SHOULD BE LISTED** as a heritage item as an example of a Federation Bungalow constructed in the transitional period between the Federation and Inter-War styles. It has associational significance as one of a pair of houses attributed to the NSW Government Architects Office during the time that Walter Liberty Vernon was the Government Architect. Despite some modifications and additions the house retains a large degree of intactness in its original form and details and in combination with No. 6 Munderah Avenue contributes to the variety of Inter-war residences within the immediate area.

1564 Pacific Highway, Wahroonga

It is recommended that No. 1564 Pacific Highway Wahroonga, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house at No. 1564 Pacific Highway Wahroonga is a fine and largely intact two storey example of an Inter-War Old English style residence located on a prominent corner site on the Highway;
- the building, with its neighbour, No 1566 Pacific Highway contributes to the context of the listed heritage item in the immediate vicinity and the potential items in Gilda Avenue.

1566 Pacific Highway, Wahroonga

It is recommended that No. 1566 Pacific Highway Wahroonga, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- the house at No. 1566 Pacific Highway, Wahroonga, is a fine and largely intact two storey example of an Inter-War Old English style residence located on a prominent site on the Highway;
- the building is representative of the variety of detail in similar style residences of the period; and
- the building, with its neighbour, No 1564 Pacific Highway contributes to the context of the listed heritage item in the immediate vicinity and the potential items in Gilda Avenue.

1 Water Street, Wahroonga

It is recommended that No. 1 Water Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant for its ownership by the Bennett family for over 90 years and its association with the architect Howard Joseland;
- representative of the residential development within the Wahroonga Heights Estate from the inception of the Wahroonga Progress Association;
- significant as a fine and largely intact example of a modest bungalow in the Federation Queen Anne style located on a prominent corner location; and
- the building makes an important contribution to the context of the many listed heritage items in the immediate vicinity.

59-61 Water Street, Wahroonga

It is recommended that No. 59-61 Water Street, **SHOULD BE INCLUDED** as a heritage item under the control of the Ku-ring-gai Planning Scheme Ordinance for the following reasons:

- significant for its association with the Andreas Von Faber-Castell family;
- significant as a good and largely intact example of an early Post- War residence constructed in the popular Inter-War Georgian Revival style; and
- the building has social significance for its contribution to the character of the immediate area throughout the second half of the 20th Century.

Additional comments from the **October 30 2006** report:

59-61 Water Street, Wahroonga **SHOULD NOT BE INCLUDED** as heritage items as alterations and additions have impacted on the integrity and overall form and character of these buildings.

5.4 Turramurra, Warrawee & Wahroonga SHI Data Sheets

Table: Potential Heritage Item Review Summary of Submissions

Recommendations in this table Potential Heritage Item Review Summary of Submissions are listed under one of the following three categories (see main report for more detail).

CATEGORY 1- PROPERTIES TO BE DELETED FROM THE LIST

Properties to be deleted from the list- these properties have limited or no heritage significance and will not be further considered for individual heritage listing in the comprehensive LEP process. (Note some of these properties may be contained within the potential heritage conservation areas, and could be identified as non contributory items or removed).

CATEGORY 2- PROPERTIES TO BE INCLUDED IN THE COMPREHENSIVE LEP/ DCP PROCESS

Properties to be included in the Comprehensive LEP/ DCP process as contributory items/ character items within the future Heritage conservation areas of Ku-ring-gai, some of these properties may have sufficient heritage significance to warrant individual heritage listing within a HCA or may be located outside of a HCA and be suitable for an individual heritage listing but this will be subject to more detailed localised assessment, comparative significance with other listed items and the rarity of the particular item.

CATEGORY 3- PEER REVIEW/ ADDITIONAL INFORMATION

In some cases further detailed research and assessment is required as a result of the information provided in the submissions. These items have been deferred to a peer review- in some cases this may involve additional historical research, research on the nature and extent of modification to a dwelling and an assessment as to whether the property has sufficient heritage significance to warrant its individual listing or to be identified within the proposed heritage conservation area under the Ku-ring-gai Comprehensive LEP process.

| No. | Name | Property | | Comments and recommendation |
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| Wahroonga | | | | |
| 1 | W R Spain | 59-61 Water Street, Wahroonga | Agrees with conclusion that their property shouldn't be listed as a heritage item. | Noted Recommendation; category 1 |
| 5 | Mr S Marais | 1 Water Street, Wahroonga | <ul style="list-style-type: none"> As a Friend of owner of 1 Water St Objects to Heritage Listing of dwelling. Dwelling is not a good example of the period and has changed a number of times and offers no unusual or special features. Listing will place unnecessary burden on the owners. | Noted- the property has been assessed by the heritage consultants which as identified that the property has heritage significance and is located within a potential heritage conservation area. |
| 6 | Mrs A Pearson | 1 Water Street, Wahroonga | <ul style="list-style-type: none"> Object strongly to the heritage listing of their property. Owner doesn't want to be bound by restrictions of heritage listing. Objects to increased financial burden it will place on owner, as some insurance companies won't insure heritage listed homes due to the extra expense if a claim is made. If owner's wanted to make alterations or additions they will have to get a report from a heritage consultant which is expensive. Heritage listing will make selling the house in the future harder. The current house has additions and it does not resemble the original footprint built back in 1984. Owner feels they do not need their house to be heritage listed for them to look after it. Council doesn't need to heritage list homes when there is already a system in place to do this, when a plan is submitted to council to make alterations and additions. | <p>Noted;- the property has been assessed by the consultants and has heritage significance and is located within a potential heritage conservation area.</p> <p>All properties require maintenance and up keep regardless of a heritage listing. Appropriate maintenance and up keep assists in retaining the desirability of a dwelling and its resale value. Properties can have a heritage listing and over time can still have sympathetic alterations and additional and new buildings and structures within the curtilage, without diminishing the significance of the item.</p> <p>The potential impact of a heritage listing on a dwelling is noted and this matter has been addressed in the main section of the officer's report.</p> <p>In the development assessment process- Council identifies and assesses heritage matters, when a property is located with a heritage conservation area, is a heritage item or located in the vicinity of a heritage item.</p> |
| 13 | S & G Birch | 1 Water Street, Wahroonga | <ul style="list-style-type: none"> As a Friend of owner of 1 Water St Objects to Heritage Listing of dwelling. Avoided buying a heritage listed property for the following reasons: | See comments above and reply to the key issues in the main report. |

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| | | | <ul style="list-style-type: none"> - Increased costs for maintenance, repairs, renovations and alterations. Heritage properties require Council approval for any structural changes plus specialist involvement. Both time-consuming and costly. - The cost of property insurance is substantially more expensive- often refused. - Heritage listing would impact on the re-sale value and reduce the number of interested buyers. - The house has already had modern alterations and additions and is therefore no longer in its' original state. | |
| 14 | Ms K Gyngell | 1 Water Street, Wahroonga | <ul style="list-style-type: none"> • As a Friend of the owners of 1 Water St Objects to Heritage Listing of dwelling. • Heritage listed is not needed for the owners to take care of their home and protect its historical significance. • The owners will incur a significant financial burden, with higher insurance premiums and expensive reports required for any alterations or additions. • The Council already has rigorous controls and approval processes in place through which inappropriate plans can be rejected. • Larger more important sites such as Rippon Grange should be councils focus not individual homes. | See comments above and reply to the key issues in the main report |
| 15 | Ms L Simpson | 1 Water Street, Wahroonga | <ul style="list-style-type: none"> • As a Friend of the owners of 1 Water St Objects to Heritage Listing of dwelling. • The additions and alterations made over the years have obscured much of its original architectural integrity thus rendering it as a very low priority in terms of heritage listing. | <p>See main comments above and reply to the key issues in the main report.</p> <p>Recommendation; Category 2</p> |
| 17 | Mrs F Moore | 10 Munderah Street, Wahroonga | <ul style="list-style-type: none"> • Objects to heritage listing. • Inventory Form continues to have errors. • Owner Paid Heritage architects Mr Robert Stass of Noel Bell Ridley Smith & Partners Architects Pty Ltd to undertake their own assessment of the house for heritage significance. • Mr Stass states that there is no justification for the identification of the property as a local heritage item based upon the assessment guidelines of the NSW Heritage Office or the available historic information relating to the site. • Forwarded information to another heritage architect, Mr Ian Stapleton, a copy of the NSW State Inventory Form and photographs and he stated that the house was likely not to have any heritage value. | <p>Noted. This item has been reviewed and the comments of all heritage consultants have been reviewed. Issues – related to the historical research, the effect of alterations and additions and modifications over time to the site are noted. It is there is 2(d3) development some already residential flat development constructed on the eastern side of Munderah Ave/ Ada Ave opposite the subject site and other development to the for the Pacific Highway.</p> <p>No 6 Munderah has also been identified as potential item.</p> |

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| | | <ul style="list-style-type: none"> • Due to major alterations and additions the dwelling bears little relationship to what would have been designed and built prior to the First World War when the original house was constructed (1912). • One's association as a solicitor does not itself render a property as being historically significant. • Mr McCoy's association with the Law is less than meritorious as it appears that it is the reason he moved from the property after a partnership dissolution following his embezzling funds of the partnership. • Heritage listing will adversely affect the value of the property as it will restrict the potential range of purchasers of the property in the future. <p>Comments from consultant:</p> <ul style="list-style-type: none"> • Strongly supports objection made by owner to the heritage listing of this property. • Purpose of listing seems to be to limit rezoning of residential areas and to protect heritage items. • There are no listed heritage items in Munderah Avenue or in the immediate context. • Property cannot be ascribed to the architect, Walter Liberty Vernon. It is more likely it was designed by McCoy's brother in law Howard Grove who worked in the Government Architects Branch. • Property substantially modified and degraded in relation to its original form and detail and is not architecturally significant at a local level in comparison with other buildings in the area, both listed and unlisted. • No significant association with the owners of the house with the early 20th century development of this part of the suburb. • Report contains errors of fact and opinion in relation to the historic evolution and heritage value of this property. • Consultant recommends that in the interest of proper process and natural justice that Council undertake peer reviews of these and other listings where there is any objection raised based on errors of fact or opinion in the inventory sheets. Or a Commission of Inquiry. • Building not identified in the heritage study 1987. • The building has been extensively modified on several occasions both internally and externally, removing original features and giving it a vague inter war "Georgian" character. • The house is separated from a similar house designed for the McCoy family | <p>Recommendation- That peer review be obtained to ascertain the level of modifications and effect on heritage significance, further review of the potential impact of surrounding development, verification of the original architect and comparative review with other similar representative examples in area.</p> <p>Noted the additional information will be reviewed and its potential implications on establishing the heritage significance of the item.</p> <p>Recommendation; Category 3</p> |
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| | | | <p>at No. 6 Munderah Avenue in 1914 by two contemporary houses and has no strong physical association with that house.</p> <ul style="list-style-type: none"> • Inventory sheet contains several errors: the house is a highly modified late Federation bungalow design not inter war Georgian Revival Bungalow style. The house is not a good example of the inter war Georgian revival style. • The immediate context is now dominated by high rise residential buildings opposite which have removed the original context. | |
| 19 | Mr E & Mrs J Matthews | 17 Burns Road, Wahroonga | <ul style="list-style-type: none"> • Owner objects to the heritage listing. • Property has little heritage significance, although it contributes to the streetscape aesthetically. • House no longer representative or characteristic of a modest bungalow construction due to major alterations and modifications. • The William Walker that lived in this house may have been an Alderman but he is not of any significance or prominence in Wahroonga. • The Heritage Inventory Sheet, upon which the Heritage Review was based is flawed and contains material inaccuracies. House doesn't meet NSW Heritage Office criterion. • Pictures submitted as evidence of significant change. | <p>Noted and the submission reviewed. The consultants have assessed the property and have established the site has heritage significance. The basis for the potential listing is made on several criteria, the key heritage significance for this site is based on historical association significance, aesthetic significance and social significance. The property has undergone some modifications over the past decades, although these are not considered to be excessive nor detract from the heritage significance of the site. To be retained for inclusion in a HCA.</p> <p>Recommendation; Category 2</p> |
| 22 | Mr & Mrs Poirrier | 33 Illoura Avenue, Wahroonga | <ul style="list-style-type: none"> • Owner strongly objects to the heritage listing of the property • Sir Sydney Snow had nothing to do with the property nor owned it. • Owner in possession of Council approved plans which have extensively altered the building i.e. bay window (1990's) and patio built at the same time. • House is very little visible parts of the original house intact. | <p>Noted and submission reviewed. In this case the consultants have not sourced records relating to modifications to the dwelling. Although the owners have approved plans. Accordingly further research is required and a peer review to establish and assess the extent of the changes and its level of heritage significance. Recommendation: Category 3 Peer Review</p> |
| Turramurra | | | | |
| 2 | Mr M Lothian | 14 Warrangi Street, Turramurra | <ul style="list-style-type: none"> • Against listing of property as heritage item. • Modifications of building have sig. altered the style and character of the building. • NSW State Inventory Form has errors in physical description of the entry porch. • Question the properties contribution to streetscape. • Properties in same street are zoned for medium density development (5 | <p>Maintenance is required for all properties regardless of a heritage listing, If the heritage attributes are maintained they can often add value to the property.</p> <p>The location of the 2(d3) development is restricted</p> |

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| | | | <p>storeys). Council has allowed demolition and replacement with new buildings of these buildings, and these demonstrate same style of architecture this alters the streetscape and makes the owners house look totally out of character.</p> <ul style="list-style-type: none"> • Are concerned over the cost of maintenance of heritage features and restrictions for future alterations, at the owner's expense for the benefit of the community. • Cannot see benefit of heritage listing isolated properties that no longer reflect the current character and zoning of the immediate area. • Concerned over devaluing effect heritage listing will have on property. | <p>to the corner of the Pacific Highway and Nos 2,4 6 Warrangi Street, Turramurra. The effect of this on the general character, streetscape and heritage values of the remainder of the street by the new development is not considered sufficient to warrant a delisting of existing or potential heritage items or proposed Heritage conservation areas.</p> |
| 9 | Mr M Lothian | 14 Warrangi Street, Turramurra | <ul style="list-style-type: none"> • Objects to heritage listing of property. • Owner did not receive a reply to previous letter 26 July 2006. • The NSW State Heritage Inventory forms have not been updated to include/exclude the items contained in previous correspondence. • Heritage brochure very self serving as it does not discuss the disadvantages of owning a Heritage Listed property. • The brochure fails to mention the cost to the property owner of undertaking conservation and restoration to the heritage item in order to benefit the community. • Owner questions the comment that the conservation and restoration will increase the desirability of the locality, where as Council has allowed properties of similar and more substantial heritage character to be demolished in the past, and rezoning has occurred. • Rezoning has occurred in close proximity to this property for medium density development up to five storeys and the remainder of the street has been allowed to build modern architecturally designed dwellings following the bulldozing of existing houses, this should be allowed for this property. • Owner's home is now out of character with the remaining houses in the street. • Owner requests evidence and documentation to back up the statement about the Land Tax concessions from the Office of State Revenue and how these will benefit an owner of such a property, if this is used as the owner's | <p>See Comments above</p> <p>Noted and further review of the inventory form is required, but this needs to be verified by historical research.</p> <p>Noted the brochure explains what is heritage, details of the review, the process for identification and listing and some benefits of owning heritage property. It is noted the there is no discussion about the disadvantages of owning a heritage item.</p> <p>Noted. Council has over the years has been required to provide for additional housing as part of the RDS and rezoning has occurred.</p> <p>See comments above it is noted there are existing heritage properties within the street and the area is identified within a potential HCA.</p> <p>If a property is on a local environmental plan list you can receive a heritage restricted valuation for the purpose of land tax and local rates- this is available</p> |

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| | | | <p>residence</p> <ul style="list-style-type: none"> • Owner wants evidence that Grants are available from Council, State and Federal Government, and the specific details on the grants themselves • Owner requests Council's advice as to what restrictions are being placed on future developments in the re-zoned area that would make it sympathetic to the owner's property on the basis that this is the only property proposed to be listed in this area • Owner requests specific examples of where Council has agreed to land use changes such as commercial usage on a property, particularly in areas zoned "Residential". | <p>through the NSW Dept of Lands.</p> <p>Council over the past decade has provided a heritage assistance fund and is seeking to provide a new fund for 2007/2008 for local maintenance and repairs- heritage property owners will be advised of this scheme, Council also provide free heritage advisory service.</p> <p>Recommendation; Category 2</p> <p>See comments above</p> |
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Killara

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| 3 | Dr L Taylor | 16 Stanhope Road, Killara | <ul style="list-style-type: none"> • Against listing of property as heritage item. • Plan on providing Council with a more detailed submission via consultant. | Noted and see comments below |
| 32 | Mr G Brooks & Associates | 16 Stanhope Road, Killara | <ul style="list-style-type: none"> • Consultant writes on behalf of owner- Mr and Mrs Mok- States that they object the heritage listing of their property. • Owner has lodged a recent Heritage Impact Statement as part of a DA for the redevelopment of the property. • Does not meet all of the criteria of the NSW Heritage Inventory Sheet • The house does not have any strong associations with the life or works of any person of importance in the cultural history of Ku-ring-gai. • The NSW Heritage Inventory Sheet contains many errors in the description of the house and property. | <p>Noted- it is suggested that a peer review be conducted for this item given the differences in the assessment between the heritage consultants, as to the significance of the property.</p> <p>This property has is currently subject to a development application for demolition and a replacement dwelling. An independent peer review process is recommended with an expedited response.</p> <p>Recommendation; Category 3</p> |
| 11 | Ms M Visvalingam | 10 Culworth Avenue, Killara | <ul style="list-style-type: none"> • Owner strongly objects to the Heritage Listing of the property. • Owners property adjoins land that is rezoned for 5 storey development i.e 6 | Noted and interface issues acknowledged by Council- |

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| | | | <p>& 8 Culworth Avenue, Killara. In 2005 Council approved a DA for 6 & 8 Culworth Avenue for 3 separate 5 storey buildings. This DA includes buildings on two sides of the owners property and rear boundaries.</p> <ul style="list-style-type: none"> • In October 2005 Councils interface consultant assessed that the owners property as well as 12 Culworth were so negatively affected by the adjoining 2(d3) zoning that 10 & 12 Culworth should be rezoned 2(d3). However the NSW State Government declined the rezoning stating that the other properties to be rezoned were not of sufficient density to warrant the proposed rezoning of those properties. • The decision not to have the owners property rezoned to 2(d3) and to have the additional burden of a heritage listing would cause the owner a substantial amount of money. | <p>see separate section and urban design assessments- recommendation that 10 & 12 Culworth Ave, Killara be removed from the potential heritage item list.</p> <p>The sites were considered in the interface report and council originally resolved that they be rezoned for 2 (d3) development but given the parallel process of the potential heritage review, it was decided to complete the assessments and report back to council.</p> <p>Recommendation; Category 1</p> |
| 34 | N B R S & P Heritage Mr Staas | 10 Culworth Avenue, Killara | <ul style="list-style-type: none"> • Consultant objects to heritage listing of property on owner's behalf. • Culworth Avenue is intended to be rezoned for new multi unit development and all of the surroundings land has been rezoned and approvals are in place for development which isolates this site and its neighbour No. 12 from any historical context which might support their architectural scale and character. • The proposals should be peer reviewed prior to Council taking any further action to promote changes to the LEP. • Heritage listing is intended to prevent any further extension of rezoning which has already been approved in the street. • Historical research inaccurate. • No inspections made of this property, only from the kerb • Its subdivision pattern and character is typical and unremarkable in historic or physical terms. This is not a sound reason for attributing heritage significance to it. • House has undergone significant modifications, alterations and additions i.e. change of roofing material and deletion of chimneys. • While the present garden is attractive it is not representative of the original garden setting of this house. • The building at No. 10 will be physically and visually isolated (and out of character) from any meaningful historic context by the existing approvals and rezoning that surround it. • No comparative assessment has been made with similar late Federation style residences which employ shingled upper floors. No attempt has been made to place the building in a context of other example or building eras. Influence of Horbury Hunt's 1880's is presumptuous (no evidence). | <p>See comments above and key issues outlined in main report.</p> |

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| | | | <ul style="list-style-type: none"> • House not significant enough in the evolving pattern of history to warrant its inclusion as a heritage item. • Supporting evidence needs to be provided to back up claims that the property has any associations with History or that the previous owner was of any significance to the LGA. For this reason the inventory sheet is inadequate to base a listing on. • The building is not fully intact. It has undergone alteration with the approval of Council on several occasions. • The building has no established significance for any identifiable group in the community. • Building is a pretty common example of a Late Federation style residents of it's time. • The historical notes fail to mention the significant association of the original Land Grant by Governor Darling as a marriage Portion to Jane McGillvray which was held in trust by Dunmore Lang and James Bradley. | |
| 35 | Metroplan Mr G Zylber | 10 & 12 Culworth Avenue, Killara | <ul style="list-style-type: none"> • Consultant objects to heritage listing on behalf of No. 10- Mrs M. Visalingam and No. 12- Mr G. Greely and Ms P. Halsall. • Wants No. 10 and No.12 included within the adjoining Residential 2(d3) zone under LEP 194. Sites were originally in October 2005 to be rezoned 2(d3) as part of the interface properties. As part of LEP 209 this was declined by the Dept. Planning advising that this rezoning should happen as part of the comprehensive LEP. Such zoning would be consistent with the objectives of SEPP 53-Metropolitan Residential Development and LEP 194 which aims to provide increased housing choice and to achieve high quality urban design and architectural design. • Both properties were identified as potential heritage items in Council's 2001 Potential Heritage Items Study. • The properties constitute an island site flanked to the south and west by the 2(d3) zoning with permits 5 storey development. A development consent was granted by Council (DA1369/04) for construction of 3* 5 storey residential flat buildings on the two adjoining lots, No. 6-8 Culworth Avenue. • The heritage consultants stated Council should seek further submissions from the public and that a further review of the potential impacts of the adjoining residential apartment developments be undertaken and reported back to Council, this was not done as of the report to Council 27 June 2006. • Supports Mr Stass's consultant's opinion not to heritage list either of the properties. | See comments above |

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| 36 | Ms P Greeley | 12 Culworth Avenue, Killara | <ul style="list-style-type: none"> • Owner objects strongly to the heritage listing of property. • Believes heritage listing should be entirely voluntary on behalf of the home owner. • House not original and No significant history to warrant the listing. • Property will lose value once it becomes a heritage item. • Further renovations to the property would be severely limited as the appearance from street will be altered and visible. • Owner objects to being requested to repaint property in a less obtrusive and more “suitable” colour scheme. • The home has undergone renovations in the 1970s which has altered the original character at the rear of the property from the original building. There have been other major alterations such as new master bathrooms, ensuite bathroom, balcony addition, outdoor entertaining patio area etc since that time. These renovations alone render the property unsuitable for heritage listing. • The rezoning to 2(d3) would have been highly desirable for the properties at 10 and 12 Culworth Avenue, as they will be the only properties in Culworth Avenue not included in the 2(d3) development zone. | <p>See comments above;</p> <p>Recommendation; Category 1</p> |
| 37 | N B R S & P Heritage Mr Staas | 12 Culworth Avenue, Killara | <ul style="list-style-type: none"> • Consultant writes on behalf of No. 12- Mr and Mrs Greeley, and objects to the proposed heritage listing. • This section of Culworth Avenue was initially intended to be rezoned for new multi unit development and all of the surrounding land has been rezoned and approvals are in place for development which isolates this site and its neighbour from any historical context which might support their architectural scale and character. • The draft Report to Council to these proposed listings already supports the listing despite the notification of owners to submit objections. Commission of Enquiry should be conducted. • No. 12 is being heritage listed to support the listing of No. 10 and they are both intended to prevent any further extension of rezoning which has already been approved. • Inventory sheet and overall heritage information incorrect. • No internal inspections made. • Supports Commonwealth Productivity Commissions report on heritage. • Its subdivision pattern and character is typical and unremarkable in historic or physical terms. | <p>See comments above</p> <p>Recommendation; Category 1</p> |

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| | | | <ul style="list-style-type: none"> • Substantial modifications have been made to the interior and rear of the building that affects its level of integrity and authenticity. Consultant estimates 40% is not original. • The present house was not associated with Charles Danvers or Henry Selkirk and has no significance for this reason. • There are no significant introduced trees or surviving examples of Inter War landscaping to be seen on the site. • The historical notes fail to mention the significant association of the original Land Grant by Governor Darling as a marriage Portion to Jane McGillvray which was held in trust by Dunmore Lang and James Bradley. • House not a significant example of inter-war style building. • There are no meaningful association between the subject building and the former owner of large portions of land in the area. • Consultants have misunderstood the meaning of social significance as it is outlined in the state significant heritage guidelines. | |
| 12 | Mr J Newman | 28 Karranga Avenue, Killara | <ul style="list-style-type: none"> • Objects to heritage listing of house. • Inventory form contains errors • House was actually designed by W.J. Taverner for a Mrs M Pennefather. • Potential Heritage significance overstated as a result. • Owner agrees that property does have some heritage significance as part of the residential development of the area during the inter-war period and the it contributes to the streetscape but a number of modifications and extensions have been made and the house is very different from that originally designed and built form. • The owner was responsible for the most recent extensions which were done within the roof space which include the addition of dormer windows, these extensions are in sympathy with the original design and construction. This shows that the current planning and development controls are appropriate and sufficient to ensure the character of the property and its contribution to the area are not compromised by extensions or redevelopment. • Requests that future restrictions on development of this property by no more onerous than those currently in force. | <p>Comments are noted. In this case the heritage significance has not been compromised and represents and provides an example of a dwelling that could be located within a potential Heritage conservation area- that will assist in the future management of the dwelling, the streetscape and its setting.</p> <p>Recommendation; Category 2</p> |
| 24 | Ms M Soper | 5 Powell Street, Killara | <ul style="list-style-type: none"> • Oppose the heritage listing of the property • External and internal alterations have been made to the dwelling. • Inventory Form is incorrect. • The house is not unique or has any historically significant value. | Note separate report to council on 5 Powell street, Killara. |

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| | | | <ul style="list-style-type: none"> • Adjacent property at number 7a is now zoned for 5 storey development, which would be detrimental to the owner's property if it is to be considered as a heritage item. If the adjoining property is to be rezoned than the owners house should be rezoned to medium density in the same way. | |
| 25 | H.B Devine & R.E Devine | 51 Greengate Road, Killara | <ul style="list-style-type: none"> • Opposes the current Heritage Report and Inventory sheets as well as Heritage Listing of the property. • Significant modifications and alterations have been made to the property and as such the Inventory sheets have numerous errors. • Heritage listing would restrict future development, alterations and modifications that may be needed in the future. Major repairs and maintenance are needed to the existing house. • House has no historical value other than one family living in it for 75 years. • Heritage listing will cause significant financial burden and make it harder to resell in the future. | <p>Noted and the submission reviewed. The consultants have assessed the property and have established the site has heritage significance. The basis for the potential listing is made on several criteria, the key heritage significance for this site is based on historical association significance, aesthetic significance and social significance. The property has undergone some modifications over the past decades, although these are not considered to be excessive nor detract from the heritage significance of the site.</p> <p>All properties require maintenance and up keep regardless of a heritage listing. Appropriate maintenance and up keep assists in retaining the desirability of a dwelling and its resale value. Properties can have a heritage listing and over time can still have sympathetic alterations and additional and new buildings and structures within the curtilage, without diminishing the significance of the item ; Recommendation; category 2</p> |
| 27 | Mr P J P & T A Browne | 31 Elva Avenue, Killara | <ul style="list-style-type: none"> • Owner objects to heritage listing • Commissioned own Heritage consultants- Graham Brooks and Associates (GBA)- they found no sufficient evidence using the NSW Heritage Office evaluation criteria to list the property as heritage significant. • Owner plans on further developing the property with architect David White • Inventory form incorrect- additions to house not recorded • Property will be devalued by being on the list, resale difficult and imminent due to constraints on expansion due to the tennis court at the rear of the property. Limits will be imposed on the expansion of the dwelling at the front of the block if heritage listing is to occur. | <p>It is recommended that a Peer Review be conducted to further review the claims made in the submission.</p> <p>Appropriate alterations, additions and buildings and structures within the curtilage can be further considered and would be assessed against the requirements of the KPSO and DCP 38- Residential development. If the property was listed or with a HCA the effect on the heritage significance would also be a consideration.</p> |
| 21 | Mr G Brooks & Associates | 31 Elva Avenue, Killara | <ul style="list-style-type: none"> • Superseded submission. See sub no. 30. (due to error with address) | Recommendation; category 3 |

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| 30 | Mr G Brooks & Associates | 31 Elva Avenue, Killara | <ul style="list-style-type: none"> • Consultant writes on behalf of Mr P Browne and Mrs T Browne stating their objection to heritage listing. • Property is not considered to be of sufficient importance in the development of the area to be heritage listed or be heritage significance. • The NSW Heritage Office evaluation criteria set a high threshold which require the property to be more than just an average heritage value. Property doesn't meet criteria. | See above |
| 28 | Mr C & Mrs H Brake | 23 Lynwood Avenue, Killara | <ul style="list-style-type: none"> • Owners strongly object to heritage listing of their property. • Property was extensively renovated and enlarged with Councils approval in 2001 which meant it lost its heritage merit i.e. the extension enlarged the improvements by approx 100%, the façade, the bay windows, the interior (1990s), the roof was replaced, new fences and paths and several other extensions and additions. • Owners want to put a second storey extension on the house, heritage listing would not allow this. • In 2005 when the owners bought the property Council issued them with a Planning Certificate certifying that the property was not a heritage item. When at this time Council was investigating this property as a Heritage item. Owner would not have bought house if they had known. Breach of Trade Practices Act 1974. | <p>The consultants have assessed the property and have established the site has heritage significance.</p> <p>The future identification and management needs to be further investigated given the claims by the owners as to the extent of the modifications.</p> <p>The property may still be suitable for identification in a HCA as there are a group of properties within the vicinity that have heritage value. Alterations and additions including the possibility of a second storey addition are not automatically excluded when a property has been identified as having heritage value. The recent additions have been sympathetic to the significance of the dwelling and future heritage management would be based on the same principles.</p> <p>In relation to the section 149 certificate- the property not been identified in a draft planning instrument and there is no requirement for it to be listed. The owners of the property have been provided with a series of letters and notifications from Council since the potential heritage review commenced in 2004.</p> <p>Recommendation; category 2</p> |

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| 29 | Ms Roth | 21 Lynwood | <ul style="list-style-type: none"> • Submission written on behalf of owners by glendinning minto & associates pty ltd. • Owner objects to the heritage listing of the property. • Although the house is a fine house and typical of any built between the wars, it is not an exceptional example, and owner believes it doesn't warrant heritage listing. • Owners states that Department of Planning has issued instructions for Council not to make any Heritage LEPS or Conservations Zones unless they are part of the Comprehensive LEP. • Owner supports the recommendations made of the Productivity Commission concerning the cost burden of supporting heritage. • As far as the property owner is concerned, a heritage listing is a considerable cost burden with no concessions provided by Council in return. • Minor works are expensive because of the additional requirements to obtain consent. • The subject house had undergone considerable alterations and additions over the last 25 years. • It is highly unlikely that the current or future owner would want to demolish the existing house and the house and property have been developed to the maximum extent possible under the existing planning controls. The site has an area of 819.4m2 and it is estimated that the existing built upon area is at the maximum permissible under the KPSO. • The cost burden of heritage listing should be shared by the community. | <p>The consultants have assessed the property and have established the site has heritage significance.</p> <p>The property is suitable for identification in a HCA as there are a group of properties within the vicinity that have heritage value. The recent additions have been sympathetic to the significance of the dwelling and future heritage management would be based on the same principles.</p> <p>Identification and management of the properties identified in the potential heritage item will be under the comprehensive LEP process as outlined in the main report.</p> <p>Other issues re productivity commission, maintenance and costs are addressed in the main report.</p> <p>Recommendation; Category 2</p> |
| Roseville | | | | |
| 4 | M Pullen | 14 Trafalgar Avenue, Roseville | <ul style="list-style-type: none"> • Supports recommendation NOT to list owner's property. | <p>Noted and deleted from the list.</p> <p>Recommendation; category 1</p> |

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| 7 | Mr G Hool | 9 Belgium Avenue, Roseville | <ul style="list-style-type: none"> • Objects to heritage listing of mother's home. • The review is cavalier and superficial being based largely on the unproven "Sands Directory". • The House is of no definite style. I.e. Federation. • Many other houses in the same street have been renovated; it is unreasonable to deny this opportunity to this owner. • House has been significantly and substantially modified i.e. windows, chimney, street fence and pathways (which isn't an original). • No person of significance ever lived in this house and it has no historical value. • Existing structures of the house are old and deteriorating to the point where they need replacing or modifications made to insure safety and aesthetics. | <p>The property has been assessed by the consultants and has heritage significance and is located within a potential heritage conservation area.</p> <p>All properties require maintenance and up keep regardless of a heritage listing. Appropriate maintenance and up keep assists in retaining the desirability of a dwelling and its resale value. Properties can have a heritage listing and over time can still have sympathetic renovations, alterations and additional and new buildings and structures within the curtilage, without diminishing the significance of the item.</p> <p>Recommendation; Category 2</p> |
| 8 | I Wass | 22 Roseville Avenue, Roseville | <ul style="list-style-type: none"> • Objects to heritage listing of property. • Owner did not receive a reply to previous letter 26 July 2006. • The NSW State Heritage Inventory forms have not been updated to include/exclude the items contained in previous correspondence. • Owner has had no discussions with the authors of the Inventory form prior to receiving it in July 2006. • The existing building has been significantly modified and whilst being sympathetic to its original design, the current building is not historic. The original building was built in 1915 and is less than 50% of the size of the current building. • The original cottage roof was not clad in slate- this was added in 1980. • The exterior of the building has had substantial changes in the 1980's and 1990's, thus not being a good representativeness of buildings built in the 1915's. | <p>Noted;- the property has been assessed by the consultants and has heritage significance and is located within a potential heritage conservation area. The report notes although the house has undergone recent modifications with a 2 storey addition at the rear and construction of a garage at the side. The building retains its form and massing and its presentation to Roseville Ave. the modest scale of the original building addressing Roseville Ave contributes positively to the streetscape character in the immediate area.</p> <p>Properties can have a heritage listing and over time can still have sympathetic alterations and additional and new buildings and structures within the curtilage, without diminishing the significance of the item.</p> <p>Roseville Ave contains many fine dwellings with a streetscapes that are suitable for a future Heritage Conservation area listing.</p> <p>Recommendation; 22 Roseville Ave along with the other 8 potential items and the Roseville</p> |

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| | | | | Precinct be included in the comprehensive LEP /DCP process as suitable for inclusion in a HCA. Recommendation; Category 2 |
| 10 | Ms R Sear | 14 Clanville Road, Roseville | <ul style="list-style-type: none"> • Objects to heritage listing of property. • The building has undergone extensive modifications which impact on its presentation to the street including: <ul style="list-style-type: none"> -the addition of an indoor swimming pool with a flat roof which impacts on its presentation to the street; and - the rendering of the external walls and the painting of the timber shingles blue, which impacts on its presentation to the street and the addition of a high masonry wall fronting on the Clanville Road. | Noted property, recommended that the property was originally considered in a earlier DLEP and recommended for an individual listing, however in the absence of advice from the DoP this site is located within a potential heritage conservation area that will be further considered in the Comprehensive LEP/DCP process. Recommendation; Category 2 |
| 18 | Mr P & Mrs C Lowden | 16 Kelburn Road, Roseville | Owner objects to the heritage listing (see below) | |
| 39 | Catherine Lowden | 16 Kelburn Road, Roseville | <ul style="list-style-type: none"> • Objects to heritage listing of property. • Draft report contains errors in relation to property (architectural style incorrectly listed) • Property not sufficiently significant to warrant listing, the specific recommendations included in the report concerning the future modifications of the property are inappropriate. • Consultant writes on behalf of resident that the subject property at 16 Kelburn Road is a good example of an inter-war bungalow on a corner site. • The house is incorrectly listed as Federation Bungalow it is in fact California Bungalow. • The details within the nomination contain a number of errors in relation to the period, other listings in the vicinity and building type and these errors have a direct bearing on the level of significance and the case for listing. • No comparative properties have been noted, other than No. 23 to grade and justify the level of significance, which is relevant for the particular criterion of “representativeness”. • No case is presented for the listing in 2006 when it was not proposed with No. 4, 6 and 23 in the 1987 Heritage Study. • The level of significance in relation to the aesthetic and representative criteria is not sufficient to warrant statutory listing and this is not evident in 16 Kelburn Road. • The existing statutory controls under the residential DCP are sufficient to maintain the character of such properties where appropriate, while permitting | The property has been assessed by the consultants and has heritage significance and is located within a streetscape and setting identified as being suitable for inclusion in potential heritage conservation area, with other surrounding properties in the precinct. Recommendation; Category 2 |

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| | | | <p>sympathetic alterations and additions.</p> <ul style="list-style-type: none"> • The character and amenity of the streetscape is appreciated by the community and is of value. In the particular case however the streetscape has no greater significance than other properties with lawn and perimeter garden beds. The garden setting is not original and has been designed within the last 3 years with the objective of complementing the residence. | |
| 26 | Mr B F Meppam | 9 Bancroft Avenue, Roseville | <ul style="list-style-type: none"> • Owner objects to heritage listing • Inventory Form is incorrect and several alterations and additions have been made to the property in 1989/1990 which alter significantly its original form. • Adjacent zoning (5 storeys) in Victoria Street, which fronts the property, will result in loss of privacy, amenity, light, security and lifestyle if the property was to be heritage listed. | <p>The property has been assessed by the consultants and has heritage significance and is located within a streetscape and setting identified as being suitable for inclusion in potential heritage conservation area, with other surrounding properties in the precinct.</p> <p>Recommendation; Category 2</p> |
| Lindfield | | | | |
| 16 | M & V Stokoe | 12 Blenheim Road, Lindfield | <ul style="list-style-type: none"> • Owners object to the Heritage Listing of their home. • Council has previously ignored and rejected correspondence dated 23 June 2006 • Oppose heritage listing for the following reasons: <ul style="list-style-type: none"> - Non-compliance with Heritage criteria - Inventory sheet is incorrect - Unfairness and undue restrictiveness due to rezoning and residence isolation. - Potential financial and other hardships - It is being done with totally no regard or respect for the wished of residents - New owners will not be interested in buying a heritage home that is retained as an old and small 3 bedroom residence. - Houses in the immediate surrounding streets are either being demolished or being totally reconstructed for modern day living. - Modifications and additions have significantly altered the house. - Council should be focussing on larger more important sites of Heritage Significance instead of mass heritage listing random houses. | <p>No. 12 Blenheim Road, Lindfield, is significant as part of the early residential development of the suburb of Lindfield during the early decades of the 20th Century. Although having undergone some modifications to the original building, the house remains largely intact externally with its original Inter- War Bungalow stylistic detailing . The largely intact and mature gardens at the front of the house contribute to the streetscape character of this early 20th Century residence. This building, in company with Nos. 11, 15 and 19 Blenheim Road, contributes to the early 20th century character of the immediate area.</p> <p>The property has been assessed by the consultants and has heritage significance and is located within a streetscape and setting identified as being suitable for inclusion in potential heritage conservation area, with other surrounding properties in the precinct.</p> <p>Recommendation; Category 2</p> |

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| 31 | Mr T Prescott | 19 Blenheim Road, Lindfield | <ul style="list-style-type: none"> • Consultant writes on behalf of owners- Mr and Mrs Sulicich- Owner objects to heritage listing as there are inconsistencies in the review process. • Property has been significantly altered with additions made to the rear of the property (1990s). • Concerned over financial burden and low resale value. • As a group the properties of Blenheim Road have heritage qualities as relatively intact examples of Federation and Interwar housing- consultant suggests making whole street a Conservation Area. • Addition of a carport which is highly visible from the street detracts from any heritage value the house might have. Other better examples exist in the neighbouring houses in the same street i.e. 6,9,13,14,16, and 21. • Owners worried heritage listing will make future development consent more onerous. • If the other houses in the street, which hold just as much heritage value as the owners aren't retained then the whole street will lose its heritage significance and context. | <p>No. 19 Blenheim Road, Lindfield, is significant as part of the early residential development of the suburb of Lindfield during the early decades of the 20th Century. Although having undergone some modifications to the original building, the house remains largely intact externally with its original Late Federation Bungalow stylistic detailing. The mature gardens at the front of the house contribute to the streetscape character as the original curtilage to this early 20th Century residence. This building, in company with Nos. 11, 12 and 15 Blenheim Road, contributes to the early 20th century character of the immediate area.</p> <p>The property has been assessed by the consultants and has heritage significance and is located within a streetscape and setting identified as being suitable for inclusion in a potential heritage conservation area, with other surrounding properties in the precinct.</p> <p>Recommendation; Category 2</p> |
| 23 | Mr G. J. R. Young | 2 Mackenzie Street Lindfield | <ul style="list-style-type: none"> • Objects to heritage listing of property as there are better examples elsewhere of this style of residence. • Two trees (Plane trees) that are in the nature strip outside of this house should be heritage listed not the house itself. • House only represents 'marginal' heritage value. The house is in rather poor condition in terms of the bricks and roofing, thus needing future modifications and or additions. • Part of the house had been subjected to 'white ant' infestation. • Owner wants opportunity to make major alterations and additions to home to make more family friendly in future. • Inventory Sheet incorrect. Residence not "Inter-War Georgian Revival" but (with professional architectural advice) "Art Deco combined with P&O windows". The original Georgian style was quite different from the design style of the residence. • On 20 October 2005 a Development Application seeking approval for alterations and additions to the residence was approved by Ku-ring-gai | <p>It is recommended that a Peer Review be conducted to further review the claims made in the submission and the extent and impact of the approved plans.</p> <p>Appropriate alterations, additions and buildings and structures within the curtilage can be further considered and would be assessed against the requirements of the KPSO and DCP 38- Residential development. If the property was listed or with a HCA the effect on the heritage significance would also be a consideration.</p> <p>Recommendation; Category 3</p> |

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| | | | <p>Council. The Construction Certificate is being prepared for submission. These additions will be visible from the street.</p> <ul style="list-style-type: none"> • Heritage listing reduces houses appeal and sale value in the future/creates financial burdens on owner. Council should provide some sort of monetary compensation for the 'heritage listed' properties. | |
| 41 | Keith Wright | 9 Nelson Road, Lindfield. | <ul style="list-style-type: none"> • Staff member visited house in late 2006 to check consultant's heritage assessment re. heritage potential • DA already approved for property, works nearly complete. (external appearance altered) • Owner asks Council to revisit house as requested after works complete to re-assess heritage significance of property. | <p>The property has been assessed by the consultants and staff following the building works. The site still has heritage significance and is located within a streetscape and setting identified as being suitable for inclusion in potential heritage conservation area, with other surrounding properties in the precinct as part of the comprehensive LEP/DCP process.</p> <p>Recommendation; Category 2</p> |
| Pymble | | | | |
| 20 | Mr J A & Mrs J K Bialkowski | 11 King Edward Street, Pymble | <ul style="list-style-type: none"> • Owner objects to heritage listing of the property. • No letters of response from Council despite three submissions from resident • A development application has already been lodged with Council to alter or modify the house. • Only 25% of the original house still remains intact externally. • Internally the house is significantly modified and altered from its original form. • The entire roof was replaced when the home was renovated and the only original feature is the roughcast face on the front gable. • Heritage Listing will limit the ability to expand or extend the house in the future. It would also place significant restraints on the size and type of any future development of the dwelling. This will make the house harder to sell and therefore less valuable in the future. • Have previously owned a heritage listed home so know the issues and costs involved. | <p>It is recommended that a Peer Review be conducted to further review the claims made in the submission and the extent and impact of the approved plans.</p> <p>Appropriate alterations, additions and buildings and structures within the curtilage can be further considered and would be assessed against the requirements of the KPSO and DCP 38-Residential development. If the property was listed or with a HCA the effect on the heritage significance would also be a consideration.</p> <p>Recommendation; Category 3</p> |
| Warrawee | | | | |
| 33 | Mr B & Mrs L Lumsden | 8 Brentwood Avenue, Warrawee | <ul style="list-style-type: none"> • Owner disagrees with consultants report for listing as a heritage item. • Report contains factual errors and assumptions and does not provide strong grounds of heritage significance. • Extensive external changes have significantly modified the dwelling and the | <p>The property has been assessed and the consultants Some historical significance as part of the Inter-War/Post-War development of the neighbourhood. Significant as modest sized, but</p> |

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| | | | <p>property i.e. new driveway and several extensions.</p> <ul style="list-style-type: none"> • Major External changes to a property have been previously, in other properties listed as heritage items, been grounds for exclusion from heritage listed upon review and recommendation by the consultants. This presents equity problems. • The mature trees that are incorrectly referred to in the report, they are actually liquid amber, claret ash and cedar trees. Property should not be listed due to tree and wrong tree observations. • Carport is not sympathetic to the style of the house and the garden is not original. • No significant way that the building contributes to the 'character and context' of the heritage item in St James lane. • No heritage significance. • Limited historical association with any person of importance to Ku-ring-gai. • Some aesthetic significance, but very limited. • Some social significance as it is part of the post war development but this is very common to this area. • Consultants work and research very poor and a waste of time and money. | <p>good and largely intact example (externally) of an Inter-War Old English style residence constructed in the 1950s as part of the subdivision of the larger site. Significant as a contributory item to the stylistic variety of residences within the immediate area. Some aesthetic significance as a late example of the Inter-War styles as promoted by the architects of the mid 20th century period. A strong contributory item within the Brentwood Avenue streetscape and contributes to the context of the adjoining heritage item at 7 St. James Lane.</p> <p>The site still has heritage significance and is located within a streetscape and setting identified as being suitable for inclusion in potential heritage conservation area, with other surrounding properties in the precinct as part of the comprehensive LEP/DCP process.</p> <p>Recommendation; Category 2</p> |
| 38 | Beverley Bruen | 42 Bangalla Street, Warrawee | <ul style="list-style-type: none"> • Note that this property has approved plans for alterations and a detached dual occupancy (413/04/DD) which together with previous alterations will materially alter the style and appearance of this residence. • It will therefore NOT meet any of the criteria for heritage listing. It will not retain its original form, style, fabric or garden context. • Doesn't meet any of the criteria in the Inventory sheet and therefore shouldn't be listed. • 'Mature' trees referred to in the report are growing on adjoining properties or nature strip. • Consultant inadequate and did not research the approved modifications and plans put to Council. | <p>Noted, the plans have been reviewed and its recommended to be deleted from the list.</p> <p>Recommendation; Category 1</p> |
| | 17 Heydon | G & D Latxon | <ul style="list-style-type: none"> • Ms Laxton has known the property for 60 years. | <p>There have been several representations made</p> |

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| | Ave, Warrawee | | <ul style="list-style-type: none"> • Recently visited the site and notes changes to the house, garage, & fence are not in original condition. • Therefore should not be considered for listing. | <p>by the owners disputing the heritage value of the site.</p> <p>The consultants have assessed this property according to the NSW heritage office criteria and <i>note it is significant as a largely intact example of a modest dwelling dating from the last decade of the 19th century...Despite some changes and additions, the building retains a large degree of its original form and detailing.</i></p> <p>The property is located in a precinct that has a large number of existing and potential heritage items and could be considered under the comprehensive LEP as a heritage conservation area, rather than individual heritage listings.</p> <p>Recommendation ;Category 2</p> |
| Petition- Unsigned | | | | |
| 40 | Petition-several owners TRIM-712286 | 11 King Edward Street, Pymble 35 Oliver Road, Roseville 6 Lorne Avenue, Killara 3 Warwick Street, Killara 34 Eastern Road, Turramurra 25 Stanhope Road Killara 44 Nelson Road Lindfield 1566 Pacific Highway, Wahroonga 6 Munderah Street, Wahroonga 4 Yosefa Avenue, Warrawee 17 Heydon Avenue, Warrawee 2 Heydon Avenue, Warrawee 8 Yosefa Avenue, Warrawee 22 Roseville Avenue, Roseville 9 Nelson Road, Lindfield. | <ul style="list-style-type: none"> • Petition written by 15 residents although not signed by any. • Author of petition not known. • Petition states that it wants Ku-ring-gai Council to stop issuing compulsory heritage orders against the opposition of affected property owners, as recommended by the recent Report of the Productivity Commission “Conservation of Australia’s Historic Heritage Places”. Heritage orders should only be issued if they are not opposed by the affected property owners. | <p>Noted and the matters addressed through the reports on the individual items and in the main body of the report. At this stage there have been not formal policy decision and or legislative change resulting from the productivity commission report. Heritage planning for Ku-ring-gai under the comprehensive LEP will be guided by the relevant policy of Council and the state/ federal policies and legislation. If Council is required to review heritage matters arising from the productivity commission, then a separate report and process for dealing with any proposed changes will be brought to Council and all property owners advised of any proposed changes.</p> |

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| Mr John Jordan | 47 Treatts Road Lindfield | Picture used in inventory form is supposed to be of his property but is actually a picture of his neighbour's. | Noted the assessments for No 45 Treatts Road & No 47 need to be revised with correct information and photos. Recommendation category 2 |
| Mr Brian Muldoon | 1564 Pacific Highway Wahroonga | <ul style="list-style-type: none"> • Concerned about listing of his property as heritage item as he has lived there for over 50 years. • He is considering moving on and heritage listing causes a lot of trouble in terms of uncertainty it brings owners. • He sent in previous submissions when the first exhibition was done, he wanted this considered instead of him writing another one. • Previous submission: The house is listed as inter war but was built in 1913. • Designer and builder unknown • No connection to no 1566 as this was built in the 1956 with additions in 1960's. | The consultant reports notes t No. 1564 pacific Highway Wahroonga is a fine and largely intact (externally) two storey example of an Inter-War Old English style residence located on a prominent corner site on the Highway. The building is representative of the variety of style and scale of residences which were designed for their middle class clients. It is recommended that No. 1564 Pacific Highway be included as a heritage item as an example of a two storey Inter-war Old English style residence. The building marks the entrance to Gilda Av and contributes to the variety of residential development in the immediate area. Recommendation; Category 2 |

Urban Conservation Areas – Statement of Significance & Statement of Character

The following is a list of the UCAs in Ku-ring-gai:

Urban Conservation Area 1-East Roseville
Urban Conservation Area 2-Roseville East
Urban Conservation Area 3- East Roseville
Urban Conservation Area 4- West Roseville
Urban Conservation Area 5-East Lindfield
Urban Conservation Area 6- Lindfield
Urban Conservation Area 7- West Lindfield
Urban Conservation Area 8- Provincial Road Lindfield
Urban Conservation Area 9- Killara
Urban Conservation Area 10- Culworth Avenue, Killara
Urban Conservation Area 11- Killara Golf Links
Urban Conservation Area 12- Greengate Killara
Urban Conservation Area 13- Gordon East
Urban Conservation Area 14- No area listed
Urban Conservation Area 15- West Gordon
Urban Conservation Area 16- Pentecost Avenue, St Ives
Urban Conservation Area 17- Pymble East
Urban Conservation Area 18- Avon Road Pymble
Urban Conservation Area 19- Bobbin Head Road
Urban Conservation Area 20- Ku-ring-gai Avenue
Urban Conservation Area 21- Kissing Point Road
Urban Conservation Area 22- Challis Avenue Precinct, Turramurra
Urban Conservation Area 23- Wahroonga
Urban Conservation Area 24- Warrawee (Brentwood)
Urban Conservation Area 25- Heydon Avenue (Warrawee)
Urban Conservation Area 26- Mahratta (Wahroonga)
Urban Conservation Area 27- Wahroonga East
Urban Conservation Area 28- Wahroonga East
Urban Conservation Area 28A- Wahroonga

Urban Conservation Areas – Statement of Significance & Statement of Character

Preamble

The National Trust received a National Estate Grant in 1992 to employ consultants to undertake a housing estate study in NSW. The consultants who undertook the work surveyed as much of NSW as was feasible in order to identify the extent and quality of Inter War housing and estate housing.

The study identified a number of precincts in NSW considered to be worthy of listing by the Trust. It also found that housing in NSW between 1918 and 1942, is of State heritage significance due to the enormous visual impact that housing from the period had on the built form of today's suburbs and towns. In Ku-ring-gai the main housing growth period was after the North Shore Railway was opened in 1895 and after World War 1. Compared to other areas in the Sydney region, Ku-ring-gai was found to contain one of the most extensive and intact Inter War housing areas in the State.

The National Trust report, titled; "Housing in NSW Between the Wars" was finalised in 1996 and recommended 28 precincts in Ku-ring-gai for possible listing. All 28 precincts were subsequently classified by the National Trust in 1997. It should be noted that Classification by the Trust carries no statutory implications, however is useful as an indicator of an item's heritage value.

Twenty One (21) of the UCAs in Ku-ring-gai are currently listed on the National Estate Register as Indicative Places and the Australian Heritage Commission is assessing the 21 precincts for possible inclusion in their Register. It should be noted that listing on the National Estate carries no statutory implications for non Commonwealth Government owned properties.

In 2000, recognising the value of these 28 precincts and the high pressure for development, the Australian Council of National Trusts declared the 28 precincts in Ku-ring-gai to be "Endangered Places".

The following statements were prepared by the National Trust and are supplemented with more detailed statements prepared by heritage consultants for Council as part of an ongoing review of the 28 UCA precincts.

SUMMARY STATEMENT OF SIGNIFICANCE

The investigation of the history of the development of the municipality of Ku-ring-gai, as evidenced by the 28 UCAs, and in comparison with other similar places in NSW and Australia, lead to the conclusion that the 28 precincts in Ku-ring-gai are of cultural significance at a National, State and Local level for its fine collection of 20th Century domestic architecture with complimentary gardens and landscapes.

UCA 1 East Roseville.

Note: This precinct has not been reviewed by Council..

- The precinct consists of an area of single storey 1920s and 1930s bungalows in the west section close to Babbage Road and two-storey 1930s and 1940s houses in the eastern part of the precinct. The uniform appearance of each of the parts within the area stems from their development within a single period.
- There are few unsympathetic alterations or intrusions into the area comprising demolition of the original houses.
- The East Roseville Precinct epitomises the areas era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 2 Roseville (East).

Note: This precinct has not been reviewed by Council..

- The Ku-ring-gai Urban Conservation Area (Roseville East Precinct) consists of an area of single-storey 1920s bungalows. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of its face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Roseville Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 3 Roseville (East side).

UCA 3 has been reviewed and is one that Council's consultant has strongly recommended to be included in an LEP due to the high level of its intactness.

- The Ku-ring-gai Urban Conservation Area (Roseville East side Precinct) consists of an area of single-storey 1920s bungalows. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of its face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-sized lots with Federation style houses and interwar flats being located close to the railway line as well as 1920s shops being located in Hill Street. There are few unsympathetic alterations or intrusions into the area.
- The Roseville Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 4 West Roseville.

UCA 4 has been reviewed and is recommended to be included in an LEP.

- The Ku-ring-gai Urban Conservation Area (West Roseville Precinct) consists of an area of single-storey and some two storey 1920s houses with some Federation period houses. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-sized lots with Federation style houses and interwar flats being located on the Pacific Highway. There are few unsympathetic alterations or intrusions into the area.
- The Roseville Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 5 East Lindfield.

Council has not reviewed this area

- The Ku-ring-gai Urban Conservation Area (East Lindfield Precinct) consists of an area of single-storey 1920s bungalows in the west section and two storey 1930s and 1940s houses in the east section of the precinct. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of 1920s and 1930s houses on large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The East Lindfield Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 6 Lindfield.

The area has been reviewed by consultants for Council and is recommended for inclusion in a LEP

- The Ku-ring-gai Urban Conservation Area (Lindfield Precinct) consists of an area of single-storey 1920s bungalows. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-sized lots with Federation style houses being located close to the railway line as well as 1920s shops being located in Lindfield Avenue. There are few unsympathetic alterations or intrusions into the area.
- The Lindfield Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 7 West Lindfield.

Note: The area has not been reviewed; but is scheduled in Stage 5 later in 2004, if funding is available.

- The Ku-ring-gai Urban Conservation Area (West Lindfield Precinct) consists of an area of single-storey 1920s bungalows. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-to large lots. There are few unsympathetic alterations or intrusions into the area.
- The West Lindfield Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 8 Provincial Road, Lindfield.

Note: The precinct has not been reviewed..

- The Ku-ring-gai Urban Conservation Area (Provincial Road Precinct) consists of an area of single-storey 1920s bungalows. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Provincial Road, Lindfield Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 9 Killara.

Note: This area has been reviewed and is recommended for inclusion in a LEP

- The Ku-ring-gai Urban Conservation Area (Killara Precinct) consists of residences ranging from single-storey 1920s bungalows in the northern section, two storey flats near Killara Station, large 1920s and 1930s mansions in Stanhope Road, large 1920s and 1930s houses in the central section of the precinct and more modest 1930s and 1940s as well as some post-World War 11 houses in the eastern section of the precinct. The uniform appearance of the area stems from well established landscape.
- Housing in the area consists predominately of 1920s bungalows on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Roseville Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 10 Culworth Avenue, Killara

- The Ku-ring-gai Urban Conservation Area (Culworth Avenue Precinct) consists of an area of single-storey Federation period and 1920s bungalows in the southern section, two and three storey flats near Killara Station and large 1930s houses in Marion Street. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of 1920s bungalows on medium-sized lots with Federation style houses and interwar flats being located close to the railway line. There are few unsympathetic alterations or intrusions into the area.
- The Culworth Avenue Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 11 Killara Golf Links.

Note: Council has not reviewed this area .

- The Ku-ring-gai Urban Conservation Area (Killara Golf Links Precinct) consists of an area of residences ranging from single-storey 1920s and 1930s bungalows to single and two-storey post World War 11 houses. The uniform appearance of the area stems from its well established landscape.
- Housing in the area consists predominately of houses on medium to large lots. There are few unsympathetic alterations or intrusions into the area.
- The Killara Golf Links Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 12 Greengate, Killara.

Note: Council has reviewed this precinct .

- The Ku-ring-gai Urban Conservation Area (Greengate Precinct) consists of an area of residences ranging from the Federation period, 1920s and 1930s bungalows and some post-World War 11 Houses. The Greengate Hotel on the corner of the Pacific Highway and Greengate Road is one of the best, most intact examples of 1930s hotels in the Sydney Region. There are also some excellent examples of 1920s and 1930s residential flat buildings on the Pacific Highway.
- The uniform appearance of the area stems from its well-established landscape.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Greengate Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 13 Gordon (East).

Note: This precinct was the first reviewed and is subject to Draft LEP 25, but not exhibited as an LEP due to advice from PlanningNSW that it would conflict with LEP 194

- The Ku-ring-gai Urban Conservation Area (Gordon Precinct) consists of an area of single-storey 1920s bungalows and some one and two storey Federation period houses. The uniform appearance of the area stems from its almost universal use of face brick.
- Housing in the area consists predominately of houses on medium to large lots. There are few unsympathetic alterations or intrusions into the area.
- The Gordon Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 14.

Note: No area listed.

UCA 15 West Gordon.

Note: Council has not reviewed this precinct..

- The Ku-ring-gai Urban Conservation Area (West Gordon) consists of an area of single-storey 1920s and 1930s bungalows. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of houses on medium to large sized-lots. There are few unsympathetic alterations or intrusions into the area.
- The West Gordon Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 16 Pentecost Avenue St Ives.

Note: Council not reviewed this precinct..

- The Ku-ring-gai Urban Conservation Area (Pentecost Avenue Precinct) consists of an area of single-storey and double-storey 1930s and 1940s houses. The uniform appearance of the area stems from its development within a single period as well as the almost universal use of face brick.
- Housing in the area consists predominately of houses on medium to large-size lots. There are few unsympathetic alterations or intrusions into the area.
- The Pentecost Avenue Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 17 Pymble (East).

Note: Council reviewed this precinct and it is recommended to include it in a LEP.

- The Ku-ring-gai Urban Conservation Area (Pymble Precinct) consists of an area of single-storey and double storey 1930s and 1940s houses. The uniform appearance of the area stems from its well established landscape.
- The centrepiece is the housing surrounding Robert Pymble Park. The houses and Park constitute an excellent example of good civic design. They are also excellent examples of individual houses of merit, including a Walter Burley Griffin-designed house on the corner of Telegraph Road and Graham Avenue.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Pymble Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 18 Avon Road, Pymble.

Note: This precinct has been reduced and it is recommended to reduce its size.

- The Ku-ring-gai Urban Conservation Area (Avon Road, Pymble Precinct) consists of an area of single-storey and double storey 1920s, 1930s and 1940s houses. The uniform appearance of the area stems from its well-established landscape.
- The centrepiece is the landscaping of Pymble Ladies College.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Avon Road, Pymble Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 19 Bobbin Head Road, Turramurra

Note: This precinct has not been reviewed by council.

- The Ku-ring-gai Urban Conservation Area (Bobbin Head Road, Turramurra Precinct) consists of an area of single-storey and double storey 1920s, 1930s and 1940s houses. The uniform appearance of the area stems from its well established landscape.
- The precinct contains excellent examples of architect-designed houses such as the Spanish Mission houses designed by G. Kenworthy on the corner of the Pacific Highway and Warrangi Street
- Housing in the area consists predominately of houses on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.

- The Bobbin Head, Road, Turramurra Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 20 Ku-ring-gai Avenue, Turramurra

Note: This precinct is one of the early National Trust Conservation Areas and was classified before the Interwar UCA study commenced. It is included within draft LEP 21 which was finalised by Council in 2000 and has been with the Department since early 2001..

- The Ku-ring-gai Avenue, Turramurra Urban Conservation Area provides an excellent townscape comprised of mainly two storey mansions dating from the 1890 and set in well established gardens. There is a fine collection of street tree plantings including Brush Box. The streetscapes are strongly characterised by fine fences.
- There are few alterations and unsympathetic intrusions in the area.
- Many of the houses were designed by architects for their families, including John Snedden, Thomas Cosh, John Spencer Stansfield, Arthur Stanton Cook and John Sulman. generous sarount (Roseville Precinct) consists of an area of single-storey1920s bungalows.
- The Ku-ring-gai Avenue, Turramurra Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 21 Kissing Point Road, Turramurra

Note: Council has not reviewed this area.

- The Ku-ring-gai Urban Conservation Area (Kissing Point Road, Turramurra Precinct) consists of an area of single-storey1920s and 1930s bungalows. The uniform appearance of the area stems from its well established landscape.
- Housing in the area consists predominately of 1920s bungalows on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Kissing Point Road, Turramurra Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 22 Challis Avenue Precinct, Turramurra

Note: Council has not reviewed this area.

- The Ku-ring-gai Urban Conservation Area (Challis Avenue, Turramurra Precinct) consists of an area of single-storey 1920s and 1930s bungalows. The uniform appearance of the area stems from its well established landscape.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are few unsympathetic alterations or intrusions into the area.
- The Challis Avenue, Turramurra Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 23 Warrawee (Hastings Avenue)

Note: This precinct is one of the first areas the Trust looked at in 1976 and was classified in 1978. As a precinct it has possible State significance.

- The Ku-ring-gai Urban Conservation Area (Warrawee Precinct) consists of an area of large 1920s and 1930s single-storey and two-storey houses as well as some large pre-Federation and Federation houses.
- The houses in this precinct were designed by prominent architects including John Sulman, John Horbury Hunt, Leslie Wilkinson, Howard Joseland, Emil Soderson, Ellise Nosworthy, Eleanor Cullis-Hill, Leith McCredie, August Alley and more contemporary architects including Glen Murcutt and James Muir. Many houses are individual heritage items and some are on the State Heritage Register.
- Houses are built on large and landscaped lots with well maintained mature trees and gardens complemented by street plantings. Stone fences, particularly in Pibrac Avenue, also contribute to the character of the precinct.
- The significance of this precinct is largely due to the setting in which the houses are placed, the principal elements in the area being the successful correlation between buildings and its landscape.
- There are few unsympathetic alterations or intrusions into the area.
- The Warrawee Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 24 Brentwood Avenue Precinct, Turramurra

Note: This precinct was reviewed and is recommended to be included in a LEP

- The Ku-ring-gai Urban Conservation Area (Brentwood Avenue, Turramurra Precinct) consists of an area of single-storey 1920s and 1930s bungalows with some notable Federation period houses at the south end of Cherry Street. The uniform appearance of the area stems from its well-established landscape.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are a few unsympathetic alterations or intrusions into the area.
- The Brentwood Avenue, Turramurra Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 25 Heydon Avenue, Warrawee

Note: This precinct is currently being reviewed as part of Stage 4 of the UCA review.

- The Ku-ring-gai Urban Conservation Area (Heydon Avenue, Warrawee Precinct) consists of an area of large single-storey 1920s and 1930s bungalows as well as some large 1940s houses. The uniform appearance of the area stems from its well established landscape.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are a few unsympathetic alterations or intrusions into the area.
- The Heydon Avenue, Warrawee Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 26 Mahratta, Wahroonga

Note: This precinct is currently being reviewed.

- The Ku-ring-gai Urban Conservation Area (Mahratta Precinct) consists of an area of large single-storey 1920s, 1930s and 1940s houses with some post World War 11 houses in the centre of the precinct. The precinct is named after the large red brick, interwar mansion, Mahratta constructed at the corner of the Pacific Highway and Fox Valley Road.
- The uniform appearance of the area stems from its well established landscape.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are a few unsympathetic alterations or intrusions into the area.
- The Mahratta Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 27 Wahroonga (East side)

Note: This precinct has been reviewed and is graded as State significance.

- The Ku-ring-gai Urban Conservation Area (Wahroonga Precinct) consists of an area of large single-storey and two storey 1920s, 1930s and 1940s houses.
- The houses in this area were designed by prominent architects including Howard Joseland, B J Waterhouse, F Glynn Gilling, L'Anson, Bloomfield and McCulloch and H V Vernon.
- The houses are built on large landscaped lots with well maintained mature trees and botanical gardens, some designed by Paul Soderson. The mature tree plantings along Burns Road make it one of the most picturesque in Ku-ring-gai. Fine fences appropriate to the period also contribute to the rustic character of the precinct.
- The significance of this precinct is largely due to the setting in which the houses are placed, the principal elements in the area being the successful correlation between buildings and its extensive gardens and natural landscape.
- There are few unsympathetic alterations or intrusions into the area.
- The Wahroonga precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 28 Wahroonga (Extension to precinct 27)

Note this precinct has been reviewed by Council and is recommended to be included in a LEP

- The Ku-ring-gai Urban Conservation Area (Extension to Wahroonga Precinct) consists of an area of large single-storey 1920s bungalows and large single and double storey 1930s and 1940s houses with some post World War 11 houses.
- The uniform appearance of the area stems from its well established landscape.
- Housing in the area consists predominately of houses on medium to large-sized lots. There are a few unsympathetic alterations or intrusions into the area.
- The Extension to the Wahroonga Precinct epitomises the area and era in both the excellent, intact nature of its houses, their gardens and street plantings.

UCA 28a Wahroonga (Extension to precinct 28)

Note: This precinct was suggested by residents and is not included by the National Trust as a UCA. It was reviewed by Council, but found not to be significant and it is recommended to include parts in Precinct No 27 & 28.

- This precinct is similar to UCA 28, however contains even greater diversity including some Victorian period houses, a number of large Federation mansions and a number of Inter War houses on medium to large lots. Most of these are designed in the Californian Bungalow style.
- The precinct has some intrusions and unsympathetic alterations.
- The review of this area recommends managing the existing heritage items and transferring a number of properties to UCA 27 and UCA 28 but does not recommend establishing a separate precinct.

| Property Address | Urban Conservation Area reference No. |
|-----------------------------------------|---------------------------------------|
| ROSEVILLE | |
| 15 Alexander Parade | 4 |
| 26 Alexander Parade | 4 |
| 12 Shirley Road | 4 |
| 16 Shirley Road | 4 |
| 33 Shirley Road | 4 |
| 3 Bancroft Avenue | 3 |
| 6 Bancroft Avenue | 3 |
| 8 Bancroft Avenue | 3 |
| 9 Bancroft Avenue | 3 |
| 10 Bancroft Avenue | 3 |
| 19 Bancroft Avenue | 3 |
| 9 Belgium Avenue | 3 |
| 15 Belgium Avenue | 3 |
| 14 Clanville Road | 3 |
| 31 Clanville Road | 3 |
| 18 Gerald Avenue | 3 |
| 5 The Grove | 3 |
| 11 The Grove | 3 |
| 21 The Grove (aka 13 Clanville) | 3 |
| 16 Kelburn Road | 3 |
| 19 Lord Street | 3 |
| 9 Oliver Road | 3 |
| 35 Oliver Road | 3 |
| 37 Oliver Road | 3 |
| 10 Roseville Avenue | 3 |
| 12 Roseville Avenue | 3 |
| 16 Roseville Avenue | 3 |
| 22 Roseville Avenue | 3 |
| 29 Roseville Avenue | 3 |
| 31 Roseville Avenue | 3 |
| 32 Roseville Avenue | 3 |
| 45 Roseville Avenue | 3 |
| 18 Trafalgar Avenue | 3 |
| 16 Victoria Street | 3 |
| 49 Victoria Street | 3 |
| LINDFIELD | |
| 28 Bent Street | 7 |
| 21 Francis Street | 7 |
| 1 Ortona Road | 7 |
| 11 Blenheim Road | 6 |
| 12 Blenheim Road | 6 |
| 15 Blenheim Road | 6 |
| 19 Blenheim Road | 6 |
| 22 Kenilworth Road | 6 |
| 2 Mackenzie Street (aka 2 Smith street) | 6 |
| 9 Middle Harbour Road | 6 |
| 31 Middle Harbour Road | 6 |
| 9 Nelson Road | 6 |
| 20 Nelson Road | 6 |
| 44 Nelson Road | 6 |
| 50 Nelson Road | 6 |
| 19 Russell Avenue | 6 |
| 22 Russell Avenue | 6 |
| 23 Treatts Road | 6 |
| 45 Treatts Road | 6 |
| 47 Treatts Road | 6 |
| 17 Waimea Road | 3 |
| 2 Westbourne Road | 4 (partially cut out) |
| KILLARA | |
| 7 Arnold Street | 9 |

| | |
|-----------------------|-----------------|
| 11 Arnold Street | 9 |
| 31 Elva Avenue | 9 |
| 44 Greengate Road | 9 |
| 51 Greengate Road | 9 |
| 28 Karranga Avenue | 9 |
| 9 Lynwood Avenue | 9 |
| 21 Lynwood Avenue | 9 |
| 23 Lynwood Avenue | 9 |
| 28 Lynwood Avenue | 9 |
| 8 Springdale Road | 9 |
| 24 Springdale Road | 9 |
| 25 Stanhope Road | 9 |
| 10 Culworth Avenue | 10 |
| 12 Culworth Avenue | 10 |
| 24 Marian Street | 10 |
| 27 Marian Street | 10 |
| 29 Marian Street | 10 |
| 6 Lorne Avenue | 10 |
| 12 Stanhope Road | 10 |
| 16 Stanhope Road | 10 |
| 14 Forsyth Street | 13 |
| 22 Buckingham Road | Not part of UCA |
| 2 Spencer Street | Not part of UCA |
| GORDON | |
| 22 Highlands Avenue | Not part of UCA |
| 7 Robert Street | 13 |
| 18 Rosedale Road | 13 |
| PYMBLE | |
| 11 King Edward Street | 17 |
| 31 King Edward Street | 17 |
| 22 Park Crescent | 17 |
| 24 Park Crescent | 17 |
| 5 Taunton Street | 17 |
| 7 Taunton Street | 17 |
| TURRAMURRA | |
| 34 Eastern Road | 24 |
| 14 Warrangi Street | 19 |
| WARRAWEE | |
| 42 Bangalla Street | 23 |
| 42 Hastings Road | 23 |
| 8 Brentwood | 24 |
| 2 Heydon Avenue | 25 |
| 17 Heydon Avenue | 25 |
| 2 Yosefa Avenue | 25 |
| 3 Yosefa Avenue | 25 |
| 4 Yosefa Avenue | 25 |
| 5 Yosefa Avenue | 25 |
| 7 Yosefa Avenue | 25 |
| 8 Yosefa Avenue | 25 |
| 9 Yosefa Avenue | 25 |
| 11 Yosefa Avenue | 25 |
| 18 Warrawee Avenue | 27 |
| WAHROONGA | |
| 12 Billyard Avenue | 27 |
| 6 Burns Road | 27 |
| 11 Burns Road | 27 |
| 17 Burns Road | 27 |
| 25 Burns Road | 27 |
| 15 Cleveland Street | 27 |
| 33 Illoura Avenue | 27 |
| 1 Water Street | 27 |

From: Steve <staldone@mpx.com.au>
Subject: 10 & 12 Culworth Avenue
Date: 5 April 2007 12:02:53 PM
To: Antony Fabbro <afabbro@kmc.nsw.gov.au>
4 Attachments, 3.1 MB [Save](#) [Slideshow](#)



Antony

as promised, I enclose images of the 3 x DA approved apartment buildings (DA 1369/04) on 6 & 8 Culworth Avenue, which wraps around both the side and rear of 10 & 12 Culworth Avenue.

The first image shows the first building which immediately adjoins number 10 Culworth Avenue.

The remaining images show the remainder of the buildings in the DA approval for 6 & 8.

The houses on 10 & 12 Culworth are in the foreground of images 2,3 & 4, and indicate the full extent of the impact of the 5 storey development surrounding the houses on 10 & 12 Culworth.

Reminder that of all the houses that Council's Interface consultant assessed, 10 & 12 Culworth were the 2 that were assessed as the most badly effected by the adjoining 5 storey zoning, and as a result were the only 2 lots which were recommended by Council's Interface Consultant (and adopted by Council) to be rezoned to 2(d3).

If you need any further information please call me on 0418 231 891.

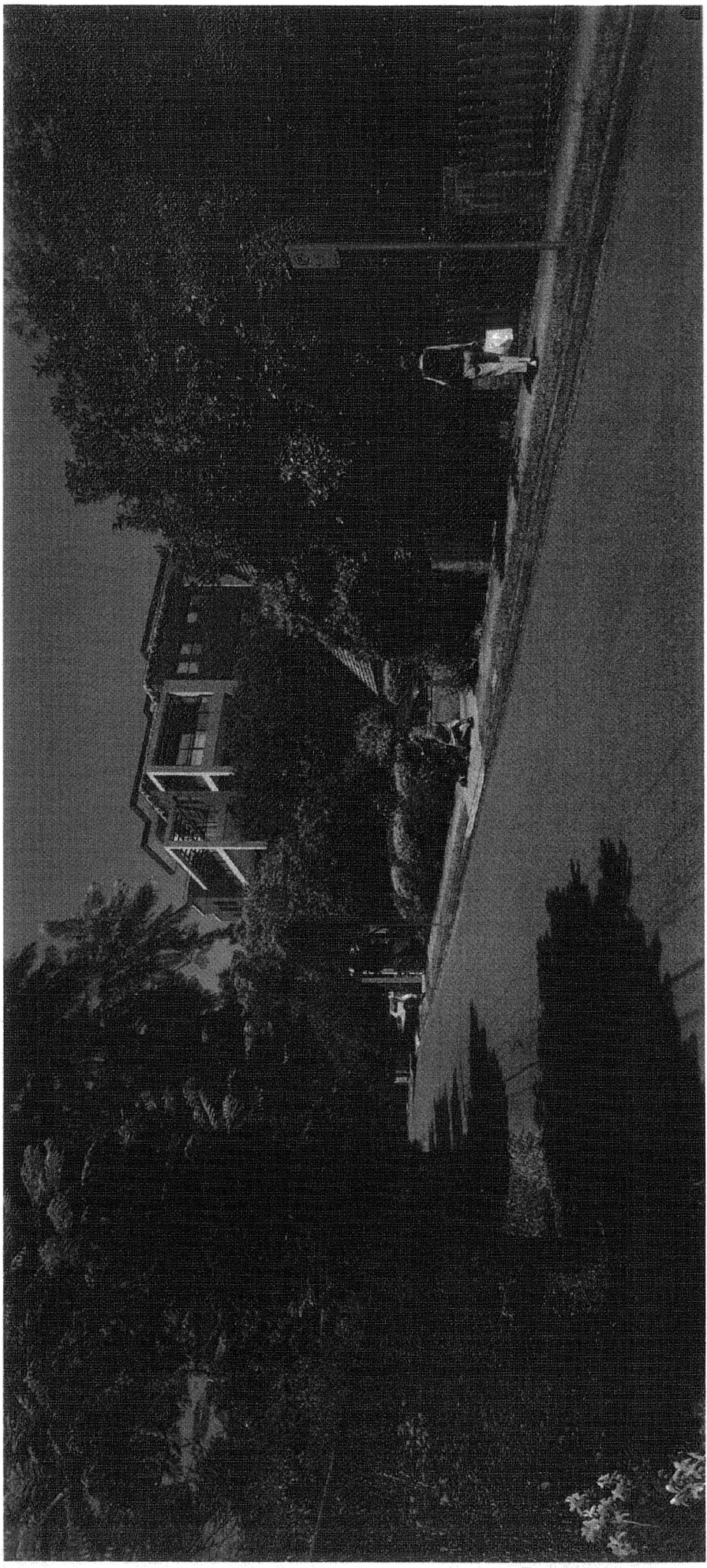
Regards

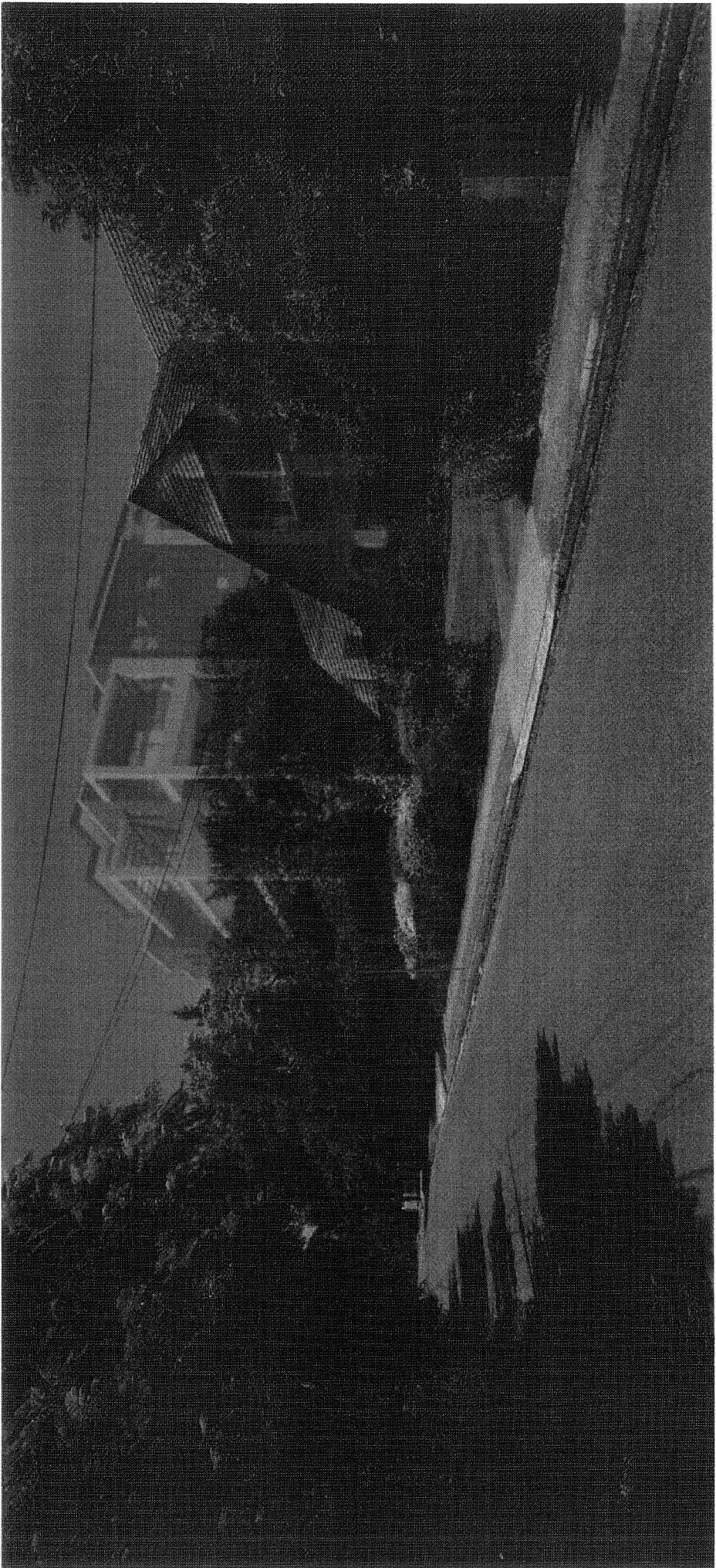
Steve Donnellan

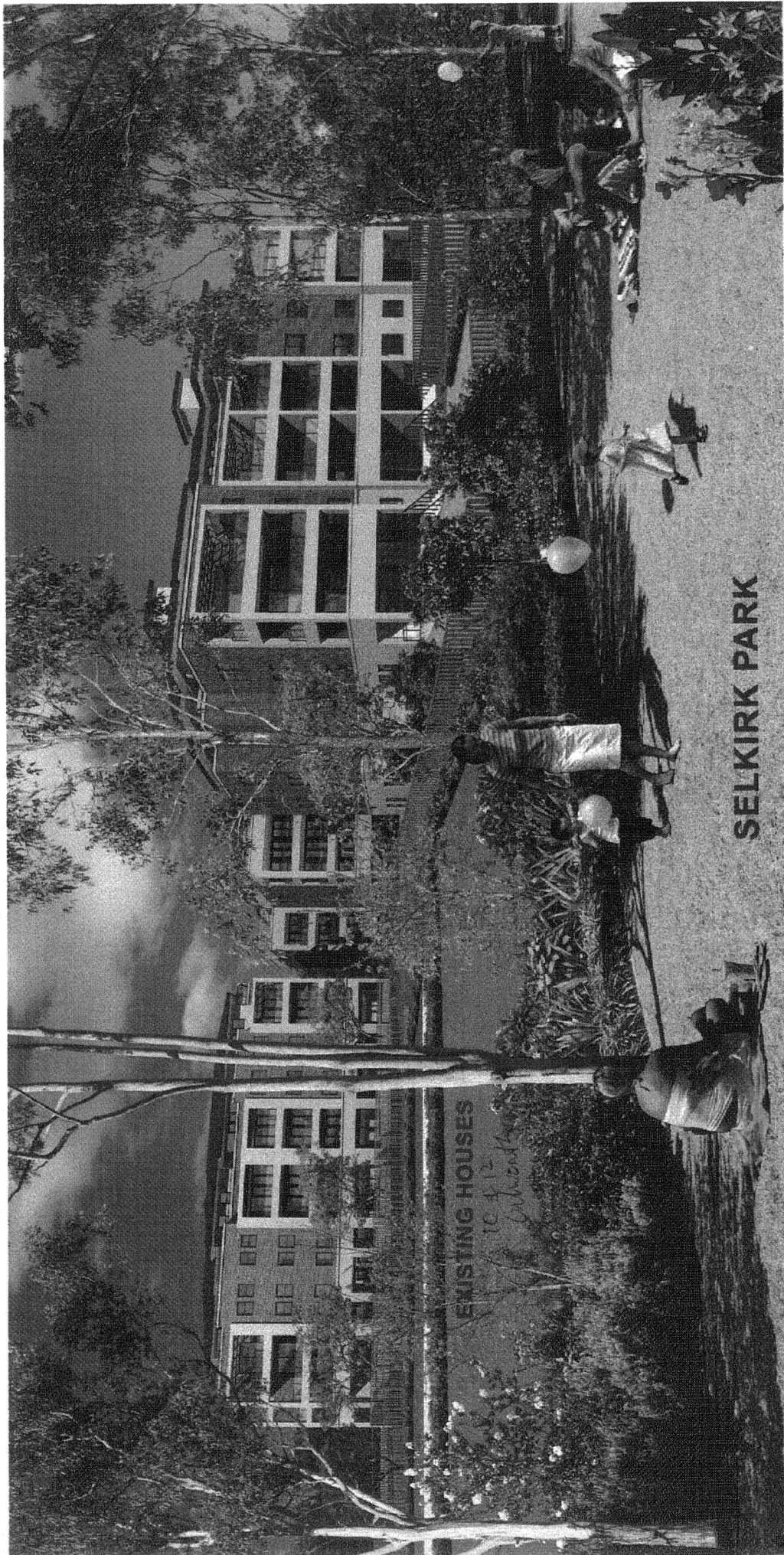




↑
10 Culworth





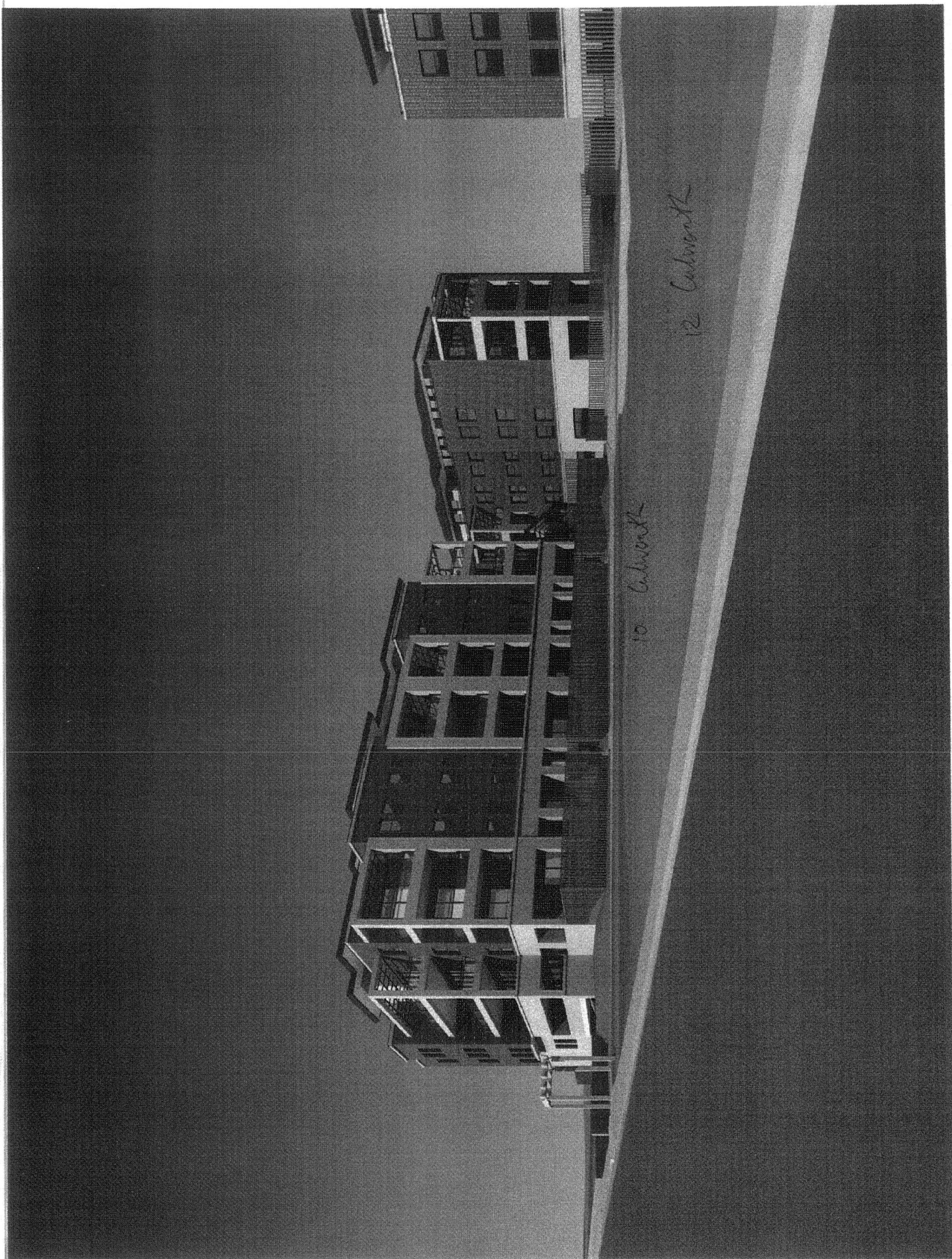


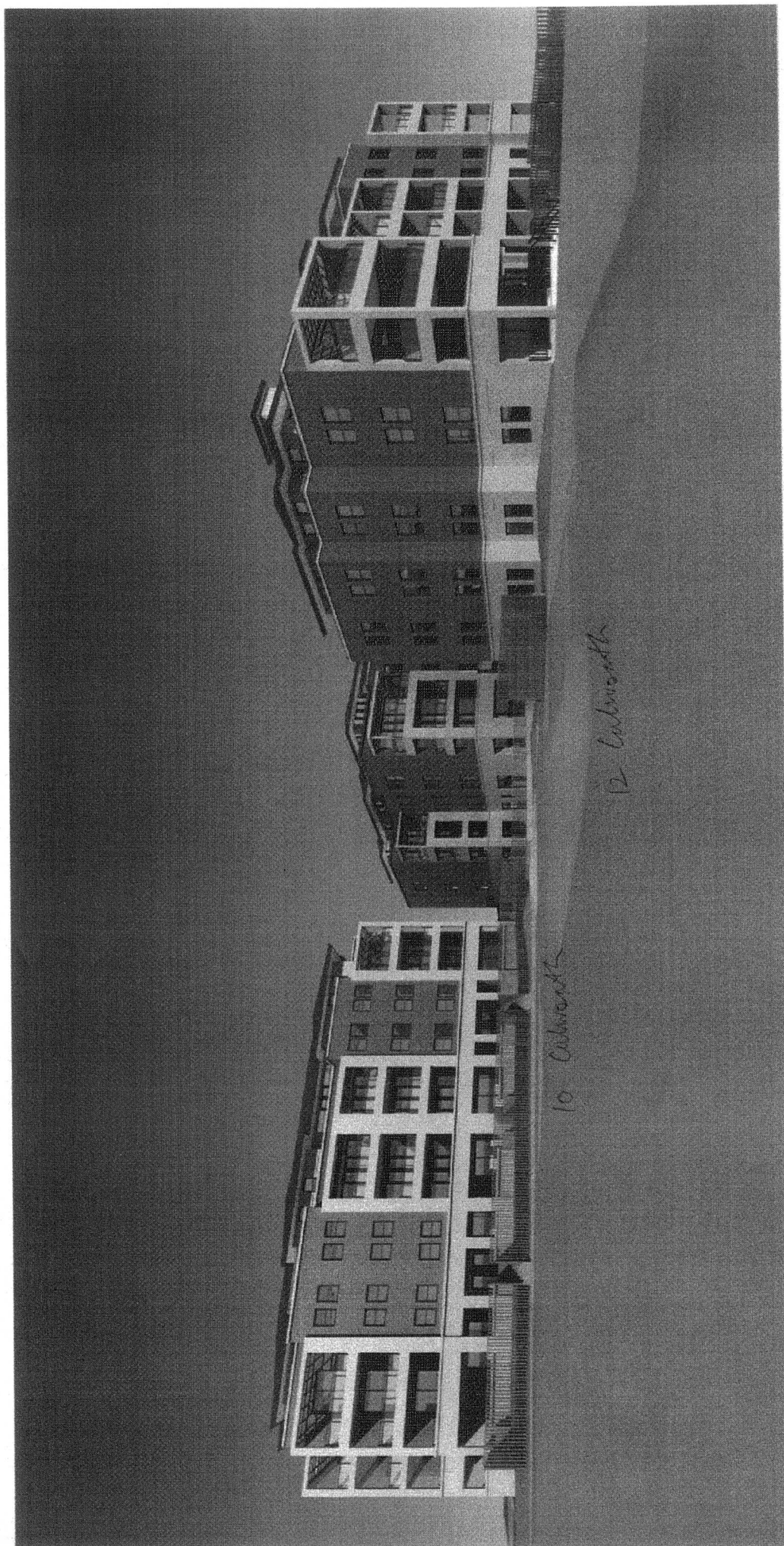
SELKIRK PARK

EXISTING HOUSES

10 & 12

10 & 12





Benefits of owning a heritage property?

If you are the owner of a "heritage item" the following benefits may apply:

- Owners of heritage items can request councils to agree to land use changes, such as commercial usage, where this land use would otherwise be unavailable.
- Council employs an experienced heritage advisor to give free advice on all heritage matters. These include alterations and additions, and advice on materials.
- Grants are available from Council, State and Federal Government.
- By carrying out conservation and restoration of your property in a style sympathetic to the existing property and streetscape, you will be contributing in a positive way to your community. This in turn will increase the desirability of the locality.
- You can request land tax concessions from the Office of State Revenue.
- Future development in the vicinity of heritage items needs to be sympathetic to protect its heritage setting.

Can I make alterations to a heritage property?

Yes. Ku-ring-gai Council recognises that heritage items can be altered to suit the needs of the occupants. Some non-structural changes such as new kitchens and bathrooms may not require development consent from Council. New work needs to respect the significance of the heritage item. If your property has been altered in the past, Council will not make you return the house to the original state.

Exhibition

The Potential Heritage Item Review Report will be on non-statutory public exhibition from **November 20 until December 18, 2006**, at our Customer Service Centre, Level 4, 818 Pacific Highway, Gordon, between 8.30am - 5pm weekdays, and in Council's libraries during normal opening hours.

For copies of draft Heritage Inventory Sheets please phone 9424 0888. A summary of the findings of the Draft Report is available from our website.

Making your submission

You can make your comments on the Draft Potential Heritage Item Review. Please send to:

Potential Heritage Item Review S04325
Ku-ring-gai Council,
Locked Bag 1056,
Pymble NSW 2073

Submissions close December 20, 2006

The next step

After submissions are received they will be assessed by the heritage consultants and considered by Council.

Any changes required will be made to the Draft Heritage Inventory Sheets, and the amended Report will be considered at a Council meeting in 2007.

Those properties deemed to be draft heritage items will be included in the Comprehensive Local Environmental Plan to be prepared by Council over the next five years.

Photographs © Jennifer Harvey



818 Pacific Highway, Gordon

Ph: (02) 9424 0888 Email: kmc@kmc.nsw.gov.au

www.kmc.nsw.gov.au



Ku-ring-gai

Potential
Heritage
Item Review



This brochure contains information to help you prepare your submission on the *Potential Heritage Item Review*.

Why is built heritage important?

The NSW Heritage Act 1977 and the Environmental Planning and Assessment Act 1979 require all councils to identify, protect and manage heritage using local planning regulations.

Heritage items represent an expression of our values as a community, and it is important to protect them so they may be appreciated by future generations.

Heritage listing is simply a list or schedule of things that have been accepted as having heritage values or heritage significance.

The heritage of Ku-ring-gai comprises a rare blend of fine domestic architecture within a landscape of indigenous forests and exotic plantings and gardens.

What is a heritage item?

A heritage item according to the Ku-ring-gai Planning Scheme Ordinance (KPSO) means a building, work, relic, tree or place of heritage significance to Ku-ring-gai.

Heritage items are considered to make an important contribution to the history and identity of Ku-ring-gai.

Other controls identify and protect Aboriginal and natural heritage.

Schedule 7 of the KPSO lists all existing heritage items throughout Ku-ring-gai.

Potential heritage item review

In 2001, Ku-ring-gai Council prepared a study which identified 464 properties of potential heritage significance.

In July 2005, Council engaged heritage consultants to undertake a review of 155 of these properties and informed the owners then and again in late 2005.

In June 2006, a report was put to Council outlining the findings of the consultant's review. The meeting resolved to place the draft report on non-statutory public exhibition for a period of 28 days to receive submissions from interested persons.

Property owners were notified about this report before it went to Council. At this stage no decision has been made on the heritage status of the properties.



Heritage inventory sheets

Detailed Draft Heritage Inventory Sheets have been prepared for each property reviewed. Copies have been sent to each property owner and additional copies are available. The inventory sheets are able to be amended as new information is found.

The Draft Heritage Inventory Sheets use the Heritage Council of NSW standard inventory form.

Heritage significance assessment criteria

Heritage assessment is a process of:

- identifying heritage items, and
- assessing their relative level of significance.

The Heritage Council of NSW has developed criteria to help assess whether an item should be recommended for heritage listing. An item must meet ONE or more of the following criteria to be of heritage significance. The criteria include:

- (a) Historical Significance,
- (b) Historical Association Significance,
- (c) Aesthetic Significance,
- (d) Social Significance,
- (e) Technical/ Research Significance,
- (f) Rarity,
- (g) Representativeness.

An item is not to be excluded from the Heritage Register on the grounds that items with similar characteristics are already listed on the Register.

While all criteria should be referred to during the assessment, only particularly complex items or places will be significant under all criteria. In many cases, items will meet only one or two criteria.

More information on heritage listings can be found at the NSW Heritage Office website:
www.heritage.nsw.gov.au

5 POWELL STREET, KILLARA - POTENTIAL HERITAGE REVIEW FOLLOWING EXHIBITION PERIOD

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the feedback on the non-statutory public exhibition of the potential heritage item (5 Powell Street, Killara) and consider a process for the future management of the potential heritage item under the Ku-ring-gai Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

BACKGROUND:

In June 2006 Council considered the consultants report on the heritage assessment of 5 Powell Street, Killara and resolved to place the study (potential heritage review) on non-statutory exhibition to seek further comment back from the public. The potential heritage items were placed on non-statutory exhibition from 20 November to 20 December 2006.

COMMENTS:

This report provides the feedback from the non-statutory exhibition period of the potential item at 5 Powell Street, Killara. The report makes recommendations on the listing and the future management of the potential heritage item at 5 Powell Street, Killara within the Comprehensive LEP and DCP process and within the context of the potential heritage conservation areas for Ku-ring-gai.

RECOMMENDATION:

That Council adopt the recommendations to guide the future planning and management of the potential heritage item as outlined in this report.

PURPOSE OF REPORT

For Council to consider the feedback on the non-statutory public exhibition of the potential heritage item (5 Powell Street, Killara) and consider a process for the future management of the potential heritage item under the Ku-ring-gai Comprehensive Local Environmental Plan (LEP) and Development Control Plan (DCP) process.

BACKGROUND

A total of 154 properties were reviewed by Council's heritage consultants. The potential heritage item review is consistent with Council's Management Plan 2006/2007 to continue to review potential heritage items (including pre-war and inter-war), develop heritage inventory sheets and report as required 4th quarter.

Of the 154 properties reviewed, the heritage consultants Perumal Murphy Alessi (PMA) recommended that 122 be considered for heritage listing as items of local heritage significance. The reasons for recommending listing vary between properties. Several commonly cited reasons for recommending listing include a property's representativeness of a particular style of dwelling or, as an intact example of a particular type of residence and/or the property makes a positive contribution to the streetscape.

For those properties not recommended for listing, the most common reason given for this recommendation was that the property had been substantially altered to the extent where any possible heritage significance no longer exists. In some cases the context of the proposed items has also changed to an extent where a delisting is warranted.

The project was due for completion in January 2006, however unexpected additional historical research was required to be undertaken by the Consultants to ensure accurate and thorough historical information was acquired for each property. Consequently the project completion date was revised. No additional cost was incurred due to the revised time schedule.

At the Council meeting on 27 June 2006, Councillors considered the independent consultant's report and the findings on each of the heritage properties was reviewed.

The potential heritage items were placed on non-statutory public exhibition from 20 November - 20 December 2006 and submissions were received from the public during this period. Council received a submission from the owners of 5 Powell Street, Killara, during this period, which is the basis for this report to Council.

COMMENTS

This report provides the feedback from the non-statutory exhibition period of the potential items in regard to 5 Powell Street, Killara. The report makes recommendations on the listing and the future management of the potential heritage item at 5 Powell St, Killara, within the comprehensive LEP & DCP process and within the context of the potential heritage conservation areas for Ku-ring-gai.

Heritage Listing - Local Heritage Items

The Heritage Council of NSW has developed criteria to help assess whether an item should be recommended for heritage listing. An item must meet **one or more** of the following criteria to be of heritage significance:

- (a) Historical Significance.
- (b) Historical Association Significance.
- (c) Aesthetic Significance.
- (d) Social Significance.
- (e) Technical/Research Significance.
- (f) Rarity.
- (g) Representativeness.

An item is not to be excluded from the Heritage Register on the grounds that items with similar characteristics are already listed on the Register. While all criteria should be referred to during the assessment, only particularly complex items or places will be significant under all criteria. In many cases, items will meet only one or two criteria.

Brief Description - 5 Powell Street Killara

The subject property at 5 Powell Street, Killara, is located between two listed heritage items (No. 3 and No. 7 Powell Street) with two additional listed items located close by on the north side of Powell Street (No. 4 and No. 10 Powell Street). Planting and shrubs in the front garden partially obscure views to the front of the house, however, the place contributes to the character and quality of the streetscape and to the context of the adjacent listed items.

At the rear of these properties (No. 3, No. 7 and No. 5 Powell Street) is a site that has been zoned 2d3 for medium density housing. This area that has been rezoned, includes the property at No. 7a Powell St, which is a battle-axe block directly next to No. 5 Powell St and, this is the property which the owner expresses the most concern over, should development occur on this property in the future. However one must note that the property at No.5 Powell St is one of a group of five properties fronting Powell Street (on the same side of the road) that are all zoned for either 2b or 2c2 development and all of them hold significant heritage value (especially as two of them are already heritage listed). This will help maintain the streetscape for the heritage items that are currently in the area. The property at No. 5 Powell St, Killara, is currently zoned 2c2 in LEP 194.

Contribution to Urban Conservation Area (UCA)

The property at No 5 Powell Street, Killara is currently identified as a Contributory Item in Urban Conservation Area 12 - Greengate Road, Killara. Also, several of the adjoining properties fronting Powell Street are also either Contributory Items (as are No. 1, 5, 7a and 11 Powell Street) or existing heritage items.

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31 May 2007

Heritage Consultants Report - NSW State Heritage Inventory Form

Council engaged independent heritage consultants to make recommendations in regard to the property at No. 5 Powell St, Killara, as part of the Potential Heritage Item Review.

The following are their recommendations and comments on whether or not the property should be heritage listed:

“No. 5 Powell St, Killara, is recommended for listing as a heritage item. The building is a fine and largely intact example of the Inter-War Old English style medium scale dwelling situated between two listed heritage items and contributing to the character of the streetscape. It is therefore recommended that:

- 1) *The style, form and original fabric of the building be retained and face brickwork be retained unpainted and un-rendered.*
- 2) *The dominant Old English stylistic details of the front façade be retained intact and any future additions be located so they do not detract from the visual significance of the building when viewed from Powell Street.”*

Following the initial exhibition of all of the potential heritage items in April 2006, Council decided to seek further advice on No. 5 Powell Street. Below are the comments from the revised edition of the Potential Heritage Review Report which was completed in October 2006:

*“5 Powell Street, Killara, **SHOULD BE INCLUDED** as a heritage item as a good and intact example of a medium scale Inter-war period dwelling which retains its original character and “Old English” stylistic details. Despite modifications, the building within its garden setting contributes strongly to the context of the adjacent heritage items and streetscape in general.”*

Resident’s Submission:

The Potential Heritage Review went on public exhibition for a period of 28 days from 20 November – 20 December 2006. During this time Council received a submission (**Attachment 2**) from the following, in regard to the property at No. 5 Powell Street, Killara:

- Mrs M Soper - 5 Powell Street Killara

Below is a summary of the points raised in that submission:

Issue: The resident contends that the “historical significance of the dwelling is meaningless” and that the “significance referred to can relate to most if not all of the residences in the neighbourhood”.

Comment: The heritage inventory sheet (**Attachment 1**) for this property states that the property has historical significance as part of the early 20th Century development and that it reflects the early evolving pattern of residential, recreational and cultural development within Killara. Also the property contributes to the other heritage properties in the neighbourhood.

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Issue: The resident contends that if an adjoining property (7a), along with neighbouring properties, is developed for 5 storey home units there is little point in listing the property.

Comment: Council has prepared detailed plans and guidelines to deal with the management of residential flat buildings on nearby heritage items in DCP 55. This is a common matter with regard for residential flat buildings.

Issue: “Why should Council allow development of an adjoining property in a way that is detrimental to No. 5 Powell Street if the property is seriously considered a valuable heritage item?”

Comment: Heritage value is considered and maintained when new developments are in proximity to the heritage building using the controls in Councils DCP and LEP. Residential flat buildings can potentially affect an item. Council has prepared DCP 55 to manage these impacts.

Issue: The resident believes that if the adjoining property (7a) is developed for medium density housing, then their property should also be able to be developed in a similar way.

Comment: The development of each site is based on the merits of each site itself and as such, any decision to develop a surrounding site does not necessarily convey an obligation of Council to allow development of any adjoining site. In particular, this item is street facing and the heritage consultant points out that the item, along with the two heritage items along side it, will contribute to the character of the streetscape.

CONSULTATION

All Councillors were provided with a CD-Rom of the PMA Consultant’s heritage report, including the 154 individual heritage inventory sheets. All affected residents and owners were notified of the project at its commencement and asked for any information that they may have of assistance to the Consultant’s review.

An advertisement was placed in the local paper, North Shore Times on the 17 November 2006, providing notification and information on the exhibition and where to make a submission. All property owners identified in the review were notified by letter of the non-statutory exhibition period and provided the opportunity to make a submission.

A brochure was also prepared that provided additional information on the purpose of the review, information about heritage in Ku-ring-gai and details of where to view information and to make a submission.

Council’s web site included information on the exhibition (20 November - 20 December 2006) and a copy of the heritage exhibition brochure and a summary information and reference to the previous reports to Council.

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The list of properties considered as part of the review of potential heritage items was available on Council's website along with a description of the project.

Throughout the project, Council's Heritage Advisory Committee (HAC) were kept informed of the potential heritage item review progress.

All affected property owners and persons who made a submission have been notified of this report going to Council. The report was released early on Friday 1 June 2007, ahead normal release of business papers, to provide additional time for review of the report.

FINANCIAL CONSIDERATIONS

Project costs for the potential heritage item review are covered by the Planning Department Capital Projects Budget.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has been undertaken with Council's Heritage Advisor, Department of Development & Regulatory Services in consideration of the potential heritage item review and the Heritage Advisory Committee throughout the entire project.

SUMMARY

Council engaged an independent heritage consultant to assess 154 properties identified in the Ku-ring-gai LGA to determine each property's suitability as a heritage listed property, No 5 Powell Street, Killara was one of these properties. An advertisement was placed in the local paper, North Shore Times on the 17 November 2006, providing notification and information on the exhibition and where to make a submission.

The Potential Heritage Review went on public exhibition for a period of 28 days from 20 November – 20 December 2006. During this time Council received a submission from the property owner of No. 5 Powell St, Killara, Mrs M Soper, in regard to the potential heritage item review and the inclusion of the abovementioned property.

Given the anticipated redundancy of the KPSO and its replacement with a comprehensive LEP, it is most appropriate to consider heritage listing those properties finally resolved for listing, as part of the Comprehensive LEP preparation process, as either individually listed items or as part of the proposed heritage conservation areas.

Some of the benefits of including heritage properties as part of the comprehensive LEP process includes the following:-

It allows Council to look at all of its potential heritage items in one single process, the consultation process is done at once.

Item 5

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31 May 2007

It allows Council to consider a range of other factors that may influence the future identification and management of heritage in Ku-ring-gai, eg land zonings, overlays of existing listed items, environmentally sensitive lands, other forms of residential development and interface sites.

When Council takes into consideration the comments from the independent heritage consultant's report (Perumal Murphy Alessi Pty Ltd in association with Glen Cowell Heritage Services), the resident/owner of the property's comments, the advice from Councils Heritage Officer and the Heritage Inventory Sheet, it is clear that this site has significant heritage value in itself and as part of a group of houses fronting Powell Street, Killara.

The property at No. 5 Powell Street contributes to the existing heritage items adjoining the property, the existing streetscape and the Urban Conservation Area (12) which it is currently part of a Contributory Item. There is no direct evidence presented to Council that this property will be negatively affected or compromised by any future development that may or may not occur in the adjoining properties that are zoned 2d and 2 d3 in LEP 194, as most of these properties already contain development on them of a substantial size.

RECOMMENDATION

- A. That the property at No. 5 Powell Street, Killara be included for consideration as a heritage item in the Comprehensive Local Environmental Plan (LEP)/Development Control Plan (DCP) process.
- B. That Council notify all affected residents and all persons who made a submission of its decision.

Karen Chapman
Student Planner

Paul Dignam
Heritage Advisor

Peter Davies
Acting Director Strategy

Attachments: **1. Heritage Inventory Form for No 5 Powell Street, Killara - 779868**
 2. Submission received from owner/resident - 712476



NSW State Heritage Inventory form

| ITEM DETAILS | | | | | | |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------|-------------------------------------------|-----------|------|
| Name of Item | | | | | | |
| Other Name/s Former Name/s | | | | | | |
| Item type (if known) | Built | | | | | |
| Item group (if known) | | | | | | |
| Item category (if known) | House | | | | | |
| Area, Group, or Collection Name | | | | | | |
| Street number | 5 | | | | | |
| Street name | Powell Street | | | | | |
| Suburb/town | Killara | | | | Postcode | 2071 |
| Local Government Area/s | Ku-ring-gai | | | | | |
| Property description | Lot B DP 332610 | | | | | |
| Location - Lat/long | Latitude | | | | Longitude | |
| Location - AMG (if no street address) | Zone | | Easting | | Northing | |
| Owner | Private | | | | | |
| Current use | Residence | | | | | |
| Former Use | Residence | | | | | |
| Statement of significance | <p>No. 5 Powell Street, Killara, is significant as part of the early 20th century residential development of the suburb of Killara. The house remains largely intact externally with its original traditional massing and form combining stylistic detailing from the Inter-War Old English style. The stylistic form of the Inter-War residence contributes to the streetscape character and is a fine example of the variety of fashionable styles within the Inter-War period. The largely intact building and its garden setting contribute to the context of the adjacent heritage items and the character of the streetscape.</p> | | | | | |
| Level of Significance | State <input type="checkbox"/> | | | Local <input checked="" type="checkbox"/> | | |

NSW State Heritage Inventory form

| DESCRIPTION | | | | | | |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------|--|------------|-------------------------------------|
| Designer | Unknown | | | | | |
| Builder/ maker | Unknown | | | | | |
| Physical Description | <p>No. 5 Powell Street, Killara, is a two storey Inter-war Old English dwelling constructed in red textured brick with steep pitch gable roof clad in terracotta tiles with a simple face brick chimney. The front of the building is dominated by a gable roofed wing with narrow vent, brick and tile corbelling and single small pane double hung window with timber shutters to the gable end. A catslide roof extends from the northern side of the ridge which features two gabled dormers with terracotta shingle cladding and timber boarding to the gable end. The ground floor features timber framed doors which open out to the surrounding garden spaces. The western side of the house features half timbering with a face brick chimney breast. The south western section of the building extends out to the western side boundary, forming an open porte cochere at ground level. The porte cochere roof is supported on timber supports and brackets. A single storey wing also extends from the rear of the building. The street boundary features a stepped sandstone fence which encloses the front lawn and garden featuring mature ornamental trees and shrubs including a row of pines along the north eastern boundary. A fenced, brick paved courtyard and plantings is located at the northern eastern, front corner of the house. A driveway extends parallel with the western boundary, through the porte cochere to a detached timber framed car port located at the rear of the house.</p> | | | | | |
| Physical condition and Archaeological potential | The house appears to be in sound and good condition externally. Both the house and garden appear to be very well maintained. | | | | | |
| Construction years | Start year | | Finish year | | Circa 1938 | <input checked="" type="checkbox"/> |
| Modifications and dates | Council's database has no records of any applications. | | | | | |
| Further comments | The subject building is located between two listed heritage items with two additional listed items located close by on the north side of Powell Street. Planting and shrubs in the front garden partially obscure views to the front of the house, however, this building contributes to the character and quality of the streetscape and to the context of the adjacent listed items. There are a number of large trees on the street verge which also add to the character of the street. | | | | | |

NSW State Heritage Inventory form

| HISTORY | |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Historical notes | <p>Powell Street, Killara is towards the northern boundary of the land grant of Edwin Booker. From 1829 Matilda Fish had farmed an area in Powell Street, (possibly spanning what is now the railway line). The establishment of the North Shore Railway Line was the catalyst for major development in Killara. James George Edwards, a teacher turned land developer brought up portions by 1890 and between 1893 and 1899 he was marketing the subdivisions known as 'Springdale Estate' as a desirable suburb for 'gentlemen of means'. Another subdivision to the north of the major Springdale Estate was originally held by Edwin Booker then Robert Pockley and was marketed before 1900 as the 'Pockley Estate' then the 'Lorne Estate' in which Powell Street was located.</p> <p>After 1895 the Killara community began to develop. It had a residential, recreational and cultural rather than a retail and commercial focus. Edwards worked to prevent the development of a business centre and to promote the importance of recreational and cultural areas.¹</p> <p>The site is part of 80 acres originally granted to Edwin Booker in April 1821. By 1899 it was part of over 60 acres of land consolidated by Francis Antill Pockley and John Macquarie Antill, who proceeded to subdivide and sell the various allotments from 1903. In October 1905, Lot 1 of Section 2, an allotment of over 1 acre was purchased by George Chapman. The land covered an area bounded by Lane Cove Road (Pacific Highway) and Powell Street. In 1922 Chapman sold a portion of the land that extended along Lane Cove Road, retaining the larger portion with frontage to Powell Street. In 1936 this portion was subdivided into two allotments (DP 332610). The site, Lot B, was transferred to Joseph Walker, Methodist Clergyman and Ethel Isobel Chapman in 1938. It is assumed that the house on the property was constructed from this time. A notification was placed on the land in 1938, requiring that any main building constructed on the property should not be of less value than 500 pounds. In 1940 Ethel Isabel Chapman became the sole owner of the property. She retained ownership until 1946, when it was transferred to Phyllis Marion Somerville. Somerville retained ownership until 1959, from which time the property has been transferred several times.</p> |

| THEMES | |
|---------------------------|-------------------------------------|
| National historical theme | |
| State historical theme | Housing Land Tenure Townships |
| Local historical theme | Suburban Consolidation |

¹ Godden Mackay Logan Keyes Young, "Ku-ring-gai Heritage and Neighbourhood Character Study" Prepared for Ku-ring-gai Municipal Council, Part B, pp.443-459

NSW State Heritage Inventory form

| APPLICATION OF CRITERIA | |
|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Historical significance SHR criteria (a) | No 5 Powell Street has historical significance as part of the early 20 th century development of the suburb and reflects the early evolving pattern of residential, recreational and cultural development within the suburb of Killara. |
| Historical association significance SHR criteria (b) | |
| Aesthetic significance SHR criteria (c) | No 5 Powell Street is a fine and largely intact example of an Inter-War Old English residential building which reflects the early evolving pattern of residential development within the suburb of Killara. Significant as a contributory item to the variety of Inter-War style residences within the immediate area. |
| Social significance SHR criteria (d) | Significant as one of the Inter-War style residences in the immediate area and as an example of the type of housing popular with the young families buying into the developing Upper North Shore suburbs in the early decades of the 20 th century. |
| Technical/Research significance SHR criteria (e) | |
| Rarity SHR criteria (f) | |
| Representativeness SHR criteria (g) | A representative example of the type of medium scale housing which was popular within the developing Upper North Shore suburbs following the opening of the Railway Line to Hornsby. |
| Integrity | No. 5 Powell Street has a high degree of integrity in the fabric and detailing of the residence. |

NSW State Heritage Inventory form

| HERITAGE LISTINGS | |
|--------------------|--------------------------------------------------------------------------------------------|
| Heritage listing/s | Located within the National Trust of Australia (NSW) Killara Urban Conservation Area(UCA9) |
| | |

| INFORMATION SOURCES | | | | |
|--------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------|------|-------------------------------|
| Include conservation and/or management plans and other heritage studies. | | | | |
| Type | Author/Client | Title | Year | Repository |
| Written | Godden Mackay Logan Keyes Young, | "Ku-ring-gai Heritage and Neighbourhood Character Study" | 2000 | Ku-ring-gai Municipal Council |
| | | Certificate of Title Volume 1293 Folio 225 Volume 1642 Folio 249 Volume 3280 Folio 98 Volume 5162 Folio 175 | | Land and Property Information |
| | | | | |

| RECOMMENDATIONS | |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Recommendations | <p>No. 5 Powell Street, Killara, is recommended for listing as a heritage Item. The building is a fine and largely intact example of the Inter-War Old English style in a medium scale dwelling situated between two listed heritage items and contributing to the character of the streetscape. It is therefore recommended that:</p> <p>1/ The style, form and original fabric of the building be retained and face brickwork be retained unpainted and un-rendered.</p> <p>2/ The dominant Old English stylistic details of the front façade be retained intact and any future additions be located so they do not detract from the visual significance of the building when viewed from Powell Street.</p> |

| SOURCE OF THIS INFORMATION | | | |
|--------------------------------------|------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------|
| Name of study or report | Review of Potential Heritage Items in the Ku-ring-gai Local Government Area. | Year of study or report | 2006 |
| Item number in study or report | | | |
| Author of study or report | Perumal Murphy Alessi Pty Ltd in association with Glen Cowell Heritage Services Pty Ltd. | | |
| Inspected by | GC & LA | | |
| NSW Heritage Manual guidelines used? | | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| This form completed by | GC & LA | Date | October 2005 |



NSW
Heritage
Office

NSW State Heritage Inventory form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

| | | | | | |
|---------------|------------------------------------------|----------|--|------------------------|-----|
| Image caption | 5 Powell Street, Killara, location plan. | | | | |
| Image year | | Image by | | Image copyright holder | KMC |



NSW State Heritage Inventory form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

| | | | | | |
|----------------------|---------------------------------------|-----------------|----|-------------------------------|-----|
| Image caption | 5 Powell Street, Killara, front view. | | | | |
| Image year | 2005 | Image by | GC | Image copyright holder | KMC |



NSW State Heritage Inventory form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

| | | | | | |
|----------------------|-----------------------------------------|-----------------|----|-------------------------------|-----|
| Image caption | 5 Powell Street, Killara, front façade. | | | | |
| Image year | 2005 | Image by | GC | Image copyright holder | KMC |



NSW State Heritage Inventory form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

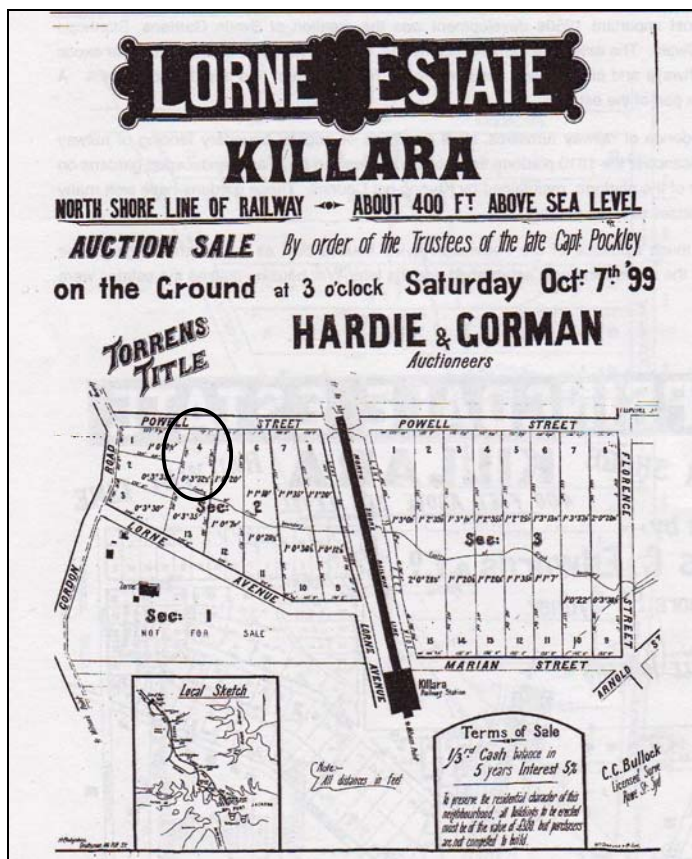
| | | | | | |
|----------------------|-----------------------------------------------|-----------------|----|-------------------------------|-----|
| Image caption | 5 Powell Street, Killara, west side driveway. | | | | |
| Image year | 2005 | Image by | GC | Image copyright holder | KMC |



IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

| | | | | | |
|---------------|----------------------------------------------|----------|----|------------------------|-----|
| Image caption | 5 Powell Street, Killara, west side driveway | | | | |
| Image year | 2005 | Image by | GC | Image copyright holder | KMC |



Approximate site of 5 Powell Street circled

5 Powell Street
Killara NSW 2071

18 December 2006

The General Manager
Ku-Ring-Gai Council
Locked Bag 1056
Pymble NSW 2073

Dear Sir

Re: Draft potential heritage item review report your reference SO 4325

I refer to letter dated 15 November 2006 from Mr. Anthony Fabbro, Manager for Urban Planning addressed to me.

I oppose the listing of my property, No. 5 Powell Street, Killara as a Heritage Item.

The reasons for my opposition are set out in my letter to council dated 18 August 2006.
A copy is enclosed.

Yours Faithfully,



Mary Soper



COPY

5 Powell Street
Killara NSW 2071

18 August 2006

Mr Antony Fabbro
Manager Urban Planning
Ku-ring-gai Council
818 Pacific Highway
Gordon NSW 2072

Dear Mr Fabbro

Potential Heritage Item Review
Your reference SO 4325

I refer to your letter dated 16 June 2006, which enclosed a Draft Inventory form. I write to advise that I disagree with the recommendation that the property be listed as a Heritage Item.

My comments on the Draft Inventory form are as follows;

Description

External and internal alterations have been made to the dwelling. A swimming pool and sandstone surrounds were constructed in about 1971. A carport was constructed and a rumpus room created at about the same time. Internally the kitchen has been changed and it is more than likely that the verandah opening onto the pool was enclosed well after the dwelling was constructed.

History

The third paragraph of the historical notes is not correct. The second part of this paragraph seems to relate to a different property

Application of criteria

The note as to the 'historical' significance of the dwelling is meaningless. It does not describe anything of particular 'significance'. The 'significance' referred to can relate to most if not all of the residences in the neighbourhood, or if taken to the absurd all of Ku-ring-gai.

The house is not unique. It is simply an example of its time – one of many.

Present Zoning and Possible future zoning.

My understanding is that an adjacent property – No 7a, is now zoned for 5-story development. This property is entered from Powell Street by an access strip between my house and No 7. I am advised that no 7 has a right of way over this access strip.

My letter to Council dated September 3, 2002 discusses this and the problems that will be created. In the event that No 7a, with neighbouring properties, is developed for 5 story home units, there would seem to be little point in listing my property. Why allow development of an adjoining property in a way detrimental to my property if the property is seriously considered to be a 'heritage' item. If the adjoining property is to be developed for medium density housing my property should be able to be developed in the same way.

Conclusion

I oppose the listing of my property, No 5 Powell Street Killara, as a Heritage Item.

I reserve the right to take further action including legal action, as I may be advised.

Accordingly, I ask Council to remove my property from consideration for listing as a Heritage Item and to take no further action in that regard. I also ask to be advised of Council's position going forward.

I look forward to hearing from you.

Yours faithfully

Mary Soper

DEPOT WASTE & HAULAGE CONTRACT

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To consider tender submissions for the haulage and receipt of Council's depot waste.

BACKGROUND:

Tenders were called for the transport, processing, recycling and disposal of Council's depot waste in accordance with the requirements of the tendering regulations of the Local Government Act, 1993. Materials requiring disposal include soil, rock, asphalt, metals, green waste, concrete, masonry and general mixed waste. Two contracts were tendered, one for the provision of bins and transport and the other for the receipt of the materials for processing.

COMMENTS:

The tenders have been assessed by the internal Assessment Panel and have recommended a transport contractor based on competitive prices. However, due to there being a very limited response from tenderers for the receipt of materials and inconsistencies with the tendered amounts, it is recommended that Council negotiate with suppliers for the receipt of the depot waste.

RECOMMENDATION:

That Council accepts the tender from WSN Environmental Solutions for the provision of bins and transport of waste.

PURPOSE OF REPORT

To consider tender submissions for the haulage and receipt of Council's depot waste.

BACKGROUND

Tenders were recently called for the haulage and receipt of waste materials generated from Council's depot operational activities. The proposed term of the Contract is for 3 years with an option of a further 2 years. The term has been based on the likely timing for establishment of the proposed new Depot to be located in Suakin Street, Pymble.

Materials included in the Contract consist of such items as soil, rock, asphalt, concrete, masonry, vegetation, mixed waste and metals.

Two separate tenders were advertised, one being for the provision of containers and the haulage of the waste or recycling material and the other for the receipt and processing of these materials. This is mainly due to different industries operating these services and therefore the opportunity for Council to obtain better prices.

Tenderers were opened in public at the designated time on 8 May 2007.

A Tender Assessment Panel consisting of staff from the Operations and Corporate departments was set up to evaluate the tenders.

The Assessment Panel's report is attached to this report as "confidential" due to "commercial in confidence" information supplied in the tenders.

COMMENTS

Tender T02/2007 - Disposal & Processing

The Tender advertised for the receipt of the waste materials attracted the following three tenderers:

1. Kimbrikki Recycling & Waste Management Centre
2. Reefway Construction Waste
3. Sell & Parker Metal Merchants

Kimbrikki Recycling & Waste Management Centre

This centre is operated and managed by a Joint Service Committee comprising of the Council's of Manly, Mosman, Pittwater and Warringah Councils. It is located off Mona Vale Rd, Terry Hills.

Council currently deliveries green waste, logs and stumps to this centre from its Open Space activities.

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The centre is licensed by the Department of Environment and Climate Change (DECC) for the operation of non putrescible landfill material such as engineering waste, vegetation processing and has a crusher processing licence.

The pricing offered by Kimbrikki Recycling is based on all materials being delivered to this location. A further non conforming offer was provided for the segregation of materials.

No tolerance for contamination is offered and due to the type of operational processes and waste materials generated by Council, this offer could only be considered in the circumstances where operational procedures were changed to ensure segregated waste streams were generated, stored and transported.

The background information provided in their tender indicates that up to 75% of materials delivered to Kimbrikki are recycled, however the percentage nominated for proportional payment of the section 88 levy was 70%. The section 88 levy charges only apply to materials that are sent to land fill.

Due to the submission containing a pricing schedule that does not reflect this 75% recovery of materials delivered, Kimbrikki was asked to clarify their submission concerning application and percentage of section 88 levy applied to their gate price.

The written clarification offered by Kimbrikki however provided a substantially different price outcome and nominated 100% of section levy to be applied for each tonne of waste based on the materials being defined as mixed when delivered to the facility. In effect the material delivered to Kimbrikki would be regarded as land fill.

This clarification has substantially altered there original tender submission and results in Council being unable to formally consider this alteration as part of this tender assessment.

Further, as the Section 88 levy is only payable on material disposed of by landfill, the information provided by Kimbrikki indicating that up to 75% of materials delivered to their site appears to be at odds with the 75% recovery claim and intended application of the section 88 levy.

Given the above circumstances, it is recommended Council not accept the tender with this substantial change.

Reefway Construction Waste

This facility is located at 3 – 5 Duck Street, Auburn and is operating under a DECC licence.

Council currently uses this facility to take its roads and footpath demolition waste such as soil, rock, concrete and asphalt.

Approximately, 80% of materials delivered is processed for recycling and on sold to end markets in the building, construction & roads industry. Quality testing via Testing Laboratory Aargus Pty Limited is carried out to ensure standards are maintained for materials processed for recycling.

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The tender response is for the receipt of engineering waste only as the remaining waste materials are outside of the business dealings.

The conforming offer has nominated a price with 20% of the section 88 levy being applied to the gate price. Refer table 2 in the Assessment Panel report.

An alternative offer has accompanied the conforming tender offering the option of charging on a per cubic meter basis. The calculation on the conversion from weight to volume indicates a similar total price outcome would be achieved for the first year of operation, however the information does not clearly identify the application of future pricing that would be subject to future increases in section 88 levy. A clarification that was sought on this matter, however, the response did not clearly resolve the issue and would further clarification in any negotiation process would be required.

Sell & Parker Metal Merchants

This company is located at 19A Baker St Banksmeadow. The company is one a few metals recycling companies in Sydney that can accept all metals for recycling.

They have submitted a conforming tender offering an income price per tonne for scrap metal delivered to its facility as indicated in the attached Assessment Panel report.

The offer is the higher of the two prices offered, with Kimbrikki being the other tenderer offering a price for Council's scrap metal. Refer to Table 2 of the Assessment Panel report.

Tender T03/2007 - Provision of Containers & Haulage

The haulage Contract was advertised to provide for suitable storage of the relevant waste streams within the current depot confines and to provide for the transporting of full bins to a location that processes, recycles or disposes of the material.

The service is a relatively straight forward process involving roll on / roll off or hook lift waste containers located within the depot.

Tenders for the Haulage of waste materials attracted four tenderers.

1. Transpacific Industries Group Pty Limited
2. All City Waste Pty Limited
3. WSN Environmental Solutions
4. Veolia Environmental Services

Transpacific Industries Group Pty Limited

This company is located at 84 Fourth Rd, Berkshire Park and is the current provider for transporting Council's depot waste to Reefway in Auburn.

The service offer includes the same bins and transport operation currently in place which has served Council several years.

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As indicated in the **attached** pricing schedule, the pricing comparison is the highest offered for the service and notwithstanding the company's previous good service, this tender is not the favoured option that would best benefit Council.

All City Waste Pty Limited

All City Waste is located at 17 Bridge Street, Padstow and operate under a waste transport licence.

The submission does not include sufficient information to allow assessment of the type of plant and resources operated to conduct the service. However, they state that the company has operated in the waste transport industry for many years and have the bins and vehicles suitable for the purposes specified by council.

The price offered in the attached Assessment Panel Report indicates that other tenderers offer better price options.

WSN Environmental Solutions

WSN Environmental Solutions is a NSW Government owned Corporation who currently have two contracts with Council for the receipt of recyclables and waste disposal from Council under Council's waste and recycling contract.

The organisation has offered the lowest transport cost for Council's depot waste materials and has addressed all the non price criteria under consideration in this tender.

The tender provides for three conforming options and one non conforming option.

The pricing offered for the three conforming options have the same pricing for the transporting of loads associated with engineering, vegetation and mixed waste loads.

These are the materials which are regularly transported and occupy the bulk of any costs associated with removal. The options included in the 2nd and 3rd conforming offers relate to a rebate system offered on the basis that the scrap metal bin would only be delivered to Council's depot by an on call basis and delivered and collected for one day.

This would require Council to provide a storage area until enough material is generate to fill a bin. As the scrap metal is only required to be collected on average once a month this option does not offer significant savings or operational convenience.

WSN's tender offers new equipment and a range of reporting options to manage material flows as well as the benefit of depot facilities at Ryde, Belrose, Chullora & Artarmon being within a reasonable distance of Council's area.

Veolia Environmental Services (formerly Collex)

Veolia Environmental Services are a large multi national company with interests in a number of service industries including waste management & collection, transport, environmental consultancies, remediation of land and water and liquid waste removal.

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They operate a bioreactor landfill near Goulburn NSW and are Council's current collection contractor for domestic and trade waste and recycling services.

The company is competent in its service delivery and would be suitable to provide the services required in this Contract.

The prices offered to carry out services are not the most cost effective option for Council when viewed against the favoured price offered from WSN/ES.

CONSULTATION

Consultation has taken place with several of the tenderers since the closing of the tenders in order to clarify their prices and requirements.

FINANCIAL CONSIDERATIONS

Financial considerations will be subject to consideration in any final negotiations to be undertaken. Costs associated with transport and disposal are already included in the recurrent budget but depending on negotiations, cost savings are likely to be achieved.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Relevant staff from Operations directorate have been consulted and included in the assessment process. Council's finance staff from the Corporate directorate has been consulted and represented on the Assessment Committee.

SUMMARY

The assessment of the non price criteria indicates that all tenderers are capable of providing a satisfactory service under the Contracts advertised.

The cost assessment has determined a favoured tender for the haulage contract, however, the submissions associated with the processing, recycling or disposal require further clarification before they can be adequately assessed.

The tender submission from Kimbrikki which has bid all materials streams has been substantially changed from their original bid following a question from Council's staff to clarify their pricing and application of the Section 88 Levy.

The remaining tenderers have only tendered for one material stream which has resulted in the options available to Council being too limited. Based on this limited response, it is considered more advantageous to not accept any tenders and elect to negotiate with one or more of the tenderers or any other facility that is suitable to accept this material.

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Further that during any negotiations, priority will be given to facilities that offer to process and recycle the materials delivered by Council.

This decision is permitted under Part 178 (3) (e) of The Local Government Act (General) Regulations 2005 as follows;

*“(3) A Council that decides not to accept any of the tender for a proposed contract or receives no tenders for the proposed contract must by resolution do one of the following (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.
(4) if a Council resolves to enter into negotiations as referred to in subclause (3) (e) the resolution must state the following;
(a) the Council’s reasons for declining to invite fresh tenders or applications as referred to in subclause (3) (b) – (d)
(b) the Council’s reasons for determining to enter into negotiations with the person or persons referred to in subclause (3) (e)”*

In the case of the Haulage Contract, WSN Environmental Solutions offers the most cost effective tender for Council.

RECOMMENDATION

- A. That Council accepts the tender from WSN Environmental Solutions for the provision of bins and transport of waste.
- B. That Council declines to accept the tenders for the receipt of waste materials and negotiates with the tenderers and other service providers.
- C. That Council not invite fresh tenders for reasons that a more advantageous outcome is likely to be achieved by negotiations.
- D. That the General Manager be delegated authority to negotiate a 3 year Contract with a 2 year option for the receipt of Council's depot waste and on completion of the negotiations that the Mayor and General Manager be delegated authority to execute the contracts under the seal of Council.

Colin Wright
Manager Waste Drainage and Cleansing

Greg Piconi
Director Operations

**Attachments: Tender Assessment Panel Report-Confidential
Tender Clarifications-Confidential**

NOTICE OF MOTION

PUBLICATION OF DA FLOOR PLANS

Notice of Motion from Councillor T Hall dated 15 May 2007.

I move:

"That Council resolve to permit all floor plans lodged with Development and related Applications (currently confidential), to be available to public viewing and for notification purposes under Council's DCP56 (Notification Policy). In so doing, Council relies on existing Copyright laws that protect the integrity of all building plans made available to Councils for public viewing."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Cr Tony Hall
Councillor for St Ives Ward