



Joint Regional
Planning Panels

SYDNEY WEST REGION JOINT REGIONAL PLANNING PANEL

Agenda and Business Paper

**To be held at 3.00 pm
Friday 4 December 2015**

**Ku-ring-gai Municipal Council
818 Pacific Highway
Gordon**

Regional Panels Secretariat

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Sydney West Region Joint Regional Planning Panel Meeting

AGENDA

4 December 2015

APOLOGIES

DECLARATIONS OF INTEREST

BUSINESS ITEMS

The following development applications are referred to the Sydney West Region Joint Regional Planning Panel for determination.

Item No	Subject
1.	2014SYW112 - Ku-ring-gai, DA0289/14 - Demolish existing & construct new church hall & rectory, 3A Hill Street Roseville and 1 Bancroft Avenue, Roseville
2.	2014SYW078 - Ku-Ring-Gai Council, DA0037/14, Demolition of structures and construction of a residential flat building, Demolition of all structures on site, tree removal, consolidation of four lots, construction of a residential flat building containing 85 units, basement car parking, ancillary site works and landscaping, 1189-1197 Pacific Highway and 1-1A Womerah Street, Turramurra
3.	2015SYW017 - Ku-Ring-Gai Council, DA0423/14, Demolish existing dwellings and construct a residential flat building consisting of 74 units, basement parking and landscaping works, Demolish existing dwellings and construct a residential flat building consisting of 74 units, basement parking and landscaping works, 124-126 Killeaton Street, St Ives
4.	2014SYW090 - Ku-Ring-Gai Council, DA0180/14, Mix use development, Demolish existing structures and construction of a mixed use development containing 3 buildings, 170 units, retail space, basement parking and landscape works, 870-898 Pacific Highway, Gordon
5.	2015SYW164 - Ku-Ring-Gai Council, MOD0064/15, Residential flat development, S96(2) modification application to DA0501/12 proposing to delete the deferred commencement component of the consent, delete condition 19 and modify unit layouts, 28-32 Dumaresq Street,



Joint Regional Planning Panels

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Item 1
JRPP 2014SYW112
DA0289/14
3A Hill Street, Roseville
And
1 Bancroft Avenue
Roseville
Council Assessment
Report

JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No	2014SYW112
DA Number	DA0289/14
Local Government Area	Ku-ring-gai
Proposed Development	Demolish existing & construct new church hall & rectory
Street Address	3A Hill Street Roseville and 1 Bancroft Avenue, Roseville
Lot & DP	Lots 2, 3 and 4 in DP 1046733
Applicant	St Andrews Anglican Church Roseville
Owner	Anglican Church Property Trust Diocese of Sydney
Number of Submissions	Original proposal: 20 in support, 5 objections Amended proposal: 3 in support, 2 objections
Regional Development Criteria (Schedule 4A of the Act)	The proposed place of public worship has a CIV of over \$5 million and falls into the category of 'private infrastructure and community facility'
List of All Relevant s79C(1)(a) Matters	SEPP 55 – Remediation of Land SEPP (Sydney Harbour Catchment) 2005 SEPP (Infrastructure) 2007 Ku-ring-gai LEP (Local Centres) 2012 Local Centres DCP Development Contributions Plan 2010
List all documents submitted with this report for the panel's consideration	Attachment A – Pre DA Report Attachment B – Letter to applicant Attachment C – Heritage Consultant comments Attachment D – Clause 4.6 variation Attachment E – Plans and elevations Attachment F – Sydney Trains letter
Recommendation	Refusal
Report By	Jonathan Goodwill – Executive Assessment Officer

Assessment Report and Recommendation Cover Sheet

Legislative requirements

Zoning	R2 Low Density Residential under Ku-ring-gai LEP (Local Centres) 2012
Permissible Under	Ku-ring-gai LEP (Local Centres) 2012
Relevant legislation	Environmental Planning and Assessment Act 1979 SEPP 55 – Remediation of land SEPP (Sydney Harbour Catchment) 2005 SEPP (Infrastructure) 2007

Integrated Development No

BACKGROUND

The JRPP considered an assessment report which recommended refusal of the application on 8 July 2015. The resolution of the JRPP was:

The decision of the Panel is to defer determining the application until a response has been received from Sydney Trains and will take its own legal advice in relation to FSR issues. The resolution today does not imply one way or the other that there will be an approval or refusal. Once the responses have been received the matter will be considered again by the Panel at a public meeting.

Sydney Trains provided their concurrence to the application on 21 October 2015. The assessment report has been updated in response to this information.

PURPOSE FOR REPORT

To determine Development Application No. 0289/13 for the demolition of the existing church hall and dwelling house and construction of a place of public worship at 3A Hill Street and 1 Bancroft Avenue, Roseville.

The Joint Regional Planning Panel (JRPP) is the consent authority as the proposed place of public worship is captured by the development category 'private infrastructure and community facilities' pursuant of Schedule 4A Clause 6 of the Environmental Planning and Assessment Act, 1979 and as the CIV for this development exceeds \$5 million (\$9.81 million).

HISTORY

Pre DA Meeting

On 9 October 2013, a Pre DA consultation to discuss a proposal for 'demolition of church hall and dwelling house, construction of new church hall, basement car park and two dwellings' was held. The following concerns were identified by Council officers:

- permissibility
- non-compliant and excessive floor space ratio
- non-compliant and excessive building height
- inadequate setbacks
- inadequate landscaping
- privacy impacts
- heritage impacts
- inadequate car parking

The applicant was advised that the proposal needed to be redesigned to address these issues.

The Pre DA report is **Attachment A**.

Current Development Application

1 August 2014	Development application lodged
15 August 2014	Notification commences
29 September 2014	Applicant is sent a request for information from Sydney Trains
14 November 2014	Applicant is sent a copy of the Heritage Assessment prepared by Council's Heritage Consultant
20 November 2014	<p>Applicant is sent a letter advising that the application is unsatisfactory and that the following issues are required to be addressed:</p> <ul style="list-style-type: none"> • permissibility • floor space ratio • gross floor area calculation • building capacity • privacy • setbacks • landscaping • engineering • heritage <p>The applicant is invited to submit amended plans within 21 days or withdraw the application. Council's letter to the applicant is Attachment B.</p>
15 December 2014	Meeting with applicant to discuss issues identified in assessment letter. Applicant advises that amended DA would be submitted by January 2015.
4 February 2015	Applicant is requested to provide an update on the status of the amended DA. The applicant advises that the plans would be ready by 11 February 2015.
6 February 2015	JRPP briefing takes place
10 February 2015	Applicant requests a meeting with Council staff on 20 February 2015. The Applicant is advised that a meeting can be arranged but the plans must be submitted before the meeting to allow for informed feedback. Applicant states that they would prefer to provide the plans at the meeting. Applicant is advised that plans must be submitted before the meeting.
19 February 2015	Applicant is requested to provide an update on the status of the amended DA.
20 February 2015	Applicant e-mails amended plans and requests a meeting with Council staff.
4 March 2015	Applicant meets with Council staff to discuss the amended plans.
5 March 2015	Applicant is reminded that information requested by Sydney Trains and sent to the applicant on 29 September 2014 is still outstanding.
6 March 2015	Applicant confirms that they are aiming to submit the amended DA by 18 March 2015.
13 March 2015	Applicant advises that the amended DA will be submitted shortly after 18 March 2015
30 March 2015	Applicant submits amended DA

20 April 2015	Amended DA notified for 14 days
10 June 2015	Additional information requested by Sydney Trains is submitted
10 August 2015	Sydney Trains is asked for an update on their review of the additional information
31 August 2015	Sydney Trains is asked for an update on their review of the additional information
3 September 2015	Sydney Trains is asked for an update on their review of the additional information
3 September 2015	Sydney Trains advises that the assessment of the information has been delayed for various reasons
9 September 2015	Sydney Trains advises that a deferred commencement concurrence will be issued by 13 September 2015
30 September 2015	Sydney Trains is asked for an update on their review of the additional information
1 October 2015	Sydney Trains advises that the concurrence letter has been prepared and is waiting to be signed off
21 October 2015	Sydney Trains provides their concurrence in accordance with SEPP (Infrastructure) 2007

THE SITE

Zoning:	R2 Low Density Residential
Height:	1 Bancroft Avenue – 9.5m 3A Hill Street – 11.5m
Floor space ratio:	1 Bancroft Avenue – 0.34:1 3A Hill Street – 0.85:1
Site area:	3287m ²
Easements/rights of way:	the site is located above the Chatswood to Epping rail tunnel
Heritage Item:	No
Heritage conservation area:	Yes: Lord Street/Bancroft Avenue Heritage Conservation Area
In the vicinity of a heritage item:	Yes: 3 Bancroft Avenue
Bush fire prone land:	No
Endangered species:	No
Urban bushland:	No
Contaminated land:	No
Biodiversity land:	No
Riparian land:	No

THE SITE AND SURROUNDING AREA

No. 3A Hill Street is comprised of two allotments situated on the south-west corner of Hill Street and Bancroft Avenue. The site has a frontage of 34.24m to Bancroft Avenue, corner splay of 6.79m and frontage to Hill Street of 44.785m. The site area is 2080m². The site contains a church and a church hall. The church was constructed in 1935 in the Interwar Gothic Style. The exterior walls of the church are red face brick with a sandstone base. The church is located in the northern part of the site and extends across the site frontage to Bancroft Avenue. The church has a steeply pitched tiled roof. The church has three levels, a basement, ground floor level and a gallery level. The church has a height of 12.13 metres. The church hall was constructed in c. 1958. The church hall is located behind the church and has a height of 11.23 metres. The setback of the church from the southern boundary is

approximately 1 metre. The site is zoned R2 Low Density Residential and subject to a maximum height limit of 11.5 metres and a maximum floor space ratio of 0.85:1.

No. 1 Bancroft Avenue is a rectangular allotment with a frontage of 22.86m, eastern boundary of 53.58m and western boundary of 52.42m. The site area is 1207m². The site contains a two storey dwelling house (rectory). The site is zoned R2 Low Density Residential and subject to a maximum height limit of 9.5 metres and a maximum floor space ratio of 0.34:1. The site contains a c.1980s two storey dwelling house. The dwelling has medium coloured brick walls and a hipped roof with terracotta tiles. The garage of the dwelling house appears to have been converted into habitable rooms. The front setback area of the dwelling is landscaped, however it is currently used as an informal parking area. As a result of the sloping topography of the site, the northern elevation of the building has a height of two storeys and the southern elevation has a height of one storey. The dwelling has setbacks of 9.5 metres from the front boundary, 21.5 metres from the rear boundary, 2.2 metres from the eastern side boundary and 4.5 metres from the western side boundary. Consistent with the character of the other dwelling houses in the Lord Street/Bancroft Avenue Heritage Conservation Area, the backyard of the dwelling contains lawn and canopy trees. The survey plan identifies 4 x trees with a height of 6-9 metres and 5 x trees with a height of 11-15 metres.

The combined area of the two allotments is 3287m². The site is located in the Lord Street/Bancroft Avenue Heritage Conservation Area. The Conservation Area is characterised by intact streetscapes of Federation Queen Anne style housing. The majority of the allotments in Bancroft Avenue are zoned R2 Low Density Residential. Roseville College is located 220 metres to the east of the site, Roseville College is zoned SP2 Infrastructure. Roseville College is not located inside the Lord Street/Bancroft Avenue Heritage Conservation Area.

The adjacent dwelling to the north-east, 3 Bancroft Avenue, is a single storey double brick dwelling designed in the Queen Anne (Federation) style and identified as a heritage item in Ku-ring-gai LEP (Local Centres) 2012. The adjacent building to the south, 3 Hill Street, is a two storey residential flat building. The building has a setback of 7 metres from the northern boundary shared with 3A Hill Street and 1 Bancroft Avenue.

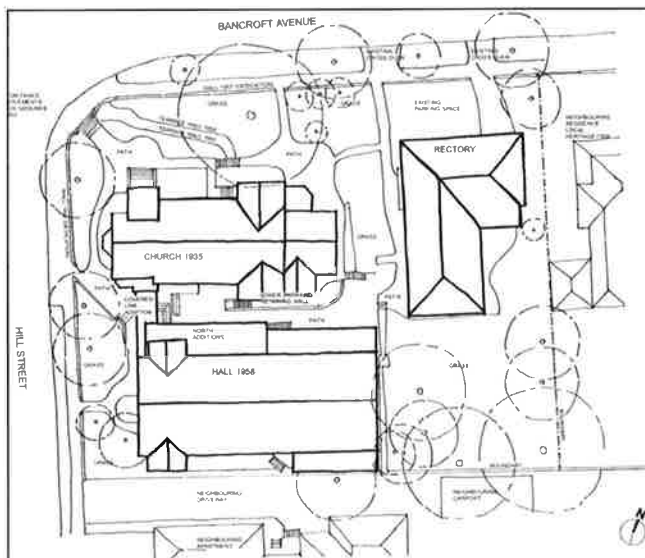


Figure 1 - Existing site plan (source: heritage impact statement)

THE PROPOSAL (AS AMENDED)

- demolition of the existing church hall at the rear of 3A Hill Street
- demolition of the rectory (dwelling house) at 1 Bancroft Avenue
- removal of 14 trees
- excavation and construction of a basement car park comprising 38 spaces with access from Bancroft Avenue;
- alterations and additions to the church including construction of a new interconnected church and hall, incorporating:
 - worship space and multipurpose hall with a seating capacity for 500 people (increased capacity of 226 people over existing);
 - lobby / reception area;
 - meeting rooms;
 - offices;
 - Sunday school spaces;
 - counselling rooms;
 - residential apartment (for ministry staff); and
 - kitchen and bathroom facilities.
- construction of an elevated courtyard area;
- construction of a new two storey rectory building; and
- associated landscaping works.

COMMUNITY CONSULTATION

In accordance with the requirements of the Local Centres DCP, owners of surrounding properties were given notice of the application from 15 August 2014 to 15 September 2014. In response to the notification, 20 submissions in support of the proposal and 5 submissions objecting to the proposal were received.

The issues identified in the submissions included:

The traffic survey is not valid as it was carried out on the same day as the City to Surf

If the City to Surf did have an impact on the survey it is likely that the impact would have been a reduced availability of on-street parking.

The specific uses for the worship space and hall are unclear

The configuration of the building allows for the worship space and hall to be used as one space or two separate spaces. The specific uses proposed for the site are detailed in the usage schedule attached to the acoustic report. The proposed uses are consistent with those likely to occur at a place of public worship.

Whether the use of the two dwelling houses can be restricted to only ministers permanently residing and working at the church

Dwelling houses are a permissible use in the zone and there is no requirement for their use to be restricted to persons/households associated with the church.

The total capacity of the worship space and hall is unclear

The application documentation states that the capacity of the worship space and hall is 500 people.

The hall does not have any external windows or emergency escape doors

The number and design of emergency exits is not an issue relevant to the assessment of a Development Application. These issues are addressed at construction certificate stage in accordance with the requirements of the National Construction Code.

The application documentation should not include comparisons with the Pre DA scheme as this information is not available for public viewing

The content of the application documentation is a matter for the applicant to determine.

The access to the basement carpark is akin to a large scale commercial premises and it not compatible with the heritage conservation area

The amended proposal incorporates a sliding solid screen across the entry of the basement carpark. The screen prevents the entry from reading as an entry to a commercial carpark.

The excavation for the basement carpark has the potential to damage a retaining wall on the boundary of 3 Hill Street

If approval of the application were recommended, a condition requiring the preparation of a dilapidation report for adjacent properties would be required.

The car parking assessment should be based on the total capacity of the premises rather than the increase in capacity

The proposed development is for the redevelopment of the site and an expansion of the existing use, accordingly the parking assessment is based on the increased capacity of the premises.

The 59m southern elevation has the appearance of a warehouse and will have an unacceptable impact on the adjacent apartment building at 3 Hill Street, including a loss of existing landscape views

The amended plans have reduced the length of the southern elevation to approximately 53m. The southern elevation has been articulated by a 1.5m deep indentation at the first floor level (southern wall of meeting room 01). Concern remains that the extension of the building into the backyard of 1 Bancroft Avenue and the subsequent loss of landscaped open space will have an unacceptable impact on the Heritage Conservation Area and the landscaped outlook currently available to the apartments at 3 Hill Street.

The setback of the southern elevation is less than existing setback and this will result in increased overshadowing of the apartments at 3 Hill Street

The windows on the northern elevation of 3 Hill Street have a north north-west orientation. The shadow diagrams show that the development will not reduce solar access to the apartments at 3 Hill Street to less than 3 hours of the winter solstice.

Excessive tree removal

The arborist report identified 35 trees, 15 located outside the site, 12 located at 1 Bancroft Avenue, 8 trees at 3A Hill Street. The proposal seeks to remove 1 street tree located outside the site, 10 trees at 1 Bancroft Avenue and 3 trees at 3A Hill Street. Of the 20 trees located on the site 13 are proposed to be removed. The tree removal is considered to be excessive as the proposal provides minimal opportunity for replacement planting, particularly at the rear of 1 Bancroft Avenue.

Bulk and scale

The bulk and scale of any development on the site is subject to development standards for building height and floor space ratio in Ku-ring-gai LEP (Local Centres) 2012. The floor space ratio of the development on 1 Bancroft Avenue is 0.57:1 which does not comply with the development standard of 0.34:1. The variation to the maximum floor space ratio development standard is in the order of 67%. The applicant's request to vary the development standard has been assessed and is not supported as it does not satisfy the requirement of clause 4.6 'Exceptions to development standards'.

Privacy

The original proposal included office windows facing towards the dwelling at 3 Bancroft Avenue. These windows have been deleted from the plans. Overlooking and noise impacts from the elevated courtyard between the rectory and the offices is to be reduced through the installation of a screen on the western end of the courtyard. The acoustic report submitted by the applicant includes an assessment of the likely impacts of operational noise. For the purposes of this assessment, the acoustic consultant has modelled the impact of 55 people with a raised voice level using the courtyard at one time. The acoustic report finds that the predicted noise level will exceed the noise criterion for the evening period by 1dB but states that this is acceptable as the Industrial Noise Policy accepts compliance for noise sources that are less than 2dB below the statutory noise limit.

Overshadowing diagrams are inaccurate

For dwelling house development the Local Centres DCP states that development must not reduce solar access to habitable rooms or private open space to less than 4 hours on the winter solstice. The shadow diagrams show that the development will have no impact on solar access to 3 Bancroft Avenue and minor impacts to 3 Hill Street. It is agreed that the shadow diagrams understate the shadows cast by the development, in particular the shadow cast by the offices over the rear of 3 Hill Street. The eaves of the southern elevation have an RL of 109.20 and the survey plan identifies a ground level of RL 103.42 at the south-western corner of the garage at the rear of 3 Hill Street. At 3pm the southern elevation should cast a shadow with a length of 17.2 metres. Measurements taken from the shadow diagrams show a maximum shadow length of 14.3 metres. However, the shadow cast by the existing garage building is also considered to be inaccurate, the garage, which has a wall height of 2.3m, should cast a shadow of 6.9m, the shadow on the 3pm plan has a length of 5.6m. The consequence of these discrepancies is that the additional shadow from the new development should fall within the existing shadow cast by the garage. The reduction in solar access to the concrete driveway at the rear of 3 Hill Street will not result in a non-compliance with any solar access controls.

The proposal to demolish the south-east wall of the church will have an unacceptable impact on the heritage significance of the church

The site is located in a heritage conservation area. Council's Heritage Consultant assessed the proposal and found that the demolition of the rear wall of the church would have an acceptable impact on the heritage significance of the Heritage Conservation Area.

Increased traffic

The increased traffic resulting from the development has been considered by Council's Development Engineer who concluded that it will not have a significant impact on the operation of the local road network.

Inadequate car parking

The only parking currently available on the site is informal parking within the front setback of 1 Bancroft Avenue. The proposal is to combine the church and church hall into a single building and increase the capacity from 274 seats to 500 seats, (226 additional seats). It is noted that 443 seats are shown on the floor plans, however the area to the rear of the seats increases the capacity of the building to 500 people. The proposal seeks to provide 35 car spaces for the church and 3 car spaces for the residential component. The Local Centres DCP specifies a minimum of 1 car space per 6 seats. The provision of 35 car spaces for 226 additional seats does not comply with the car parking requirements of the DCP, however the peak demand for parking is on Sundays and sufficient on street parking is available at this time. The number of car spaces is considered acceptable.

The additional gross floor area sits over the carpark and results in a very bulky building that is not in the best interest of the neighbouring area

The floor space ratio of the development at 1 Bancroft Avenue is 0.57:1 and the maximum floor space ratio permitted is 0.34:1. The applicant's request to vary the development standard has been assessed and is not supported as it does not satisfy the requirements of clause 4.6 'Exceptions to development standards'.

To reduce overlooking from the proposed dwelling at 1 Bancroft Avenue additional landscape screening will be required

The proposal includes a 6m high hedge adjacent to the terrace of the dwelling. The combination of screening vegetation and setbacks will minimise impacts on the privacy of 3 Bancroft Avenue.

Details of the screens on the eastern edge of the building have not been provided

The height and location of the screens are shown on the elevations and sections. The performance requirements for the screens are specified in the acoustic report.

The central courtyard is adjacent to the backyard of 3 Bancroft Avenue and will have significant impact on visual and acoustic privacy

Visual and acoustic privacy impacts can be ameliorated through construction detailing and management procedures, however the site is located in a heritage conservation area and the proposed site layout is not consistent with the characteristics of the area as the proposed 2 storey building is located in the rear setback zone. Having regard to the zoning of the site and the variation to the floor

space ratio development standard, the visual impact of this structure on the backyard of 3 Bancroft Avenue is considered to be unreasonable.

Hours of operation have not been specified

The proposed usage schedule was attached to the acoustic report. The hours of operation are 8.30am to 9.30pm Monday to Friday and 8.30am to 9.00pm on weekends. Subject to the implementation of appropriate acoustic management techniques, the proposed hours are considered acceptable.

AMENDED PLANS

The amended plans were notified for 14 days from 21 April 2015 to 5 May 2015. In response to the notification 3 submissions in support of the proposal and 2 submissions objecting to the proposal were received.

The submissions in support of the proposal were from:

1. Mr P Hill, 99 Shirley Road Roseville NSW 2069
2. Mr G N Evans, 14 Lord Street Roseville NSW 2069
3. Mr A N Lamb, 43 Abingdon Road Roseville NSW 2069

The objections to the proposal were from:

1. Mr S Ross and Ms A Hargreaves, 3 Bancroft Avenue, Roseville 2069
2. The Archbold Estate, Roseville Inc., PO Box 537 Roseville NSW 2069

The submissions raised the following additional issues:

Retained trees have not been shown coloured on the basement plans and may accidentally be removed

If approval of the application were recommended this issue could be resolved by a condition which specified which trees were to be removed/retained.

The high roof over the entry stair adds to the height of the development and is not sympathetic in design

If approval of the application were recommended this issue could be addressed through a condition which required a reduction in the height of the roof or integration with the main roof of the rectory.

The cement rendered façade to Hill Street has no resonance with the surrounding streets of the Heritage Conservation Area

The new building on the Hill Street elevation is an infill development. The grey cement render to the façade will have minimal visual impact on the streetscape and will retain the visual prominence of the church.

The changes to the Bancroft Avenue elevation are less sympathetic to the Heritage Conservation Area than the original design

The original plans referenced Federation elements such as the return verandah, gabled wing and sandstone base but did not present them in a contextually meaningful manner that would add a positive layer to the historic record of the

Heritage Conservation Area. Requiring church activities to be contained within a Federation-styled or strongly referenced building would confuse the historic and aesthetic qualities of the built environment of Bancroft Avenue and the HCA. The design controls in the Local Centres DCP promote the use of a contemporary aesthetic for infill development.

EXTERNAL REFERRALS

Sydney Trains

As the site is located above a rail tunnel, the application was referred to Sydney Trains in accordance with clause 86 of SEPP (Infrastructure) 2007. Sydney Trains requested additional information via correspondence dated 24 September 2014. The request for additional information was forwarded to the applicant on 29 September 2014. The information submitted on 10 June 2015 was forwarded to Sydney Trains on 12 June 2015. Sydney Trains provided their concurrence on 21 October 2015.

INTERNAL REFERRALS

Heritage

Council's Heritage Consultant reviewed the application and provided the following summary of issues.

- The inclusion of 1 Bancroft Avenue within an amalgamated site will disrupt the lot boundary patterning and streetscape rhythms of Bancroft Avenue as the development of the open space at the rear of the existing rectory introduces commercially-scaled patterns of site coverage and development into the residential precinct.
- The spatial qualities of the existing rectory site are consistent with the traditional pattern of development throughout the Heritage Conservation Area and contribute to the heritage significance of the Heritage Conservation Area. The scale of the development at the rear of 1 Bancroft Avenue is not consistent with the garden setting of the Heritage Conservation Area and has adverse impacts on the setting of the heritage item at 3 Bancroft Avenue.
- The variation to the maximum floor space ratio development standard contributes to the unacceptable impacts on the significance of the Heritage Conservation Area and the heritage item at 3 Bancroft Avenue.

The complete Heritage Comments can be found at **Attachment C** to this report.

Landscaping

Council's Landscape Assessment Officer commented on the amended proposal as follows:

Tree impacts

The proposed development will result in the removal of numerous trees located on site and one within the Bancroft Avenue nature strip. The most prominent trees associated with the site, T29 Eucalyptus elata (River Peppermint) & T30 Lophostemon confertus (Brush Box) are proposed to be retained. A detailed arboricultural impact assessment report and addendum by Tree IQ and a root mapping report by Glochidion Arboriculture has been submitted with the application.

T3 Pistacia chinensis (Chinese Pistacia) located within the Bancroft Avenue nature strip. The tree spatially conflicts with the proposed vehicular entry. The tree is part of an established alternating avenue planting of Pistacia and Gordonia. The tree is outwardly in good health and condition, typical for the species. The tree has been previously trimmed for overhead wires. Its removal is unfortunate, but it is not of such broader landscape significance to require a design change. A replacement planting will be required further west within the nature strip.

Trees at rear of 1 Bancroft Avenue

Numerous trees are proposed to be removed at the rear of the existing rectory. The trees provide landscape amenity and residential landscape character to this part of the site and neighbouring properties including the adjacent heritage item. They also form part of the treed horizon line/backdrop planting when viewed from Bancroft Avenue. Tree 15 is the most prominent. The trees spatially conflicts with the development proposal. The location of the neighbouring unit block detached garages is noted, providing visual privacy at ground level. The nominated tree removal is inconsistent with the KLCDP Vol C 1.3 Objectives and Controls to conserve landscape settings for heritage items.

Tree 15 Lophostemon confertus (Brush Box) located adjacent to the south-east site corner. The Project Arborist has identified that the amount of excavation required has the potential to reduce the trees SULE. As requested root mapping has been undertaken. No tree roots from Tree 15 were discovered to a depth of 600mm. Therefore the excavation for the proposed building will have minimal impact. The retention of Tree 15 helps conserve part of the landscape and treed setting associated with the heritage item. However, it is noted that a drainage line and stormwater pits are proposed within the root zone of the tree. To reduce potential impact, it is required that this drainage line be located immediately adjacent to the building/excavation line.

T24 Neighbouring tree – little or no impact despite significant encroachment within Tree Protection Zone due to existing retaining wall.

T34 Chamaecyparis obtusa (Hinoki Cypress) located within the Hill Street frontage. Previous concerns raised regarding the tree's removal have been satisfactorily addressed with design modifications to enable the retention of the tree.

Landscape plan/tree replenishment

The amended landscape plans are acceptable. The revised species are consistent with the traditional landscape setting of the HCA, and in general compliance with KLCDP 1.3.2.

There is an existing mature Murraya screening hedge located adjacent to the boundary with 3 Bancroft Ave. The hedge provides valuable screening and amenity to both properties. As the hedge is located outside of development works, it would be

required that it be retained. This is consistent with the KLCDGP Objectives and Controls Vol C 1.3.4.

No detailed plant schedule has been submitted with the application. To ensure landscape amenity is maintained the use of advanced specimens where appropriate could be conditioned.

Stormwater plan

The proposed drainage works for the site has not considered retained trees on site, particularly T15. This is inconsistent with KLCDGP Vol C 1.3.7. The relocation of the drainage line to reduce tree impact could be conditioned.

The amended drainage plan proposes a 375mm diameter pipe and pit which spatially conflicts with the location of the proposed substation. This is not permitted. To overcome this issue it is recommended (subject to Development Engineer concurrence) that the proposed 375mm pipe be relocated to the road reserve on the western side of the kerb beneath the roadway. This will remove potential tree impacts and cost associated with thrust boring beneath T29. For certainty, an amended Stormwater Plan is required

BASIX

The submitted BASIX certificate shows a common lawn area of 130sqm. The proposed landscape works for the site only includes a small lawn area immediately adjacent to the church which is <130sqm, and includes massed planted areas/garden beds that would exceed 130sqm. Therefore, the BASIX certificate and development proposal are inconsistent.

Other issues and comments

Substation

The proposed location for a sub-station within the main view shed of the existing church elevation from Hill Street and Bancroft Avenue is an undesirable landscape/streetscape outcome, as it downgrades the landscape setting and cannot be screened from the public domain.

Fire hydrant/booster valve

Previous concerns have been satisfactorily addressed with the relocation of the fire hydrant/booster valve.

Southern site boundary

Previous concerns have been satisfactorily resolved with the retention of existing levels.

Conclusion

The application is unacceptable on landscape grounds due to:

- *inconsistency with BASIX*

- *conflict between proposed stormwater drainage works and the proposed sub station*
- *the nominated tree removal is inconsistent with the KLCDP Vol C 1.3 Objectives and Controls to conserve landscape settings for heritage items*

Engineering

Council's Team Leader Engineering Assessment commented on the amended proposal as follows:

Conflict between stormwater plan and tree retention

The arborist's addendum letter does not refer to the stormwater management plan. There are two pits proposed near Tree 15 and due to the fall of the land, they would be at least 1 metre deep (no details are given on the plan). This needs to be considered by the arborist.

The BASIX commitments have been revised but neither the architectural nor the stormwater plans show the rainwater tanks to the extent required in the Schedule of BASIX commitments.

Traffic and parking

The increased basement setback from Tree 15 has resulted in the loss of two parking spaces. As the peak demand for church parking falls outside the existing peak demand for on street commuter and school parking, the shortfall in the number of parking spaces is acceptable.

Water management

The stormwater plan Wood & Grieve Drawing C-100 Revision F and Stormwater Management Plan Revision 2 do not demonstrate that the following objectives of the Ku-ring-gai Local Centres DCP will be achieved:

- *to ensure that development does not increase the impact of rainfall events*
- *to consider the existing capacity of the public drainage system*

The following issues have been identified:

- The BASIX water commitments require a 5,000 litres rainwater tank for the new rectory and a common 5,000 litres rainwater tank. These tanks are not shown on any plans, as required under 1(a)(i)(h) and 3(b)(i)(b) in the Schedule of BASIX commitments. There are circles labelled "WT" on DA2101 Issue 10 but no sizes, configurations or connections are shown.*
- No calculations for the on site detention tank have been provided to demonstrate that the proposed system will achieve the objectives. No information was provided to support the proposed volume or outlet configuration so that likely outflows are unknown.*
- No orifice plate is shown so it is not demonstrated that flows will be attenuated by the tank.*
- An apparently superfluous 225mm diameter outlet pipe is shown which could affect the functioning of the system.*

- v. *The outlet pipe from the detention tank is incorrectly labelled IL97.65 on the Site Plan Drawing C-100 F (should be IL96.65).*
- vi. *The Stormwater Management Plan still refers to Ku-ring-gai Municipal Council – Draft Drainage Code, a non-existent document. The correct reference is Ku-ring-gai Local Centres Development Control Plan.*
- vii. *The arboricultural addendum does not reference the stormwater Layout Plan Drawing C-100 Revision F. Two pits which are inferred to be at least 1 metre deep are shown close to Tree 15 and the method of constructing these pits would need to be specified by the arborist.*
- viii. *Two sections of 375mm diameter pipe are shown on the stormwater plans as being bored under Tree 29. This is not discussed in the arborist's letter either and this matter should be addressed by the arborist.*
- ix. *The stormwater plan does not show the substation. A grated pit which could surcharge and direct water into the substation is not likely to be acceptable to Ausgrid.*
- x. *Surface pits in the Hill Street setback appear to be unnecessary.*

STATUTORY PROVISIONS

State Environmental Planning Policy (Infrastructure) 2007

As the development involves excavation to a depth of greater than 2m above a rail corridor, Clause 86 of the SEPP requires that the application be referred to Sydney Trains for comment. Clause 86(3) states that consent cannot be granted without the concurrence of the chief executive officer of the rail authority.

The application was referred to Sydney Trains on 11 August 2014. Sydney Trains requested additional information via correspondence dated 24 September 2014. The request for additional information was forwarded to the applicant on 29 September 2014. The additional information submitted on 10 June 2015 was forwarded to Sydney Trains on 12 June 2015.

Sydney Trains provided their concurrence on 21 October 2015. Sydney Trains have advised that the proposal will satisfy the requirements of SEPP (Infrastructure) 2007 subject to the imposition of the deferred commencement conditions specified in their correspondence.

State Environmental Planning Policy No. 55 - Remediation of Land

The provisions of SEPP 55 require consideration of the potential for a site to be contaminated. The proposed site is currently used as a church, church hall and a dwelling. The subject sites do not have a history of uses that are likely to have resulted in soil contamination.

Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005

SREP 2005 applies to the site as the site is located in the Sydney Harbour Catchment. The Planning Principles in Part 2 of the SREP must be considered in the preparation of environmental planning instruments, development control plans, environmental studies and master plans. The proposal is not affected by the provisions of the SREP which relate to the assessment of development applications as the site is not located in the Foreshores and Waterways Area as defined by the Foreshores and Waterways Area Map.

Ku-ring-gai LEP (Local Centres) 2012

Zoning and permissibility:

The site is zoned R2 Low Density Residential. The applicant states that the proposed development is defined as a place of public worship.

place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

On 20 November 2014, the applicant was sent a letter which requested further information on why the proposal was defined as *place of public worship*. The applicant provided the following statement:

The proposed use is a Place of Public Worship. Place of public worship means "a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training". The other uses contemplated on the site, such as youth group, church functions, counselling etc, are all ancillary functions of the place of public worship (as specifically contemplated in the LEP definition) and would not occur on the site if the place of public worship was not operating.

It is considered that the following elements of the proposed development fall within the scope of place of public worship:

- worship space
- hall
- Sunday school
- offices
- meeting rooms
- consultation rooms
- car park
- courtyard

The two dwelling houses are not considered to be ancillary or ordinarily incidental to the place of public worship, nevertheless, a dwelling house is a permissible use in the R2 zone.

Residential zone objectives:

Clause 2.3(2) states that the consent authority must have regard to the objectives for development in a zone when determining a development application. The objectives for the R2 Low Density Residential zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide housing that is compatible with the existing environmental and built character of Ku-ring-gai.*

For the following reasons the proposal is considered to be incompatible with the first and third objectives:

- i. The floor space ratio of the development at 1 Bancroft Avenue represents an overdevelopment of the site that is inconsistent with a low density residential environment.
- ii. The built form of the development at 1 Bancroft Avenue, particularly the minimal landscaped area and the two storey building in the traditional rear setback area is not compatible with the character of Bancroft Avenue.

Development standards:

3A Hill Street

Development standard	Proposed	Complies
Building height: 11.5m	11.29m	YES
Floor space ratio: 0.85:1 (1768m ²)	0.76:1 (1580m ²)	YES

1 Bancroft Avenue

Development standard	Proposed	Complies
Building height: 9.5m	9.25m	YES
Floor space ratio: 0.34:1 (410m ²)	0.57:1 (688m ²)	NO

Gross floor area calculation

The floor space ratios of the development has been determined using the gross floor area calculation plans provided by the applicant, with the exception that the store rooms on the lower ground floor level have been included as gross floor area as the lower ground floor level cannot be defined as a basement as the storey above the store rooms has a floor that is more than 1m above the ground level.

In accordance with the LEP, void areas have been excluded from the gross floor area calculation. The void over the hall has a ceiling height of 6.8- 7.4m and an area of 167m². The void over the lobby has a ceiling height of 6.3-7.7m and an area of 102m². The void over the worship space has an area of 359m² and a maximum ceiling height of approximately 9.2m. If the voids were included as gross floor area, the floor space ratio of the development at 3A Hill Street would be 1.07:1 and the gross floor area would be 473m² greater than the maximum permitted.

4.6 Exceptions to development standards:

A development which does not comply with a development standard cannot be approved unless the consent authority is provided with a request to vary the development standard which satisfies the requirements of clause 4.6.

The applicant has acknowledged that when calculating floor space ratio for the purposes of the LEP the floor space ratio must be determined for area of the site that is subject to a different floor space ratio control. The applicant has submitted a request for a variation to the maximum floor space ratio (**Attachment D**).

The objectives of clause 4.6 are:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Subclause (3) states that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

Subclause (4) states that development consent must not be granted for development that contravenes a development standard unless:

- (a) the consent authority is satisfied that:*
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

The objectives of the floor space ratio clause are:

- (a) to ensure that development density is appropriate for the scale of the different centres within Ku-ring-gai,*
- (b) to enable development with a built form and density compatible with the size of the land to be developed, its environmental constraints and its contextual relationship,*
- (c) to ensure that development density provides a balanced mix of uses in buildings in the business zones.*

The objectives of the R2 Low Density Residential zone are:

- *to provide for the housing needs of the community within a low density residential environment*
- *to enable other land uses that provide facilities or services to meet the day to day needs of residents*
- *to provide housing that is compatible with the existing environmental and built character of Ku-ring-gai*

The application of clause 4.6 was recently considered by Justice Pain in the decision of *Four2Five Pty Ltd v Ashfield Council*. Arising from this decision are the following principles:

- i. The statutory context for cl. 4.6 suggests that an indulgence is being sought for a variation of a development standard which would otherwise prohibit development not complying with it. The clause should be construed strictly

and applying the usual meaning to its terms in the context of the clause as a whole.

- ii. The clause 4.6 variation must address sufficient environmental planning grounds to inform a consent authorities finding of satisfaction in cl. 4.6(4)(a)(i).
- iii. A finding that a development is in the public interest does not satisfy the requirements of cl. 4.6(3)(a). A development consent cannot be granted for development that contravenes a development standard unless it satisfies both subclauses (4)(a)(i) and (ii).

In response to objective (a), *to ensure that development density is appropriate for the scale of the different centres within Ku-ring-gai*, the applicant states:

The proposed density equates to 327m² of additional GFA on the eastern portion of the site, which when balanced with the surplus of GFA potential on the western portion only equates to a variation of 150m² of GFA or (0.045:1) across the whole site.

Such a minor variation over a 3,293m² site means that the development will still result in a scale that reflects the desired density for the Roseville centre. Further consideration of the proposed scale and its impact on the adjoining properties is provided in Section 3.2. It is noted that the proposed development complies with the maximum building height development standard.

It is also noted that the development will only result in two dwellings across the site, therefore not resulting in a greater residential density than would be achieved by a complying scheme.

In response to objective (b), *'to enable development with a built form and density compatible with the size of the land to be developed, its environmental constraints and its contextual relationship'*, the applicant states:

For the reasons detailed above, the proposed density is compatible with the size of the land.

The redistribution of GFA from the western portion of the site to the eastern portion is a direct response to environmental constraints and is the outcome of a detailed site analysis, which identified where the built form would have the minimum impact on the character of the area, which is at the rear of the eastern portion of the site. Further consideration of the proposed design and its response to the environmental constraints is provided in Section 3.2.

In terms of its contextual relationship, it is understood that the intent of the 0.3:1 control is to preserve the residential character along Bancroft Avenue. The proposed design achieves this by providing a dwelling with a density and built form that is consistent with the surrounding area and planning controls, noting that the proposed development complies with the maximum building height development standard. The additional density is then located in the form of the hall which is located behind the dwelling at the rear of the property along the southern boundary and complies with the maximum building height. Further consideration of the proposed scale and its impact on the adjoining properties is provided in Section 3.2.

In response to the requirement to demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard the applicant states:

The proposed variation to the FSR control is largely the result of redistributing the development potential that could have otherwise been achieved within the western portion of the site into the eastern portion.

If made to comply, the GFA would need to be relocated from the eastern portion of the site back into the western portion where the FSR control allows for it. This would have the following more significant environmental impacts which justify contravening the development standard in this instance:

- *St Andrews would potentially be forced to reconsider if it could retain the historic church building in order to achieve its FSR potential. Demolition of the church building would have a far greater adverse impact on the streetscape and the heritage character of the area.*
- *If the church building could be retained, the height and massing of the hall would need to significantly increase, having a much greater impact on the streetscape character, adjoining properties and curtilage of the church building*

The size of the hall would need to be increased within the western portion of the site where it has an interface with the Hill Street residential apartments, rather than the eastern portion as proposed, where it has an interface with a carport. Compliance with the controls would therefore be likely to result in greater shadow, privacy and built form impacts on the adjoining apartment building.

The proposed development has been designed to ensure that from Bancroft Avenue the buildings read as a low scale two storey form consistent with the character of the street

Therefore the main environmental impact as a result of redistributing the floor space to the rear of the eastern portion is the loss of an area that would typically be backyard if the development was a traditional dwelling house. Development in this location has the potential to impact on 3 Hill Street and 3 Bancroft Avenue.

3 Hill Street

As demonstrated above, locating the FSR within the western portion of the site will have a far greater impact on the solar access, privacy and outlook of the apartments in 3 Hill Street than the proposed scheme. The location of the GFA within the eastern portion of the site redistributes this GFA to a part of the site where the 3 Hill Street apartments currently have their garages and at-grade parking. It is also noted that the proposal will reduce the size of the existing church hall along the boundary with the 3 Hill Street apartments, improving their solar access and outlook. Therefore the proposed variation will have a positive environmental impact on the apartments at 3 Hill Street.

3 Bancroft Avenue

Locating the FSR within the western portion will change the outlook from 3 Bancroft Avenue. In order to preserve as much of the landscaped outlook as possible the proposed building has been setback at the back corner of the site, specifically to allow for retention of the large existing tree. In addition, the

landscape plans place a special emphasis on achieving a high quality landscape solution along the boundary.

The amended development will not have any privacy or heritage impacts or result in any additional overshadowing. Therefore the impact of the variation on 3 Bancroft Avenue is limited to the house's outlook only, which as discussed above the impacts of which have been mitigated as part of the amended design.

In light of the above there is considered to be sufficient environmental planning grounds to justify contravening the development standard in this instance.

In response to the requirement in clause 4.6(5)(b) for the consent authority to consider the public benefit of maintaining the development standard the applicant states:

As there is no adverse environmental impacts other than impacting the outlook of 3 Bancroft Avenue, and the proposed variation still achieves the objectives of the standard, there is no public benefit in maintaining it. Conversely the proposed development, which is a community funded development, for use by the community, will provide a number of significant public benefits which include but are not limited to:

- providing an improved and expanded centre for the community whereby a range of community orientated functions and services can be held;*
- increasing the capacity for the community to attend and participate in local Sunday services;*
- enabling a broader range of services provided by the Anglican Church to be run for the community through the expanded floor space, encouraging services such as counselling, mentoring programs and other community service programs to continue providing for the social and spiritual wellbeing of the broader Roseville community;*
- enabling weddings and funerals to be carried out at the Church, enabling members of the congregation to participate in significant life events within their local community, and at their local Church;*
- conserving the heritage streetscape character of Bancroft Avenue through a more sensitively designed and articulated built form and the removal of other built elements identified as being detracting; and*
- increasing the office and consulting room space so that the ministry staff and other social-focused professionals can have a high amenity work space that can be offered as a benefit to the community members who utilise these services.*

The proposed development will also support the growth of the Church so that it can continue to resource its innovative community service based program called the 'Community Project' whereby members of the Church provide a range of services for free to the community. These services include providing crisis accommodation, babysitting, running errands and grocery shopping for those less able, general maintenance tasks, a 'freezer' meals ministry, and legal and financial counselling services. To run the 'Community Project' the members draw from a wide range of resources provided by the Church buildings, using this space throughout the week to run these service tasks. The proposal to renovate and extend the Church's facilities would make an invaluable contribution to the effectiveness of this program and as such the proposal has the opportunity to directly contribute to the broader social and economic welfare of the Roseville community.

If Council is of the view that the Church cannot utilise the rectory site (as proposed) and it cannot redevelop the existing church site then it would have no opportunity to modernise its facilities. As a key element of the social fabric of Roseville and Ku-ring-gai more broadly, sterilising the site and preventing the redevelopment from occurring is not in the public interest and is contrary to objectives of the LEP.

Summary of clause 4.6 variation

The clause 4.6 variation request is based on the following assertions:

1. despite the non-compliant floor space ratio the proposed building at 1 Bancroft Avenue has an appropriate contextual relationship with the dwellings in Bancroft Avenue
 2. that achieving the maximum floor space ratio would require demolition of the church which would have a negative impact on the character of the Heritage Conservation Area **OR** retaining the church and relocating the 'surplus' gross floor area from 1 Bancroft Avenue to 3A Hill Street would require, *a larger church hall with significantly greater impact on streetscape character, adjoining properties and the curtilage of the church*
 3. the proposed development will provide significant public benefits
- Each of the above assertions are addressed below.

Assertion 1 - the proposal is consistent with the context

Clause 4.6(4)(a)(ii) states that consent cannot be granted unless the consent authority is satisfied that the development is consistent with the objectives of the development standard. The floor space ratio development has three objectives, objective (b) is the most relevant:

(b) to enable development with a built form and density compatible with the size of the land to be developed, its environmental constraints and its contextual relationship,

The 0.34:1 floor space ratio control that applies to 1 Bancroft Avenue seeks to limit the maximum gross floor area of development so that it is compatible with the size of the allotment, the environmental constraints and the contextual relationship. The applicant's assertion that the contextual relationship is appropriate because of compliance with the height control is not sufficient. A 'contextual' relationship relates to multiple aspects of the environment, including architectural character, land use type, setbacks, height, site coverage and landscaping. The layout of the development at 1 Bancroft Avenue is substantially different to the prevailing character of the Heritage Conservation Area. The proposal includes the construction of a two storey building at the rear of the site in an area which traditionally is used for gardens and ancillary structures such as sheds and swimming pools. The parapet of the rear building is 4.2m higher than the ridge height of the adjacent heritage item at 3 Bancroft Avenue. The proportion of the site dedicated to landscaping is significantly less than adjoining sites, only one canopy tree in the backyard is retained and the remaining landscaped spaces are only suitable for screening vegetation.

In considering whether the development is compatible with the residential context of Bancroft Avenue it is useful to consider the proposal against the controls that apply to a dwelling house:

Development Control	Proposal	Complies
Building setbacks		
Front setback: 12m –minimum 14m – average	7.8m (min.)	NO
Side setbacks: Ground floor: 2.7m First floor: 3.4m	2.5m (min.) (east) 0m (min.) (west) 2.8m (min.) (east) 0m (min.) (west)	NO NO NO NO
Rear setback: 13.4m	1.5m (min.)	NO
Building height plane: 45° from horizontal at any point 3m above boundary	The Sunday school/offices building projects outside BHP measured from eastern boundary	NO
Canopy trees: 7 (min.)	2	NO
Built-upon area: 50% (603.5m ²) (max)	80% (965m ²)	NO
Unrelieved wall length: max 12m for walls less than 4m in height, 8m for walls more than 4m in height	12.7m (max.)	NO

The above table demonstrates that the proposal exhibits substantial departures from the dwelling house controls, particularly with respect to built-upon area, side setbacks, rear setback and canopy trees. None of the information submitted by the applicant supports a finding that the Heritage Conservation Area is characterised by buildings that have a high-proportion of built upon area, minimal landscaping and minimal boundary setbacks. It is essential that development in a heritage conservation area respect and respond to the characteristics of the area. If the proposal were approved, it would set an undesirable precedent for future development in the Heritage Conservation Area.

Assertion 2 – achieving the maximum FSR available would require demolition of the church or a larger church hall with unacceptable impacts

The floor space ratio control is not a non-discretionary development standard, it is maximum that may only be achieved if the objectives of the planning controls are satisfied and the impacts of the development satisfy the assessment criteria in section 79C. The applicant's justification is based on an assumption that achievement of the maximum floor space ratio is an entitlement.

The applicant's suggestion that the church could be demolished in order to achieve the maximum floor space ratio is not consistent with the planning controls that apply to the project and the Land and Environment Court planning principles (*Helou v Strathfield*) that apply to the assessment of applications which seek to demolish contributory buildings in heritage conservation areas. The church is located in a

heritage conservation area and demolition of the church would need to satisfy the objectives of clause 5.10 'Heritage conservation' of the LEP.

The applicant's argument that a development which retained the church and proposed a larger church hall would result in greater impacts on the apartment building at 3 Hill Street are overstated. The proposed building form envisaged by the applicant appears to be a 3 storey high structure built to the boundaries. The proposed floor space ratio is 0.76:1 and the maximum floor space ratio is 0.85:1. To achieve the maximum floor space ratio the gross floor area would only need to be increased by 188m². In theory this increase could be achieved by filling in part of the void areas and making no changes to the building envelope. Alternatively, if changes to the building envelope were required it is unlikely that achieving an additional 188m² of floor area (an 11.8% increase in a 1580m² building) would require an additional storey with the same footprint as the storey below. If the height of the building at 3A Hill Street was increased the additional shadowing impact on the apartments at the north-western corner of the building would be offset by providing an open outlook to the apartments located in north-eastern corner of the building and the common area located at the rear of the residential flat building. If adequate setbacks from the southern boundary were provided it is likely that an additional storey on the Hill Street elevation would have minimal impact on solar access to the apartments at 3 Hill Street.



Figure 2 - Hill Street elevation showing height of proposed building and existing residential flat building. The 11.5m height limit is shown as a dashed line.

The applicant states that the proposal to develop the rear of the eastern portion in an area that would typically be a backyard if the development was a traditional dwelling house has the potential to impact on 3 Hill Street and 3 Bancroft Avenue but that these impacts are less than the impacts of developing the western portion. The applicant has highlighted the failure of the development to respond to the spatial characteristics of the Heritage Conservation Area. Backyards are an essential component of the character of the locality as they provide space for canopy trees. The backyards to Nos. 1 to 17 Bancroft Avenue form a landscape corridor which provides a backdrop of landscaping to the dwellings in Bancroft Avenue and open landscaped views for the residents of the dwellings at 3 Hill Street and Nos. 6-20 Victoria Street. In support of the claim that the development will read as a two storey form consistent with the character of the street the applicant has provided a photomontage which shows the rectory with a landscape backdrop.



Figure 3 - Photomontage provided by applicant in support of their clause 4.6 variation

The photomontage is not an accurate representation of the development as it shows tree canopies to the southern and eastern sides of proposed building. The development seeks to remove 7 of the 8 trees located in the backyard of 1 Bancroft Avenue. The retention of a single Brushbox tree in the south-western corner of the site will not achieve the landscape setting described in the photomontage. Figure 4 shows the existing landscaped corridor at the rear of Nos. 1-17 Bancroft Avenue.



Figure 4 - The existing landscape corridor at the rear of 1-17 Bancroft Avenue contains trees and ancillary structures

Assertion 3 – the public benefits of the proposal warrant the variation of the development standard

In response to the requirements in Clause 4.6(5)(b), the applicant has outlined the public benefits of the proposed development. The applicant's arguments are based on the premise that if the clause 4.6 variation is not supported the development will not proceed and the public benefits of the proposal would not be realised. The applicant has misdirected themselves as to the objective of the 'public benefit of maintaining the development standard' test. The Department of Planning publication 'Varying Development Standards' confirms that this test directs consent authorities to consider the cumulative effect of approvals which do not comply with a development standard, not whether the potential benefits of a proposal warrant a variation to a development standard. Nevertheless, the applicant has not argued that the stated benefits of the proposal cannot be achieved by a development which complies with the development standard and cl.4.6(4)(a)(i) does not invite a consent authority to consider public interest matters outside the zone objectives and the objectives of the standard.

It is considered that the impact of varying the development standard has the potential to erode the character of the Heritage Conservation Area as it would create a negative precedent. The question that must be asked is, if the approval of a development at 1 Bancroft Avenue which exceeds the floor space ratio control by 67% is acceptable why would it not be acceptable for other sites in Bancroft Avenue? If the Clause 4.6 variation is not upheld, a development that will have an unacceptable impact on the Heritage Conservation Area will not proceed, accordingly there is a significant public benefit in upholding the development standard.

Conclusion

The applicant has not demonstrated that:

- compliance with the development standard is unreasonable or unnecessary
- there are sufficient environmental planning grounds to justify contravening the development standard
- the development is consistent with the objectives of the floor space ratio development standard and the R2 Low Density Residential zone
- there is no public benefit in maintaining the development standard

As the variation to the development standard does not satisfy the requirements of clause 4.6, the Development Application may not be approved.

5.9 Preservation of trees or vegetation:

Clause 5.9 requires that a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree without the authority conferred by a development consent or permit. The proposal seeks approval for the removal of 15 trees. The tree removal has been assessed by Council's Landscape Officer.

5.10 Heritage conservation:

The proposal is subject to this clause as the site is located in a heritage conservation area and is adjacent to a heritage item. Clause 5.10 (4) requires the consent authority to consider the effect of the proposed development on the heritage significance of the item or area concerned before granting consent. The effect of the

development on the heritage significance of the adjacent heritage item at 3 Bancroft Avenue and the Lord Street/Bancroft Avenue Heritage Conservation Area has been considered in the assessment prepared by Council's Heritage Consultant.

POLICY PROVISIONS

COMPLIANCE TABLE		
Development control	Proposed	Complies
Volume A		
Part 3 Land amalgamation and subdivision		
Where development occurs across lot boundaries consolidation of sites will be required	Consolidation of sites is not recommended as this will result in the residential component of the development being classified as dual occupancy development which is prohibited in the R2 zone.	YES
Volume B – Heritage and Conservation Areas		
7.3 Development in the vicinity of a heritage item		
The minimum separation from a heritage item is 12m.	7.6m	NO
The façade height must not exceed 8m from existing ground level.	9.25m	NO
Any building mass above 8m from existing ground level must be stepped back an additional 6m from the heritage item.	12.4m	YES
Any new development must have a maximum 36m wall length to any boundary.	43.6m (eastern elevation)	NO
Screen planting on side and rear boundaries adjoining a heritage item site is to achieve a minimum mature height of 4m	Screen planting on eastern boundary can achieve 4m	YES
No metal panel fencing is to be constructed on any heritage item boundary.	no metal fencing proposed	YES
Volume C - Car parking		
Place of public worship: 1 space per 6 seats (38 spaces for 226 additional seats)	35	NO
4 bedroom dwelling – 2 space	2	YES
2 bedroom dwelling – 1 space	1	YES
Volume C – Building Design and Sustainability		
All new non-residential development must include Ecologically Sustainable Design measures	Ecologically Sustainable Design measures such as natural lighting and water re-use have been incorporated into the proposed development	YES
Volume C – Site design		
The development must respond to the site attributes as identified in the site analysis	The site planning of the development, particularly the removal of the majority	NO

	of the vegetation at the rear of 3 Bancroft Avenue demonstrates a failure to respond to important attributes of the site and the Heritage Conservation Area.	
Volume C – Earthworks and slope		
Development must be accommodated within the natural slope of the land. Level changes across the site are to be primarily resolved within the building footprint.	The proposal does not include significant earthworks outside the building footprint.	YES
A minimum 0.6m width is required between retaining walls to provide adequate soil area and depth to ensure that they do not read as a single level change, and for the viability of landscaping.	The space between retaining walls is greater than 0.6m.	YES
Existing ground level is to be maintained for a distance of 2m from any boundary.	The basement has a 1.5m setback from the rear boundary.	NO
Grassed embankments are not to exceed a 1:6 slope. Vegetated embankments, planted with soil stabilising species, may be to a maximum of 1:3.	Grass embankments have not been provided.	YES
Retaining walls, excavated and filled areas shall be located and constructed to have no adverse impact on: <ul style="list-style-type: none"> • structures to be retained on the site; • structures on adjacent public or private land; • trees to be retained on site or on adjoining sites. 	Retaining walls and the basement achieve these objectives.	YES
Volume C – Landscape Design		
<p>All developments must:</p> <ul style="list-style-type: none"> i. be designed to conserve indigenous vegetation, habitat and existing natural features on the site as part of the site planning and the site layout process; ii. retain the most significant, intact and sustainable areas of vegetation; iii. retain trees that contribute to the neighbourhood character; iv. be located to retain views of public reserves and the street; v. be designed to retain habitat within and adjacent to the site (where it is safe to do so) including: <ul style="list-style-type: none"> • drainage features and damp areas; • trees with hollows; • old or dead trees and hollow logs; • leaf litter and fallen branches; • bushrock and rock outcrops. If bushrock cannot be retained in place, it is to be relocated within the 	<p>The site does not retain trees at the rear of 1 Bancroft Avenue. The trees provide a landscape outlook to the apartments at 3 Hill Street and the dwelling house at 3 Bancroft Avenue. The trees contribute to the neighbourhood character. The construction of a building at the rear of 1 Bancroft Avenue provides no opportunities for new tree planting in this area.</p>	NO

<ul style="list-style-type: none"> site; be designed to consider subsurface/groundwater flows near bushland and other significant vegetation or habitats. 		
Landscaping that contributes to the heritage value of a place is to be retained.	The proposal seeks to remove 7 of the 8 trees located at the rear of 1 Bancroft Avenue. The trees contribute to the character of the Heritage Conservation Area and the setting of the adjacent heritage item at 3 Bancroft Avenue.	NO
The retention of existing appropriate screen planting is encouraged.	The retention of screen planting adjacent to the eastern boundary could be achieved through conditions	YES
Planting beds for screen planting must be of adequate width to allow the plants to flourish.	Planter beds are of adequate width for the proposed planting	YES

Heritage

The proposal does not comply with the following controls which apply to development in the vicinity of a heritage item:

- separation distance
- façade height
- building elevation length

Council's Heritage Consultant has assessed the proposal and found that the impact of the development on adjacent heritage items is unacceptable for reasons of inadequate setbacks, separation distance and landscaping. The full comments of Council's Heritage Consultant are **Attachment C**.

Car parking

The variation to the car parking requirements that apply to the place of public worship has been considered in the assessment prepared by Council's Development Engineer. The parking survey prepared by the applicant identified a high availability of on street parking at peak demand times for the church, i.e. Sundays. The car parking shortfall is considered acceptable as the peak demand for church parking falls outside the peak demand for on street parking which occurs during weekdays and is generated by commuters and Roseville College.

Ku-ring-gai Contributions Plan 2010

The new church and church hall would not generate a Section 94 contribution as part 1.26 of the Contributions Plan provides an exemption for facilities that provide a community benefit on a not-for-profit basis. The proposed two bedroom apartment at 3A Hill Street is not for the purposes of providing a community service and would

increase demand for services provided by the Section 94 contribution plan. If approval of the application were recommended, Section 94 contributions for the apartment would be payable.

LIKELY IMPACTS

The likely impacts of the development have been considered within this report and it is considered that the proposal is unacceptable in its current form and that significant amendments are required before consent can be granted.

SUITABILITY OF THE SITE

The site is zoned R2 Low Density Residential and the proposal is permissible under the provisions of the Ku-ring-gai LEP (Local Centres) 2012. The development proposes a substantial variation to the floor space ratio development standard that applies to 1 Bancroft Avenue. The floor space variation results in an overdevelopment of the site that is inconsistent with the residential context of Bancroft Avenue and incompatible with the character of the Heritage Conservation Area.

ANY SUBMISSIONS

The submissions have been considered in the above assessment.

PUBLIC INTEREST

The public interest is best served by the consistent application of the requirements of the relevant planning controls and by Council ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the provisions of the relevant planning controls and is deemed to be unacceptable. On this basis, the proposal is not considered to be in the public interest.

OTHER RELEVANT MATTERS

There are no other matters for consideration.

CONCLUSION

This application has been assessed under the heads of consideration of Section 79C of the *Environmental Planning and Assessment Act* 1979 and all relevant instruments and policies. The proposal does not achieve compliance with the requirements of the relevant instruments and policies and refusal is recommended.

RECOMMENDATION

PURSUANT TO SECTION 80(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

THAT the Sydney West Joint Regional Planning Panel, as the consent authority, refuse development consent to Development Application No. 0289/14 for the following reasons:

1. **The clause 4.6 variation to the development standard for floor space ratio is not well founded.**

Particulars

- i. Clause 4.4 of Ku-ring-gai LEP (Local Centres) 2012 limits the maximum floor space ratio of development at 1 Bancroft Avenue to 0.34:1 (410m²). The floor space ratio of the development at 1 Bancroft Avenue is 0.57:1 (688²).
- ii. The proposed development at 1 Bancroft Avenue exceeds the maximum gross floor area by 278m² (67%).
- iii. It has not been demonstrated that compliance with the development standard is unreasonable or unnecessary.
- iv. It has not been demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard.
- v. The variation to the development standard is not consistent with the first and third objectives of the R2 Low Density Residential zone as the proposal is not consistent with the characteristics of a low density residential environment or compatible with the character of Bancroft Avenue.
- vi. The variation to the development standard is not consistent with objective (b) of clause 4.4 Floor space ratio as the built form and density of the proposal is not compatible with the context.

2. Unsatisfactory impacts on adjacent heritage item and the Lord Street/ Bancroft Avenue Heritage Conservation Area

Particulars

- i. The site is located in the Lord Street/Bancroft Avenue Heritage Conservation Area under the provisions of Ku-ring-gai LEP (Local Centres) 2012.
- ii. The site is adjacent to 3 Bancroft Avenue which is identified as a heritage item by Ku-ring-gai LEP (Local Centres) 2012.
- iii. The inclusion of 1 Bancroft Avenue within an amalgamated site will disrupt the lot boundary patterning and streetscape rhythms of Bancroft Avenue as the development of the open space at the rear of the existing rectory introduces commercially-scaled patterns of site coverage and development into the residential precinct.
- iv. The spatial qualities of the existing rectory site are consistent with the traditional pattern of development throughout the Heritage Conservation Area and contribute to the heritage significance of the Heritage Conservation Area. The scale of the development at the rear of 1 Bancroft Avenue is not consistent with the garden setting of the Heritage Conservation Area and has adverse impacts on the setting of the heritage item at 3 Bancroft Avenue.
- v. The variation to the maximum floor space ratio development standard contributes to the unacceptable impacts on the significance of the Heritage Conservation Area and the heritage item at 3 Bancroft Avenue.
- vi. For the reasons identified above, the proposal is not consistent with objectives (a) and (b) of clause 5.10 'Heritage conservation' or Ku-ring-gai LEP (Local Centres) 2012.

3. The design of the stormwater system does not comply with the requirements of Volume C, Part 4, Water Management Controls of the Local Centres DCP.

Particulars

- i. No calculations for the on site detention tank have been provided to demonstrate that the proposed system will achieve the objectives. No information was provided to support the proposed volume or outlet configuration so that likely outflows are unknown.
- ii. No orifice plate is shown so it is not demonstrated that flows will be attenuated by the tank.
- iii. An apparently superfluous 225mm diameter outlet pipe is shown which could affect the functioning of the system.
- iv. The outlet pipe from the detention tank is incorrectly labelled IL97.65 on the Site Plan Drawing C-100 F (should be IL96.65).
- v. The Stormwater Management Plan still refers to Ku-ring-gai Municipal Council – Draft Drainage Code, a non-existent document. The correct reference is Ku-ring-gai Local Centres Development Control Plan.
- vi. The arboricultural addendum does not reference the stormwater Layout Plan Drawing C-100 Revision F. Two pits which are inferred to be at least 1 metre deep are shown close to Tree 15 and the method of constructing these pits would need to be specified by the arborist.
- vii. Two sections of 375mm diameter pipe are shown on the stormwater plans as being bored under Tree 29. This is not discussed in the arborist's letter either and this matter should be addressed by the arborist.
- viii. The stormwater plan does not show the substation. A grated pit which could surcharge and direct water into the substation is not likely to be acceptable to Ausgrid.
- ix. Surface pits in the Hill Street setback appear to be unnecessary.

4. The proposal does not satisfy the requirements of SEPP (BASIX) 2004

Particulars

- i. The BASIX water commitments require a 5,000 litres rainwater tank for the new rectory and a common 5,000 litres rainwater tank. These tanks are not shown on any plans, as required under 1(a)(i)(h) and 3(b)(i)(b) in the Schedule of BASIX commitments. There are circles labelled "WT" on DA2101 Issue 10 but no sizes, configurations or connections are shown.
- ii. There is a discrepancy between the lawn area shown on the BASIX certificate (130m²) and the plans (<130m²).

Jonathan Goodwill
Executive Assessment Officer– South

Shaun Garland
**Team Leader Development
Assessment – South**

Corrie Swanepoel
**Manager Development & Assessment
Services**

Michael Miocic
Director Development & Regulation

ATTACHMENTS		
A	Pre DA Report	TRIM: 2015/160676
B	Letter to applicant	TRIM: 2015/160679
C	Heritage Consultant comments	TRIM: 2015/160680
D	Clause 4.6 variation	TRIM: 2015/160681

E	Plans and elevations	TRIM: 2015/160684
F	Sydney Trains letter	TRIM: 2015/290294

Item 1
JRPP 2014SYW112
DA0289/14
3A Hill Street, Roseville
And
1 Bancroft Avenue
Roseville
Supporting Documents

PRE-DEVELOPMENT APPLICATION MEETING REPORT

REFERENCE No:	PRE0112/13		
SITE ADDRESS:	1 Bancroft Avenue and 3A Hill Street, ROSEVILLE NSW 2069		
PROPOSAL:	Demolition of church hall and dwelling house. Construction of new church hall, basement car park and two dwellings		
DATE OF MEETING:	9 October 2013		
PRESENT AT MEETING:	Council		
	Name	Title	
	Shaun Garland	Team Leader Development Assessment South	
	Jonathan Goodwill	Executive Assessment Officer	
	Geoff Bird	Senior Landscape Officer	
	Applicant's representatives		
	Name	Capacity	
	Matthew McNeil	Architect	
	Peter Ireland	Architect	
	Robert Gasparini	Architect / Heritage Consultant	
	Rodney Hills	Client representative	
	Phillip Bell	Client representative	
	Glynn Evans	Client representative	
	Michael Rowe	Planning Consultant	
	PLAN REFERENCES:	Plan no.	Drawn by
DA0002		AJ + C	23/07/13
DA1001		AJ + C	12/09/13
DA2101		AJ + C	12/09/13
DA2102		AJ + C	12/09/13
DA2103		AJ + C	12/09/13
DA2104		AJ + C	12/09/13
DA2105		AJ + C	12/09/13
DA3100		AJ + C	12/09/13
DA3101		AJ + C	12/09/13
DA3102		AJ + C	12/09/13
DA3201		AJ + C	12/09/13
DA3202		AJ + C	12/09/13
DA3203		AJ + C	12/09/13
DA3204		AJ + C	12/09/13
LA000		Site Image	10/09/13
LA001		Site Image	10/09/13
LA101		Site Image	10/09/13
LA201		Site Image	10/09/13
LA202		Site Image	10/09/13

	LA203	Site Image	10/09/13
	LA301	Site Image	10/09/13
	LA302	Site Image	10/09/13
KEY ISSUES:	<ul style="list-style-type: none"> • Excessive floor space ratio • Excessive building height • Inadequate setbacks • Inadequate landscaping • Privacy impacts • Heritage • Inadequate car parking 		

EXECUTIVE SUMMARY

Zoning: 1 Bancroft Avenue	R2 Low Density Residential Floor space ratio: 0.34:1 Height: 9.5m
Zoning: 3A Hill Street	R2 Low Density Residential Floor space ratio: 0.85:1 Height: 11.5m
Permissible Development:	The provision of an apartment and a rectory within a single building may not fit within the definition of dwelling-house. The reason for providing six offices and eleven workstations for nine staff members is unclear. Only office space associated with the use of the site as a community facility is permitted. The documentation submitted with the application should demonstrate that the proposed development is permissible.
Relevant Environmental Planning Instruments & Codes	Ku-ring-gai LEP (Local Centres) 2012 Local Centres DCP SEPP 55 – Remediation of land SEPP (Major Development) 2005 SEPP (Infrastructure) 2007
Type of development:	Local
Relevant external referrals:	Yes – Railcorp – SEPP (Infrastructure) 2007 – site located over Epping-Chatswood rail link
Bushfire Prone Land:	No
Riparian Zone:	No
Vegetation/Endangered Species:	No
In the vicinity of Urban Bushland:	No
Heritage Item:	No
In the vicinity of a Heritage Item	Yes – 3 Bancroft Avenue
Heritage Conservation Area:	Yes
Aboriginal heritage:	No
Visual Character Study Category:	1920-1945
Easement, covenants, reserves, road widening etc	No

SITE ANALYSIS/ENVIRONMENTAL CONSTRAINTS

DESCRIPTION OF THE SITE AND ITS LOCATION:	No. 3A Hill Street is comprised of two allotments situated on the south-west corner of Hill Street and Bancroft Avenue. The site has a frontage of 34.24m to Bancroft Avenue, corner splay of 6.79m and frontage to Hill Street of 44.785m. The site contains a church and a church hall. No 1 Bancroft Avenue is a rectangular allotment with a frontage of 22.86m, eastern boundary of 53.58m and western boundary of 52.425m. The site area is 1207m ² . The site contains a two storey dwelling-house.
Topography (slope) of the site:	No. 3A Hill Street falls from south to north and has a crossfall from west to east. No 1 Bancroft Avenue falls from south to north.
CONTEXT OF THE SITE AND SURROUNDING DEVELOPMENT:	The site is in a residential area situated to the north of the Roseville local centre. Significant traffic generators in the area include Roseville College and Roseville train station.

THE PROPOSAL:

Alterations and additions to the church building and the demolition of the existing hall and rectory to allow the development of a new hall, meeting spaces, two separate residences and carparking for the church.

RESPONSE TO ISSUES

PLANNING COMMENTS

Floor Space Ratio

The maximum gross floor area for development on 1 Bancroft Avenue is 412m², this represents a floor space ratio of 0.34:1. The floor space ratio of the proposed development is 0.67:1. The floor space ratio significantly exceeds the maximum floor space ratio for the site. No. 1 Bancroft Avenue is adjacent to a heritage listed dwelling house to the east and a residential flat building to the south. The context does not present an opportunity to significantly exceed the development standard for floor space ratio. The proposed carpark will have a significant visual impact on the adjoining sites and will have a detrimental impact on the amenity of the private open space of 3 Bancroft Avenue and the open vegetated outlook currently enjoyed by the apartments at 3 Hill Street and 8 Victoria Street. It is reasonable to expect that development on 1 Bancroft Avenue will reflect the characteristics of low density residential development. These characteristics include the main building being located towards the front a site, private open space and ancillary structures to the rear and a generous proportion of the site dedicated to landscaping with the bulk of the landscaped area located in the rear garden. The balance of landscaped area to built form relates to the controls for floor space ratio, setbacks, building height and landscaping. These controls encourage development in which landscaping, particularly in the form of canopy trees, is a dominant element in the character of the locality. The landscaped character of Ku-ring-gai cannot be achieved by planting in front setback areas

alone. A dense tree canopy relies on trees being able to be planted in front, side and rear setback areas.

The backyards of the dwellings in Bancroft Avenue contain significant areas of landscaping which form a green corridor which enhances the streetscape and views across the locality and from public areas such as the rail corridor. The construction of a car park, elevated courtyard, multi-purpose rooms and offices directly adjacent to the private open space of a single dwelling is unacceptable. The development presents limited opportunities for landscape screening and no opportunities for the planting of canopy trees that are an important element in the character of the area. Due to the minimal fenestration, parapet roof and limited landscaping the development is considered to present a commercial aesthetic to adjacent sites which is unacceptable having regards to the zoning of the site as R2 Low Density Residential and the significant non compliance with the development standard for floor space ratio. Having regards to the unacceptable planning outcomes that can be attributed to the non compliant floor space ratio it is highly unlikely that the variation to the development standard would be supported.

Building height

The height of the proposed building on 1 Bancroft Avenue does not comply with the development standard for building height. During the meeting justification for the variation to the development standard was offered in terms of it being a minor departure from the height control. An absence of environmental harm is not a sufficient reason to support a variation to a development standard. The non compliance is due to the proposal seeking approval for a 3 storey building in an area where the local character is defined by 1 and 2 storey buildings. The development standard for building height is not a non-discretionary development standard and a building height of less than 9.5m may be required to provide an appropriate setting for the adjacent heritage item. The site does not present any unique constraints that prevent compliance with the development standard for building height being achieved and the visual bulk of the proposed building significantly exceeds that of the adjacent heritage item.

During the meeting it was suggested that the height of the rectory represents a transition between the church and the heritage item at 3 Bancroft Avenue. It is not agreed that a transition between the height of the church and the height of the heritage item at 3 Bancroft Avenue is desirable or necessary.

Setbacks

Side setbacks should provide opportunities for screening vegetation that is in scale with the building and the rear setback should provide opportunities for canopy tree planting. The development does not provide sufficient opportunities for the type of landscaping that defines the character of the area.

Privacy

The proposed elevated courtyard between the rear of the rectory and the multi purposes rooms will have a significant impact on the visual and acoustic privacy

of 3 Bancroft Avenue. The courtyard has a setback of less than 2m from the side boundary and would provide views to the swimming pool and private open space at the rear of 3 Bancroft Avenue. The design of the development has not given due consideration to the amenity of the adjacent dwelling.

LANDSCAPE COMMENTS

Tree removal

To maintain streetscape and landscape character the retention of T33 & T34 Hinoki Cypress located within Hill St frontage is recommended. Trees are sufficiently setback from development works to facilitate retention. Retention of trees will reduce visual impact of new enlarged structure and provide amenity/shade from western sun.

Nominated tree removal can be supported, however tree replenishment will be required to maintain broader landscape character.

Tree removal at rear of site will impact landscape amenity to neighbouring properties and the site. Tree replenishment (in addition to screen planting) is required within setbacks to reduce visual bulk of new structures.

Substation

The location of the substation as proposed is unacceptable as it will have a significant visual impact to the streetscape character and the landscape setting of the existing traditional church architecture.

It is required for the substation to be relocated further east along Bancroft Ave to reduce its visual prominence. It is recommended it be located adjacent to proposed driveway perpendicular to the street boundary. Substation must be located outside of the tree protection zone (TPZ) of retained trees and accessible for energy providers.

Setbacks

Boundary setbacks shall be sufficient to accommodate appropriate screen planting and tree replenishment to maintain and enhance the landscape character. It is recommended that proposed setbacks be increased to allow sufficient deep soil landscape area for the establishment and growth of trees.

Landscape character

It is required that the proposed landscape works have a traditional 'north shore' landscape character to complement and enhance the existing streetscape and landscape character that is characteristic of the heritage conservation area (HCA). Plantings shall be predominantly exotic species providing seasonal colour and interest within formal garden beds. Plantings of Bamboo and modern hybrids utilised within a modern landscape setting is uncharacteristic, and not a desired

outcome. The site is identified by council's mapping as having a 1920-1945 visual character.

Access

Equitable access is required for the site and is supported. The location of access paths shall consider the existing topography and site constraints regarding existing significant trees. It is recommended the pedestrian access path as proposed be relocated so as not to conflict with the raised/exposed roots of the mature Eucalypt located within the Bancroft Ave street frontage. NOTE: If the pedestrian path is located over tree roots, path upheaval and damage will result. It is advised that a better outcome is to avoid the conflict.

Deep Soil

No specific deep soil landscape area requirements within the DCP. However there are DCP requirements for landscaped area within the residential controls. The development proposal is inconsistent with these requirements. It is therefore recommended that the objectives behind the controls e.g. retention and planting of canopy trees, is satisfied.

ENGINEER COMMENTS

The proposal is for alterations and additions to an existing church, including new rectory and hall as well as a new basement carpark.

The site has gravity drainage to Bancroft Avenue. The development is Type 9 under Volume C Part 4 of the Ku-ring-gai Local Centres DCP, which means that water management requirements are to be as determined by Council.

Retention and re-use of roofwater has been discussed with the designing engineer, who advises that the intermittent use of the premises would not result in sufficient drawdown of tanks to achieve much reduction in runoff from the site.

Instead, a below-ground on site detention tank is proposed, to reduce the peak flows to at or below the existing flows from the site. The location will most likely be under the driveway, with discharge to the street drainage pit outside the site.

With regard to water quality measures, a large proportion of increased built-upon area will be roof, therefore no additional measures are required for this proposal.

Using the parking rates given in Volume C Part 2R.2 of the Local Centres DCP, the proposal will require 74 parking spaces. The basement carpark will provide about 40 spaces. The DA must be accompanied by a traffic and parking report which contains parking surveys of other similar uses and justifies the shortfall. This area is subject to on-street commuter, school and shopping centre parking.

The traffic report is to confirm that the dimensions of the basement carpark comply with AS2890.1:2004 *Off street car parking*.

A geotechnical report is required due to the depth of excavation, which is also relatively close to the site boundary. Matters to be addressed include excavation methods and support, dilapidation reporting and vibration monitoring. The existing church building will need to be protected, as well as neighbouring structures.

HERITAGE COMMENTS

Background

St Andrews Church is located in a prominent position at the south-western entrance to Bancroft Avenue at its intersection with Hill Street at Roseville. The existing church building is a traditionally-styled early 20th Century brick church with sandstone detailing and its hall is of later (mid 20th Century) brick construction. The rectory is a two-storey house built in the latter part of the 20th Century. The site (which includes three lots) is bordered by mature exotic trees and a low wall constructed of sandstone slabs. The whole of the site is within C36 – Lord Street and Bancroft Avenue Heritage Conservation Area.

Nature of the proposed work

The proposed DA includes the demolition of the existing hall and rectory and the side (southern) wall of the church and the erection of a large extension to accommodate a larger worship space, hall, meeting rooms and spaces and two dwellings (the rectory and a smaller self-contained flat) all over a semi-excavated basement space that will provide parking for church vehicles and limited visitor parking.

Other site works include the removal of approximately 14 trees from around the perimeter of the site (including 8 in the south-eastern (rear) corner and alterations to the stone wall to facilitate access to the new building.

No signage was mentioned in the Pre-DA information.

Statutory context

The site is within the Ku-ring-gai LEP (Local Centres) 2012. It is within the c36 (Lord Street/Bancroft Avenue) Heritage Conservation Area but none of the three lots are listed as individual heritage items. The Rectory (1 Bancroft Avenue) however is adjacent to a heritage item at 3 Bancroft Avenue, and the whole site is within the vicinity of this item. The heritage provisions of the LEP will apply to the proposed works (5.10).

Under the provisions of the LEP, Council may require a Heritage Impact Assessment to be submitted. No draft statement was submitted with the PreDA documentation. It is considered that a HIS should be submitted with any development application of this scale and potential impact. This HIS will

need to be prepared by a suitably experienced heritage professional (in the case of the proposed development, a heritage architect or conservation planner).

The purpose of the HIS can be summarised as being to identify the impacts of the proposed work on the heritage significance of the site as part of the c36 heritage conservation area, to explain how any harm to the building/s and their contribution to the streetscape will be minimised by the detailed design, materials, finishes etc of the proposed development; and also how the proposed development will allow the historic use of the property as a church for the local community to continue. Particular attention will need to be given to the proposed demolition of the southern wall of the church and introduction of a large contemporary building, the streetscape impacts of this on views within and over the heritage conservation area and the relationship between the proposed Rectory and the adjoining heritage item.

Preliminary comments about the proposed development

The church is sited at one of the most prominent parts of the heritage conservation area, being at the south-western corner and overlooked from the railway line. Notwithstanding that the hall and rectory are of later 20th Century construction the group forms an integral part of the early 20th Century significance of the heritage conservation area.

The proposed demolition of the southern wall of the church, the hall and the Rectory in order to erect a large (approximately triple the existing volume) addition will have a significant impact on the original fabric and the presentation of the property to Hill Street, and the way that the group is read as the entrance to the Lord Street/Bancroft Avenue heritage conservation area.

The following concerns and comments are made about the design as proposed in the Pre-DA:

- The substantial commitment to the ongoing use of the building as a church (the essence of its heritage significance) is supported.
- The substantial demolition of the church building and its reconfiguration and extension to create a new, larger space. The form of the proposed development is not a common solution to the need for additional worship space. A more traditional option would be to extend to the rear (east) of the existing building and provide space for more pews. The proposed solution will be a visually distinctive alteration that is taking a loose interpretation of the principles of the Burra Charter. It will read clearly as new work, with even the most casual viewer being likely to be able to distinguish easily between old and new fabric. Great care will need to be taken however to ensure that the relationship and juxtaposition of the old and new spaces and fabric is detailed very carefully to prevent a crudely designed and detailed interface.

- The reconfiguration of the internal spaces is a matter for the church to determine and no comment about this aspect is made.
- The external scale, bulk and footprint of the new worship/hall building will need to be sited and detailed with great care. The scale of the building, although it is noted that much will be lower than the existing hall, will be visually more prominent than at present due to the small space between the two being lost and the two buildings joined under a single roof.
- Careful consideration should be given to the new fabric being set slightly further back from the street than the existing church building.
- Although lower than the existing hall building, the proposed elevation to the adjoining unit block (not in the heritage conservation area) is abrupt and commercial in its character. The removal of screen planting along this boundary will exacerbate the impact of the new building on the adjacent residents.
- The inclusion of the second dwelling (the flat on the Hill St elevation) adds considerable bulk to the street elevation and the reason for its inclusion is not made clear. The accompanying information suggests that the flat may be leased separately. If this is the case it should not be included in the development given its implications for the scale and form.
- The area of greatest concern is the Rectory area. This part of the site is an important part of the streetscape of the heritage conservation area and also is adjacent to a significant, individually listed heritage item (3 Bancroft Avenue). The natural fall of land and inclusion of lower-level car parking under the whole of the new building with two levels above means that the street elevation to Bancroft Avenue will read as an uncomfortable mix of commercial and residential forms and does not show the necessary respect for the scale and siting of the adjacent heritage item. The commercial scale and form of the lower level (with its double-driveway entrance to the carpark) reads akin to the entrance to a shopping centre or office building and contrasts with the residential character of the middle level. The scale and form of the roof to this part of the development, with the large gables and 'attic' windows does not sit comfortably with the horizontality of the residence (which is emphasised by the carpark level below).
- The effective three-storey height of the proposed development means also that it will be significantly over-scaled when viewed from Bancroft Avenue, and particularly in terms of its relationship with the adjacent heritage item.
- Providing that the work to the sandstone wall is done carefully re-using the existing stone slabs and with lime mortar (not cement) jointing it should be acceptable in terms of its impact on the fabric and the streetscape values of the church.
- The site at present is marked by trees around its perimeter and a small group in the south-eastern corner. The eight trees/shrubs in this corner and 6 of the trees along the street boundaries are to be removed. The details of this, including the reasons for their removal and any proposed replacement planting plan have not been provided. This will need to be addressed as part of the DA submission.

Summary

In summary, although the proposed demolitions are considerable in scope, and the scale of the proposed addition is large, the importance of retaining an active church presence in a traditional residential community such as this is acknowledged, together with the changing nature of worship and outreach programs provided by local parish churches; which in turn leads to demand for ancillary facilities such as carparking.

The contemporary form of the addition (in particular as it presents to Hill Street) has the potential to read as a radical, yet successful addition providing that careful attention is given to the interface between old and new in terms of scale, form, detailing and materials.

The elevation to Bancroft Avenue is less successfully resolved, being over-scaled and containing disjointed design elements of commercial, pseudo-traditional residential and poorly scaled roof additions. This elevation needs to be re-worked and resolved in a much more sophisticated manner before it can be considered to be a positive contribution to the streetscape of Bancroft Avenue and the setting of the adjoining heritage item.

The form of the carparking level and the treatment of its entrance/facade however need to be resolved in more detail. Consideration should be given to excavating enough of the site to allow it to sit lower and the Rectory above have a more traditional relationship with the natural ground level of Bancroft Avenue.

The removal of site vegetation should be limited to an absolute minimum and replacement plantings provided to maintain the continuity of the landscape screen when viewed from the public domain. Thick planting will be necessary to screen the commercial scale and form from the streetscape of Bancroft Avenue in particular.

The preliminary information did not include details of any signage. If included in the proposed DA this will need to be considered very carefully and addressed in detail in the HIS, including their graphic design (modest and not to overwhelm or compete for attention with the architecture of the building etc), siting and method of fixing.

INFORMATION TO BE SUBMITTED

- Refer to Council's DA Guide

http://www.kmc.nsw.gov.au/resources/documents/DA_Guide.pdf

- All plans (survey plan, architectural plans, landscape plans, stormwater plans, compliance diagrams) must be at a consistent and workable scale (1:100 preferable or 1:200). All plans must show consistent detail.

- The plans must be clear and legible and sharp in detail. Poor photocopied plans will not be accepted.
- Ensure correct and complete owner's consent is provided with development application. Owners consent for adjoining properties also to be supplied where works impact adjoining trees.

CONCLUSION

The current proposal for requires re-design to address the following issues:

- Excessive floor space ratio
- Excessive building height
- Inadequate setbacks
- Inadequate landscaping
- Privacy impacts
- Heritage
- Inadequate car parking

In this regard, it is unlikely an application of this nature would be supported.

While the pre-lodgement meeting and these minutes attempt to identify significant issues during the initial phases of design, the assessment provided in these minutes does not have the benefit of a full planning assessment and should not be considered exhaustive.

We hope that this advice assists you. If you have any further enquires please contact Jonathan Goodwill on 9424 0740 during normal business hours.


JONATHAN GOODWILL
EXECUTIVE ASSESSMENT OFFICER


SHAUN GARLAND
TEAM LEADER – DEVELOPMENT ASSESSMENT

DATED: 17/12/13

DISCLAIMER

The aim of pre development application consultation is to provide a service to people who wish to obtain the views of Council staff about the various aspects of a preliminary proposal, prior to lodging a development application (DA). The advice can then be addressed or at least known, prior to lodging a DA. This has the following benefits: -

- Allowing a more informed decision about whether to proceed with a DA; and
- Allowing matters and issues to be addressed especially issues of concern, prior to lodging a DA. This could then save time and money once the DA is lodged.

All efforts are made to identify issues of relevance and likely concern with the preliminary proposal. However, the comments and views in this letter are based only on the plans and information submitted for preliminary assessment and discussion at the pre DA consultation. You are advised that: -

- The views expressed may vary once detailed plans and information are submitted and formally assessed in the development application process, or as a result of issues contained in submissions by interested parties;
- Given the complexity of issues often involved and the limited time for full assessment, no guarantee is given that every issue of relevance will be identified;
- Amending one aspect of the proposal could result in changes which would create a different set of impacts from the original plans and therefore require further assessment and advice;
- This Pre-DA advice does not bind Council officers, the elected Council members, or other bodies beyond Council in any way whatsoever.

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Contact: Jonathan Goodwill

Ref: DA0289/14

20 November 2014

Anglican Church Property Trust Diocese Of Sydney
1 Bancroft Avenue
ROSEVILLE NSW 2069

Dear Sir/Madam

Application No.:	DA0289/14
Proposed development:	Demolish existing & construct new church hall & rectory including alterations to church building and construct 40 space basement car park - Heritage conservation area
Property:	3A Hill Street and 1 Bancroft Avenue ROSEVILLE NSW 2069

We have undertaken an assessment of your application. Concern is raised that the issues identified in the Pre DA Meeting report have not been adequately addressed. We advise that your application is unsatisfactory in the following respects:

1. Permissibility

The statement of environmental effects contains insufficient information regarding the permissibility of the proposed development. The statement should explain how the proposal is defined under the provisions of Ku-ring-gai LEP (Local Centres) 2012 and falls within the permissible land uses listed in the zoning table. If the proposal is comprised of two or more different land uses the statement should explain why it is not defined as mixed use development, a use that is prohibited in the R2 Low Density Residential zone.

2. Floor space ratio

The clause 4.6 variation states that compliance with the development standard is unreasonable or unnecessary as the objectives of the standard are achieved, the zoning is inappropriate and that significant environmental impacts would result from a compliant development. The request for a variation to the development standard for floor space ratio does not satisfy the requirements of clause 4.6 of the Ku-ring-gai LEP (Local Centres) 2012.

To establish that compliance with the standard is unreasonable or unnecessary it must be demonstrated that the development achieves the objectives of the development standard to an equivalent or better degree than a development which complied with the development standard (*Wehbe v Pittwater Council* at 70). The proposal does not do this as the intensity of development at 1 Bancroft Avenue is excessive and results in unacceptable impacts on the amenity and heritage significance of the heritage listed dwelling-house at 3 Bancroft Avenue. The built form of the proposal is not consistent with the surrounding area as the built-upon area is excessive, there is minimal landscaped area behind the building and insufficient space for canopy tree planting. The scale and bulk of the proposal is not consistent with the objectives of the R2 Low Density Residential zone.

The clause 4.6 variation states that the zoning for the site is inappropriate because 3A Hill Street is also owned by the applicant and this site is subject to a floor space ratio development standard of 0.85:1. In *Wehbe v Pittwater Council* CJ Preston made the following comment on this approach:

'However, so expressed, this way is limited. It does not permit a general inquiry into the appropriateness of the development standard for the zoning. An objection would not be well-founded by an opinion that the development standard is inappropriate in respect of a particular zoning'.

That 1 Bancroft Avenue and 3A Hill Street are in common ownership is not a planning justification for non-compliance with the floor space ratio development standard. The R2 Low Density Residential zoning and 0.3:1 floor space ratio development standard for 1 Bancroft Avenue is appropriate for a site that contains a dwelling-house, is adjacent to a heritage item and is located in a heritage conservation area. As noted in the clause 4.6 variation, the reason that a higher floor space ratio and building height standard applies to 3A Hill Street is that the built form of the existing structures on this site is different to the dwelling-house built form of 1 Bancroft Avenue.

The request also states that significant environmental impacts would result from a requirement to comply with the development standard, these impacts include the demolition of St Andrews Church and increased height and massing for the hall. It is not agreed that these outcomes are likely as the demolition of St Andrews Church and the construction of a building with significantly increased height and mass would need to satisfy the provisions of clause 5.10 Heritage conservation of the Local Centres LEP. It is also noted that the development standards for floor space ratio and building height are not non-discretionary development standards.

3. Gross floor area calculation

Plans identifying which parts of each floor have been included as gross floor area have not been provided. Measurements taken from the floor plans suggest that the gross floor area within 3A Hill Street exceeds the 0.85:1 maximum specified by the LEP. Gross floor area calculation plans which clearly identify which parts of each floor have been included in the gross floor area calculations are required.

4. Building capacity

The statement of environmental effects advises that the proposal will increase the capacity of the church by 243 seats and that the existing church has a capacity of 274 people. The floor plan shows 343 seats at Level 02 and 100 seats at Level 03. The number of seats capable of being provided at the ground floor level appears to be substantially greater than 343 as the vacant floor area within the worship space and hall is of similar floor area to that required for the 343 seats located in front of the dais. The application documentation should explain what the maximum capacity of the premises would be at any one time, why the capacity is the number of seats shown on the floor plan and how any exceedance of the stated maximum capacity would be avoided.

5. Privacy

The proposed development would result in significant visual and acoustic privacy impacts on the backyard of 3 Bancroft Avenue. The courtyard between the rectory and the Sunday school is elevated above the ground level and has a setback of 1.5m from the side boundary. Four east facing office windows on Level 03 are orientated towards the backyard of 3 Bancroft Avenue. Privacy and acoustic screens are shown on the floor plans but minimal detail is provided on the elevations and sections. The placement of a building in this part of the site is not consistent with the prevailing spatial pattern of development in the heritage conservation area.

6. Setbacks

The proposed setback from the southern boundary for 3A Hill Street does not provide opportunities for screen planting that is in scale with the building. To allow space for landscaping and the proposed walkway a minimum setback of 3m should be provided.

The proposed rear setback for 1 Bancroft Avenue results in the removal of existing canopy trees which contribute to the character of the area. The failure of the proposal to retain trees that contribute to the neighbourhood character is inconsistent with Part 1.3 'Landscape Design' of the Local Centres DCP.

7. Landscaping

The following issues identified by Council's Senior Landscape and Tree Assessment Officer are required to be addressed:

Tree Impacts

T15 *Lophostemon confertus* (Brush Box) located adjacent to the south east site corner. The Project Arborist has identified that the amount of excavation required has the potential to reduce the trees SULE and recommended tree root mapping be undertaken. This is required to be undertaken to determine extent of root growth and level of impact.

T34 *Chamaecyparis obtusa* (Hinoki Cypress) located within the Hill St frontage. The tree is a twin planting with T33, currently framing the pedestrian entry to the Memorial Hall. The development proposes excavation within the SRZ of T34 which is inconsistent with AS4970-2009 and will adversely impact the trees ongoing health and viability. Refer comments for T33. Both T33 and T34 are part of the existing streetscape/landscape setting within Hill Street and provide valuable screening and amenity from the western sun. Their retention is required. This will therefore necessitate a design change to the proposed pedestrian entry to the unit.

Landscape Plan/Tree replenishment

The submitted landscape plans are conceptual only. To enable assessment of the application the following additional information is required:

- Detailed planting plan to recognised scale (legible) with full planting schedule
- Details and elevations of proposed trellis' NOTE: Proposed southern planting is a deciduous self-clinging climber that requires a solid structure. As a trellis is an open structure the species selection is inappropriate.

Additional comments

- Proposed planting within the site frontage to Bancroft Ave, particularly forward of the dwelling, is not characteristic of the HCA. It is required that exotic plantings be utilised over native plantings.
- The proposed planting on vertical trellis' on the south side of the building are impractical as there is no viable soft landscape area to support growth. The area is proposed to be paved to the site boundary for pedestrian access from the fire stairs.
- The southern setback in conjunction with the proposed fire egress path does not allow any soft landscape area for screen planting. The

development is therefore reliant upon landscape amenity provided by the neighbouring property.

Stormwater Plan

The proposed drainage works for the site has not considered retained trees on site. An amended drainage plan is required to be undertaken in consultation with the Project Arborist.

Substation

The proposed location for a sub-station within council's road reserve within Bancroft Ave in front of the main church elevation is not supported, as it will have a detrimental impact to the streetscape/landscape character and is located within the TPZ of T29. The proposed location would also indicate the location of underground services would conflict with T29, which is an unacceptable outcome.

It is strongly recommended the proposed substation be relocated further east to the east side of the drive, adjacent to and parallel to the driveway and within the site.

Fire hydrant/Booster valve

The location of the Fire Hydrant/Booster Valve adjacent to the northeast site corner is located within the TPZ of T1 *Pistacia chinensis* (Chinese Pistacio) located within the road reserve. The arborist has identified a major encroachment (in conjunction with pavement works) within the TPZ when assessed against AS4970-2009. The tree is part of the mixed avenue planting on this side of the street within the HCA. The arborist has provided very specific requirements to minimise impact. These can be conditioned, although it is unknown where proposed pipes leading to the hydrant booster will be located. It is requested that further detail be provided to enable and assessment.

Pedestrian entry from Hill Street to separate unit

To enable the retention of T33 *Chamaecyparis obtusa* (Hinoki Cypress), which is a twin planting with T34, the proposed pedestrian entry to the proposed unit requires amendment. As the entry is not designed for disabled access, the proposed stairs can be increased in number to maintain existing levels within the root zone.

Southern site boundary

Substantial fill is proposed within the southern site boundary. The reason for this fill is unknown. This area is a fire access path and is not required for equitable

access. While there is accessible access to the consulting rooms it is not required to the fire stairs. It is therefore required for the access path to be at existing levels (although even grading is not objected to).

Equitable access from Hill St to consulting rooms

While equitable access to the consult rooms is supported, it is noted the path is located immediately adjacent to the site boundary preventing soft landscape area and landscape amenity being provided on site adjacent to the boundary. As the path is proposed at a 1:20 grade, it is suggested the path grade can be increased to 1:14 and located immediately adjacent to the building to allow for a planting bed adjacent to the boundary to accommodate screen planting.

8. Engineering

Council's Team Leader Development Engineering has advised that the following additional information is required:

The following information is required:

- Architectural Drawing DA3202 Sections 3 and 4 is not in the bundle or in the list of plans submitted electronically.
- The arborist is to assess the stormwater management plans.
- The BASIX Certificate must be amended so that stormwater is not proposed for use inside the building.
- Any rainwater tanks listed on the BASIX Certificate must be shown on the DA plans. In this instance they are to be shown on the Stormwater Layout Plan and should be mentioned in the report. The configuration on the plans must be consistent with the BASIX commitments.
- The Stormwater Management Statement is to be amended to refer to the Ku-ring-gai Local Centres Development Control Plan, particularly Volume C Part 4 (current reference is to Ku-ring-gai Municipal Council – Draft Drainage Code, a non-existent document).
- Parameters used for the DRAINS model, such as pre-and post-development built-upon area, are to be provided.
- What is the purpose of the 225mm diameter outlet pipe from the detention tank?

- Are the pits and pipes around the building really necessary? They will probably have to be deleted for reasons of tree protection and other means found of protecting the building from what appears to be relatively minor or even negligible overland flow.

9. Heritage

The issues identified in the assessment of the application by Council's Heritage Consultant are required to be addressed.


We believe that the above issues may be resolved through the provision of additional information and amended plans. Should you choose to amend your application, you need to provide us with four (4) sets of plans and written particulars identifying the changes made to the original application.

The submission of amended plans will result in an additional assessment and administrative fee (30% of the statutory DA fee) being \$2707.14 and a notification fee of \$1105. These fees must be paid at the time amended plans are lodged. If any of the required information and/or fees are not provided, the amended plans will not be accepted.

Please provide us with amended plans or respond within 21 days of the date of this letter.

Should you wish to withdraw your application, this needs to be done in writing within 7 days of the date of this letter and we will refund 30% of the development application fee.

Should you have any further enquiries I can be contacted on 9424 0740.



Jonathan Goodwill
Executive Assessment Officer

HERITAGE MEMORANDUM

To: Jonathan Goodwill

Cc: Paul Dignam

From: Robyn Conroy

Re: DA 0289/14 - St Andrews Church Roseville (corner of Hill Street and Bancroft Avenue)

Proposed alterations and additions to the church building, hall and rectory; including the demolition of the existing hall and rectory.

AMENDED APPLICATION – submitted 7 April 2015

15 June 2015

Background

St Andrews Church is located in a prominent position at the south-western entrance to Bancroft Avenue at its intersection with Hill Street at Roseville. The existing church building is a traditionally-styled early 20th Century brick structure with sandstone detailing and its hall is of later (mid 20th Century) brick construction. The rectory is a two-storey house built in the latter part of the 20th Century which reads as part of the streetscape of Bancroft Avenue. The church site (which covers two lots) is bounded by mature exotic trees and a low wall constructed of sandstone slabs to Bancroft Avenue and Hill Street and the rectory is in a traditional residential setting with front and rear garden areas on a third lot addressing Bancroft Avenue.

The whole of the site is within the area covered by the Ku-ring-gai LEP (Local Centres) 2012 and is in the C36 – Lord Street and Bancroft Avenue Heritage Conservation Area. It is also in the vicinity of a locally significant heritage item at 3 Bancroft Avenue.

The application has been subject to a series of discussions between Council staff and the applicant since it was submitted, and the scale, form and massing of the rectory building have been amended in response to concerns about the design and detailing of the rectory and carpark building, which were considered to not successfully reconcile the traditional qualities of Federation scale, form and detailing with what is essentially a contemporary church complex. Refer to the Heritage Memo dated 20 November 2014 for more details about the issues that informed the design amendments.

The development as now proposed will read clearly as a part of the contemporary church group. It does not attempt to incorporate elements of Federation domestic detailing or to read as a contemporary house in the streetscape of Bancroft Avenue. This is considered to be an appropriate solution given the use of the site.

Some issues remain regarding details of the new rectory building, and significant issues remain outstanding from the impact of the proposed floor space ratio proposed for the development. This Heritage Memorandum focuses on these matters. Refer to the earlier Memo (October 2014) for details of the earlier proposal and a more detailed assessment of its heritage impacts.

Site inspection

Inspection was limited to the public domain and included the streetscapes of Bancroft Avenue and Hill Street. The relative heritage values of the various buildings identified in the HIS are agreed. The existing rectory was built in the latter part of the 20th Century of dark brick and is an incongruous component of the otherwise substantially intact early 20th century streetscape of Bancroft Avenue. The streetscape of Hill Street is more mixed in character, and includes small-scale traditional shops to the north-west towards the station and a 1960s era residential flat building to the immediate south of the site. The most distinctive feature of the Hill Street streetscape is the split level carriageway. The western side of Hill Street is bounded by the main North Shore railway line which is set well above the

ground level of the subject property and affords good views over the site and conservation area beyond. The group of commercial buildings on the northern side of the intersection (addressing Hill Street) are not within the HCA.

The heritage items in the vicinity of the development (including 3, 6, 8 and 10 Bancroft Avenue) are all good examples of early 20thC Federation/Queen Anne domestic architecture in traditional garden settings. Many of the other houses in the streetscape demonstrate similar architectural and garden qualities, resulting in a streetscape of notable rhythm and consistency. Superficial streetscape views are directed by the street trees, but oblique views over the houses are readily appreciated from multiple perspectives including the carriageway, footpaths, train line and from within other properties in the HCA.

Nature of the proposed work - amendments

Much of the development is substantially unaltered from the original development application. The existing rectory, hall, rectory and the side (southern) wall of the church will be demolished to allow a substantial addition and new development over the amalgamated site to accommodate a larger worship space, hall, meeting rooms and spaces together with two dwellings (the rectory and a smaller self-contained flat) all over a semi-excavated basement space accessed from Bancroft Avenue that will provide parking for 38 vehicles.

The design of the rectory building has undergone several significant modifications in response to Council's advice since the first Pre-DA meeting. The pre-DA drawings showed a steeply pitched roof to the rectory with large dormer windows which increased the height to three storeys. Advice was provided that this was not acceptable and that a more traditional residential form would be more likely to be appropriate in the context of the streetscape of Bancroft Avenue.

The design submitted with the DA in 2014 had a steeply pitched roof over part of the rectory with a visually prominent and asymmetrical cross-gable to Bancroft Avenue (similar in profile to the roof line of the proposed main hall behind the parapet to Hill Street) and a very low-pitched hipped roof over most of the street elevation, both the veranda and bulk of the main building. The lower level was dominated by a wide void to the entrance to the carparking set well under the building, meaning that the upper level would have clearly been set upon a suspended slab with little reference to the solidly grounded traditional character of the Federation streetscape. Issues also were noted with the spatial relationship between the façade alignments at upper and lower levels, overlooking of the adjacent heritage item's private rooms and open spaces and other concerns. The rectory building also included Sunday School facilities and store rooms, further increasing its bulk. It was considered that this form would not have read as a sympathetic element in the streetscape of Bancroft Avenue and the applicant was advised that the design should be amended to read as a clearly non-residential building with well resolved scale, form and proportions and which did not attempt to reference Federation elements in a commercial context.

The integration of historic but non-residential community uses in HCAs significant for their residential character can be a challenge. Requiring church activities to be contained within a Federation-styled or strongly referenced building would confuse the historic and aesthetic qualities of the built environment of Bancroft Avenue and the HCA. The original DA submission referenced Federation elements such as the return verandah, gabled wing and sandstone base, but did not present them in a contextually meaningful manner that would add a positive layer to the historic record of the HCA. The amended proposal has addressed most of the design issues.

The rectory will not read as a dwelling house, either Federation or contemporary, but it will now read clearly as part of the church complex, with non-residential design and modelling.

Its scale has been reduced slightly and its height will sit between the heights of the existing church and the prevailing one-two storey domestic scale of the Federation houses of Bancroft Avenue. The impact of the wide and deep void under rectory has been minimised by the addition of a solid sliding gate on the street-facing façade and the relationship between the elements improved.

HERITAGE ASSESSMENT - DA FOR ST ANDREW'S CHURCH, HALL AND RECTORY – BANCROFT AVENUE/HILL STREET, ROSEVILLE

The form and detailing of the eastern elevation of the rear multipurpose/office building has been revised to help minimise the potential for overlooking of the private spaces of the adjoining heritage item. This has included the reconfiguration of uses within the buildings to reduce the scale of this part of the rectory building, the removal of windows that would facilitate the overlooking of the adjoining property (3 Bancroft Avenue) and alterations to the terraces with stepped screens and planting boxes to modulate and soften the interface between the two uses.

A free-standing canopy structure has been added at the top of the wide stairway between the existing church and the new rectory building.

Changes were also requested to the glazed link between the original church and the new worship space to the Hill Street elevation. This detail was not amended, the reasons being explained by letter.

The hydrant booster pump has been moved away from the eastern boundary to towards the middle of the Bancroft Avenue elevation. The substation box adjacent to the existing church on the footpath of Bancroft Avenue has now been moved into the garden of the church site.

Statutory context

The site is subject to the provisions of the Ku-ring-gai LEP (Local Centres) 2012. It is within the c36 (Lord Street/Bancroft Avenue) Heritage Conservation Area but none of the three lots are listed as individual heritage items. The rectory at 1 Bancroft Avenue is adjacent to a locally significant heritage item (3 Bancroft Avenue), and the development is therefore within the vicinity of this item. It is also in the vicinity of other items at 6, 8 and 10 Bancroft Avenue and at 1 Hill Street. The Lord St/Bancroft Avenue precinct was identified as part of a wider area in the 2008 Local Centres Heritage Review by Paul Davies Heritage Architects Pty Ltd in recognition of its historical and aesthetic significance as an area of Federation Queen Anne style housing which represents an intact portion of the 1903 Clanville Estate. The majority of homes in the vicinity of the site are pre WW2, with a high proportion of notable and substantially intact original homes, and many others that have retained their Federation form although altered over the years.

The heritage provisions of the LEP apply to the proposed works (5.10).

The objectives of clause 5.10 are as follows:

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

Clause 5.10 (4) requires that before granting consent to the proposed development, the consent authority must consider the effect of the proposed development on the heritage significance of the conservation area and heritage items in the vicinity of the development.

A Heritage Impact Assessment has been prepared by a qualified and experienced heritage practitioner and submitted with the DA in accordance with Cl.5.10(5), and has been updated in response to the latest amendment to the design. The HIS addresses the NSW Heritage Council's requirements for Statements of Heritage Impact, although it does not address the impacts on the adjacent heritage item in any detail. It concludes that the proposed development will have an acceptable impact on the heritage values of the HCA and adjacent Heritage Item at 3 Bancroft Avenue. Its findings are generally supported except where identified below.

Summary of heritage impacts

i) *Complete demolition of existing church hall, rectory and partial demolition of the existing church building.*

The HIS notes that this demolition is required in order to carry out the proposed development.

The existing rectory was built in the late 20th Century. It is a detracting element in the streetscape due to its built form that does not respond to either the Federation character or streetscape rhythms which are formed by the patterns of early 20thC houses set in mature gardens with side driveways to garaging at the rear of the property. Its demolition will have negligible adverse impact on the heritage values of the HCA. The removal of trees and hedging in the rear garden area will however impact on the quality of views available between houses to the rear garden areas.

The hall is typical of its era and purpose and could be retained with no adverse impact on the heritage values of the area. The structure is situated at the southern corner of the HCA and addresses Hill Street. It is hidden in views from Bancroft Avenue by the rectory and church. The significance and contributory value of the hall is derived from its role as part of the Church group rather than the qualities of its fabric. It is noted that the original church building was on the site now occupied by the hall. Its demolition to allow the extension of the current church building and construction of new hall facilities is therefore consistent with the heritage values of the site as part of the HCA.

The application also includes a substantial demolition of the southern wall of the church building to allow for the construction of the proposed worship space. This is a more dramatic intervention and will result in the loss of existing fabric and the reinterpretation and reorientation of the surviving fabric. The existing church was built in 1935 and the HIS argues that it has little intrinsic fabric significance, being of non-exceptional construction and typical austere Inter-War ecclesiastical detailing. The wall to be demolished does not address Bancroft Avenue and is not visible from Bancroft Avenue. It is visible from Hill Street, particularly when travelling north. Although somewhat dramatic in terms of its visual impact, the proposed partial demolition of the church will facilitate its ongoing active use for worship by the local community which is a fundamental part of its heritage value as part of the HCA.

ii) *Site amalgamation and development that will introduce non-residential land use activity to Bancroft Avenue*

The church, hall and rectory are each located on a separate lot at present. The relationship between the church and hall mean that they read as a single property, but the rectory, with its separate orientation addressing Bancroft Avenue, domestic built form, garden plantings and dividing fencing means that the site at present reads as part of the residential streetscape of Bancroft Avenue and not as part of the church complex.

The historically significant subdivision pattern of the Clanville Estate will be altered by the proposed amalgamation and integrated development of the three sites. It is noted that the lots on which the church and hall stand were originally configured to address Bancroft Avenue, not Hill Street.

The HIS states that the three lots all form part of the church site and should be developed as such. It does not address the issue of impact on the historic subdivision pattern or the highly intact residential character of Bancroft Avenue within the HCA. It also does not provide a detailed assessment of the impacts of the change of use of the existing rectory site to read as part of the church group and not as a traditional dwelling on the heritage values (especially historic and aesthetic) of the HCA.

Council's Local Centres DCP 2012 states as follows:

67. A subdivision will only be considered when the proposed subdivision:

- i) will not adversely affect the significance of the HCA; and*
- ii) will not result in a development which will adversely affect the significance, character or appearance of the HCA.*

Site amalgamation is a form of subdivision, and the traditional and historically significant subdivision pattern of the HCA will be altered by the proposed development.

It is considered that the amalgamation of the church and church hall sites will have acceptable impact on the heritage values of the HCA given the historical and physical relationship between the two.

The inclusion of 1 Bancroft Avenue within the amalgamated site will have greater impact on the heritage values of the HCA. It will have the potential to disrupt the lot boundary patterning and streetscape rhythms of Bancroft Avenue, particularly if the development at the rear of the rectory will read as extending commercially-scaled patterns of site coverage and development into the residential precinct.

Active church uses including the entrance to the car park and undercover passenger drop-off areas will be introduced to the streetscape of Bancroft Avenue. The bulk of the new rectory building has been reduced from the original DA by removal of a Sunday school room from its envelope, which is supported. The rectory will be situated above the entrance to the car park (see below). The new building will be visually separated in casual views from the main church by a flight of stairs to the west of the rectory although they will be physically and visually linked at the lower level behind this stair and at the upper level by a flying awning at the top of the staircase.

The existing garden to the rear of the rectory will be replaced by the car park with Sunday school and multipurpose rooms and offices opening onto a large elevated terrace. It will not read as a residential garden space and will not be capable of including deep soil planting.

iii) Built form

The proposed reorientation of the worship space through the large lateral extension to the existing church building is an increasingly popular option for additions to churches, particularly when their overall scale and form (i.e. streetscape presentation) is important to retain. The HIS argues that it is a more appropriate solution than for example extending the existing nave to the east; and in the context of the importance of maintaining the spatial and architectural integrity of the views of the church within the HCA, this argument is considered to have validity.

The amendments to the scale, form and detailing of the development, and in particular the eastern part of the site, have addressed almost all of my previous concerns about the development (as were identified in the 20 October Memo). The changes to finishes and materials to the street elevation and improved modulation of the street-facing elevations (including the treatment of the verandah) are considered appropriate in the context of the contemporary and non-residential design aesthetic of the development. It will not be mis-interpreted as an original house, nor will it read as a 'fake' Federation in the context of the streetscape. It will read as a new layer that forms part of the church group.

The proposed multipurpose building is located along the southern boundary of the site and will extend into the space now occupied by the rear garden of 1 Bancroft Avenue. It is two storeys in height above the basement car parking level. Its setback from the boundary to 3 Bancroft Avenue has been increased to 2860mm at the front corner of the property to between c1800mm (planter boxes) and 2800mm at the rear of the main building, and then c10m at the rear of the site under the Brush Box tree. The upper level is set back further, with the wall of the rectory between c4800mm and c6200mm from the boundary. Note that most distances are not dimensioned on

the plans, and these are estimated. This increased spatial separation and the reconfiguration of the windows and planter boxes to the eastern boundary will help to reduce the environmental impacts of the development on 3 Bancroft Avenue but it is considered that further softening of the interface could be achieved by the retention of the existing plumbago hedge along the boundary and further hedge planting in this area.

The roof form of the rectory building has been amended to a contemporary very low pitched hip that does not attempt to replicate a Federation form. In the context of the new design idiom this is considered appropriate, and will help to minimise the visual scale of the proposed development when viewed from both Bancroft Avenue and Hill Street.

The main multipurpose building is separated from the rectory building by a courtyard set on a podium above the car parking level. This courtyard is identified as being the main social/gathering space of the church. It will be screened from the heritage item by a planting and a privacy screen, which should prevent the casual overlooking of the item from this terrace.

iv) *Parking and access*

Approximately 38 car parking spaces are proposed as part of the development. These will be accessed via a circular driveway from Bancroft Avenue which also leads to the semi-basement carpark and a covered area for loading/unloading of passengers under the rectory. The entrance to the car park will be two-way, and a wide opening is required.

The entrance to the undercover carpark and drop-off/pick up area has been amended in response to earlier heritage concerns by the addition of a rolling screen door to the wide opening flush with the Bancroft Avenue elevation. This is an appropriate solution to the adverse aesthetic impact of the previous permanent opening to a void space providing that the screen is of high aesthetic quality and does not read as a standard garage door.

Even though set well back (and notwithstanding the aesthetic issues arising from this as identified in (iii) above), this will introduce a clearly non-residential activity to the streetscape of Bancroft Avenue. Given that the provision of car parking is required by the DCP it is considered that the arguments for the Bancroft Avenue access point made in the HIS are reasonable. The addition of a screening door at this entrance, together with the changes to the form and detailing of this part of the façade, will do much to reduce its visual impact. The side (west facing) opening to the porte cochere area is shown on the DA drawings as unscreened. Its orientation means that it will be less visible and have less impact than the eastern door from the residential area, but it will be prominent when travelling east along Bancroft Avenue and it is suggested that it should also be screened by a rolling screen door to create a fully enclosed base for the building.

Any consent should be conditioned to ensure that the screening door remains closed except during services and major functions (and immediately prior/after). At all other times it should be openable on demand as per a standard commercial door, with a default to the 'closed' position.

v) *Landscaping*

The amended development includes the removal of 14 trees from the three sites (c8-9 from the perimeters and one from the street verge) and the planting of three new trees, including a traditional specimen tree (Jacaranda) in the front garden of 1 Bancroft Avenue and additional landscaping to replace the existing hard stand area, which is supported. The other new trees are to the Hill Street elevation.

The existing front gardens along both Hill Street and Bancroft Avenue elevation will largely be retained including the lawns and mature trees in these areas. This is supported. The high site coverage and extent of excavation proposed means that minimal area will be available for deep soil planting other than these spaces.

The rear garden area of 1 Bancroft Avenue is currently simple, with a large lawn area with some plantings of trees and smaller plants including a substantial plumbago hedge along the boundary with 3 Bancroft Avenue. This area will largely be excavated and covered by the new building with the exception of the rear corner of the site, which will be retained as deep soil planting area and includes a mature Brush Box tree that will also be retained (which is supported). Other trees in the rear garden of 1 Bancroft Avenue close to the boundary with 3 Bancroft Avenue will be removed, including a 12m high Jacaranda and 9m high Port Jackson Fig which is leaning markedly towards 3 Bancroft Avenue. The Jacaranda is one of the trees highly characteristic of the plantings in the HCA and its loss is unfortunate, but will be mitigated by the planting of a new Jacaranda in a more prominent position in the front garden on the property.

The Arboricultural Impact Assessment submitted with the original application (treeIQ) identified that the root/canopy systems of three other trees on adjoining properties will potentially be affected by the proposed development: a large Angophora Costata in the garden of the heritage item at 3 Bancroft Avenue and an Elm and Saucer Magnolia in the garden of the adjoining residential flat building at 3 Hill Street. The root system of the Angophora will be protected by the increased setback of the car park in this corner; and the trees on 3 Hill Street will require pruning and careful attention to the root system during the construction works.

The main area of open space associated with the proposed new Church complex will be the large terrace courtyard between the multipurpose hall and the rectory buildings. This will be the primary gathering place for the congregation and visitors. As noted above, it will be elevated above natural ground level and screening is proposed to prevent overlooking of the adjacent residence at 3 Bancroft Avenue. The application suggests that trellis planting will be used to provide additional screening and to soften the aesthetic impact of this elevation and it is recommended that a condition of any consent be that the planting be well maintained into the future. It is noted that there is a large plumbago hedge in the garden of the existing rectory against the boundary to the heritage item at 3 Bancroft Avenue which has the potential to be retained and even extended to the rear boundary to provide effective screening of much of the adjacent development from the private garden of 3 Bancroft Avenue.

The existing low sandstone wall surrounding the site, including the formal stone entry steps at the corner of Bancroft Avenue and Hill Street is a memorial feature and will be retained, although it will be penetrated in several places to provide access to the driveways. Details of these openings have not been provided.

The original application included the installation of a large electrical substation box on the Bancroft Avenue verge outside the church. This was requested to be relocated to the Hill Street elevation to minimise its impact on the streetscape of Bancroft Avenue. The application as now proposed includes the substation within the site in a similar position as proposed originally. The HIS addresses this issue by noting that the substation is required by the development, and that its position has been determined by the need to protect tree roots (particularly the River Peppermint, T29, to the immediate north-east of the substation); and the need to provide statutory clearances from other infrastructure and buildings. It is noted that the photomontages provided take advantage of a shadow cast by the tree outside the property to minimise the visual impacts of the substation, but this is not convincing in the context of the real streetscape views. The substation will be clearly visible in views over the church building from both Bancroft Avenue and Hill Street.

The original application also included a commercially scaled hydrant booster installation at the front of the rectory adjacent to the common boundary with the heritage item at 3 Bancroft Avenue, and the applicant was requested to also relocate this. The hydrant booster pump has been relocated to the west (still on Bancroft Avenue) to between the two new driveways. The information suggests that it will be painted red. There is no statutory requirement for these pumps to be painted red and a more visually recessive colour is recommended. The impact of the pump

could be further reduced by placing it at 90 degrees to the boundary. There is no requirement to place it parallel to the boundary.

Requested variation to the FSR

The proposed FSR of the development on the site exceeds that permitted in the LEP, and a Request to vary this standard has been submitted. This FSR is intended to limit the scale and density of development on the site. It applies regardless of the use proposed on the site or its heritage status, but is relevant to the consideration of the heritage impacts of the development because a considerable proportion of the proposed additional floor space is to be located in the multipurpose and administration building which will extend over the area presently occupied by the back garden of the rectory. The existing rectory is not a contributory building in the HCA, but the pattern of development on the site is consistent with that of the streetscapes of the HCA, with well vegetated front and rear garden spaces that provide an appropriate setting for the adjacent heritage item.

The proposed development is now clearly not residential in its form, although the front building is transitional in its scale in the context of the streetscape of Bancroft Avenue between the residential development and the much larger scale of the church. This is considered acceptable in the context of the purpose of the site and its relationship with the streetscape of Bancroft Avenue, but the scale of the rear building, with a proposed parapet height of 9.25m above ground level, is still of concern in the context of the heritage values of the C36 HCA.

The formal request to vary this development standard has been updated to reflect to the amended DA (Clause 4.6 request to vary the FSR standard (April/August 2014.13292)). It notes (p.6) that

“the main environmental impact as a result of redistributing the floor space to the rear of the eastern portion [of the aggregated site] is the loss of an area that would typically be backyard if the development was a traditional dwelling house.”

This statement is correct in relation to the impact of the development on the HCA. In terms of the heritage impacts relating to the FSR and area to be built upon, this eastern area is the most sensitive part of the site. It is also the part immediately adjacent to the heritage item at 3 Bancroft Avenue, and the area that will be most visible from the streetscape of Bancroft Avenue.

St Andrew's is a parish church and draws its congregation from the local area. It is a local landmark and continues to minister to its congregation and the wider community through its outreach programs. Providing contemporary facilities for these activities is consistent with the Church's mission, and is consistent with the historic pattern of use of a church in a residential area. It is noted that church buildings (and halls) traditionally have a large building bulk when compared against their nominal floor areas, and it is this, as well as the number and scale of ancillary spaces proposed on the site, which have led to the commercial-scale impact of the volume of buildings on the site.

The impacts of this volume on the heritage significance of the HCA will be visual and spatial.

The matter that needs to be addressed is, given that the scale and form of the building is not attempting to read as residential (which is supported), whether the bulk of a second building behind the rectory will be acceptable in terms of its impacts on the heritage values of the HCA and on the significance of the adjoining heritage item at 3 Bancroft Avenue. It should be noted that a commercial built form does not mean that development that reads as being to commercial site densities and site coverages can be assumed to be acceptable when within a HCA significant for its traditional low density residential values and when adjacent to a residential heritage item.

The HCA is significant because it is a substantially intact precinct of early 20thC development that has intact streetscapes of Federation houses in garden settings. These garden settings include well-vegetated back garden spaces. The development of a two storey building and terrace (ie no deep soil planting) in the space behind the rectory will overwrite its existing residential qualities and the space will no longer read as a traditional Bancroft Avenue garden. The retention of the mature brushbox

tree in the rear corner of the garden of 1 Bancroft Avenue (ie in the rear corner of the site) is supported.

As was noted in the earlier Heritage Memorandum, it is considered that the FSR standard is a reasonable and appropriate one given the heritage significance of the traditional residential character and development patterns of the HCA, and also given the (apparent, based on visual inspection) consistency of compliance with this standard by the other properties in the HCA.

Requiring compliance with the existing low density residential zoning and FSR is considered to be appropriate given the site's context as an integral part of the historically and aesthetically significant streetscape of Bancroft Avenue. Conservation of Ku-ring-gai's heritage values by ensuring that any new development in a HCA and/or near to a heritage item is appropriate in its scale, form and use will provide a significant public benefit to the wider community and be consistent with the heritage requirements (cl.5.10) of the LEP.

The arguments for the siting of the multi-purpose hall to extend over the existing garden area of 1 Bancroft Avenue (to minimise impact on the residential flat building to the south and to retain existing setbacks from the street) are not compelling in the context of the impacts on the heritage values of the HCA. Protection of the amenity of neighbours and retention of heritage values are both important to achieve.

Summary of compliance with the Local Centres DCP 2012

The Local Centres DCP 2012 includes detailed provisions that development in HCAs and in the vicinity of heritage items is required to satisfy. These are not limited to residential development. The relevant objectives include:

Part 7.3: Development in the Vicinity of a Heritage Item

- 1 To ensure that new development respects the heritage significance of the adjoining or nearby heritage item.*
- 2 To ensure that new development does not visually dominate a heritage item.*
- 3 To ensure that new development does not reduce the views from or to the heritage item from the public realm.*
- 4 To ensure that new development does not impact on the garden setting of the heritage item, particularly in terms of overshadowing the garden or causing physical impacts on important trees.*

Development in the vicinity of a heritage item is to be sympathetic to the heritage item having regard to its form (including height, roofline, setbacks and building alignment); proportions and patterns of fenestration; materials and colours, siting and orientation; setting and context and streetscape patterns (para.1). The HIS is required to discuss the effect that the proposed development will have on the heritage item, including its garden and setting (para.2). Significant views to and from heritage items are to be protected (cl.3); and development is required to respect the curtilage and setting of the item (para.4). Development activity is also required to not damage the heritage item or its setting (para.5). These issues have been addressed in the discussion of heritage impacts above.

The DCP also identifies minimum setbacks that are required between new development and heritage items (para.6iii-viii). In the case of the subject site the setback required is at least 12m to the side wall of the heritage item (ie plus the standard side setback), but only c7.8m (variable) is proposed between the main wall of the rectory and the house on 3 Bancroft Avenue (the drawings are not fully dimensioned to allow more accurate measurement). New development is also to have a maximum wall length of 36m, but the proposed development is 44m in length to the boundary of the item – although the impact of this is modified by the separation of the built form into two elements with the linking terrace and the linear and vertical modulation of the wall in oblique views from Bancroft Avenue. No significant screen planting is proposed between the development and the item other than at the edge of the terrace. As noted above, a mature and effective screen planting exists already on the site (the hedge) and this should be retained and extended.

Part 7.4: Alterations and additions in heritage conservation areas

- 1 *To retain contributory buildings within the HCA.*
- 2 *To ensure that new development retains the identified historic and aesthetic character of the HCA in which it is situated.*
- 3 *To ensure new development respects the character of, and minimises the visual impact upon, the HCA and its streetscapes through appropriate design and siting.*
- 4 *To maintain and enhance the existing heritage character of the streetscape and the precinct.*
- 5 *To ensure that new development respects the established patterns in the streetscape, including setbacks, siting, landscaped settings, car parking and fencing.*
- 6 *To ensure that original building elements are retained and where new elements occur that the design is clearly related to the proportions, placement and scale of patterns of the existing HCA.*
- 7 *To provide an appropriate visual setting for heritage items and buildings in a HCA.*
- 8 *To ensure that the selection of materials and colours is based on an understanding of the finishes predominant within the HCA.*
- 9 *To ensure the rhythm and proportions prevalent across the HCA are preserved.*
- 10 *To conserve the external building envelope and roofscape within the HCA.*
- 11 *To provide fencing that reinstates the original form of fencing, that is consistent with and does not detract from the established patterns of the street.*
- 12 *To ensure that garden structures and outbuildings do not detract from the heritage significance of the heritage item or the HCA through inappropriate siting or excessive scale, bulk or visibility.*
- 13 *To allow for on-site car parking while retaining the character and significance of the HCA.*
- 14 *To ensure that car parking facilities do not have any adverse visual impact upon streetscapes and historic patterns within the HCA.*
- 15 *To ensure that garages, carports and driveways are visually discreet. To maintain and enhance the existing heritage character of the streetscape and the precinct.*
- 16 *To ensure streetscape within the HCAs are characterised by front gardens with substantial landscaped area and minimum hard surfaces.*

Most of the detailed controls address residential development, not development such as church sites; and the proposed development does not comply with many of these residential requirements.

Of particular relevance are paragraphs 67 and 68 (Subdivision and site amalgamation for new development) and 69 and 70 (Demolition).

The heritage impacts of the proposed amalgamation of the site have been addressed above, but it should be noted that the proposed FSR will lead to development that will introduce built forms in to the rear garden area that will be clearly visible from the public domain and will impact on the character of the HCA by extending the church buildings into the residential streetscape of Bancroft Avenue. The development also includes a second dwelling, the flat on the Hill St elevation within the envelope of the main building. This building is contemporary in its elevation to Hill Street and is not prominent in the HCA, not being visible from within the HCA, but it is noted that its inclusion contributes to the FSR of the development as a whole.

With regard to the demolition controls; the rectory is considered a detracting element in the streetscape of Bancroft Avenue; but the original Hall is consistent with its original purpose and does not detract. It reads as a substantial ancillary building to the church, but its location means that it does not address or read as being part of the streetscape of Bancroft Avenue and its retention is not considered necessary to the conservation of the heritage significance of the HCA. The HIS does not address the structural adequacy of the building or any opportunities for adaptation other than general statements responding to the Church's need for updated facilities to allow it to address the contemporary needs of its community.

The DCP also includes specific objectives and controls for development within the C36 HCA. The controls focus on the conservation of original significant fabric, but the objectives are relevant:

1. *To conserve the character of this HCA*
2. *To retain significant buildings and landscapes*
3. *To ensure new development enhances the existing character of the street.*

The recent amendments to the application have reduced the impacts of the development on the heritage significance of the item considerably, but the issue of the scale and siting of the rear building and the impacts of these on the setting of the item remains. This impact is largely a result of the FSR proposed and the lack of planted vegetation in the setback area between the development and the heritage item that would be of sufficient depth and visual density to soften the interface between the development and the item.

Conclusions and recommendations

The church is sited in a prominent position at the entry to the C36 Lord Street/Bancroft Avenue HCA and is also overlooked from the railway line. Notwithstanding that the hall and rectory are of later 20th Century construction, the St Andrews group forms an integral part of the early 20th Century significance of the heritage conservation area for historic, aesthetic and social reasons, and the Church continues to play an important role in the local area.

The development as proposed is well-resolved in terms of providing the accommodation required by the Church and its programs. The contemporary form of the addition (in particular as it presents to Hill Street) has the potential to read as a radical, yet successful addition providing that careful attention is given to the interface between old and new in terms of scale, form, detailing and materials. The amount of space required to accommodate these uses is however not modest and will have considerable impact on the site and its relationship with the HCA.

The size of the amalgamated site is still limited and the number of activities to be provided for will be difficult to accommodate without significant adverse impact on the heritage significance of the HCA and the adjoining item at 3 Bancroft Avenue. Particular issues remain about site coverage and the distribution of built forms (FSR), the potential for deep soil landscaping and effective buffer planting between the development and the adjacent heritage item.

The essential heritage issues are:

1. The church is an original and contributory element to the heritage significance of the HCA.
2. The existing rectory building is not original and does not contribute to the heritage significance of the HCA.
3. The spatial qualities of the existing rectory site are consistent with the traditional pattern of development throughout the HCA and DO contribute to the heritage significance of the HCA. They also contribute to and provide an appropriate setting for the adjacent heritage item at 3 Bancroft Avenue.
4. The continuation of the church as part of the local community will help to conserve the heritage significance of the HCA.
5. The church wishes to upgrade its facilities to accommodate its contemporary needs.
6. The development to achieve this includes the amalgamation of the church, hall and rectory properties, the demolition of existing hall and rectory plus the southern wall of the church and building new worship space, hall, facilities and rectory over the whole of the site.
7. The proposed amalgamation of the three component sites has the potential to be acceptable in terms of its impact on the heritage significance of the HCA; but this acceptability depends on the new development being of high quality and protecting the spatial qualities of the traditional pattern of development in the HCA and also on conserving the setting of the adjacent heritage item at 3 Bancroft Avenue.
8. The demolition of the existing rectory and hall will not adversely impact on the heritage values of the HCA.

9. The demolition of the southern wall of the church will have an acceptable impact on the heritage values of the HCA.
10. The proposed non-residential built form and detailing of the development is appropriate in the context of its community purpose.
11. The proposed alterations and additions to St Andrews Church and its hall within the bounds of the existing hall site will have an acceptable impact on the heritage values of the C36 HCA and the heritage items in its vicinity.
12. The proposed scale, form and massing of the eastern end of the part of the multipurpose building within the site of 1 Bancroft Avenue contribute to the non-compliance of the building with the FSR controls and will be of a scale and siting that will impact on the heritage significance of the HCA. In particular:
 - a. The loss of deep soil behind the rectory building will not be consistent with the pattern of site development in the HCA and the traditional domestic quality of the back garden of the adjacent heritage item at 3 Bancroft Avenue.
 - b. The development does not comply with the FSR requirements in the Local Centres LEP.
 - c. The development does not comply with most of the requirements of the Local Centres DCP (Parts 7.3 and 7.4).
13. Reducing the floor space of the multipurpose building and setting it further from the boundary would allow more meaningful and effective planting behind the rectory building and would make a positive contribution to the traditional garden setting of the streetscape of Bancroft Avenue.
14. If the heritage issues identified are resolved the following conditions should be included in any approval:
 - a. The existing hedge to the boundary with 3 Bancroft Avenue is to be retained.
 - b. The remainder of the eastern setback area is to be planted with species capable of growing to at least 4m in height to establish a vegetated edge to the development and minimise impacts on the setting of the heritage item at 3 Bancroft Avenue (to the satisfaction of Council's Landscape Officer).
 - c. The screen gate to the porte cochere is to remain in the closed position except between 1 hour prior to and 1 hour after services and major functions. At all other times access is to be via an electronic eye opener or similar.
 - d. A matching screen gate is to be provided to the exit opening to the porte cochere.
 - e. The hydrant booster is to be painted a visually recessive colour, set at 90 degrees to the boundary and include planting in the vicinity that will help to minimise its impact on the traditional Federation Character of the streetscape (taking into account Fire and Rescue NSW's requirements).
 - f. The substation is to be screened from views from within the church grounds and as a backdrop to views over the site from Bancroft Avenue/Hill Street by planting beyond the statutory clearance boundaries to the satisfaction of Council's Landscape Officer.

Robyn Conroy

BTP, M. BltEnvt(Conservation)

M. ICOMOS

Clause 4.6 Request to Vary the FSR Development Standard



St Andrews Anglican Church, Roseville

Place of Public Worship Extension

Submitted to Ku-ring-gai Municipal Council

On Behalf of St Andrews Anglican Church, Roseville

April 2014 ■ 13292

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This report has been prepared by:

A handwritten signature in black ink, appearing to read 'Michael Rowe', with a horizontal line drawn underneath it.

Michael Rowe

7/04/2015

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1.0 Introduction

A Development Application (DA) was submitted to Ku-ring-gai Municipal Council for alterations and additions to the St Andrews Anglican Church (the Church) at 3A Hill Street, Roseville in August 2014.

The proposal is required as the current church space and facilities can no longer accommodate the growing congregation and do not meet today's current standards, particularly for Occupational Work Health and Safety and accessibility. With a growing number of youth and young families joining the Church community, the need for improved facilities to conduct the Church's many community programs is essential for effective on-going operations.

The DA seeks approval for:

- demolition of the existing church hall and rectory, site preparation and associate tree removal;
- excavation and construction of a basement car park;
- alterations and additions to expand the Church building and construction of a new interconnected church hall, incorporating a:
 - worship space;
 - multipurpose hall;
 - lobby / reception area;
 - meeting rooms;
 - offices;
 - Sunday school spaces;
 - counselling rooms;
 - residential apartment (for ministry staff); and
 - kitchen and bathroom facilities.
- construction of an elevated courtyard area;
- construction of a new two storey rectory building; and
- associated landscaping works.

The DA was accompanied by a clause 4.6 request to vary the FSR development standard in the Ku-ring-gai Local Environmental Plan 2012 (LEP 2012). Clause 4.6 of LEP 2012 allows Council to grant consent for development even though the development contravenes a development standard imposed by the LEP. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

Following public exhibition of the DA, Council wrote to the applicant requesting it address a range of matters. The applicant has worked with Council to resolve these issues and has amended its DA to Council. In the context of the amended plans and the issues raised in its letter, the Clause 4.6 Request has been updated.

2.0 Development Standard to be Varied

LEP 2012 sets a maximum FSR development standard of 0.3:1 on the eastern portion (existing rectory site) and 0.8:1 on the western portion (existing hall and church site).

Whilst the proposed development has been designed to respond to the site holistically, when calculating the FSR for the purposes of technical compliance with the LEP, the FSR must be determined for each area of the site. **Table 1** below provides a summary of the GFA and FSR for each of the FSR zones and the total FSR for the site.

In summary, when the lots are viewed in isolation the proposed development will be below the FSR by 0.10:1 on the western site, and above the FSR by 0.27:1 on the eastern site. It is noted that when the full development potential across the two sites is calculated this only equates to a 0.045:1 variation above the combined FSR potential.

Table 1 – Summary of FSR

	Western Portion	Eastern Portion	Total Site
Site Area	2080	1213.2	3293.2
Proposed GFA	1560	697.5	2257.5
Proposed FSR	0.75	0.57	0.685
LEP 2012 FSR	0.85	0.3	0.64
Compliance	0.10:1 below (208m ²)	0.27:1 above (327m ²)	0.045 above (150m ²)

3.0 Justification for Contravention of the Development Standard

3.1 Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

In the decision of *Wehbe v Pittwater Council* [2007] NSW LEC 827, which relevantly provides case law relating to SEPP 1 and clause 4.6 objections, Chief Justice Preston outlined the rationale for development standards, and the ways by which a standard might be considered unnecessary and/or unreasonable. At paragraph 43 of his decision in that case Preston CJ noted:

"The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. Compliance with a development standard is fixed as the usual means by which the relevant environmental or planning objective is able to be achieved. However if the proposed development proffers an alternative means of achieving the objective, strict compliance with the standard would be unnecessary (it is achieved anyway) and unreasonable (no purpose would be served)."

In *Wehbe v Pittwater Council*, Preston CJ expressed the view that there are five different ways in which a variation to a development standard might be shown as being unreasonable or unnecessary. Of particular relevance in this instance is 'way 1', that a development standard might be shown as unreasonable or unnecessary if *"The objectives of the standard are achieved notwithstanding noncompliance with the standard."*

The objectives of the development standard are:

- (a) to ensure that development density is appropriate for the scale of the different centres within Ku-ring-gai,*
- (b) to enable development with a built form and density compatible with the size of the land to be developed, its environmental constraints and its contextual relationship,*
- (c) to ensure that development density provides a balanced mix of uses in buildings in the business zones.*

The proposed development satisfies the objectives of the FSR development standard, as set out below and therefore application of the standard is unreasonable and unnecessary.

Objective (a) To ensure that development density is appropriate for the scale of the different centres within Ku-ring-gai

The proposed density equates to 327m² of additional GFA on the eastern portion of the site, which when balanced with the surplus of GFA potential on the western portion only equates to a variation of 150m² of GFA or (0.045:1) across the whole site.

Such a minor variation over a 3,293m² site means that the development will still result in a scale that reflects the desired density for the Roseville centre. Further consideration of the proposed scale and its impact on the adjoining properties is provided in Section 3.2. It is noted that the proposed development complies with the maximum building height development standard.

It is also noted that the development will only result in two dwellings across the site, therefore not resulting in a greater residential density than would be achieved by a complying scheme.

Objective (b) To enable development with a built form and density compatible with the size of the land to be developed, its environmental constraints and its contextual relationship

For the reasons detailed above, the proposed density is compatible with the size of the land.

The redistribution of GFA from the western portion of the site to the eastern portion is a direct response to environmental constraints and is the outcome of a detailed site analysis, which identified where the built form would have the minimum impact on the character of the area, which is at the rear of the eastern portion of the site. Further consideration of the proposed design and its response to the environmental constraints is provided in Section 3.2.

In terms of its contextual relationship, it is understood that the intent of the 0.3:1 control is to preserve the residential character along Bancroft Avenue. The proposed design achieves this by providing a dwelling with a density and built form that is consistent with the surrounding area and planning controls, noting that the proposed development complies with the maximum building height development standard. The additional density is then located in the form of the hall which is located behind the dwelling at the rear of the property along the southern boundary and complies with the maximum building height. Further consideration of the proposed scale and its impact on the adjoining properties is provided in Section 3.2.

Objective (c) To ensure that development density provides a balanced mix of uses in buildings in the business zones

The site is not located in a business zone and therefore this objective is not relevant.

3.2 There are sufficient environmental planning grounds to justify contravening the development standard

As established in Table 1, the proposed variation to the FSR control is largely the result of redistributing the development potential that could have otherwise been achieved within the western portion of the site into the eastern portion (see Figure 1).

If made to comply, the GFA would need to be relocated from the eastern portion of the site back into the western portion where the FSR control allows for it. This would have the following more significant environmental impacts which justify contravening the development standard in this instance:

- St Andrews would potentially be forced to reconsider if it could retain the historic church building in order to achieve its FSR potential. Demolition of the church building would have a far greater adverse impact on the streetscape and the heritage character of the area (see Figure 2).
- If the church building could be retained, the height and massing of the hall would need to significantly increase, having a much greater impact on the streetscape character, adjoining properties and curtilage of the church building (Figure 3).

The size of the hall would need to be increased within the western portion of the site where it has an interface with the Hill Street residential apartments, rather than the eastern portion as proposed, where it has an interface with a carport. Compliance with the controls would therefore be likely to result in greater shadow, privacy and built form impacts on the adjoining apartment building.

The proposed development and alternative compliant scenarios are illustrated below in Figures 1-3.

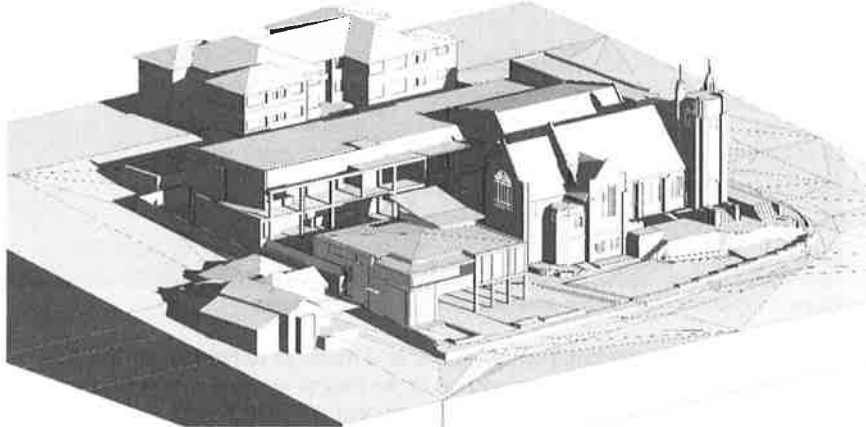


Figure 1 – Scenario 1 Proposed scheme

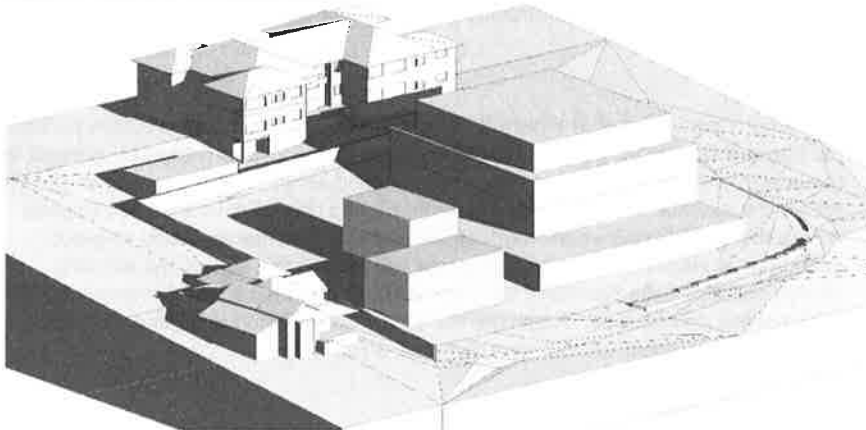


Figure 2 – Scenario 2 Demolition of the Church

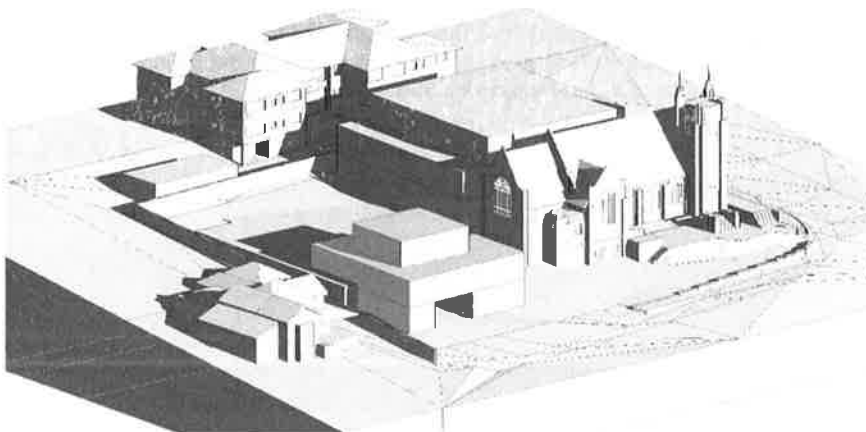


Figure 3 – Scenario 3 Bulkier Hall Building

The proposed development has been designed to ensure that from Bancroft Avenue the buildings read as a low scale two storey form consistent with the character of the street (see **Figure 4**).



Figure 4 – Photomontage of the development from Bancroft Avenue

Therefore the main environmental impact as a result of redistributing the floor space to the rear of the eastern portion is the loss of an area that would typically be backyard if the development was a traditional dwelling house.

Development in this location has the potential to impact on 3 Hill Street and 3 Bancroft Avenue.

3 Hill Street

As demonstrated above in **Figure 3**, locating the FSR within the western portion of the site will have a far greater impact on the solar access, privacy and outlook of the apartments in 3 Hill Street than the proposed scheme. The location of the GFA within the eastern portion of the site redistributes this GFA to a part of the site where the 3 Hill Street apartments currently have their garages and at-grade parking. It is also noted that the proposal will reduce the size of the existing church hall along the boundary with the 3 Hill Street apartments, improving their solar access and outlook. Therefore the proposed variation will have a positive environmental impact on the apartments at 3 Hill Street.

3 Bancroft Avenue

Locating the FSR within the western portion will change the outlook from 3 Bancroft Avenue. In order to preserve as much of the landscaped outlook as possible the proposed building has been setback at the back corner of the site, specifically to allow for retention of the large existing tree (see **Figure 5**). In addition, the landscape plans place a special emphasis on achieving a high quality landscape solution along the boundary (see **Figure 5**).

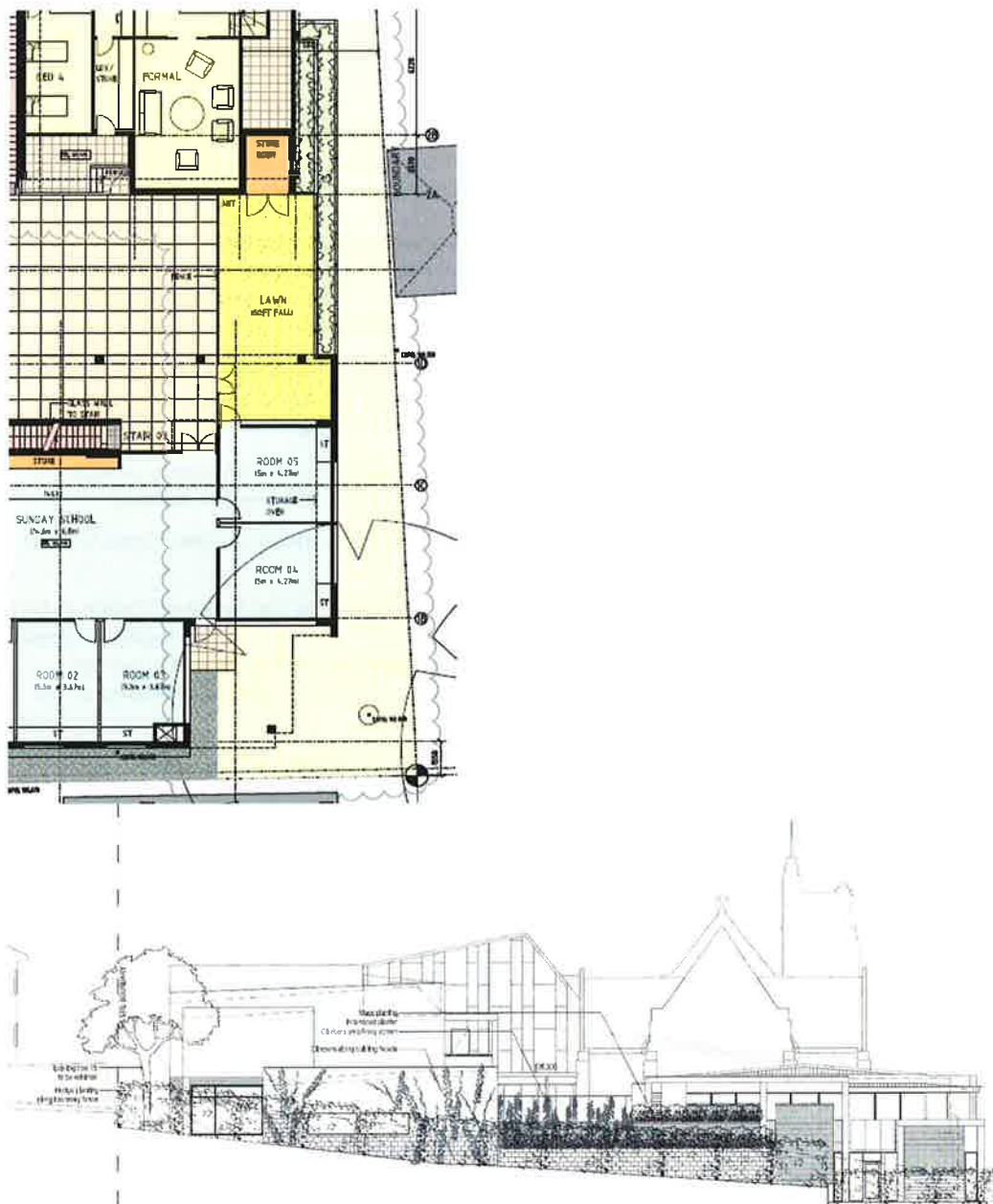


Figure 5 – Extracts of the floor plan and eastern elevation illustrating the proposed landscaping along the eastern boundary

The amended development will not have any privacy or heritage impacts or result in any additional overshadowing. Therefore the impact of the variation on 3 Bancroft Avenue is limited to the house's outlook only, which as discussed above the impacts of which have been mitigated as part of the amended design.

In light of the above there is considered to be sufficient environmental planning grounds to justify contravening the development standard in this instance.

3.3 Secretary's Concurrence

It is understood that the Secretary's concurrence under clause 4.6(5) of LEP 2012 has been delegated to Council. The following section provides a response to those

matters sets out in clause 4.6(5) which must be considered by Council under its delegated authority:

Whether contravention of the development standard raises any matter of significance for State or regional environmental planning.

The proposed contravention of the development standard does not raise any matter of significance for State or regional environmental planning.

The public benefit of maintaining the development standard.

As there is no adverse environmental impacts other than impacting the outlook of 3 Bancroft Avenue, and the proposed variation still achieves the objectives of the standard, there is no public benefit in maintaining it.

Conversely the proposed development, which is a community funded development, for use by the community, will provide a number of significant public benefits which include but are not limited to:

- providing an improved and expanded centre for the community whereby a range of community orientated functions and services can be held;
- increasing the capacity for the community to attend and participate in local Sunday services;
- enabling a broader range of services provided by the Anglican Church to be run for the community through the expanded floor space, encouraging services such as counselling, mentoring programs and other community service programs to continue providing for the social and spiritual wellbeing of the broader Roseville community;
- enabling weddings and funerals to be carried out at the Church, enabling members of the congregation to participate in significant life events within their local community, and at their local Church;
- conserving the heritage streetscape character of Bancroft Avenue through a more sensitively designed and articulated built form and the removal of other built elements identified as being detracting; and
- increasing the office and consulting room space so that the ministry staff and other social-focused professionals can have a high amenity work space that can be offered as a benefit to the community members who utilise these services.

The proposed development will also support the growth of the Church so that it can continue to resource its innovative community service based program called the 'Community Project' whereby members of the Church provide a range of services for free to the community. These services include providing crisis accommodation, babysitting, running errands and grocery shopping for those less able, general maintenance tasks, a 'freezer' meals ministry, and legal and financial counselling services. To run the 'Community Project' the members draw from a wide range of resources provided by the Church buildings, using this space throughout the week to run these service tasks. The proposal to renovate and extend the Church's facilities would make an invaluable contribution to the effectiveness of this program and as such the proposal has the opportunity to directly contribute to the broader social and economic welfare of the Roseville community.

If Council is of the view that the Church cannot utilise the rectory site (as proposed) and it cannot redevelop the existing church site then it would have no opportunity to modernise its facilities. As a key element of the social fabric of Roseville and Ku-ring-gai more broadly, sterilising the site and preventing the redevelopment from occurring is not in the public interest and is contrary to objectives of the LEP to:

- guide future development of land and the management of social and cultural resources in Ku-ring-gai for the benefit of present and future generations; and
- promote opportunities for social, cultural and community activities.

As well as being contrary to the objects of the EP&A Act to encourage the provision and co-ordination of community services and facilities.

Any other matters required to be taken into consideration by the Director-General before granting concurrence.

There are no other matters required to be taken into consideration.

4.0 Conclusion

This clause 4.6 demonstrates Council can be satisfied that:

- that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case because the objectives of the standard are achieved; and
- that there are sufficient environmental planning grounds to justify contravening the development standard as the proposed scheme will have less adverse impacts than a scheme that was made to comply.

It is therefore requested that Council grant development consent for the proposed development even though it contravenes the FSR development standard in LEP 2012.



01 EXISTING NIE VIEW ALONG BANCROFT AVE
PHOTOMONTAGE OF PROPOSED
NIE



02 PROPOSED NIE VIEW ALONG BANCROFT AVE
PHOTOMONTAGE OF PROPOSED
NIE



03 PROPOSED (TRANSPARENT) NIE
PHOTOMONTAGE OF PROPOSED
NIE

ST ANDREWS ANGLICAN CHURCH
ROSEVILLE
1 Bancroft Avenue, Roseville
Lot 2, 3 & 4 in DP1046733
P/L No. 12044

DEVELOPMENT APPLICATION

01 - 1/4 - 1/4 - 1/4 - 1/4
22 - 1/4 - 1/4 - 1/4 - 1/4



INSERT
LOCATION
DIAGRAM

ST ANDREWS ANGLICAN CHURCH
ROSEVILLE

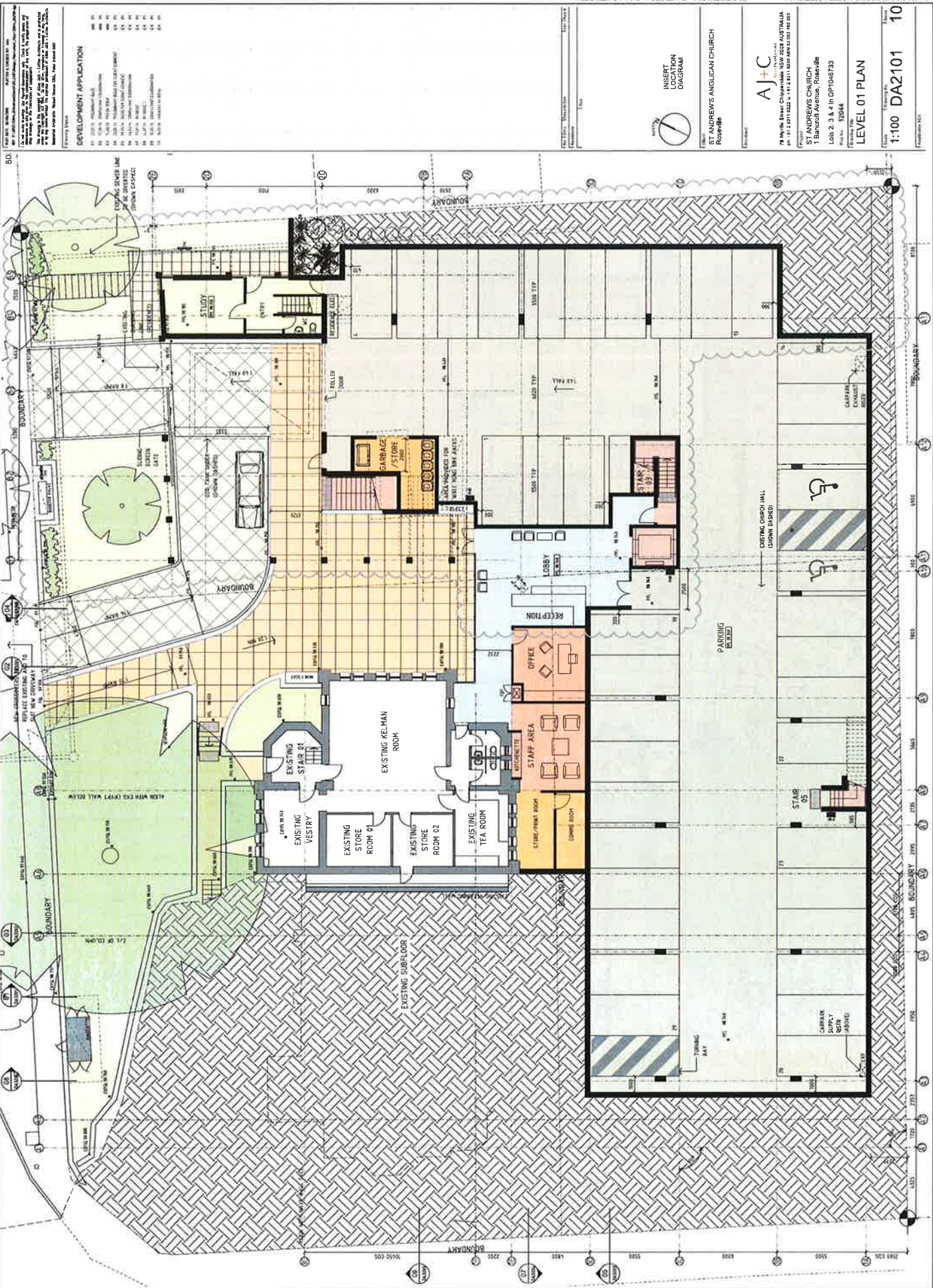
AJC

10 North Street, Chesham, NSW 2151
Tel: 02 9411 1234 Fax: 02 9411 1235 Email: info@ajc.com.au

ST ANDREWS CHURCH
1 Bancroft Avenue, Roseville
Lot 2, 3 & 4 in DP1046733
P/L No. 12044

PHOTOMONTAGES 3

NTS DA0203 02



DEVELOPMENT APPLICATION

1. SITE	2. DEVELOPMENT	3. EXISTING	4. PROPOSED
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1.2. SITE	1.2. DEVELOPMENT	1.2. EXISTING	1.2. PROPOSED
1.3. SITE	1.3. DEVELOPMENT	1.3. EXISTING	1.3. PROPOSED
1.4. SITE	1.4. DEVELOPMENT	1.4. EXISTING	1.4. PROPOSED
1.5. SITE	1.5. DEVELOPMENT	1.5. EXISTING	1.5. PROPOSED
1.6. SITE	1.6. DEVELOPMENT	1.6. EXISTING	1.6. PROPOSED
1.7. SITE	1.7. DEVELOPMENT	1.7. EXISTING	1.7. PROPOSED
1.8. SITE	1.8. DEVELOPMENT	1.8. EXISTING	1.8. PROPOSED
1.9. SITE	1.9. DEVELOPMENT	1.9. EXISTING	1.9. PROPOSED
1.10. SITE	1.10. DEVELOPMENT	1.10. EXISTING	1.10. PROPOSED



INSERT
SECTION
DIAGRAM

ST ANDREW'S ANGLICAN CHURCH
Roseville

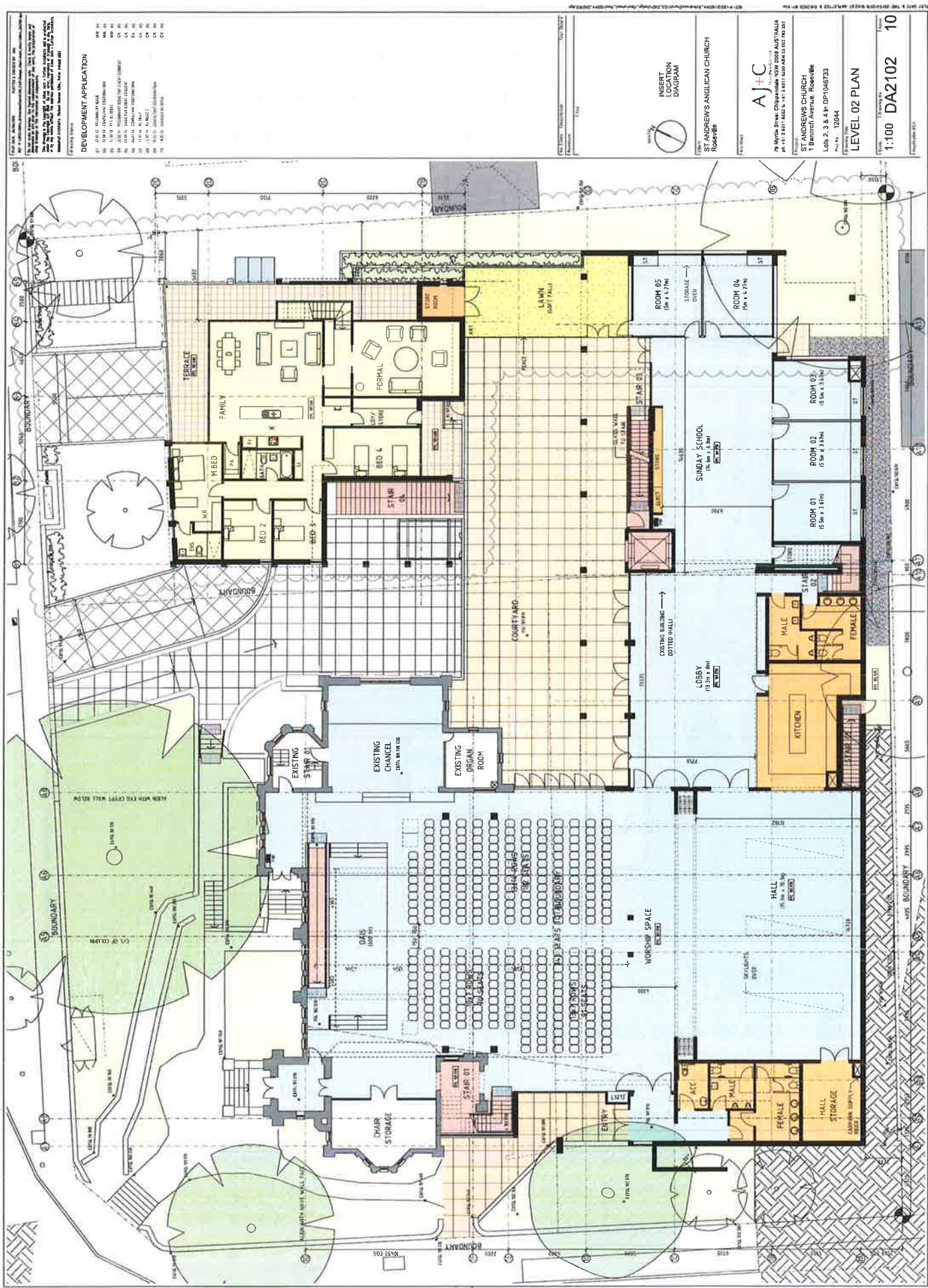
AJC

78 York Street, Chippendale NSW 2008 AUSTRALIA
Tel: 02 9550 1234 Fax: 02 9550 1235
Email: info@ajc.com.au

ST ANDREW'S CHURCH
1 Bancroft Avenue, Roseville
Lots 2, 3 & 4 in DP1048733
Project No. 10044

LEVEL 01 PLAN

1:100 DA2101 10



DEVELOPMENT APPLICATION

ST 21010	PLANNING ACT RULE
ST 21011	CONVEYANCE OF LAND
ST 21012	CONVEYANCE OF LAND
ST 21013	CONVEYANCE OF LAND
ST 21014	CONVEYANCE OF LAND
ST 21015	CONVEYANCE OF LAND
ST 21016	CONVEYANCE OF LAND
ST 21017	CONVEYANCE OF LAND
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ST 21019	CONVEYANCE OF LAND
ST 21020	CONVEYANCE OF LAND



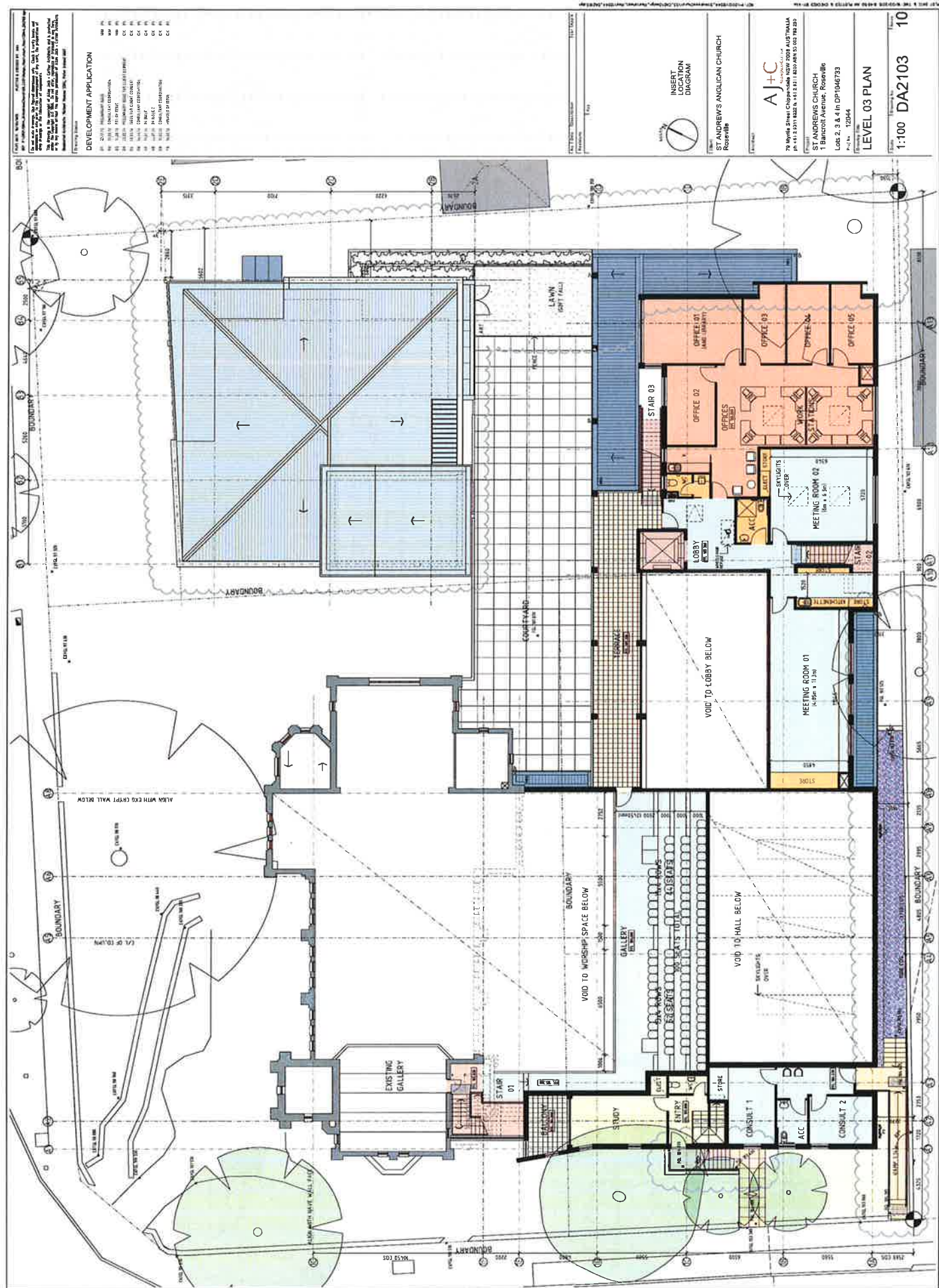
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Roseville

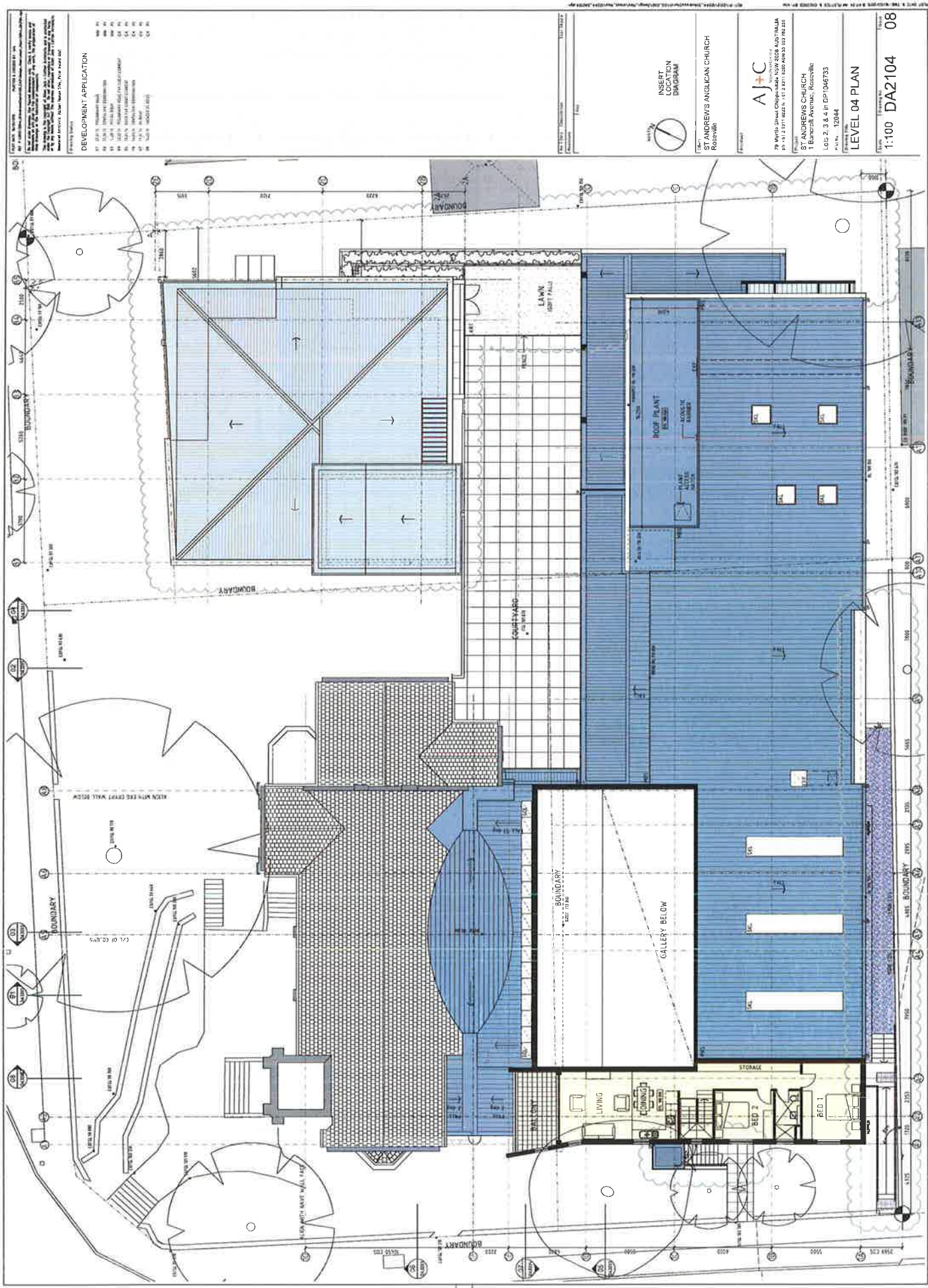


ST ANDREWS CHURCH
1 Barclay Avenue
Roseville
Lot 2, 3 & 4 in DP1046733

Level 02 PLAN

1:100 DA2102 10





DEVELOPMENT APPLICATION

- 1. SITE PLAN
- 2. FLOOR PLAN
- 3. SECTION
- 4. ELEVATION
- 5. LANDSCAPE PLAN
- 6. LIGHTING PLAN
- 7. SIGNAGE PLAN
- 8. FENCE PLAN
- 9. FLOOD RISK ASSESSMENT
- 10. ENVIRONMENTAL IMPACT STATEMENT
- 11. SOCIAL AND ECONOMIC IMPACT STATEMENT
- 12. CULTURAL IMPACT STATEMENT
- 13. HERITAGE IMPACT STATEMENT
- 14. VISUAL IMPACT STATEMENT
- 15. AIR QUALITY IMPACT STATEMENT
- 16. NOISE IMPACT STATEMENT
- 17. VIBRATION IMPACT STATEMENT
- 18. CLIMATE CHANGE IMPACT STATEMENT
- 19. BIODIVERSITY IMPACT STATEMENT
- 20. WATERSHED IMPACT STATEMENT
- 21. SOIL IMPACT STATEMENT
- 22. GROUNDWATER IMPACT STATEMENT
- 23. SEISMIC IMPACT STATEMENT
- 24. RADIOACTIVE IMPACT STATEMENT
- 25. OTHER IMPACT STATEMENTS



ST ANDREWS ANGLICAN CHURCH
Rosedale



ST ANDREWS ANGLICAN CHURCH
1 Bancroft Avenue, Rosedale
Lot 2, 3 & 4 in DP 046733
Project No. 12044

LEVEL 04 PLAN

1:100 DA2104 08

PROJECT NAME: ST ANDREW'S ANGLICAN CHURCH
 PROJECT ADDRESS: 78 MYERS STREET, CHIPPINDALE NSW 2022 AUSTRALIA
 PROJECT NO: DA3101
 DRAWING NO: 08
 DATE: 10/10/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

DEVELOPMENT APPLICATION
 01. SITE ID: 78 MYERS STREET
 02. SITE NO: 78 MYERS STREET
 03. SITE AREA: 1,234 SQ M
 04. SITE ZONE: R2 (RESIDENTIAL)
 05. SITE COORDINATES: 33° 45' 00" S, 151° 05' 00" E
 06. SITE ELEVATION: 100 M AHD
 07. SITE DRAINAGE: TO STORMWATER DRAINAGE
 08. SITE ACCESS: VIA MYERS STREET

ST ANDREW'S ANGLICAN CHURCH
 78 MYERS STREET, CHIPPINDALE NSW 2022 AUSTRALIA
 LOT 2, 3 & 4 IN DP1046733
 1 BARCROFT AVENUE, ROSEVILLE
 NSW 1585
 PHONE: 02 9334 1234

ELEVATIONS
 NORTH/EAST
 1:100 DA3101 08

INSERT
 SECTION
 DIAGRAM



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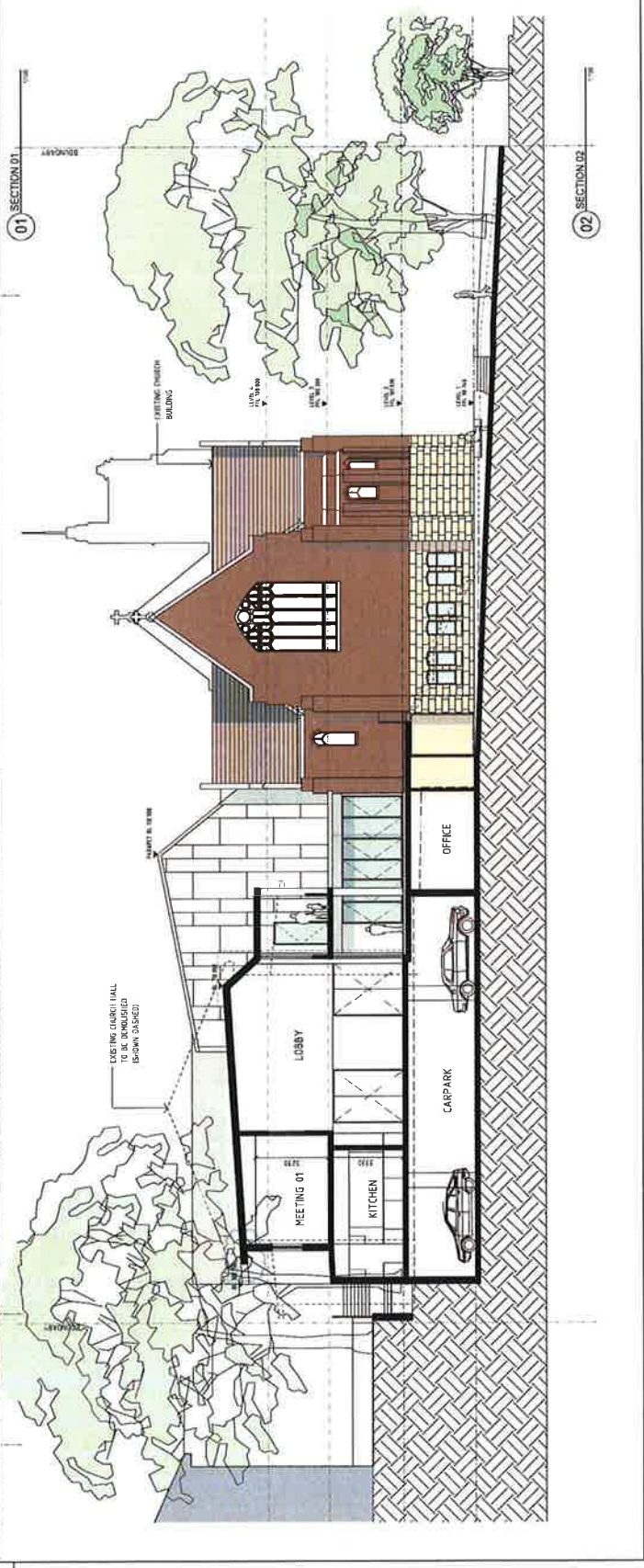
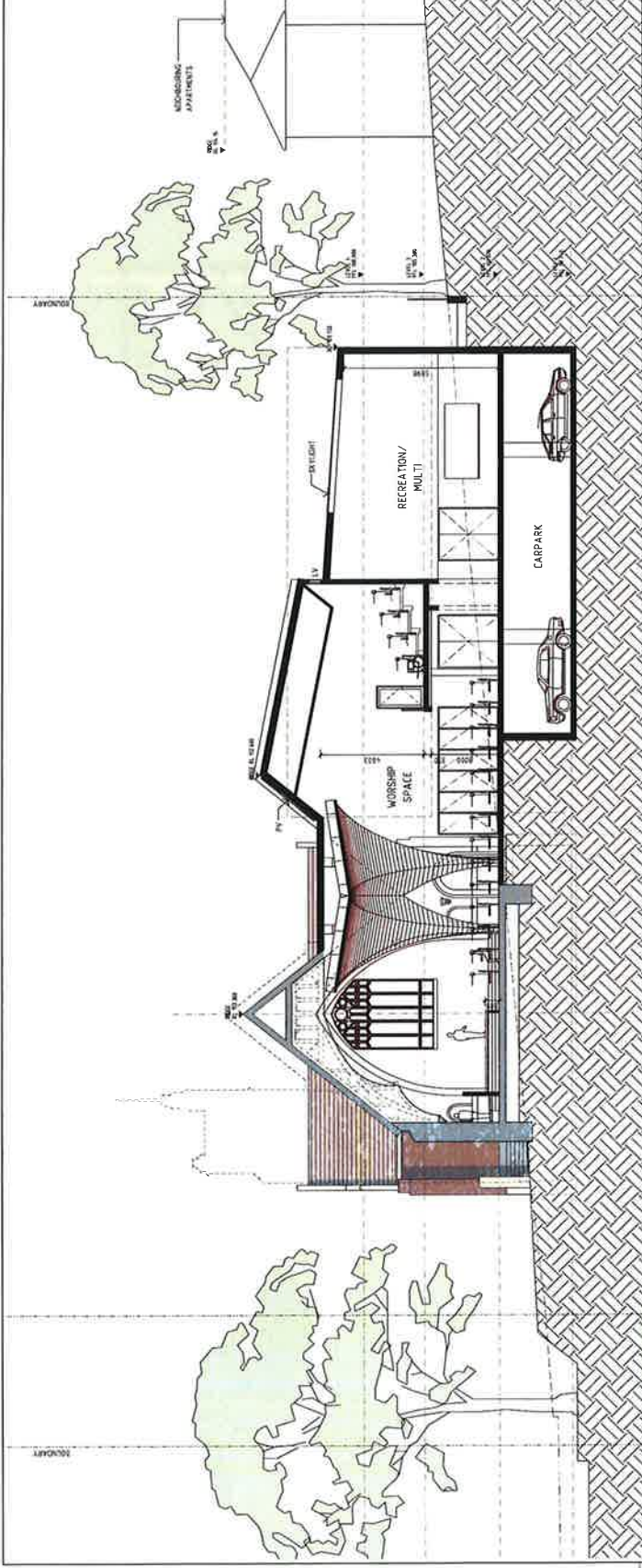


02 EAST ELEVATION

Site Plan, Section 01, Section 02, and other details.

DEVELOPMENT APPLICATION

- 1. SITE PLAN
- 2. SECTION 01
- 3. SECTION 02
- 4. OTHER DETAILS



ST ANDREWS ANGLICAN CHURCH
ROSEBUD

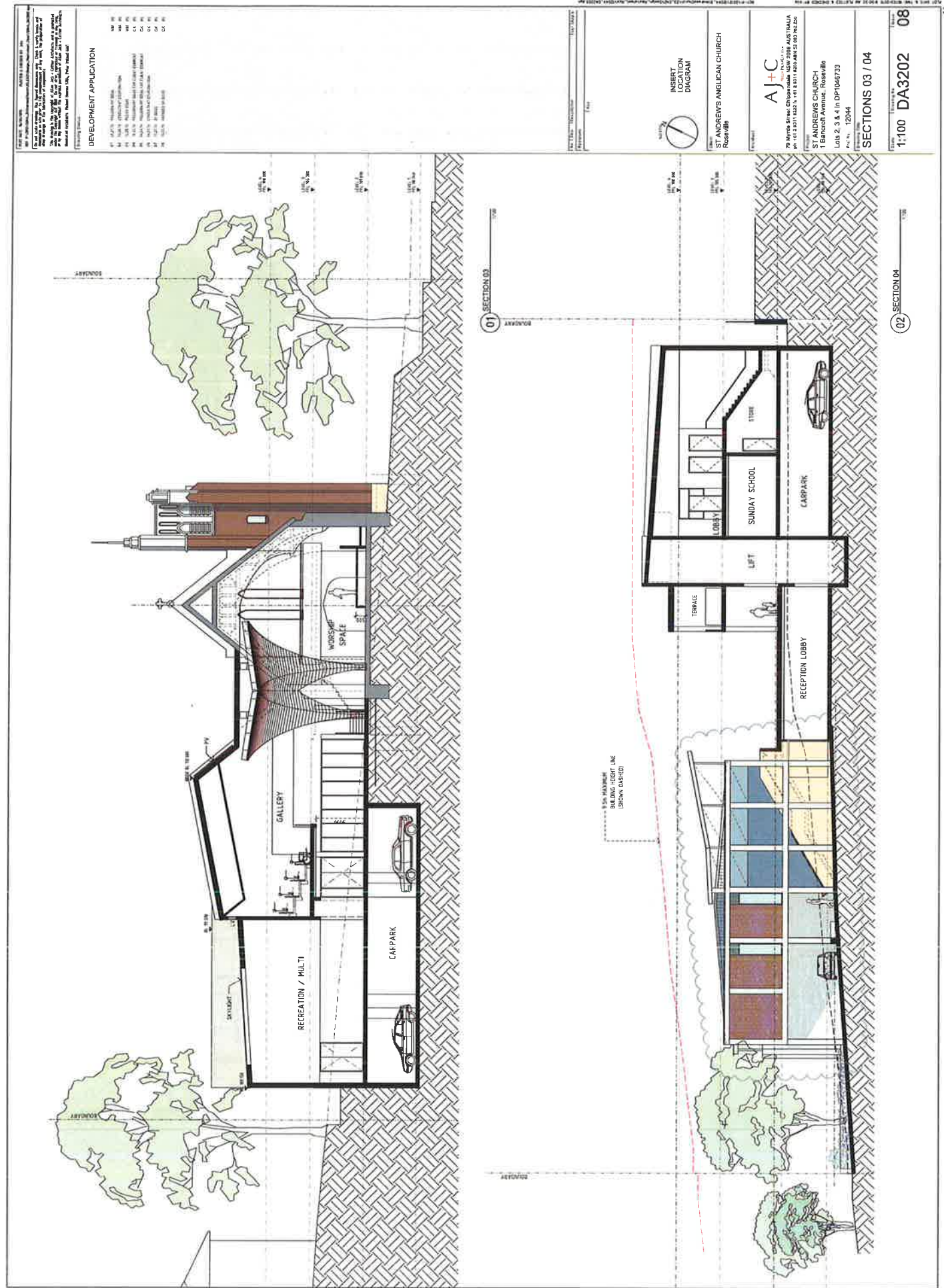
AJ+C

70 Myrtle Street, Chippendale NSW 2008 AUSTRALIA
PH: 02 9211 8022 • FAX: 02 9211 8022 • WWW.AJ+C.COM.AU

ST ANDREWS CHURCH
1 Bancroft Avenue, Roseville
Lots 2, 3 & 4 in DP1046733
Project No. 12044

SECTIONS 01 / 02

Scale: 1:100
Drawing No: DA3201
08



DEVELOPMENT APPLICATION

- 1. SITE LOCATION MAP
- 2. SITE PLAN
- 3. FLOOR PLAN
- 4. SECTION 03
- 5. SECTION 04
- 6. ELEVATIONS
- 7. LANDSCAPE PLAN
- 8. LIGHTING PLAN
- 9. SIGNAGE PLAN
- 10. OTHER INFORMATION

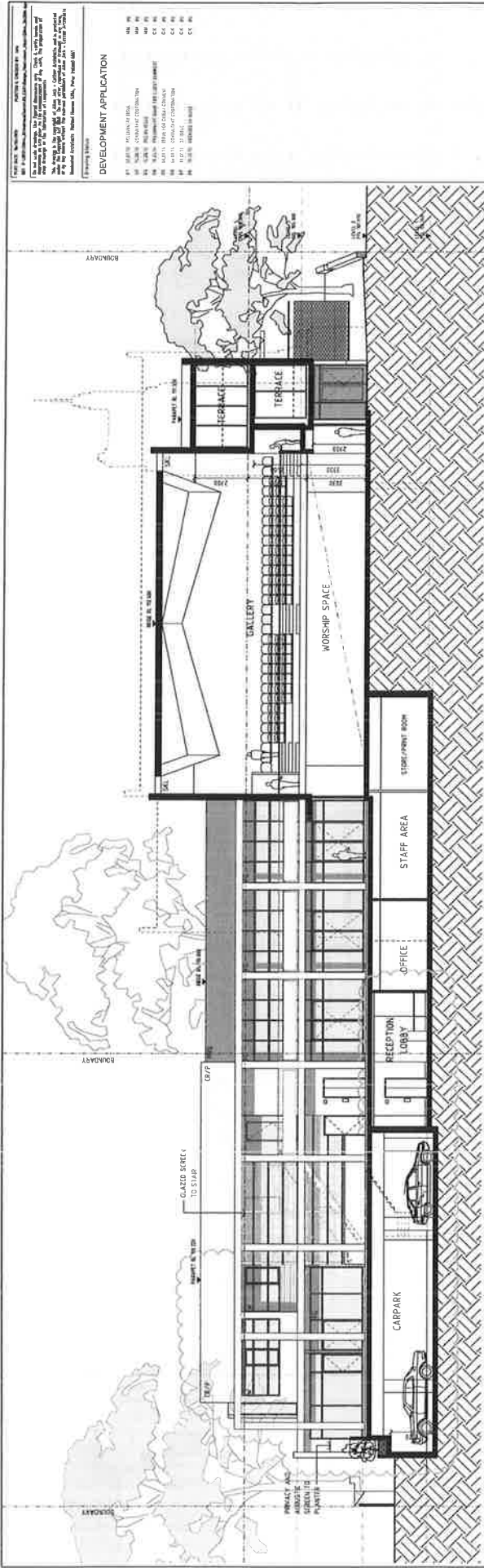
ST ANDREW'S ANGLICAN CHURCH
Roseville

A+C
ARCHITECTS

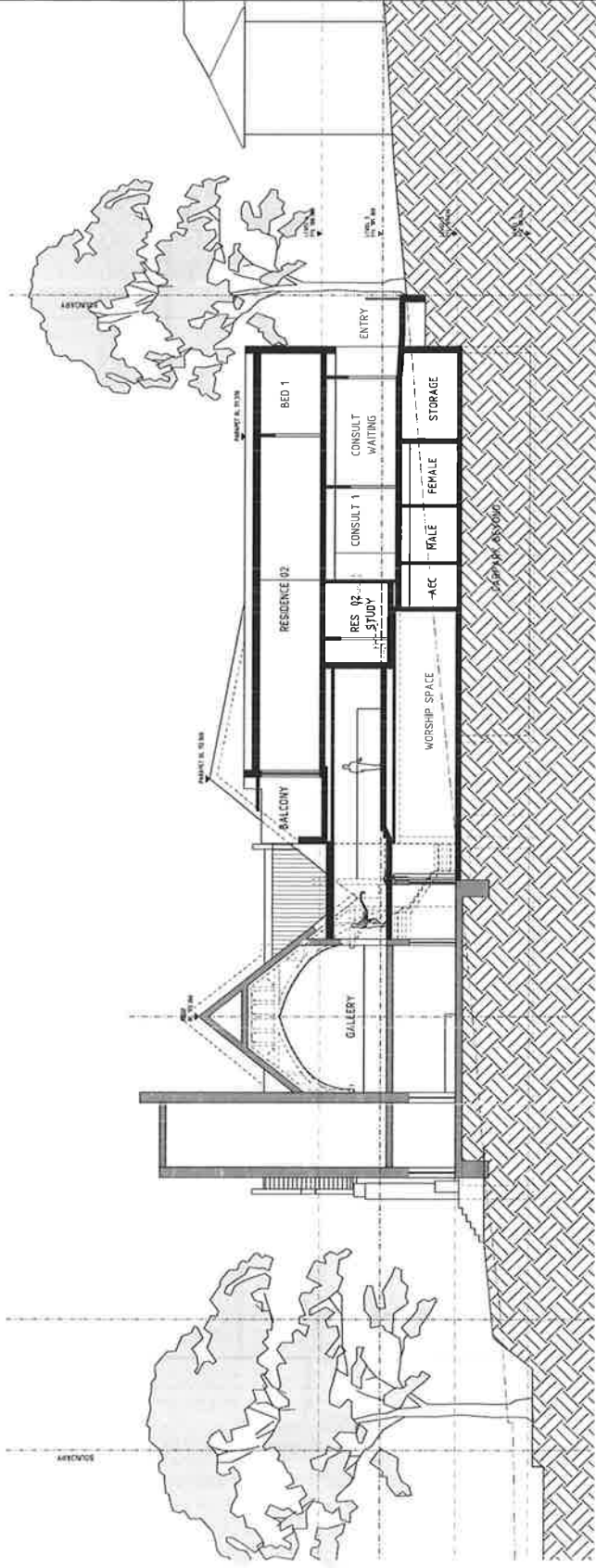
79 Myrtle Street, Chippendale NSW 2008 AUSTRALIA
Tel: +61 2 9551 1234 Fax: +61 2 9551 1235
ST ANDREW'S CHURCH
1 Bancroft Avenue, Roseville
Lots 2, 3 & 4 in DP1046733
P.O. Box 12044

SECTIONS 03 / 04

1:100 DA3202 08



01 SECTION 07



02 SECTION 08

DEVELOPMENT APPLICATION

1. SITE LOCATION: 1 BALGROVE AVENUE, ROSEVILLE, NSW 1585

2. PROJECT NAME: ST ANDREW'S ANGLICAN CHURCH

3. CLIENT: ST ANDREW'S ANGLICAN CHURCH

4. ARCHITECT: A+C ARCHITECTS

5. DATE: 10/10/2024

6. SCALE: 1:100

7. DRAWING NO: DA3204

8. SHEET NO: 08

ST ANDREW'S ANGLICAN CHURCH

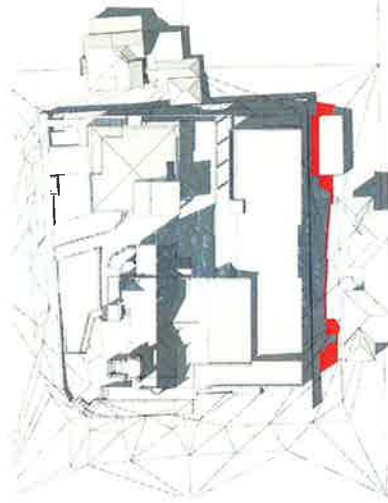
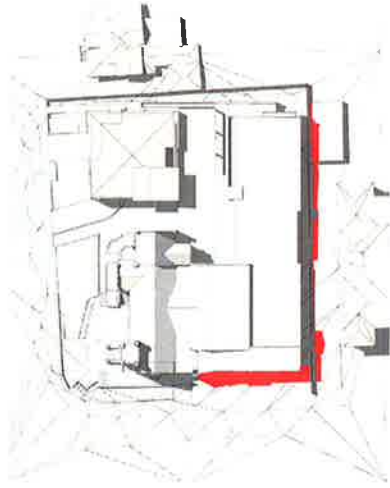
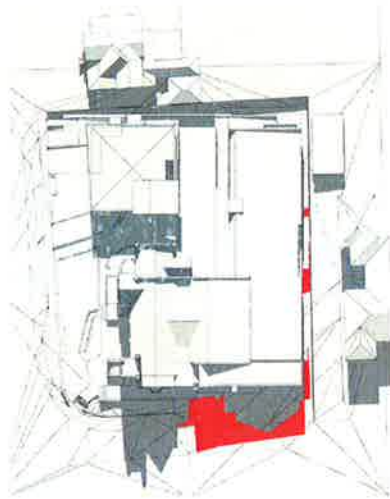
ROSEVILLE

1 BALGROVE AVENUE, ROSEVILLE, NSW 1585

LOT 2, 3 & 4 IN DP1040793

SECTION 07 / 08

1:100 DA3204 08



LEGEND:

	ADDITIONAL SHADOW PROPOSED; SHOWN IN RED
---	---

PRATT INSTITUTE 1000 10th Ave. New York, NY 10018
PRATT 1000 10th Ave. New York, NY 10018
 Tel: (212) 312-3100 Fax: (212) 312-3101
 Website: www.pratt.edu

DEVELOPMENT APPLICATION

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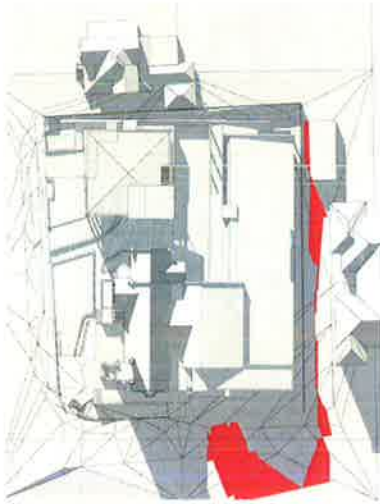
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ST ANDREW'S ANGLICAN CHURCH
Roseville

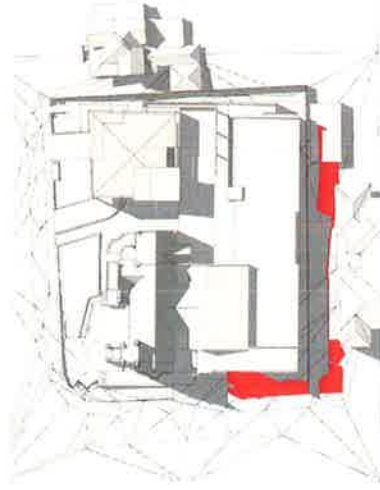
AJ+C
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79 Myrtle Street Chippendale NSW 2008 AUSTRALIA
ph +61 2 9211 8233 fx +61 2 9211 8200 airtel 03 741 200

ST ANDREWS CHURCH
1 Bancroft Avenue, Roseville
Lots 2, 3 & 4 in DP1046733
Project # 12044

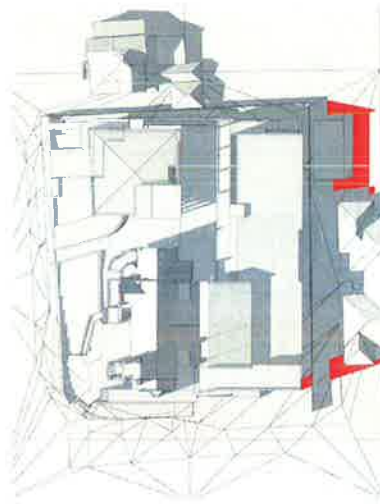
SHADOW DIAGRAMS
21 MARCH/SEPT



01 21 JUNE 9:00AM
PROPOSED SHADOWS
12M



02 21 JUNE 12:00PM
PROPOSED SHADOWS
15M



03 21 JUNE 3:00PM
PROPOSED SHADOWS
12M

LEGEND:
ADDITIONAL SHADOW
PROPOSED SHADOWS IN RED

DEVELOPMENT APPLICATION

D1 N4113 PRELIMINARY
D2 N4113 PRELIMINARY
D3 N4113 PRELIMINARY
D4 N4113 PRELIMINARY
D5 N4113 PRELIMINARY

Planning Scheme

Project Name: ST ANDREW'S ANGLICAN CHURCH
Project Address: 1 BARCROFT AVENUE, ROSEVILLE
Project Description: ST ANDREW'S ANGLICAN CHURCH
Project Status: PRELIMINARY
Project Date: 21 JUNE 2024



INSERT
LOCATION
DIAGRAM

ST ANDREW'S ANGLICAN CHURCH
Roseville

AJ+C

78 MYERS STREET, CHESAIRE NSW 2088 AUSTRALIA
TEL: 02 9371 1111 FAX: 02 9371 1112
WWW.AJ+C.COM.AU

ST ANDREW'S CHURCH
1 BARCROFT AVENUE, ROSEVILLE

Lot 3, 3.4.4 in DP1048733
Project No. 12044

SHADOW DIAGRAMS
21 JUNE

1:500 DA4102 03