



Transport Strategies

Proposed Residential Flat Building Development

17 – 21 Shirley Road, Roseville

Transport and Parking Impact Assessment

Prepared for: Lindfield Estate Pty Ltd

Reference: 25037

Issue: Final B (September 2025)



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1.0 Introduction

1.1 Background

Transport Strategies Alliance (TSA) has been commissioned by Lindfield Estate Pty Ltd to undertake a transport and parking impact assessment for a proposed residential flat building development at 17-21 Shirley Road, Roseville.

1.2 Purpose of this Plan

This report has been prepared to seek a Development Application (DA) approval from Ku-ring-gai Council to construct a residential flat building with three levels of basement parking.

This report sets out an assessment of the anticipated transport and parking implications of the proposed development.

The report has also been updated to address Council's RFIs during the preliminary assessment (DA0190/25) (See Appendix A). The RFIs and associated TS responses are provided in the following table:

No	Condition	TS Response
PLANNING AND URBAN DESIGN		
ENGINEERING		
Car parking provision		
	<u>Carparking rate</u> Section 161 of SEPP Housing requires the consent authority to give consideration to the ADG. Objective 3J-1 of the ADG states that the minimum carparking requirement for residents and visitors is set out in the Guide to Traffic Generating development, or the carparking requirement prescribed by the Council, whichever is less. The Guide to Traffic Generating Development has now been superseded by Transport for NSW Guide to Transport Impact Assessment. The rates per Control 9 of Part 7B.1 of the KDCP are provided below. It is noted that the minimum parking rate in the KDCP is generally the same as the minimum parking rate under the Guide, with the exception of 2 bedroom apartments with a 0.1 space difference.	Based on the revised apartment yield, the proposal provides 18 resident/tenant car parking spaces above the KDCP maximum. As such, a Clause 4.6 request seeking a variation to the maximum FSR under Chapter 5 of SEPP (Housing) 2021 will be submitted. See Appendix F for details.



No	Condition	TS Response																																			
	However, the KDCP also provides a maximum car parking rate and includes a note below the table stating that car parking exceeding the maximum rate will be included in GFA and FSR: Car parking rates 9 The following parking ranges apply to residential flat developments on sites within 800m walking distance of a railway station entry: <table><tr><th>Apartment Size</th><th>Minimum number of parking spaces per dwelling</th><th>Maximum number of parking spaces per dwelling</th></tr><tr><td>Studio</td><td>0 spaces</td><td>0.5 spaces</td></tr><tr><td>One bedroom</td><td>0.6 spaces</td><td>1 space</td></tr><tr><td>Two bedrooms</td><td>1.0 space</td><td>1.25 spaces</td></tr><tr><td>Three or more bedrooms</td><td>1.4 spaces</td><td>2 spaces</td></tr></table> Car parking exceeding the requirements of the parking controls in the above table will not be excluded from the Gross Floor Area as defined in the KLEP. Table 8.4. High density residential dwellings – TfNSW reference rates per dwelling <table><tr><th>Category</th><th>Studio/1 br</th><th>2 br</th><th>3 + br</th><th>Visitor</th></tr><tr><td>1</td><td>0.4</td><td>0.7</td><td>1.2</td><td>1 space per 7 dwellings</td></tr><tr><td>2</td><td>0.6</td><td>0.9</td><td>1.4</td><td>1 space per 5 dwellings</td></tr><tr><td>3</td><td>1.0</td><td>1.3</td><td>1.5</td><td>1 space per 5 dwellings</td></tr></table> Provision for delivery and service vehicles should be determined in addition to these spaces. Refer to Section 5.6 on "Freight and servicing trips to high density residential (2017-2021)" and TfNSW's Last Mile Toolkit Link. Under the KDCP the proposal includes an excess of 33 car parking spaces which would contribute to GFA. Unless it can be demonstrated otherwise, Council will require a clause 4.6 request seeking a variation to the maximum FSR under Chapter 5 of SEPP (Housing) 2021.	Apartment Size	Minimum number of parking spaces per dwelling	Maximum number of parking spaces per dwelling	Studio	0 spaces	0.5 spaces	One bedroom	0.6 spaces	1 space	Two bedrooms	1.0 space	1.25 spaces	Three or more bedrooms	1.4 spaces	2 spaces	Category	Studio/1 br	2 br	3 + br	Visitor	1	0.4	0.7	1.2	1 space per 7 dwellings	2	0.6	0.9	1.4	1 space per 5 dwellings	3	1.0	1.3	1.5	1 space per 5 dwellings	
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2	0.6	0.9	1.4	1 space per 5 dwellings																																	
3	1.0	1.3	1.5	1 space per 5 dwellings																																	
	<u>Platinum spaces</u> The access report requires car spaces for platinum units (of which five are proposed) to have a dimension of 3.8m by 6.0m. As aforementioned, platinum parking spaces shall be designated on the plans.	9 platinum parking spaces are now provided on the plans. See Appendix C for details.																																			
Car sharing																																					
	At least one space on Basement Level 1 is to be reserved for car share operation.	1 car share space is now provided on Basement Level 1. See Appendix C for details.																																			
Waste Management																																					
	The swept paths analysis for Council's waste collection vehicle using a 6.7m length SRV (6.7m Mitsubishi Canter) is to be revised within the appendix of the Traffic Report	See Appendix D for details.																																			



No	Condition	TS Response
EV Charging		
	EV readiness is to be provided for all car parking spaces within the development	EV readiness will be provided in accordance with NCC 2022 J1P4 and Council's requirements.
Bicycle Parking		
	The visitor bicycle parking is to be relocated to near the pedestrian entry area shown on the Level 1 plan.	The visitor bicycle parking has been relocated to near the pedestrian entry area shown on the Ground Level plan.
	The lifts and lobbies are to be of a suitable size such that residents can transport their bicycles between their storage area and ground/road level without using the internal car park ramps.	The lifts and lobbies have been designed to accommodate bicycles with a template dimension of 500 mm × 1800 mm. Access pathways between the bicycle parking and the lifts through the lobbies will have a minimum width of 1.5 m to ensure safe and convenient movement.

The structures of the Plan are as follows:

- Chapter 2: Describes the existing site and transport conditions
- Chapter 3: Describes the proposal
- Chapter 4: Assesses the parking requirements and adequacy of the proposed parking provision
- Chapter 5: Assesses transport impacts
- Chapter 6: Assesses vehicle access and car parking layout
- Chapter 7: Summarises the study's findings

1.3 References

- Ku-ring-gai Development Control Plan (DCP) 2024
- State Environmental Planning Policy (Housing) 2021 (SEPP)
- AS 2890.1:2004 - Parking Facilities Off-Street Car Parking
- AS 2890.3:2015 - Parking Facilities Bicycle Parking
- AS 2890.6:2022 - Parking Facilities Off-street Parking for People with Disabilities
- Other documents and data as referenced in this report



2.0 Existing Transport Conditions

2.1 Existing Site

The Site is a consolidation of Lot 1 of DP972422, DP972554 and DP973520, located at 17 – 21 Shirley Road, Roseville. The Site is currently zoned as R2 Low-Density Residential in the local government area of Ku-ring-gai. The Site is rectangular in shape, with a site area of 3,340 m². The Site is currently surrounded by low-density residential developments. The Site currently contains three residential dwellings. Vehicular access is currently provided on the eastern and southern edges of the Site via Shirley Road. The Site location and the surrounding environs are shown in Figure 2.1.

Figure 2.1: Site Location and Surrounding Environs



2.2 Existing Road Network

The surrounding road network includes:

- Shirley Road – a local road which connects to the Pacific Highway to the northeast and Valley View Close to the southwest. In the vicinity of the site, the road has one traffic lane in each direction and runs in a northeast-southwest direction. Time-restricted kerbside parking is permitted on both

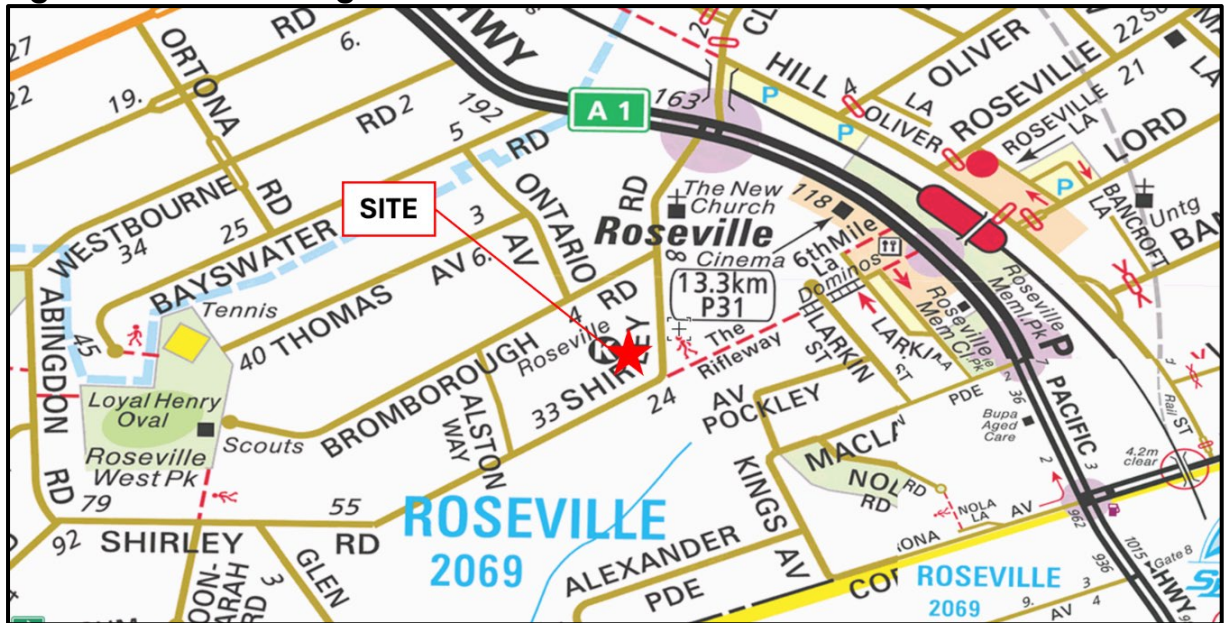


sides of the road. The road has a posted speed limit of 50 km/h.

- Bromborough Road – a local cul-de-sac road which connects to Shirley Road to the northeast. The road has one traffic lane in each direction and runs in a northeast-southwest direction. Unrestricted kerbside parking is permitted on both sides of the road. The road has a speed limit of 50 km/h.

The surrounding road network is shown in Figure 2.2.

Figure 2.2: Surrounding Road Network



2.3 Key Intersections

The key intersections in the vicinity of the Site comprise give-way intersections at:

- Shirley Road / Bromborough Road
- Shirley Road / Alston Way

2.4 Existing Traffic Conditions

Based on-site observations, traffic conditions in the vicinity of the site reveal occasional queues and delays during the AM and PM peak periods along Shirley Road towards Pacific Highway. Traffic flow in the surrounding road network is generally satisfactory. Outside of the peak hours, the surrounding traffic conditions are generally satisfactory.

2.5 Existing Public Transport Services

The nearest bus stop is located at east side of the Site at Shirley Road. Another bus stop is located west of the Site, along Shirley Road. These bus stops are

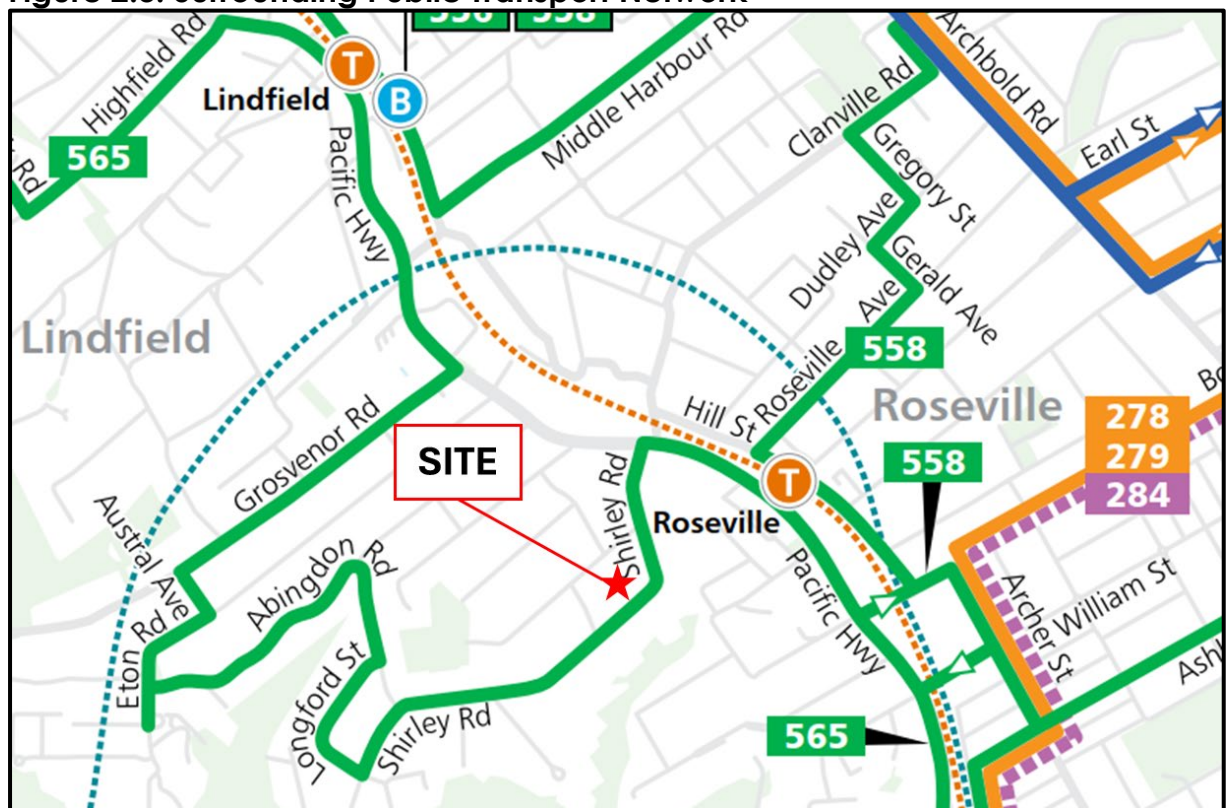


served by route no. 565 (Chatswood to Macquarie University). Roseville Station is the nearest train station in the vicinity of the Site. The station is located less than 400m (5-minutes walking distance) via laneway to the east of the Site, and is serviced by the following lines:

- T1 – North Shore & Western Line
- T9 – Northern Line

The surrounding public transport network is shown in Figure 2.3 and Appendix B.

Figure 2.3: Surrounding Public Transport Network



2.6 Pedestrian/ Cycling Network

Well-established footpaths are available along both sides of Shirley Road. There is no cycleway along Shirley Road and its immediate surrounding road.



3.0 Proposal

The proposed development involves demolishing existing residential dwellings to construct a residential flat building with 60 apartment units and 3 levels of basement car park comprising:

- 37 x 2-bedroom units (including 2 affordable units and 7 Platinum Liveable units)
- 23 x 3-bedroom/penthouse units (including 2 Platinum Liveable units)
- 122 car parking spaces for residents (including 111 for residents ,10 for visitors (including 1 shared car wash space) and 1 for car share)

The proposed vehicular access is provided via a new southeastern access driveway along Shirley Road.

The proposed architectural plans prepared by MX Architects are provided in Appendix C.



4.0 Parking Requirements

4.1 Council's DCP Car Parking Rates

Council's DCP specifies the following car parking rates for residential flat building developments within 800m walking distance of a railway station entry:

Apartment Type	Number of car parking spaces per dwelling	
	Minimum	Maximum
2-bedroom	1.0 space	1.25 spaces
3 or more bedrooms	1.4 spaces	2 spaces
Visitor Parking	1 space per 6 dwellings	

It should be noted that the DCP does not differentiate between affordable and residential dwellings. Based on the above, the proposed development is required to provide:

Apartment Type	Unit	Number of car parking spaces	
		Minimum	Maximum
2-bedroom units	37	37	47
3 or more bedrooms	23	33	46
Subtotal resident/tenant		70	93
Visitor Parking	60	10	
Total		80	103

Application of these development criteria indicates a minimum of 80 and a maximum of 103 residential (including a maximum of 93 resident/tenant spaces) car parking spaces.

4.2 State Environmental Planning Policy (Housing) 2021 Car Parking Rates

State Environmental Planning Policy (Housing) 2021 (SEPP) provides non-discretionary development standard for parking rates for both the affordable and non-affordable housing Apartment Types. These parking rates and provision is summarised below.

- Affordable Housing
 - 2-bedroom units : at least 0.5 spaces per unit
- Non-Affordable Housing
 - 2-bedroom units : at least 1 space per unit
 - 3 or more-bedroom units : at least 1.5 spaces per unit

SEPP (Housing) 2021 does not provide any car parking rates for residential



visitors. Based on the above, the proposed development is required to provide:

Apartment Type	Unit	Minimum number of parking spaces
Affordable Housing		
2-bedroom units	2	1
Non-Affordable Housing		
2-bedroom units	36	36
3 or more bedrooms	22	33
Total		70

Application of this development criteria would indicate a minimum of 70 resident/tenant car parking spaces.

4.3 Transport for NSW Guide to Transport Impact Assessment 2024 Car Parking Rates

Under Section 161 of SEPP (Housing), the consent authority must have regard to the Apartment Design Guide (ADG). In relation to car parking, Objective 3J-1 of the ADG requires that the minimum provision for residents and visitors be based on whichever is lower—the rates in the former Guide to Traffic Generating Development or those set by Council. It is noted that the Guide to Traffic Generating Development has now been replaced by the Transport for NSW Guide to Transport Impact Assessment 2024 (TGIA 2024).

TGIA 2024 specifies the following car parking rates for high-density residential dwellings:

Apartment Type	Number of car parking spaces per dwelling
2-bedroom	0.9 space
3 or more bedrooms	1.4 spaces
Visitor Parking	1 space per 5 dwellings

Based on the above, the proposed development is required to provide:

Apartment Type	Unit	Number of car parking spaces
2-bedroom	37	33.3
3 or more bedrooms	23	32.2
Subtotal (Resident/Tenant)		66
Visitor Parking	60	12
Total		78

Application of these criteria indicates a minimum of 78 car parking spaces (including 12 for visitors).



4.4 Adequacy of Car Parking Provision

The development proposes 122 car parking spaces (111 for residents, 10 for visitors and 1 for car share). The resident/tenant car parking provision is in accordance with SEPP (Housing) 2021 (including TGIA 2024) requirements while the visitor car parking provision is in accordance with Council's DCP requirements. While the resident/tenant car parking provision exceeds the maximum car parking rate of 111 spaces (as compared to the maximum spaces of 93) by 18 spaces, the overprovision ensures convenience for those residents who still rely on cars for work, family needs, or mobility challenges, while encouraging the use of other modes of transport wherever possible in a highly accessible public transport area. The overprovision also ensures no reliance on on-street parking.

A Clause 4.6 request seeking a variation to the maximum FSR under Chapter 5 of SEPP (Housing) 2021 will be submitted as part of this DA. See Appendix F for details.

4.5 Council's DCP Accessible and Platinum Parking Rates

Council's DCP 2024 states that at least 1 visitor car space must be accessible. The development proposes 2 accessible visitor car parking spaces in accordance with the Council's DCP requirements.

9 platinum parking spaces are provided with a dimension of 3.8m by 6.0m for the 9 platinum units.

4.6 Council's DCP Bicycle Parking Rates

Council's DCP specifies the following bicycle parking rates for residential flat buildings:

User	Bicycle Parking Rate	Unit	Required Bicycle Space
Residents	1 bicycle parking space per dwelling	60	60
Visitor	1 bicycle parking space per 10 units	60	6
Total			66

The development proposes 52 bicycle parking spaces (48 for residents in the form of individual storage and 4 for visitors in the form of bicycle rack). While the proposed bicycle parking provision is slightly below Council's DCP requirements, it is considered more than adequate given the very low local cycling mode share and the limited cycling infrastructure in the vicinity of the Site.



4.7 Service Vehicle Parking

Council's DCP specifies a requirement for a temporary space for service and removalist vehicles to be provided for residential flat building developments. The space will have a minimum dimension of 3.5m x 6.0m and a clearance height of 2.6m.

The development proposes a loading bay for service and removalist vehicles that is able to accommodate Council's 6.7m long waste collection vehicle, in accordance with Council's DCP requirements.

Other occasional servicing activities (furniture, couriers, tradespersons, etc.) that use small service vehicles like B99 vehicles/vans/utes will be able to use the available service vehicle space and visitor spaces.

The infrequent need for larger service vehicles can be satisfied by the available on-street parking spaces, which is consistent with the surrounding residential developments.



5.0 Transport Impacts

Traffic generation estimates for the proposal have been sourced from the TfNSW Guide to Transport Impact Assessment 2024. The guideline provides the following rates for high-density residential flat dwellings (high public transport accessibility) within Sydney:

AM peak hour	0.19 vehicle trips/hour per dwelling
PM peak hour	0.15 vehicle trips/hour per dwelling

The proposed development of 60 apartments will therefore generate up to 12 and 9 vehicle trips per hour (vtp/h) in the AM and PM peak periods, respectively, which would be discounted by the existing 3 dwellings at the rates of 0.68 and 0.77 vtp/h during the AM and PM peak hours, respectively (i.e., 3 vtp/h).

Vehicle movements of this small magnitude (1 vehicle trip every 5 minutes) will have no perceptible impact on traffic capacity or safety of the road system in the vicinity of the Site. This small number would also not present any unsatisfactory traffic-related environmental implications for the local access road system.



6.0 Site Access and Car Parking Layout

6.1 Site Access

It is proposed to construct a new 6.6m width access driveway on the southeastern side of the Site's frontage along Shirley Road. The proposed driveway has been designed in accordance with AS2890.1 and 6 as well as Council's DCP.

There are passing opportunities between B85 and B99 vehicles, as well as for Council's waste collection vehicle at the driveway, as demonstrated by the swept path assessment in Appendix D.

6.2 Parking Layout

The parking layout has been reviewed against the requirements of the Australian Standard AS2890. This assessment included a review of the following:

- bay and aisle width
- adjacent structures
- circulation aisles and ramps
- ramp grades
- height clearances
- parking for persons with disabilities

A review indicates that the proposed parking layout is expected to operate satisfactorily, with all parking spaces, aisle widths, ramp grades/transitions, and height clearances to be provided in accordance with the requirements of AS2890.1 and 6. Car parking bays are provided at 2.4m x 5.4m for residential spaces with a minimum of 5.8m aisle width in accordance with AS2890.1.

A 3.5m x 6m waste service vehicle space is provided to accommodate Council's 6.7m small waste collection vehicle, in accordance with Council's DCP requirements.

A minimum height clearance of 2.6m headroom is available between the site access, ramp, access route, and above the service vehicle space for the Council's waste truck access while a minimum 2.2m headroom will be available along the access to the remaining car parking spaces. A minimum 2.5m headroom will be available above the accessible spaces and adjacent shared areas in accordance with AS2890.6.



The proposed bicycle parking has been designed in accordance with AS2890.3 requirements.

The swept path assessment indicating satisfactory provision for turning and manoeuvring is provided in Appendix D. All design vehicles will be able to enter and exit the Site in a forward direction.

The vertical path assessments included in Appendix E also demonstrate that all design vehicles will be able to enter and exit the Site without bottoming out and sufficient headroom clearance has been provided.



7.0 Conclusions

The proposed residential flat building development at 17 – 21 Shirley Road, Roseville, is compatible with the adjacent uses. The transport and parking assessment provided in this report confirms that:

- The proposed development will generate 9 vehicle trips during the AM peak and 6 during the PM peak, with negligible traffic impacts on the surrounding road network.
- The proposed resident/tenant car parking provision has been provided in accordance with SEPP (Housing) 2021 requirements.
- The proposed residential visitor car parking provision has been provided in accordance with Council's DCP requirements.
- The proposed bicycle parking provision will be adequate for the proposed development.
- The proposed car parking layout has been designed in accordance with AS2890.1 and 6 requirements.
- The proposed bicycle parking layout has been designed in accordance with AS2890.3 requirements.
- The proposed service vehicle space complies with Council's DCP requirements and accommodates Council's waste collection vehicle.

It is therefore concluded that the proposed development is supportable on traffic planning grounds.



Transport Strategies

Appendix A

Council's RFI

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Contact: Brodee Gregory

Ref: eDA0190/25

09 June 2025

Lindfield Estate Pty Ltd
11 Driver Court
MERMAID WATERS QLD 4218

Dear Sir/Madam

APPLICATION STATUS – INITIAL ASSESSMENT COMPLETE

Application No.: eDA0190/25
Proposed development: Demolition of existing structure and construction of a residential flat building development with basement car parking and associated works - SEPP (Housing) 2021
Property: 17-21 Shirley Road ROSEVILLE NSW 2069

We have undertaken an assessment of your application. We advise that your application is unsatisfactory in its current form for the reasons identified below:

PLANNING AND URBAN DESIGN

Building setbacks

The proposed 6m setbacks to both street frontages do not comply with Council's minimum requirement of 10m per Control 1 of Part 7A.3 of the Ku-ring-gai Development Control (KDCP). The encroachment into these setbacks by the private open space of the Ground Floor units undermines meaningful canopy landscaping and significant scale planting and is not acceptable.

Street setbacks seeking to vary Ku-ring-gai's minimum setback requirements need to deliver a minimum unobstructed deep soil zone of at least 6m to achieve the intended long term urban landscape character. This will likely necessitate amendments to unit types and/or mix to achieve an acceptable outcome. The private open space of Units G.01, G.02 and L1.08, L1.09, L1.10 need to be reconsidered. Please note these units are also subject of comments to address amenity identified below (Natural daylight and ventilation).

Building entry

The proposed split cores are supported in principle, however the proposed singular entry point poses challenges in providing equitable, dignified access due to topographic challenges. Alternatives that provide more direct access to each lobby from the street should be considered and ramps avoided or minimised. The proposed platform lift is not acceptable per Control 8 of Part 7C.4 of KDCP.

Building separation

Levels above four storeys need to demonstrate equitable sharing of building separation at shared boundaries, consistent with the Apartment Design Guide (ADG) Part 2F provisions. The proposal needs to consider future permitted development of the neighbouring properties and increased setbacks should be provided to the upper levels.

Building depth

The proposed building depth exceeds the maximum depth of 12-18m allowed for a unit per ADG Part 2E. The proposal includes rooms/habitable spaces with no direct access to natural daylight or ventilation, and/or bedrooms with privacy conflicts or which are located within deep, narrow recesses. These issues are indicative of excessive building depth (see also Natural daylight and ventilation below). As noted above, amendments to the unit mix/type will be likely be required to resolve this issue.

Natural daylight and ventilation

All habitable rooms or spaces including studies and multi-purpose rooms/rumpus rooms are to have direct access to natural daylight and ventilation. Internalised rooms within deep narrow slots and/or borrowing daylight and ventilation from other rooms/spaces are inconsistent with the minimum ADG requirements and are not acceptable. In particular:

1. Habitable rooms with no access to daylight or ventilation are inconsistent with the ADG which does not permit light or air to be borrowed from other rooms (e.g. the proposed 'tv rooms'). Some of the proposed tv rooms may be improved by deleting walls or increasing the wall area that can be opened up, where ADG maximum room depths are still achieved from the window to the back of the rumpus/media/rumpus room (still as a departure from the ADG). However, many of these rooms require amendments to the design layouts and/or unit mix. As proposed, approximately 39 of the 56 units or 69.7% of the development are impacted by this issue. The impacted units are:
 - G.03, G.04, G.05, G.06
 - L1.01, L1.03, L1.04, L1.06, L1.09, L1.10
 - L2.01, L2.03, L2.04, L2.05, L2.06, L2.07, L2.10
 - L3.01, L3.03, L3.04, L3.05, L3.06, L3.07, L3.10
 - L4.01, L4.02, L4.03, L4.04, L4.05, L4.06, L4.09
 - L5.01, L5.02, L5.03, L5.04, L5.05, L5.06, L5.07, L5.08
2. Snorkel bedrooms have long been considered unsatisfactory and inconsistent with minimum ADG performance for daylight, natural ventilation, outlook and amenity. This is indicative of excessive building depth and/or yield - see G.01, G.02, G.05, G.06, L1.05.
3. The intent to provide generous internal areas of communal amenity is supported in principle, however the areas are all subterranean with no provision of natural daylight or ventilation.
4. Further graphic representation is required to demonstrate cross-ventilation performance of each unit in the development.

5. The views from the sun diagrams need to include massing for permitted development on adjacent properties to fully understand proposed amenity performance. Further modelling may result in a loss of claimed solar access. Additional information is required to demonstrate how the design has sought to address the known future context in order to achieve adequate minimum and equitable solar amenity over the long-term.

Unit Layout

In addition to the concerns raised above relating to natural ventilation and daylight access, the following concerns are raised in relation to unit layout:

1. Further information is required to confirm all units achieve a minimum width of 4m for all 2 and 3 bedroom units (per ADG 4D-3). Concern is raised that unit types L1.04 and L1.05 typical are non-compliant.
2. In unit L1.01, the internal highlight secondary window to the bedroom should be deleted due to conflict with the main building entry.

Affordable housing

Section 156(2) of SEPP Housing 2021 states that development consent must not be granted unless the consent authority is satisfied that 2% of the Gross Floor Area will be used for affordable housing and that the affordable housing will be managed by a Community Housing Provider in perpetuity.

To satisfy the above, details of the Community Housing Provider must be provided.

Accessibility

The following concerns relating to accessibility are raised:

1. Control 3 of Part 7B.4 of KDCP requires 15% of apartments to be designed to Platinum level. The proposed development includes 8 x Platinum level apartments (14.2%) and does not comply with this requirement. Compliance is to be achieved.
2. Noting there is a carparking schedule for each basement level, the plans need to identify all accessible car parking spaces and provide an overall car parking summary table – this is to demonstrate that the accessible car spaces are well located in relation to lift lobbies as required for visitors and for residents of Platinum Level units.
3. Platform lifts are not supported as access solutions in Part 7C.4 of KDCP. If a lift is relied upon, it is to be constructed within a lift shaft and be weather-proof and protected for all users. The entry sequence from the street should be reconsidered and must avoid long switch-back ramps that impact needed and limited deep soil landscape (see also Building entry).

Aesthetics

Full height glazed balustrades at the upper levels are inconsistent with ADG Objective 3E-2 and are not acceptable. Introduction of operable sliding screens and/or mid-height solid upstands should be considered to improve privacy outcomes and add movement to the elevations (see also Heritage).

Design Verification Statement (DVS)

The DVS needs to be signed by the nominated architect and included as a single document with any supporting ADG compliance tables. Architectural compliance diagrams should also be provided with the DVS to demonstrate ADG performance for each unit for solar access, number of units receiving no solar access, natural cross ventilation etc.

Site analysis

The submitted site analysis does not meet the requirements of ADG Appendix 1 and Part 2 of KDCP. An amended site analysis showing the broader, natural environment including tree canopy and topography is required.

Storage

A compliance table demonstrating compliance with ADG 4G-1 is required.

Basement design

Control 7 of Part 7C.3 of KDCP states that where basement storage is located adjacent to external walls, an accessible maintenance passage is to be provided. This does not appear to have been provided.

Draft alternative massing

The application as currently proposed features a building height of 22m with a building height departure of 900mm (supported by a clause 4.6 variation request). No in-principle objection is raised with the proposed building height and clause 4.6 written request.

Draft alternative massing diagrams were submitted to Council for consideration on 30 June 2025. The alternative massing diagrams show a variable building height of 18.5m to 29m to align with Council's TOD Alternative (among other draft amendments).

Council's Strategic Planning team have reviewed the draft alternative massive diagrams and have raised the following concerns:

1. The intended 18.5m height limit for No. 19–21 Shirley Road under Council's TOD Alternative responds to site topography and aims to minimise overshadowing of neighbouring properties to the south and east, which are limited to heights of 12m and 9.5m (**Figure 1**). **The proposed draft**

alternative massing appears to extend the full 29m height diagonally across the site, approaching the Shirley Road corner (Figure 2). This response is not as envisaged by Council's Strategic Planning team under the TOD Alternative which proposed a reduced height of 18.5m at the Shirley Road corner. This raises concerns in relation to potential overshadowing impacts on Nos. 22 and 25 Shirley Road. Additional overshadowing analysis and testing are required if Council is to consider amendments to building massing as suggested.

2. The proposed 29m height under the TOD Alternative is intended to be supported by generous building setbacks (10m at the street frontage) and a deep soil provision of 50%. The proposed 6m front setback is not sufficient to offset the bulk of the proposed 29m high tall building and/or ensure the required deep soil of 50% is achieved.
3. The proposed FSR is unclear from the current massing diagrams and requires clarification if the alternative massing is pursued.
4. The proposed site coverage is not clearly indicated in the massing diagrams but appears to significantly exceed the 30% limit set in the KDCP. This control is intended to be retained under any amended DCP.



Figure 1: Proposed height limits under TOD Alternative (parallel height differential envisaged)

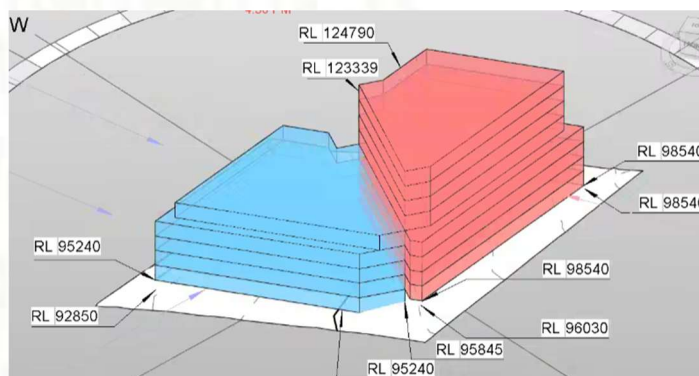


Figure 2: Possible alternative massing (diagonal height differential indicated)

Gross Floor Area

Gross Floor Area plans at a workable scale are required to demonstrate compliance with the Gross Floor Area provisions of section 155 of State Environment Planning Policy (SEPP) Housing 2021.

LANDSCAPING

Deep soil areas

The proposal does not meet the deep soil requirements of the ADG 3E-1 which are as follows:

Site Area	Min dimension	Deep Soil Zone (% of Site area)
Less than 650m ²	-	7%
650m ² – 1500m ²	3m	
Greater than 1500m ²	6m	
Greater than 1500m ² with significant existing tree cover	6m	

The ADG notes that on some sites it may be possible to provide larger deep soil zones, depending on the site area and context:

- i. 10% of the site as deep soil on sites with an area of 650m² - 1,500m²
- ii. 15% of the site as deep soil on sites greater than 1,500m²

For a site area of 3340m²:

- i. 7% equates to 234m²
- ii. 15% equates to 501m²

By the applicant's calculations the proposal will result in a deep soil zone of 734m²/22% of the site area. The areas included within the applicant's calculations are inconsistent with the ADG definition, due to inclusion of:

- i. Areas less than the minimum dimension (6m).
- ii. Inclusion of services

It is assessed the proposal will have a deep soil zone of approximately 475m²/14.2%. Ku-ring-gai is characterised by its tree canopy and garden setting and therefore a minimum deep soil area of 15% should be achieved.

The proposal is also inconsistent with the deep soil requirements of Part 7A.6 of the KDCP (which are subject to a separate definition). Control 1 of Part 7A.6 requires

sites with an area of 1800m² or more to have a minimum 50% of the site area as deep soil landscaping. For a site area of 3340m², a minimum of 1670m² is required per Control 1. As proposed, the development will result in a deep soil landscape area of approximately 640m²/19% of the site area which is inconsistent with Part 7A.6 Controls 1, 2, 3 and 5 and Objectives 1, 3, 5 and 7.

There is design opportunity to significantly increase the available deep soil zone by reducing the extent of private open space encroachments and associated terracing within the street frontages.

Tree removal

ADG Objective 3E-1 states as follows:

Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:

- *basement and sub-basement car park design that is consolidated beneath building footprints*
- *use of increased front and side setbacks*
- *adequate clearance around trees to ensure long term health*
- *co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil*

The proposal does not meet this objective as deep soil zones are not configured to retain existing significant trees. The following trees must be retained:

Tree 2: *Lophostemon confertus* (Brushbox)

Tree 2 is located within the Shirley Road nature strip. The tree spatially conflicts with the location of the proposed driveway. Tree 2 is in good health and condition, of high landscape significance and high retention value.

Tree 2 forms part of an avenue of street tree planting that contributes positively to the streetscape and landscape character. The species was typically planted as street tree/avenue plantings at the turn of the twentieth century as part of local patriotism towards federation of the Australian nation. The street trees are shown with maturing canopies in the 1943 aerial imagery, demonstrating the age of the trees.

The removal of Tree 2 is not accepted. It is recommended the location of the driveway egress point be reconsidered to enable the viable retention of Tree 2. It is suggested the driveway be located so that it is between Trees 2 and 4, with further arboricultural impact assessment including root mapping recommended.

Tree 12: *Jacaranda mimosifolia* (Jacaranda)

Tree 12 is in good health and condition and is located within the neighbouring property (childcare centre). No owners' consent has been provided for the tree's removal. The proposed Tree Protection Zone (TPZ) encroachment is approximately 45% and within the Structural Root Zone (SRZ) and is likely to result in the trees

decline and possible instability. To enable the viable retention of Tree 12, it is recommended the proposed terracing within the TPZ be deleted and existing ground levels retained. This can be achieved without impacting the development/building footprint.

Tree 43: *Jacaranda mimosifolia* (Jacaranda)

Tree 43 is located adjacent to the south-west site boundary. The tree is in good health and condition contributing positively to the established landscape setting, providing amenity between properties. To enable the viable retention of Tree 43, the proposed stormwater drainage works would require relocation which can be achieved.

Tree 6: *Lophostemon confertus* (Brushbox)

Tree 6 is located within the Shirley Road nature strip, is in good health and condition, is of high landscape significance and is of high retention value. The project arborist has stated:

The projected encroachment into the TPZ for tree 6 is 19.8%, this encroachment is due to retaining walls and an OSD. An existing low masonry wall is likely to have reduced some of the tree's root spread, however a 19.8% encroachment is major. The species is very tolerant to root disturbance and the tree is unlikely to die. It is likely that a decline in health will be visually seen in the tree before it recovers. It is proposed this tree is retained and protected.

As per Tree 2, Tree 6 is of high landscape significance and high retention value forming part of an avenue street tree planting that contributes positively to the streetscape and landscape character. Minimising impacts to ensure the tree will not go into decline in the first instance is required. Reducing tree impacts could potentially be achieved by reducing the extent of works within the TPZ and minimising disturbance. Amendments could include, but are not limited to: relocating the expansive on-site detention (OSD) tank so that it is behind the building line, reducing the extent of terracing, and deleting the individual external access points (particularly as these units are adjacent to the primary pedestrian entry point).

Landscape design

Planter design/depth

The proposal fails to provide minimum soil depths for proposed plantings within the planters on structure and is contrary to ADG Objective 4P-1. For example, large tree species are proposed on structure within planter beds with a wall height no greater than 800mm and soil depth of 640mm. Concerns are raised regarding the ongoing viability of this planting. In addition, not all planter wall heights are sufficiently detailed.

Tree replenishment

Control 7 of Part 7A.6 of KDCP requires minimum tree replenishment and planting across the site. For a site area of 3340m² a minimum of 12 trees capable of attaining a minimum height of 18m is required.

The development proposes the planting of six tall trees which is inconsistent with the control. There is design opportunity to reduce the extent of private open space and terracing within the street frontages to provide additional deep soil landscape areas for the planting of additional tall trees as envisaged by KDCP.

In addition, Control 9 of Part 7A.6 requires trees to be planted within all setback areas with at least 30% of the required number of tall trees are to be planted within the front setback. The proposal fails to provide any tall tree plantings within the street frontages due to insufficient deep soil landscape area that would support tall tree growth.

Entry paths

Control 12 of Part 7C.5 requires building entry paths to be a minimum of 1.2m wide and located within the common area with a minimum dimension of 1.2m on either side for landscape planting. The proposal fails to provide 1.2m of planting to each side of the 5.8m wide pedestrian entry. There is design opportunity to reduce the expanse of paving/hardscape that forms part of the main entry to reduce its visual dominance and improve streetscape landscape amenity. It is recommended the entry hardscaping be reduced by approximately 40-50% with the path being no wider than 2m.

Earthworks

The proposed landscape cut and fill is contrary to the provisions of Part 21.1 of KDCP and is not acceptable. The extent of terracing within the setbacks, particularly within the street frontages, results in adverse tree impacts (Trees 6 and 12) and significantly limits the ability of the proposal to provide deep soil landscape areas for the provision and growth of tall trees as per Part 7A.6 objectives and controls.

It is recommended the extent of terracing be reduced and private open space limited to only those areas adjacent to proposed living rooms and/or the basement alignment. This would allow for pockets of viable consolidated areas of deep soil

landscaping for the provision of supplementary tall trees and improve landscape outcomes within the streetscape.

HERITAGE

Materiality

The overuse of curved glass at the upper levels does not respond to the heritage items and heritage conservation area in the vicinity and is contrary to Control 2 of Part 19F.1 of KDCP. External finishes must better respond to the existing streetscape which is characterised by many fine examples of Federation and Californian Bungalow residences.

ENGINEERING

Water Management

The following concerns are raised:

1. The proposed tank configuration which consists of a combined detention/retention is unacceptable. The roof runoff shall be connected directly to the on-site retention (OSR) system with the overflow isolated by a baffle wall to the OSD/Water Sensitive Urban Design system. An internal overflow chamber is to be incorporated into the design. Amended plans and sections are to be provided. The access points to the OSD/OSR tank are to be located in common property (not private courtyards as currently proposed).
2. The twin 225mm diameter pipe outlet from the OSD tank is not acceptable.
3. A soft copy of the DRAINS model is to be provided to confirm the sizing of the OSD and its parameters.
4. The proposed 6m x 600mm wide ground water recharge trench is unacceptable. A revised MUSIC Model shall be updated to delete the ground water recharge trench and achieve the pollutant load standards set out in Part 24C.6 of KDCP.
5. The pump-out tank is to be designed based on the 100-year 2 hour storm as required under Part 24B.5 of the KDCP. Design details must be shown on the stormwater plan.

Car parking provision

Carparking rate

Section 161 of SEPP Housing requires the consent authority to give consideration to the ADG. Objective 3J-1 of the ADG states that the minimum carparking requirement for residents and visitors is set out in the Guide to Traffic Generating development, or the carparking requirement prescribed by the Council, *whichever is less*. The Guide to Traffic Generating Development has now been superseded by Transport for NSW Guide to Transport Impact Assessment.

The rates per Control 9 of Part 7B.1 of the KDCP are provided below. It is noted that the minimum parking rate in the KDCP is generally the same as the minimum parking rate under the Guide, with the exception of 2 bedroom apartments with a 0.1 space difference. However, the KDCP also provides a maximum car parking rate and includes a note below the table stating that car parking exceeding the maximum rate will be included in GFA and FSR:

Car parking rates

- 9 The following parking ranges apply to residential flat developments on sites within 800m walking distance of a railway station entry:

Apartment Size	Minimum number of parking spaces per dwelling	Maximum number of parking spaces per dwelling
Studio	0 spaces	0.5 spaces
One bedroom	0.6 spaces	1 space
Two bedrooms	1.0 space	1.25 spaces
Three or more bedrooms	1.4 spaces	2 spaces

Car parking exceeding the requirements of the parking controls in the above table will not be excluded from the Gross Floor Area as defined in the KLEP.

Table 8.4. High density residential dwellings – TfNSW reference rates per dwelling

Category	Studio/1 br	2 br	3 + br	Visitor
1	0.4	0.7	1.2	1 space per 7 dwellings
2	0.6	0.9	1.4	1 space per 5 dwellings
3	1.0	1.3	1.5	1 space per 5 dwellings

Provision for delivery and service vehicles should be determined in addition to these spaces. Refer to [Section 5.6](#) on “Freight and servicing trips to high density residential (2017-2021)” and [TfNSW’s Last Mile Toolkit](#).

Under the KDCP the proposal includes an excess of 33 car parking spaces which would contribute to GFA. Unless it can be demonstrated otherwise, Council will require a clause 4.6 request seeking a variation to the maximum FSR under Chapter 5 of SEPP (Housing) 2021.

Platinum spaces

The access report requires car spaces for platinum units (of which five are proposed) to have a dimension of 3.8m by 6.0m. As aforementioned, platinum parking spaces shall be designated on the plans.

Car sharing

At least one space on Basement Level 1 is to be reserved for car share operation.

Waste Management

The swept paths analysis for Council's waste collection vehicle using a 6.7m length SRV (6.7m Mitsubishi Canter) is to be revised within the appendix of the Traffic Report.

EV Charging

EV readiness is to be provided for all car parking spaces within the development

Bicycle Parking

The visitor bicycle parking is to be relocated to near the pedestrian entry area shown on the Level 1 plan.

The lifts and lobbies are to be of a suitable size such that residents can transport their bicycles between their storage area and ground/road level without using the internal car park ramps.

Application status/progression

Should you choose to amend your application, we ask that you contact the Assessment Officer to discuss resolution of the above issues and submission requirements. This is to ensure any amendments are satisfactorily addressed prior to committing to any further resources and expenses.

To prevent a protracted and ineffectual assessment process, it is recommended that a genuine attempt is made to address these issues in their entirety as only **one** opportunity for amendments will be provided.

Should you choose to submit the requested information, you will need to provide it in electronic format (eg. PDF), and include written particulars, identifying the changes made to the original application and amended documentation/reports as necessary.

The submission of amended information will result in an additional assessment and administrative fee (40% of the statutory application fee) being **\$39,916.94** and a notification fee of **\$205.02** if required. For instructions on how you can pay the amended information fee, please call our Customer Service Centre on 9424 0000 between the hours of 8:30am to 5:00pm Monday to Friday.

When responding to Council's preliminary assessment letter, please ensure that all correspondence/documentation is uploaded via the NSW Planning Portal. The information is to reference the development application number, Assessment Officer's name and include a receipt for the additional fee(s). **Please do not email the amended information directly to the officer or to Council, as it will not be accepted.**

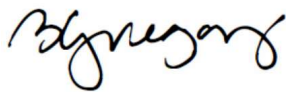
In accordance with the Department of Planning and Environment's '*Development Assessment Best Practice Guidelines*', should you choose to amend your application, all amended plans and information must be uploaded to the Planning Portal within **21 days from the date of this letter**. If this timeframe is not met, the application will be reported to the SNPP in its current form **and no amended or additional information will be accepted after this time**.

In accordance with Section 40 of the Environmental Planning and Assessment Regulations 2021, should you choose to withdraw your application, this needs to be done via the NSW Planning Portal **within 21 days from the date of this letter**.

As per the requirements of Section 36 (DA's) of the Environmental Planning and Assessment Regulation 2021 you are advised that this application was lodged on 17 April 2025 and 84 days in the assessment period has now elapsed.

Should you have any further enquiries, please contact our assessment officer Brodee Gregory on telephone **9424 0780**, Monday to Friday between 10.00am and 11.00am, or email bgregory@krg.nsw.gov.au quoting the above reference.

Yours sincerely,



Brodee Gregory
Executive Assessment Officer



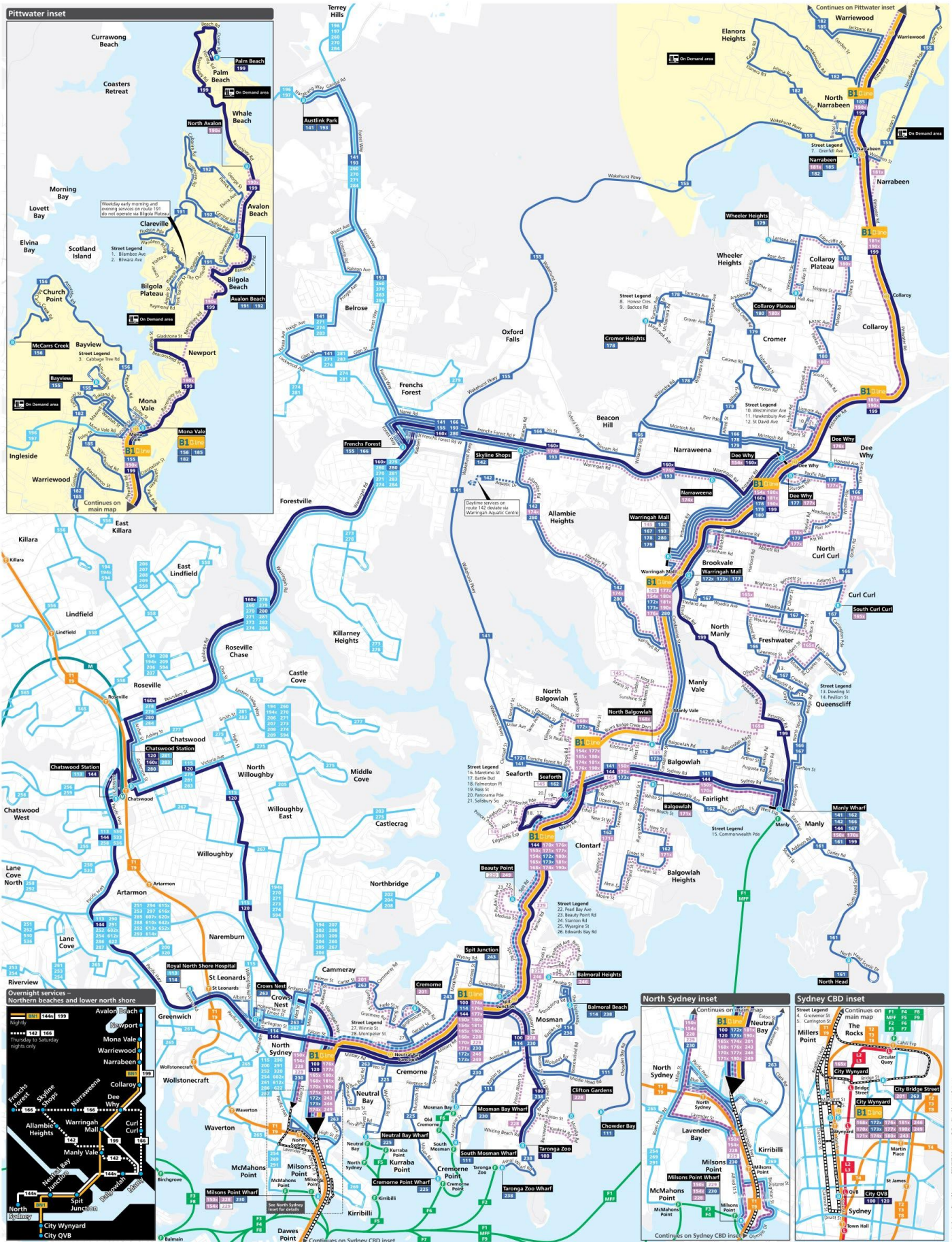
Transport Strategies

Appendix B

Public Transport Provisions

Adjusted Northern Beaches public transport network

Northern beaches & lower north shore public transport network Effective 31/03/2024



Bus - service types
B-Line
Frequent
Local
Peak only
Limited
Bus services to other areas
Multiple service types
Terminus
B-Line stop

Bus - details
Route number
Terminus
B-Line stop

Other transport modes
Metro line & station
Train line & station
Ferry route & wharf
Light rail line & stop



The diagram shows a horizontal line representing the bus route. From left to right, it includes a black circle (station), a white circle (stop), a grey circle (interchange), and a white circle (interchange). Above the line, the labels 'Stop', 'Interchange', and 'End of line' are written diagonally. Below the line, there are two rows of dashed lines representing bus services: the top row is labeled 'Line under conversion - bus services' and the bottom row is labeled 'Line under construction'. To the right of the route is a black square and a circular arrow pointing upwards, labeled 'NORTH'.

Visit transportnsw.info

M1 *Metro North West
& Bankstown Line*
Sydenham
Tallawong



Transport Strategies

Appendix C

Architectural Plans



RESIDENTIAL FLAT BUILDING DEVELOPMENT

17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554) SHIRLEY ROAD, ROSEVILLE NSW 2069

DEVELOPMENT APPLICATION

Drawing List			
DRAWING NO.	DRAWING TITLE	DATE ISSUED	REVISION NO.
AR 001	Cover Page	12/09/2025	3
AR 002	Site Plan	29/07/2025	2
AR 003	Demolition Plan	29/07/2025	2
AR 005	Location Plan	29/07/2025	2
AR 006	Site Analysis	12/09/2025	3
AR 006A	Site Analysis	29/07/2025	1
AR 007B	Basement 1m Height Above NGL	08/08/2024	1
AR 008	LEP Height Compliance	01/09/2025	5
AR 009	Landscape Compliance	29/07/2025	2
AR 010	Deep Soil & C.O.S Compliance	12/09/2025	3
AR 011	Excavation Plan	10/04/2025	1
AR 012	Environmental Site Management Plan	10/04/2025	1
AR 014	Site Coverage	29/07/2025	1
AR 021	Shadow Diagrams - Winter (0900-1200)	29/07/2025	2
AR 022	Shadow Diagrams - Winter (1300-1500)	29/07/2025	2
AR 024	Shadow Comparison Diagrams - 21 June, 1pm	29/07/2025	1
AR 025	Sun Path Diagrams - Winter (0900-1200)	29/07/2025	2
AR 026	Sun Path Diagrams - Winter (1300-1500)	29/07/2025	2
AR 028	Site Photos	10/04/2025	1
AR 100	Basement 3 GA Plan	12/09/2025	10
AR 101	Basement 2 GA Plan	12/09/2025	10
AR 102	Basement 1 GA Plan	12/09/2025	11
AR 103	Ground Floor GA Plan	12/09/2025	10
AR 104	Level 1-3 (Typical) GA Plan	12/09/2025	8
AR 105	Level 4 GA Plan	12/09/2025	8
AR 106	Level 5-6 (Typical) GA Plan	12/09/2025	8
AR 107	Roof Terrace GA Plan	12/09/2025	8
AR 108	Roof Plan	09/09/2025	2
AR 400	Building Elevations - North & East	12/09/2025	3
AR 401	Building Elevations - South & West	12/09/2025	3
AR 410	Schedule of Finishes & Sample Board	10/04/2025	1
AR 420	Photo Montage 1	10/04/2025	1
AR 421	Photo Montage 2	10/04/2025	1
AR 601	Building Section	11/09/2025	3
AR 610	Loading Dock & Parking Entry	06/08/2025	2
AR 900	Glazing Type Schedule	09/09/2025	2
AR 950	Storage Schedule	12/09/2025	1
AR 990	Notification Plan - Site Plan	10/04/2025	1
AR 991	Notification Plan - Elevations	10/04/2025	1
AR 992	Notification Plan - Elevations	10/04/2025	1
Grand total: 40			

Schedule of Changes (RFI)		
ITEM NO.	DESCRIPTION	DRAWING REFERENCE
PLANNING AND URBAN DESIGN		
ITEM 1.1	Ground Floor and Level 1 courtyards revised to balconies at building setback, and replaced with deep soil landscaping.	AR 103, AR 104
ITEM 1.2	Building levels amended to allow accessible street entry without stairs or platform lifts i.e. 1 in 40 maximum grade.	AR 103
ITEM 1.3	Levels above four storeys amended to maintain 9m setback from the site boundaries.	AR 105, AR 106, AR 107
ITEM 1.4, 1.5	Design revised to increase natural daylight and ventilation to TV rooms.	AR 104, AR 105, AR 106
ITEM 1.6	Dimensions added demonstrating 4m internal width per ADG 4D-3.	AR 104, AR 105, AR 106
ITEM 1.7	Affordable Units revised. Total area provided demonstrating at least 2% of GFA will be used for affordable housing.	AR 001, AR 007
ITEM 1.8	Total of nine (9) Platinum Level Livable units and car spaces provided to achieve 15% of total apartments.	AR 001, AR 100, AR 101, AR 102, AR 104, AR 106
ITEM 1.9	Facade revised to reduce amount of glazed balustrades.	AR 400, AR 401
ITEM 1.10	Site analysis diagram updated to include tree canopy and topography.	AR 006
ITEM 1.11	Storage Schedule provided, demonstrating 50% of minimum required storage achieved within all units, and basement storage rooms achieving remaining total requirement.	AR 950
ITEM 1.12	Storage walls adjacent to external shoring walls amended to mesh for maintenance.	AR 001, AR 100, AR 101, AR 102, AR 104, AR 106
ITEM 1.13	GFA Plans increased in scale, additional sheet added.	AR 007, AR 007A
LANDSCAPING		
ITEM 2.1	Ground Floor & Level 1 courtyards deleted to significantly increase the amount of Deep Soil areas, with 6m minimum dimension.	AR 010
ITEM 2.2	Design amended to accommodate the retention of trees 2, 12, 43 and 6, including changes to driveway location and removal of courtyards and associated retaining walls.	AR 003, AR 103
ITEM 2.3	1.2m minimum wide planters shown at entry path. Courtyards and associated retaining walls deleted to address comments regarding earthworks. Refer to landscape consultant's documentation for drawings addressing planter depth and tree replantment.	AR 103, Landscape Drawings
HERITAGE		
ITEM 3.1	Facade revised to reduce amount of glazed balustrades. Facade details amended to be more sympathetic to existing streetscape. Refer item 1.9.	AR 400, AR 401
ENGINEERING		
ITEM 4.1	QSD revised per Council comments. Refer Stormwater engineer's documentation.	AR 103, Stormwater Drawings
ITEM 4.2	Parking layout revised. Excess car spaces shown as GFA, subject to clause 4.6 prepared by the Town Planner.	AR 007, AR 100, AR 101, AR 102
ITEM 4.3	One (1) car share space provided at Basement Level 1.	AR 102
ITEM 4.4	Visitor bicycle parking spaces relocated to entry area at Ground Floor.	AR 103

HOUSING SEPP 2021 (CHAPTER 5: TRANSPORT ORIENTED DEVELOPMENT) KU-RING-GAI DCP 2024 KU-RING-GAI LEP 2015

SITE AREA:	3,340 m²
ZONING:	R2 - Low Density Residential TOD - Transport Oriented Development

MAXIMUM BUILDING HEIGHT:	9.5m
DCP	22m
TOD	24.2m (22m + 10% variation with Clause 4.6)
PROPOSED	
FLOOR SPACE RATIO (FSR):	
DCP	0.3:1 (1,002 m²)
TOD	2.5:1 (8,350 m²)
PROPOSED	2.5:1 (8,350 m²) excluding excess car spaces 2.58:1 (8,633 m²) including excess car spaces (Clause 4.6)

MINIMUM LOT SIZE:	790 m²
LEP	N/A
PROPOSED	

FRONT SETBACK:	
DCP	10m Setback
PROPOSED	6m Setback up to 4th Storey + 8m Setback above 4th Storey to External walls 6m Setback above 4th Storey to Balconies

SIDE SETBACK:	
DCP	6m Setback up to 4th Storey + 9m Setback above 4th Storey
PROPOSED	6m Side Setback up to 4th Storey + 9m Side Setback above 4th Storey

REAR SETBACK:	
DCP	6m Setback up to 4th Storey + 9m Setback above 4th Storey
PROPOSED	N/A - Corner Site

UNIT SUMMARY:	UNITS	MIX
2-BEDROOM	5 UNITS	8%
2-BEDROOM + TV	33 UNITS	55%
2-BEDROOM + TV/B	12 UNITS	20%
3-BEDROOM	1 UNIT	2%
3-BEDROOM + TV	9 UNITS	15%
TOTAL UNITS:	60 UNITS	

SOLAR:	45 UNITS	75% (70% MIN.)
VENTILATION:	39 UNITS	65% (60% MIN.)

COMMON OPEN SPACE:

ADG	25% OF SITE AREA (835 m²)
PROPOSED	1,085 m² AT GROUND FLOOR 636 m² AT ROOF TERRACE

DEEP SOIL ZONE:

ADG	7% OF SITE AREA (234 m²)
PROPOSED	35% OF SITE AREA (1,182 m²)

Residential Area Schedule			
Site Area	Level	Area	FSR to 1
3340	Ground Floor	884.95 m²	0.26
		884.95 m²	0.26
3340	Level 1	1323.15 m²	0.40
		1323.15 m²	0.40
3340	Level 2	1323.15 m²	0.40
		1323.15 m²	0.40
3340	Level 3	1323.15 m²	0.40
		1323.15 m²	0.40
3340	Level 4	1213.47 m²	0.36
		1213.47 m²	0.36
3340	Level 5	1097.10 m²	0.33
		1097.10 m²	0.33
3340	Level 6	1097.10 m²	0.33
		1097.10 m²	0.33
3340	Roof Terrace	79.17 m²	0.02
		79.17 m²	0.02
Grand total: 11		8341.24 m²	2.50

Affordable Unit Schedule				
UNIT NO.	AREA	UNIT TYPE	SOLAR	VENTILATION
Ground Floor				
G.01	105 m²	2B-AFF	NO SOLAR	NO
G.02	112 m²	3B-AFF	NO SOLAR	YES
TOTAL NO. OF UNITS: 2				

Platinum Level Livable Unit Schedule				
UNIT NO.	AREA	UNIT TYPE	SOLAR	VENTILATION
Level 1				
L1.04	120 m²	2B+TV	2 HOURS MIN.	NO
L1.07	108 m²	2B+TV	2 HOURS MIN.	NO
Level 2				
L2.04	120 m²	2B+TV	2 HOURS MIN.	NO
L2.07	108 m²	2B+TV	2 HOURS MIN.	NO
Level 3				
L3.04	120 m²	2B+TV	2 HOURS MIN.	NO
L3.07	108 m²	2B+TV	2 HOURS MIN.	NO
Level 4				
L4.06	108 m²	2B+TV	2 HOURS MIN.	NO
Level 5				
L5.06	134 m²	3B+TV	2 HOURS MIN.	YES
Level 6				
L6.06	134 m²	3B+TV	2 HOURS MIN.	YES
TOTAL NO. OF UNITS: 9				

TOTAL UNIT SCHEDULE						
UNIT NO.	AREA	UNIT TYPE	SOLAR	VENTILATION	AFFORDABLE	LIVABLE
Ground Floor						
G.01	105 m²	2B-AFF	NO SOLAR	NO	YES	SILVER
G.02	112 m²	2B-AFF	NO SOLAR	YES	YES	SILVER
G.03	131 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
G.04	96 m²	2B	2 HOURS MIN.	NO		SILVER
G.05	127 m²	3B+TV	PARTIAL	YES		SILVER
5						
Level 1						
L1.01	119 m²	2B+TV	NO SOLAR	NO		SILVER
L1.02	118 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L1.03	119 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L1.04	120 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L1.05	114 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L1.06	118 m²	2B+TV	PARTIAL	YES		SILVER
L1.07	108 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L1.08	128 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L1.09	116 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L1.10	115 m²	2B+TV	2 HOURS MIN.	NO		SILVER
10						
Level 2						
L2.01	119 m²	2B+TV	NO SOLAR	NO		SILVER
L2.02	118 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L2.03	119 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L2.04	120 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L2.05	114 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L2.06	118 m²	2B+TV	PARTIAL	YES		SILVER
L2.07	108 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L2.08	128 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L2.09	116 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L2.10	115 m²	2B+TV	2 HOURS MIN.	NO		SILVER
10						
Level 3						
L3.01	119 m²	2B+TV	NO SOLAR	NO		SILVER
L3.02	118 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L3.03	119 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L3.04	120 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L3.05	114 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L3.06	118 m²	2B+TV	PARTIAL	YES		SILVER
L3.07	108 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L3.08	128 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L3.09	116 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L3.10	115 m²	2B+TV	2 HOURS MIN.	NO		SILVER
10						
Level 4						
L4.01	109 m²	2B+TV	NO SOLAR	NO		SILVER
L4.02	134 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
L4.03	127 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
L4.04	113 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L4.05	118 m²	2B+TV	PARTIAL	YES		SILVER
L4.06	108 m²	2B+TV	2 HOURS MIN.	NO		PLATINUM
L4.07	128 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L4.08	116 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L4.09	115 m²	2B+TV	2 HOURS MIN.	NO		SILVER
9						
Level 5						
L5.01	108 m²	2B+TV	NO SOLAR	NO		SILVER
L5.02	134 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
L5.03	127 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
L5.04	113 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L5.05	116 m²	2B+TV	PARTIAL	YES		SILVER
L5.06	134 m²	3B+TV	2 HOURS MIN.	YES		PLATINUM
L5.07	120 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L5.08	106 m²	2B	2 HOURS MIN.	NO		SILVER
8						
Level 6						
L6.01	108 m²	2B+TV	NO SOLAR	NO		SILVER
L6.02	134 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
L6.03	127 m²	3B+TV/BED	2 HOURS MIN.	YES		SILVER
L6.04	113 m²	2B+TV	2 HOURS MIN.	YES		SILVER
L6.05	116 m²	2B+TV	PARTIAL	YES		SILVER
L6.06	134 m²	3B+TV	2 HOURS MIN.	YES		PLATINUM
L6.07	120 m²	2B+TV/BED	2 HOURS MIN.	YES		SILVER
L6.08	106 m²	2B	2 HOURS MIN.	NO		SILVER
8						
TOTAL NO. OF UNITS: 60						

BASIX & NATHERS SPEC SUMMARY:

- BASIX CERTIFICATE NUMBER: 1791231M
- BASIX CERTIFICATE DATE: 10 APRIL 2025
- REFER BASIX CERTIFICATE FOR FULL DETAILS ON COMMITMENTS

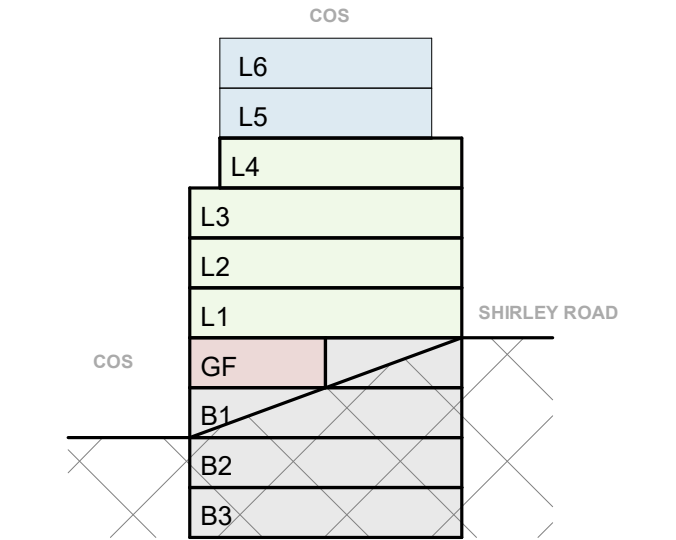
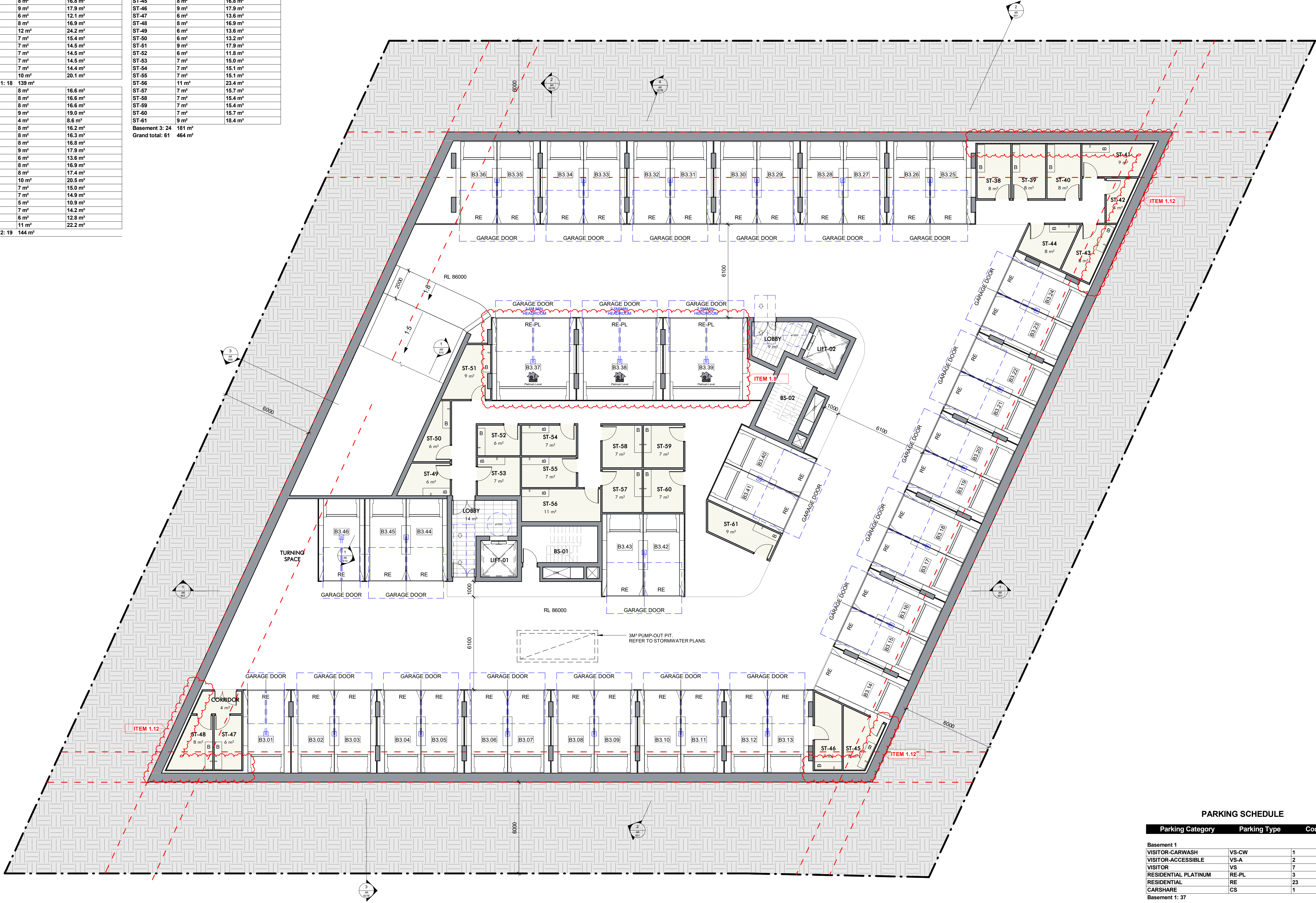
FLOOR SLABS:

- R2.5 FLOOR INSULATION TO UNITS ABOVE CARPARK/AIR;
- CARPET WITH UNDERLAY REQUIRED TO BEDROOMS/TV ROOM AT UNITS L5.01, L5.02;

EXTERNAL WALLS:</

BASEMENT STORAGE SCHEDULE...		
Name	Area	Volume
ST-01	8 m²	16.6 m³
ST-02	8 m²	16.6 m³
ST-03	8 m²	16.6 m³
ST-04	9 m²	19.0 m³
ST-05	4 m²	8.6 m³
ST-06	8 m²	16.2 m³
ST-07	8 m²	16.3 m³
ST-08	9 m²	16.8 m³
ST-09	9 m²	17.9 m³
ST-10	6 m²	12.1 m³
ST-11	8 m²	16.9 m³
ST-12	12 m²	24.2 m³
ST-13	7 m²	15.4 m³
ST-14	7 m²	14.5 m³
ST-15	7 m²	14.5 m³
ST-16	7 m²	14.5 m³
ST-17	7 m²	14.4 m³
ST-18	10 m²	20.1 m³
Basement 1: 18 139 m³		
ST-19	8 m²	16.6 m³
ST-20	8 m²	16.6 m³
ST-21	8 m²	16.6 m³
ST-22	9 m²	19.0 m³
ST-23	4 m²	8.6 m³
ST-24	8 m²	16.2 m³
ST-25	8 m²	16.3 m³
ST-26	8 m²	16.8 m³
ST-27	9 m²	17.9 m³
ST-28	6 m²	13.6 m³
ST-30	8 m²	16.9 m³
ST-30	8 m²	17.4 m³
ST-31	10 m²	20.5 m³
ST-32	7 m²	15.0 m³
ST-33	7 m²	14.9 m³
ST-34	5 m²	10.9 m³
ST-35	7 m²	14.2 m³
ST-36	6 m²	12.8 m³
ST-37	11 m²	22.2 m³
Basement 2: 19 144 m³		

BASEMENT STORAGE SCHEDULE...		
Name	Area	Volume
ST-38	8 m²	16.6 m³
ST-39	8 m²	16.6 m³
ST-40	8 m²	16.6 m³
ST-41	9 m²	19.0 m³
ST-42	4 m²	8.6 m³
ST-43	8 m²	16.2 m³
ST-44	8 m²	16.3 m³
ST-45	8 m²	16.8 m³
ST-46	9 m²	17.9 m³
ST-47	6 m²	13.6 m³
ST-48	8 m²	16.9 m³
ST-49	6 m²	13.2 m³
ST-50	6 m²	13.2 m³
ST-51	9 m²	17.9 m³
ST-52	6 m²	11.8 m³
ST-53	7 m²	15.0 m³
ST-54	7 m²	15.1 m³
ST-55	7 m²	15.1 m³
ST-56	11 m²	23.4 m³
ST-57	7 m²	15.7 m³
ST-58	7 m²	15.4 m³
ST-59	7 m²	15.4 m³
ST-60	7 m²	15.7 m³
ST-61	8 m²	18.4 m³
Basement 3: 24 161 m³		
Grand total: 61 464 m³		



Section Diagram
NTS

REVISION		
NO.	DATE	DESCRIPTION
D	07/03/2025	ISSUED FOR INFORMATION
E	11/03/2025	ISSUED FOR COORDINATION
F	13/03/2025	ISSUED FOR COORDINATION
G	20/03/2025	ISSUED FOR REVIEW
H	27/03/2025	ISSUED FOR REVIEW
I	28/03/2025	ISSUED FOR COORDINATION
1	10/04/2025	DEVELOPMENT APPLICATION
2	05/08/2025	ISSUED FOR COORDINATION
3	06/08/2025	ISSUED FOR INFORMATION
4	08/08/2024	ISSUED FOR INFORMATION
5	12/08/2024	ISSUED FOR INFORMATION
6	13/08/2024	ISSUED FOR INFORMATION
7	25/08/2025	ISSUED FOR COORDINATION
8	04/08/2025	ISSUED FOR INFORMATION
9	11/09/2025	ISSUED FOR COORDINATION
10	12/09/2025	DRAFT RFI SET
CLIENT / APPLICANT		

LINDFIELD ESTATE PTY LTD

PROJECT DESCRIPTION
RESIDENTIAL FLAT BUILDING DEVELOPMENT
PROJECT ADDRESS
17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554)
SHIRLEY ROAD, ROSEVILLE NSW 2069
STATUS

FOR APPROVAL

NOT FOR CONSTRUCTION

DRAWING TITLE			
Basement 3 GA Plan			
DATE	DRAWN BY	APPROVED BY	TRUE NORTH
12/09/2025	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
As Indicated	A1	2503	
DRAWING NO.	REVISION NO.		

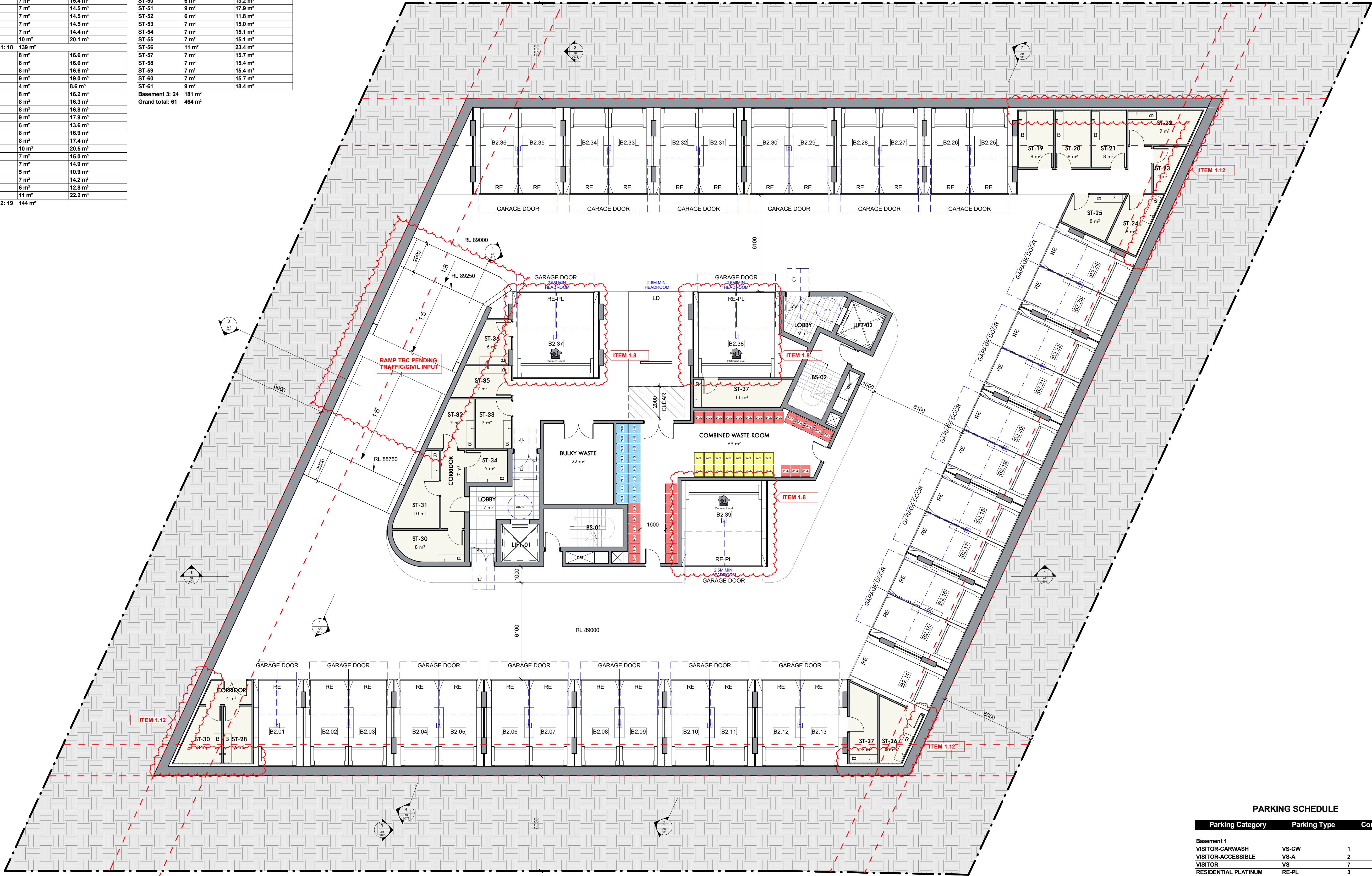
AR 100

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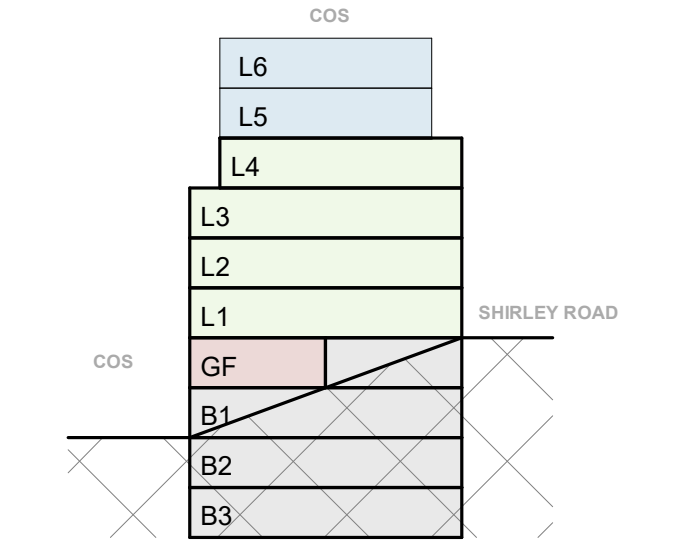


BASEMENT STORAGE SCHEDULE...		
Name	Area	Volume
ST-01	8 m²	16.6 m³
ST-02	8 m²	16.6 m³
ST-03	8 m²	16.6 m³
ST-04	9 m²	19.0 m³
ST-05	4 m²	8.6 m³
ST-06	8 m²	16.2 m³
ST-07	8 m²	16.3 m³
ST-08	9 m²	16.8 m³
ST-09	9 m²	17.9 m³
ST-10	6 m²	12.1 m³
ST-11	8 m²	16.9 m³
ST-12	12 m²	24.2 m³
ST-13	7 m²	15.4 m³
ST-14	7 m²	14.5 m³
ST-15	7 m²	14.5 m³
ST-16	7 m²	14.5 m³
ST-17	7 m²	14.4 m³
ST-18	10 m²	20.1 m³
Basement 1: 18	139 m²	
ST-19	8 m²	16.6 m³
ST-20	8 m²	16.6 m³
ST-21	8 m²	16.6 m³
ST-22	9 m²	19.0 m³
ST-23	4 m²	8.6 m³
ST-24	8 m²	16.2 m³
ST-25	8 m²	16.3 m³
ST-26	8 m²	16.8 m³
ST-27	9 m²	17.9 m³
ST-28	6 m²	13.6 m³
ST-30	8 m²	16.9 m³
ST-30	8 m²	17.4 m³
ST-31	10 m²	20.5 m³
ST-32	7 m²	15.0 m³
ST-33	7 m²	14.9 m³
ST-34	5 m²	10.9 m³
ST-35	7 m²	14.2 m³
ST-36	6 m²	12.8 m³
ST-37	11 m²	22.2 m³
Basement 2: 19	144 m²	

BASEMENT STORAGE SCHEDULE...		
Name	Area	Volume
ST-38	8 m²	16.6 m³
ST-39	8 m²	16.6 m³
ST-40	8 m²	16.6 m³
ST-41	9 m²	19.0 m³
ST-42	4 m²	8.6 m³
ST-43	8 m²	16.2 m³
ST-44	8 m²	16.3 m³
ST-45	8 m²	16.8 m³
ST-46	9 m²	17.9 m³
ST-47	6 m²	13.6 m³
ST-48	8 m²	16.9 m³
ST-49	6 m²	13.2 m³
ST-50	6 m²	13.2 m³
ST-51	9 m²	17.9 m³
ST-52	6 m²	11.8 m³
ST-53	7 m²	15.0 m³
ST-54	7 m²	15.1 m³
ST-55	7 m²	15.1 m³
ST-56	11 m²	23.4 m³
ST-57	7 m²	15.7 m³
ST-58	7 m²	15.4 m³
ST-59	7 m²	15.4 m³
ST-60	7 m²	15.7 m³
ST-61	8.6 m²	18.4 m³
Basement 3: 24	161 m²	
Grand total: 61	464 m²	



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NOTES
All operable windows shall be protected with restricting devices per NCC D3D29 requirements.



Section Diagram
NTS

REVISION		
NO.	DATE	DESCRIPTION
D	07/03/2025	ISSUED FOR INFORMATION
E	11/03/2025	ISSUED FOR COORDINATION
F	13/03/2025	ISSUED FOR COORDINATION
G	20/03/2025	ISSUED FOR REVIEW
H	27/03/2025	ISSUED FOR REVIEW
I	28/03/2025	ISSUED FOR COORDINATION
1	10/04/2025	DEVELOPMENT APPLICATION
2	05/08/2025	ISSUED FOR COORDINATION
3	06/08/2025	ISSUED FOR INFORMATION
4	08/08/2024	ISSUED FOR INFORMATION
5	12/08/2024	ISSUED FOR INFORMATION
6	13/08/2024	ISSUED FOR INFORMATION
7	25/08/2025	ISSUED FOR COORDINATION
8	04/08/2025	ISSUED FOR INFORMATION
9	11/09/2025	ISSUED FOR COORDINATION
10	12/09/2025	DRAFT RFI SET

CLIENT / APPLICANT

LINDFIELD ESTATE PTY LTD

PROJECT DESCRIPTION
RESIDENTIAL FLAT BUILDING DEVELOPMENT
PROJECT ADDRESS
17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554)
SHIRLEY ROAD, ROSEVILLE NSW 2069
STATUS

FOR APPROVAL

NOT FOR CONSTRUCTION

DRAWING TITLE			
Basement 2 GA Plan			
DATE	DRAWN BY	APPROVED BY	TRUE NORTH
12/09/2025	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
As Indicated	A1	2503	
DRAWING NO.			REVISION NO.

AR 101

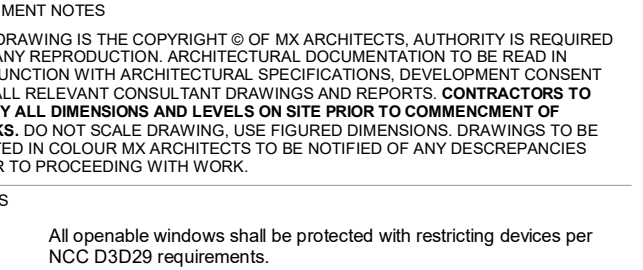
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Notional Architect - Maitland Maitland
NSW Registration No. 10860



PARKING SCHEDULE		
Parking Category	Parking Type	Count
Basement 1		
VISITOR-CARWASH	VS-CW	1
VISITOR-ACCESSIBLE	VS-A	2
VISITOR	VS	7
RESIDENTIAL PLATINUM	RE-PL	3
RESIDENTIAL	RE	23
CARSHARE	CS	1
Basement 1: 37		
Basement 2		
RESIDENTIAL PLATINUM	RE-PL	3
RESIDENTIAL	RE	36
Basement 2: 39		
Basement 3		
RESIDENTIAL PLATINUM	RE-PL	3
RESIDENTIAL	RE	43
Basement 3: 46		
Grand total: 122		

BASEMENT STORAGE SCHEDULE...		
Name	Area	Volume
ST-38	8 m ²	16.6 m ³
ST-39	8 m ²	16 m ³
ST-40	8 m ²	16.6 m ³
ST-41	9 m ²	19 m ³
ST-42	4 m ²	8.8 m ³
ST-43	8 m ²	16.2 m ³
ST-44	8 m ²	16.3 m ³
ST-45	8 m ²	16.8 m ³
ST-46	9 m ²	17.9 m ³
ST-47	6 m ²	13.6 m ³
ST-48	8 m ²	16.3 m ³
ST-49	6 m ²	13.6 m ³
ST-50	6 m ²	13.2 m ³
ST-51	9 m ²	17.9 m ³
ST-52	6 m ²	11.8 m ³
ST-53	7 m ²	15 m ³
ST-54	7 m ²	15.1 m ³
ST-55	7 m ²	15.1 m ³
ST-56	11 m ²	23.4 m ³
ST-57	7 m ²	15 m ³
ST-58	7 m ²	15.4 m ³
ST-59	7 m ²	15.4 m ³
ST-60	7 m ²	15.7 m ³
ST-61	9 m ²	18.4 m ³
Basement 3 : 21	181 m ²	
Grand total: 61	464 m ²	



COS

L6

L5

L4

L3

L2

L1

COS

GF

B1

B2

B3

Section Diagram
NTS

REVISION	DATE	DESCRIPTION	BY
G	11/03/2025	ISSUED FOR COORDINATION	CG
F	13/03/2025	ISSUED FOR COORDINATION	CG
H	20/03/2025	ISSUED FOR REVIEW	CG
I	27/03/2025	ISSUED FOR REVIEW	MM
J	28/03/2025	ISSUED FOR COORDINATION	CG
1	10/04/2025	DEVELOPMENT APPLICATION	CG
2	05/08/2025	ISSUED FOR COORDINATION	CG
3	06/08/2025	ISSUED FOR INFORMATION	MM
4	08/08/2024	ISSUED FOR INFORMATION	MM
5	12/08/2024	ISSUED FOR INFORMATION	CG
6	13/08/2024	ISSUED FOR INFORMATION	CG
7	25/08/2025	ISSUED FOR COORDINATION	CG
8	28/08/2025	ISSUED FOR COORDINATION	CG
9	04/09/2025	ISSUED FOR INFORMATION	CG
10	11/09/2025	ISSUED FOR COORDINATION	CG
11	12/09/2025	DRAFT RFI SET	CG

CLIENT / APPLICANT

LINDFIELD ESTATE PTY LTD

PROJECT DESCRIPTION

PROJECT ADDRESS
17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554)
SHIRLEY ROAD, ROSEVILLE NSW 2069

STATUS

FOR APPROVAL

NOT FOR CONSTRUCTION

DRAWING TITLE

Basement 1 GA Plan

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
12/09/2025	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
As indicated	A1	2503	
DRAWING NO.			REVISION NO.

AR 102

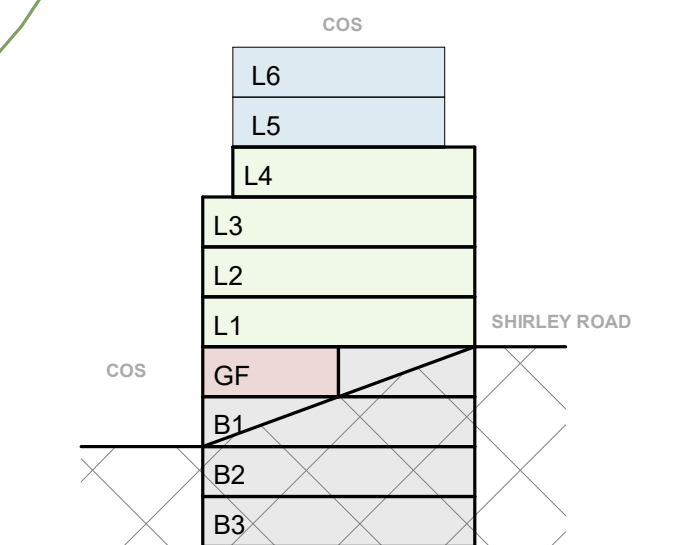
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Nominated Architect - Maxine Mouzawad
NSW Registration No. 10850



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NOTES
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Section Diagram
NTS

REVISION	NO.	DATE	DESCRIPTION	BY
I	20/03/2025	ISSUED FOR REVIEW	CG	
J	26/03/2025	ISSUED FOR REVIEW.	MM	
K	27/03/2025	ISSUED FOR REVIEW	MM	
L	28/03/2025	ISSUED FOR COORDINATION	CG	
M	03/04/2025	ISSUED FOR INFORMATION	CG	
N	10/04/2025	DEVELOPMENT APPLICATION	CG	
N	18/07/2025	ISSUED FOR DISCUSSION	CG	
2	29/07/2025	COUNCIL RFI UPDATE	CG	
3	06/08/2025	ISSUED FOR INFORMATION.	MM	
4	08/08/2024	ISSUED FOR INFORMATION	MM	
5	13/08/2024	ISSUED FOR INFORMATION	CG	
6	22/08/2025	ISSUED FOR REVIEW	MM	
7	25/08/2025	ISSUED FOR COORDINATION	CG	
8	28/08/2025	ISSUED FOR COORDINATION	CG	
9	09/09/2025	ISSUED FOR COORDINATION	CG	
10	12/09/2025	DRAFT RFI SET	CG	

CLIENT / APPLICANT

LINDFIELD ESTATE PTY LTD

PROJECT DESCRIPTION
RESIDENTIAL FLAT BUILDING DEVELOPMENT
PROJECT ADDRESS
17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554)
SHIRLEY ROAD, ROSEVILLE NSW 2069

STATUS

FOR APPROVAL

NOT FOR CONSTRUCTION

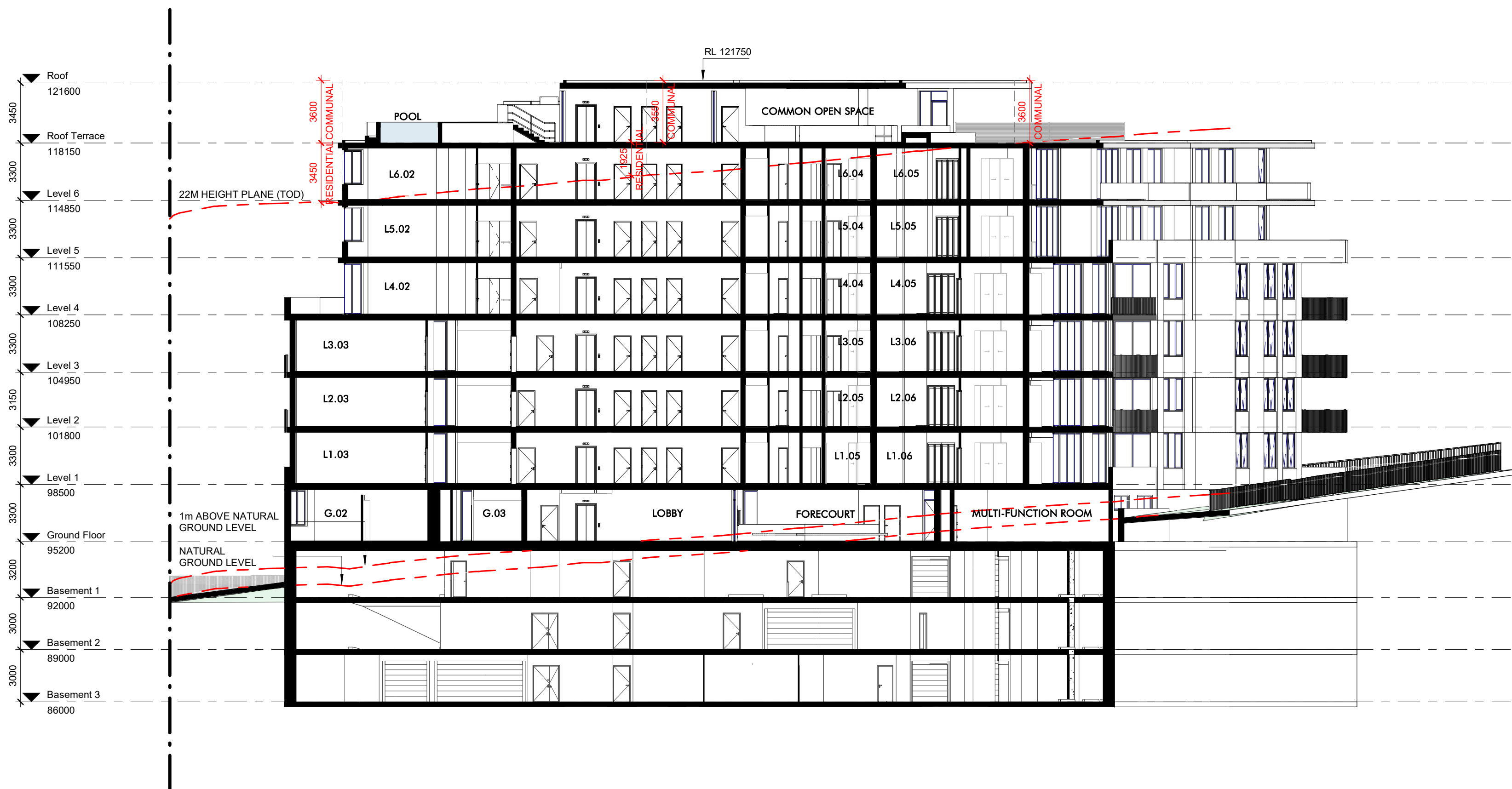
DRAWING TITLE
Ground Floor GA Plan

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
12/09/2025	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
As Indicated	A1	2503	
DRAWING NO.			REVISION NO.

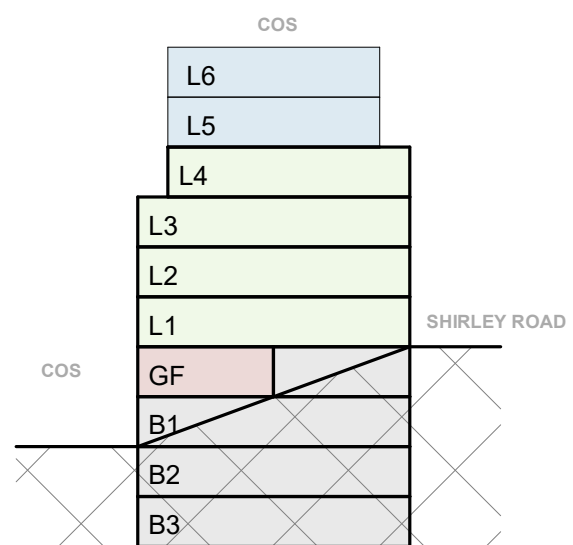
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NSW Registration No. 10850





1 BUILDING SECTION 1a
1:200



Section Diagram
NTS



2 BUILDING SECTION 1b
1:200

REVISION		
NO.	DATE	DESCRIPTION
A	07/03/2025	ISSUED FOR INFORMATION
B	13/03/2025	ISSUED FOR COORDINATION
C	28/03/2025	ISSUED FOR COORDINATION
D	07/04/2025	ISSUED FOR INFORMATION
1	10/04/2025	DEVELOPMENT APPLICATION
2	01/09/2025	ISSUED FOR INFORMATION
3	11/09/2025	ISSUED FOR COORDINATION

CLIENT / APPLICANT

LINDFIELD ESTATE PTY LTD

PROJECT DESCRIPTION

RESIDENTIAL FLAT BUILDING
DEVELOPMENT

PROJECT ADDRESS

17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554)
SHIRLEY ROAD, ROSEVILLE NSW 2069

STATUS

FOR APPROVAL

NOT FOR CONSTRUCTION

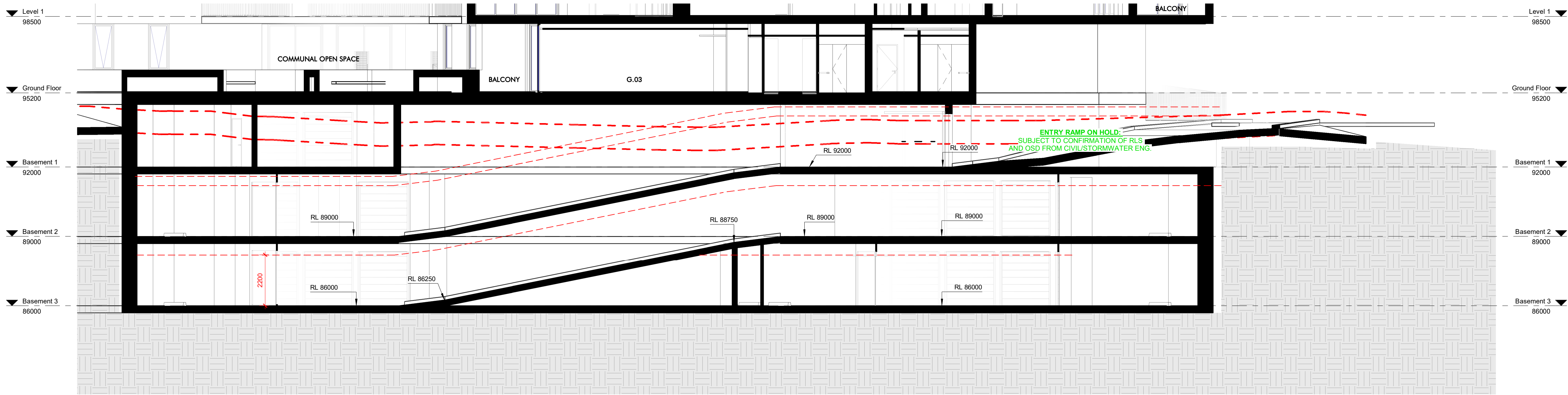
DRAWING TITLE

Building Section

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
11/09/2025	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
As Indicated	A1	2503	
DRAWING NO.	REVISION NO.		

AR 601

3



1 SECTION - BASEMENT (RAMPS)
1 : 100

REVISION			
NO.	DATE	DESCRIPTION	BY
A	24/03/2025	ISSUED FOR REVIEW	CG
B	28/03/2025	ISSUED FOR COORDINATION	CG
1	10/04/2025	DEVELOPMENT APPLICATION	CG
2	05/08/2025	ISSUED FOR COORDINATION	MM

CLIENT / APPLICANT

LINDFIELD ESTATE PTY LTD

PROJECT DESCRIPTION

RESIDENTIAL FLAT BUILDING
DEVELOPMENT

PROJECT ADDRESS

17 (LOT 1 DP 973520), 19 (LOT 1 DP 972422), 21 (LOT 1 DP 972554)
SHIRLEY ROAD, ROSEVILLE NSW 2069

STATUS

FOR APPROVAL

NOT FOR CONSTRUCTION

DRAWING TITLE

Loading Dock & Parking Entry

DATE	DRAWN BY	APPROVED BY	TRUE NORTH
05/08/2025	CG	MM	
SCALE	SHEET SIZE	PROJECT NO.	
1 : 100	A1	2503	
DRAWING NO.			REVISION NO.

AR 610

2



Transport Strategies

Appendix D

Swept Path Assessments

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Printed by Slaw hwee long

PROVIDE CONVEX MIRROR AS SHOWN

PROVIDE 1.5M ACCESS WIDTH

PROVIDE 1.5M ACCESS WIDTH

DO WE NEED THIS ADDITIONAL DOOR?

PROVIDE CONVEX MIRROR AS SHOWN

PROVIDE CONVEX MIRROR AS SHOWN

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT 2
COMPLIANCE REVIEW



Transport Strategies

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207A/30 CAMPBELL STREET, BLACKTOWN NSW 2148
EMAIL technical@transportstrategies.com.au
PHONE 0424 007 141
WEBSITE <http://www.transportstrategies.com.au/>

PRELIMINARY PLAN
FOR DISCUSSION PURPOSES
ONLY SUBJECT TO CHANGE
WITHOUT NOTIFICATION

25037-02-V7_SP
03 OF 10
12 September 2025

DESIGNED BY
H.CHEW

APPROVED BY
M.KONG

SCALE
A3
0 3.0 6.0
1:300

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Printed by Seawhwee long

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT 3
COMPLIANCE REVIEW



Transport Strategies

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25037-02-V7_SP
04 OF 10
12 September 2025

DESIGNED BY
H.CHEW

APPROVED BY
M.KONG

SCALE
A3
0 3.0 6.0
1:300

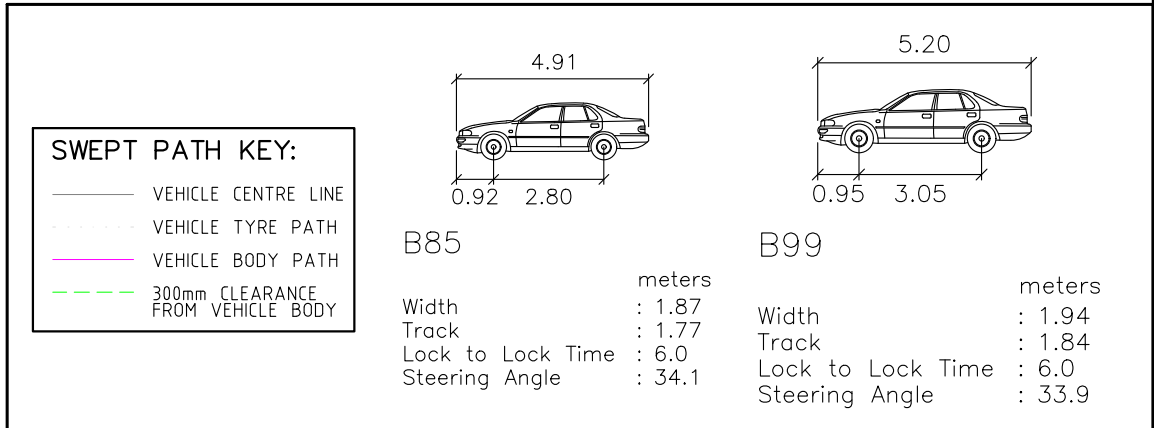
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MIRROR AS SHOWN

PROVIDE 1.5M
ACCESS WIDTH

PROVIDE CONVEX
MIRROR AS SHOWN

PROVIDE CONVEX
MIRROR AS SHOWN





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Printed by Slaw hwee long

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT 2
COMPLIANCE REVIEW & SWEEP PATH ASSESSMENT

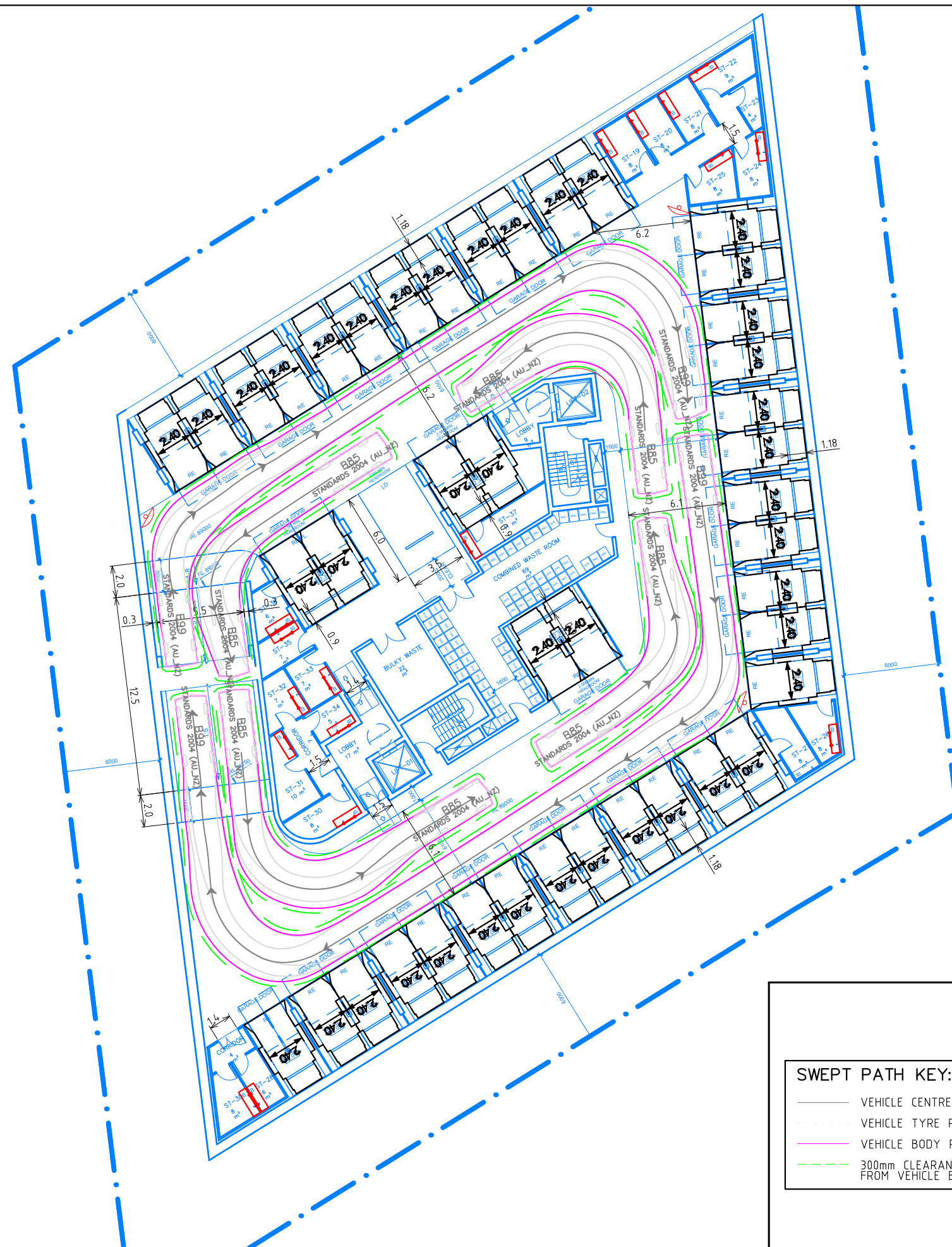


TRANSPORT STRATEGIES ALLIANCE PTY LTD
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EMAIL technical@transportstrategies.com.au
PHONE 0424 007 141
WEBSITE <http://www.transportstrategies.com.au/>

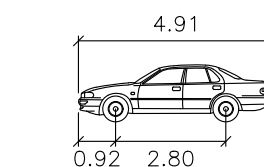
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25037-02-V7_SP
07 OF 10
12 September 2025

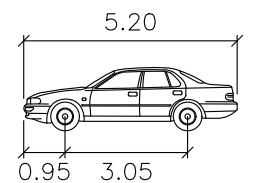
DESIGNED BY
H.CHEW
APPROVED BY
M.KONG
SCALE
A3
0 3.0 6.0
1:300



SWEPT PATH KEY:
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- - - VEHICLE TYRE PATH
— VEHICLE BODY PATH
- - - 300mm CLEARANCE FROM VEHICLE BODY



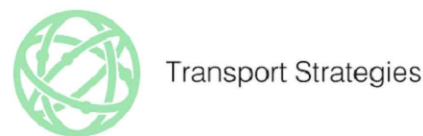
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Track : 1.77
Lock to Lock Time : 6.0
Steering Angle : 34.1



B99
Width : 1.94 meters
Track : 1.84
Lock to Lock Time : 6.0
Steering Angle : 33.9

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17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT 2
COMPLIANCE REVIEW & SWEEP PATH ASSESSMENT



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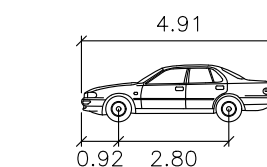
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25037-02-V7_SP
07A OF 10
12 September 2025

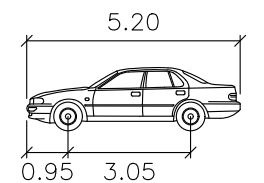
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H.CHEW
APPROVED BY
M.KONG
SCALE
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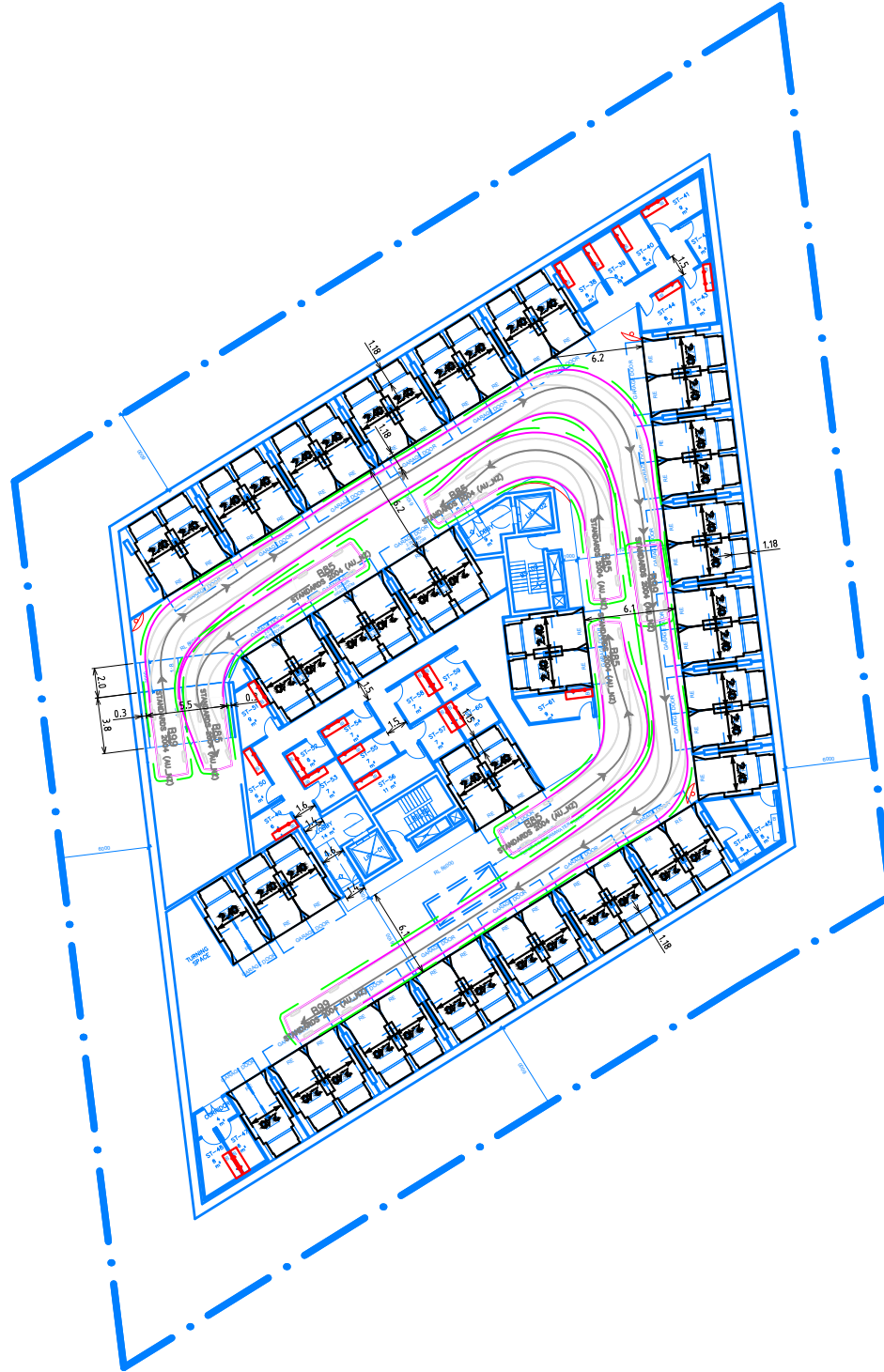
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— VEHICLE CENTRE LINE
- - - VEHICLE TYRE PATH
— VEHICLE BODY PATH
- - - 300mm CLEARANCE FROM VEHICLE BODY



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Width : 1.87 meters
Track : 1.77
Lock to Lock Time : 6.0
Steering Angle : 34.1

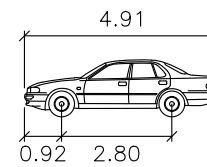


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Lock to Lock Time : 6.0
Steering Angle : 33.9



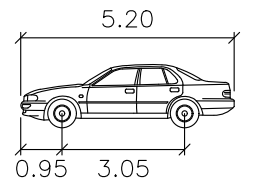
SWEPT PATH KEY:

- VEHICLE CENTRE LINE
- - - - VEHICLE TYRE PATH
- VEHICLE BODY PATH
- - - - 300mm CLEARANCE FROM VEHICLE BODY



B85

	meters
Width	: 1.87
Track	: 1.77
Lock to Lock Time	: 6.0
Steering Angle	: 34.1



B99

	meters
Width	: 1.94
Track	: 1.84
Lock to Lock Time	: 6.0
Steering Angle	: 33.9

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT 3
COMPLIANCE REVIEW & SWEEP PATH ASSESSMENT



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08 OF 10
12 September 2025

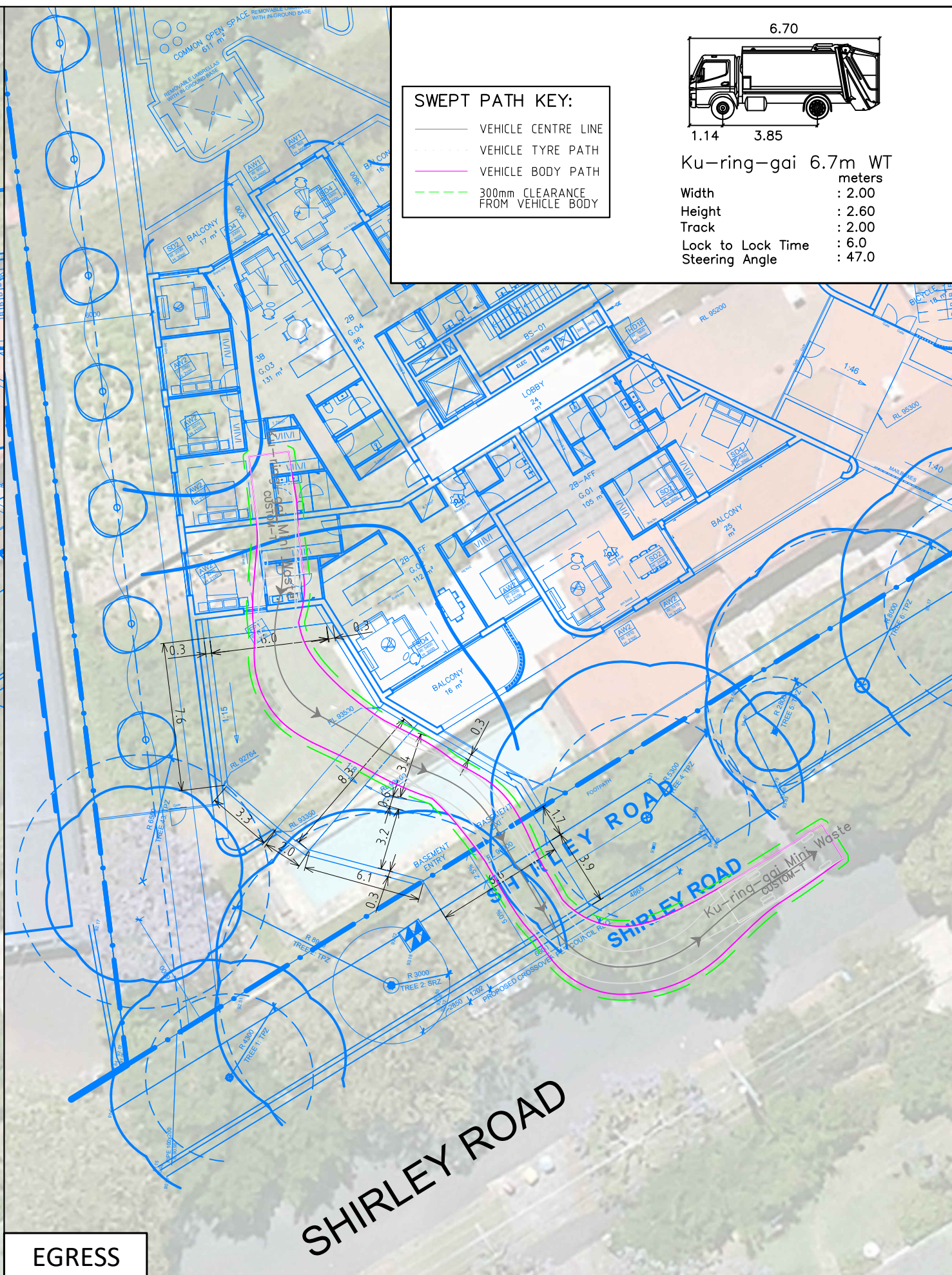
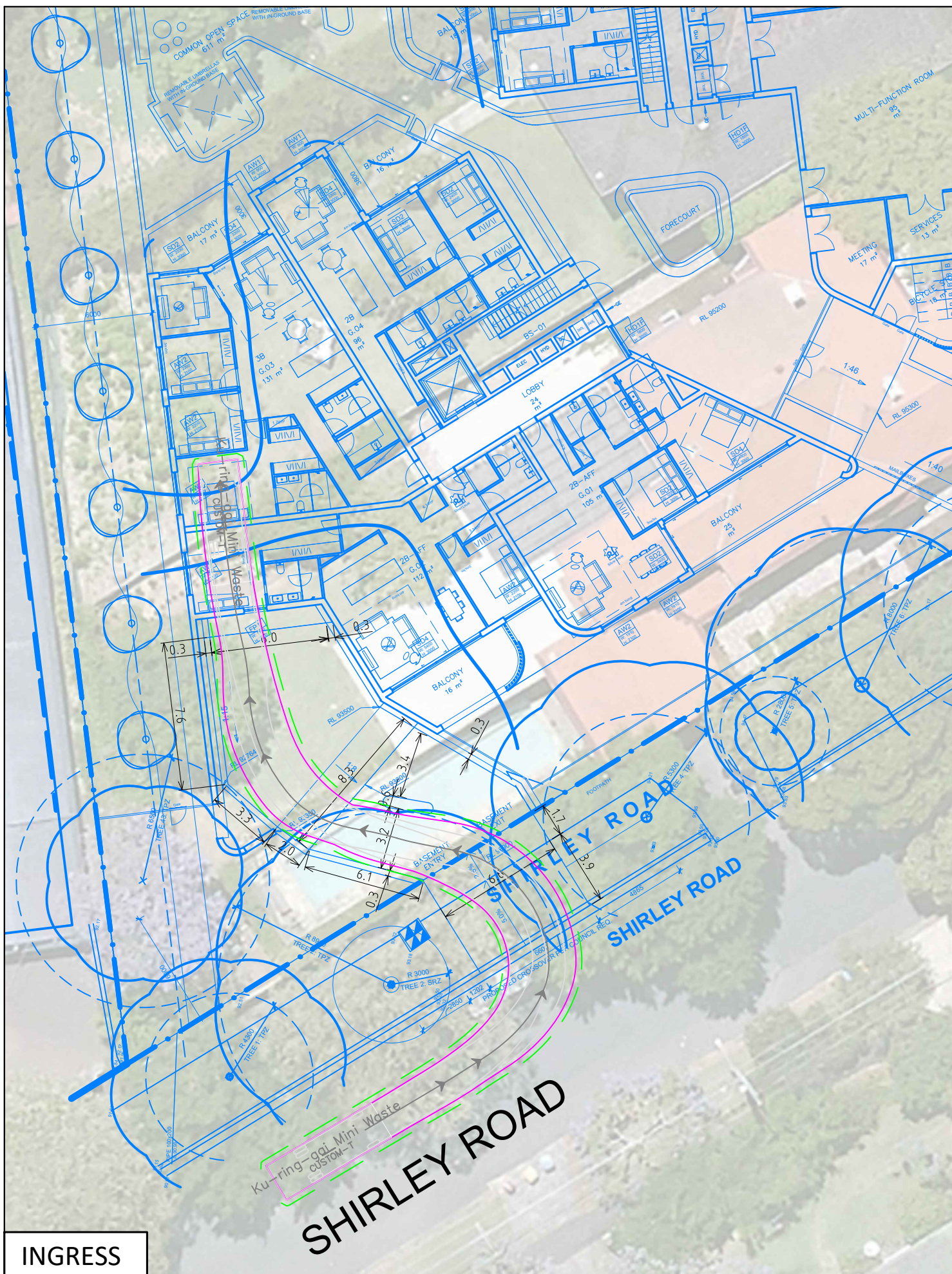
DESIGNED BY
H.CHEW

APPROVED BY
M.KONG

SCALE
A3

0 4.8 9.6 1:480

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INGRESS

EGRESS

17-21 SHIRLEY ROAD, ROSEVILLE
SWEPT PATH ASSESSMENT



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09 OF 10
12 September 2025

DESIGNED BY
H.CHEW
APPROVED BY
M.KONG
SCALE
A3
0 2.5 5.0
1:250

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17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT 2
SWEPT PATH ASSESSMENT



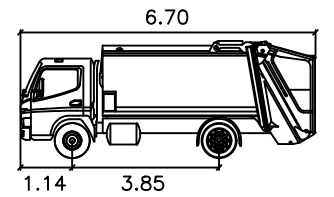
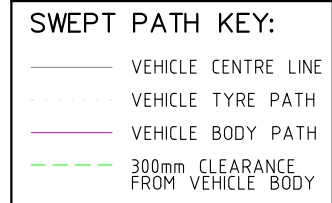
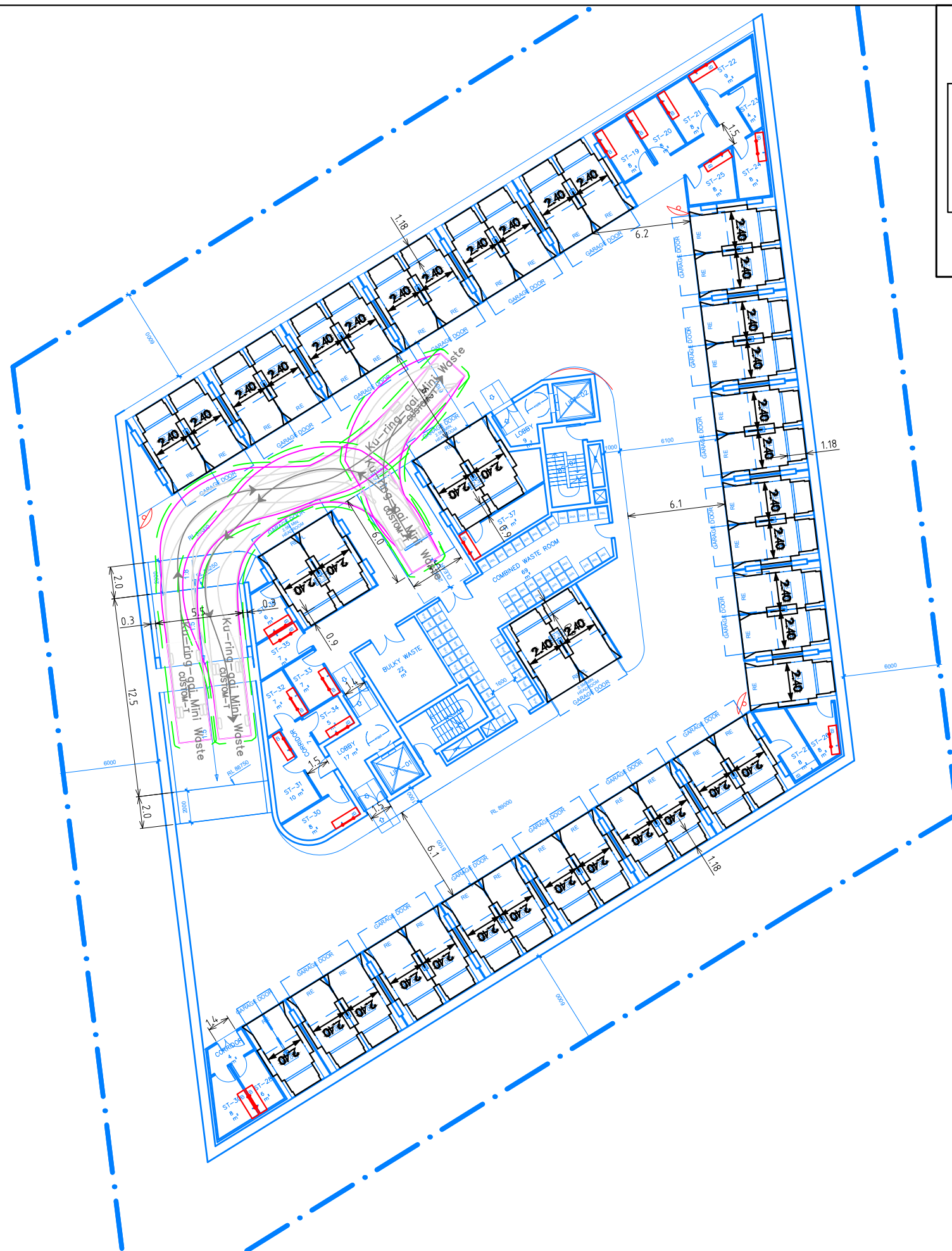
Transport Strategies

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25037-02-V7_SP
10 OF 10
12 September 2025

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APPROVED BY
M.KONG
SCALE
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1:300



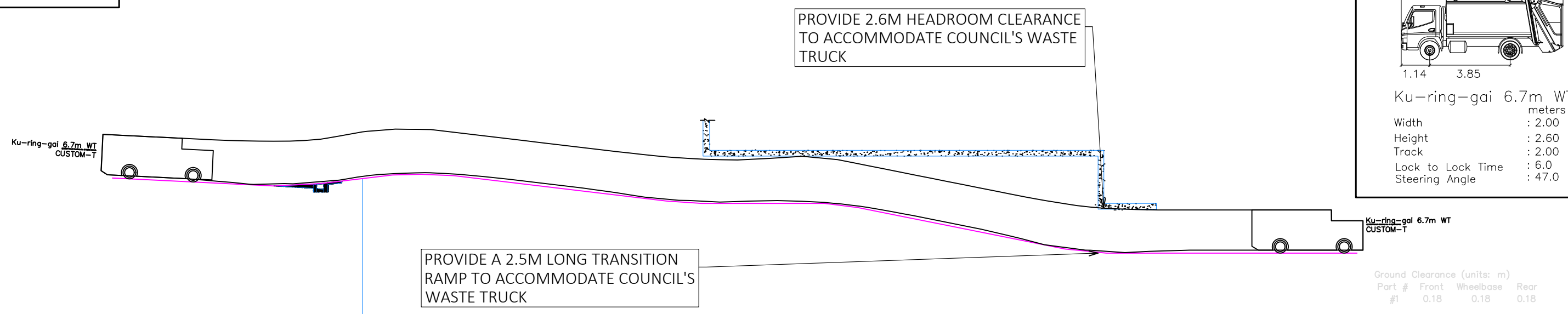
Ku-ring-gai 6.7m WT
meters
Width : 2.00
Height : 2.60
Track : 2.00
Lock to Lock Time : 6.0
Steering Angle : 47.0



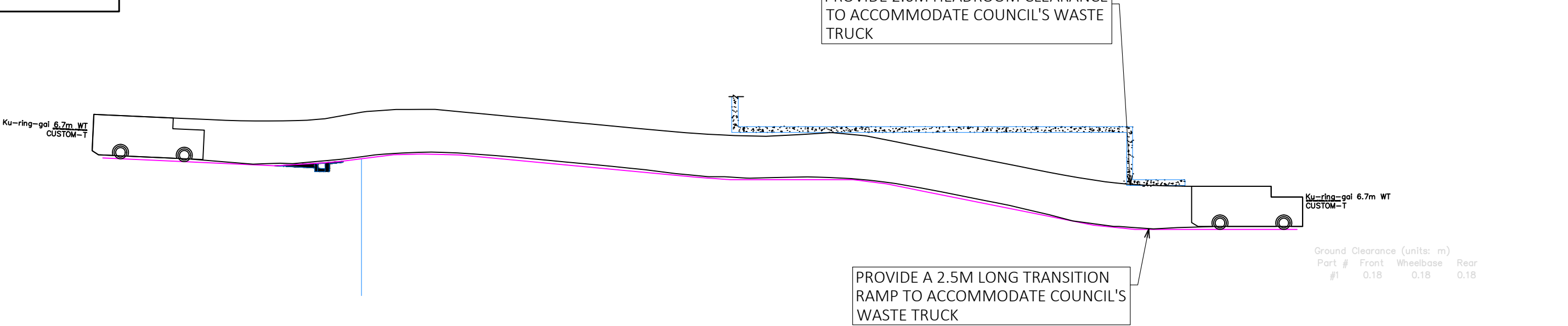
Appendix E

Vertical Path Assessments

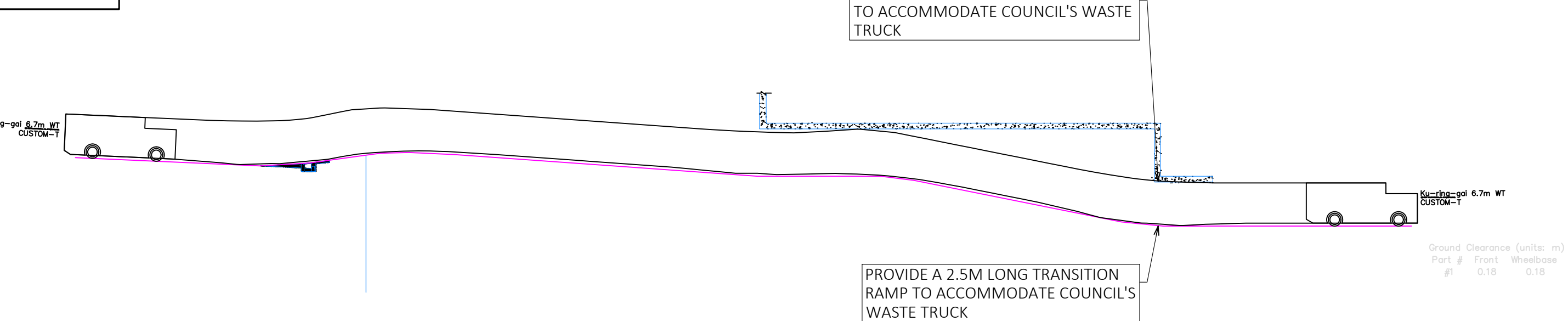
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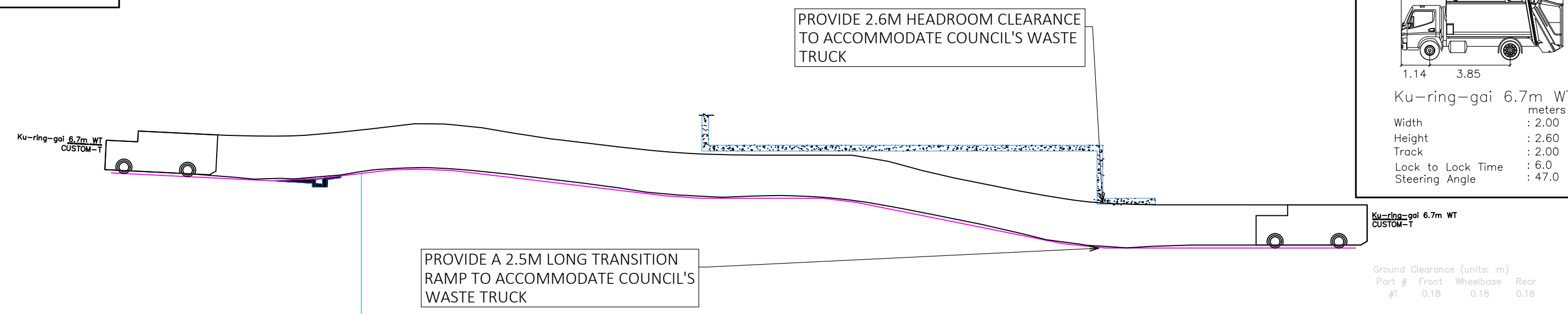
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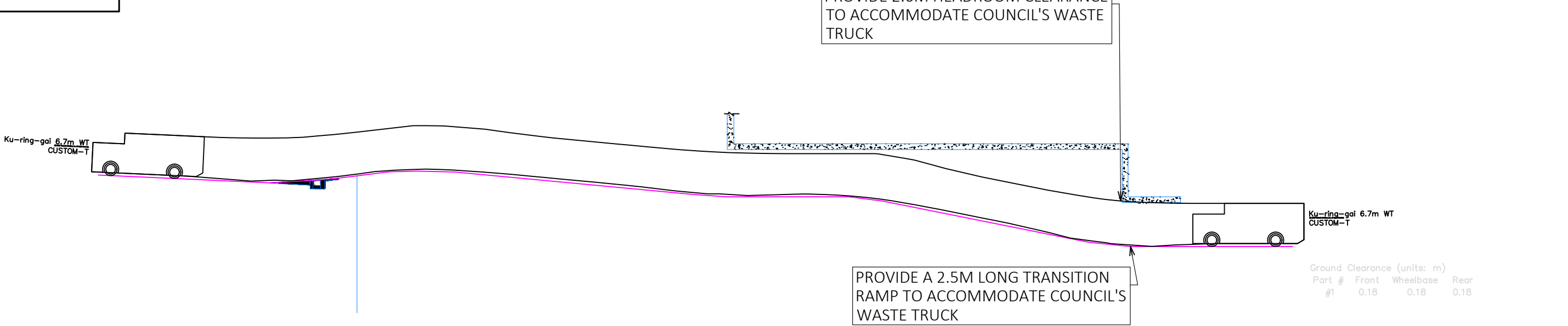
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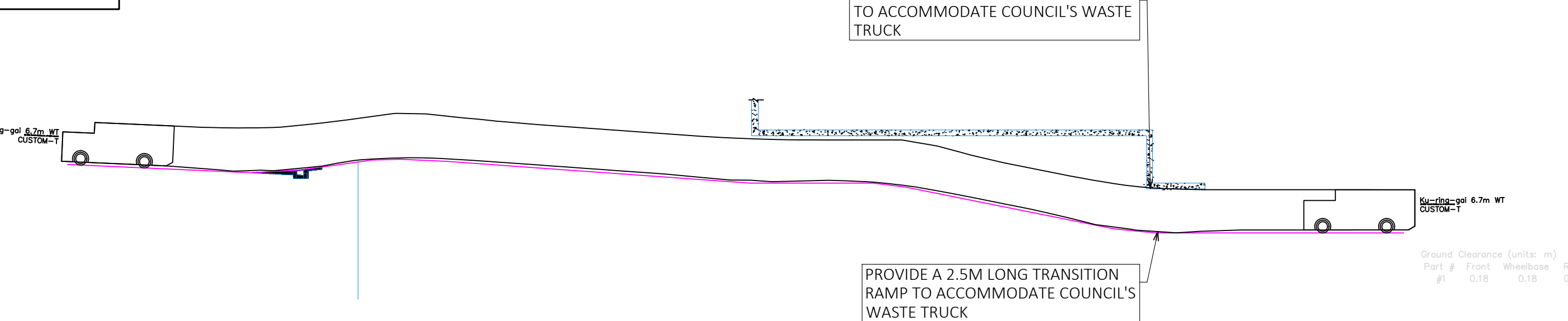
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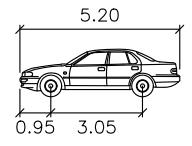
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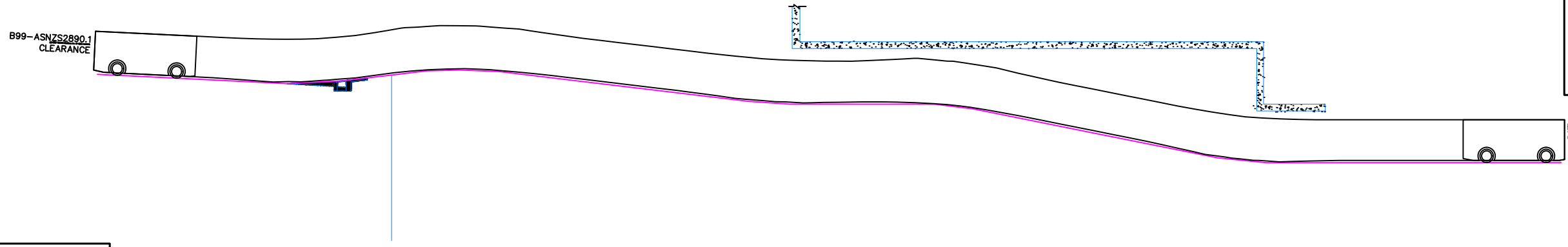
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SECTION A



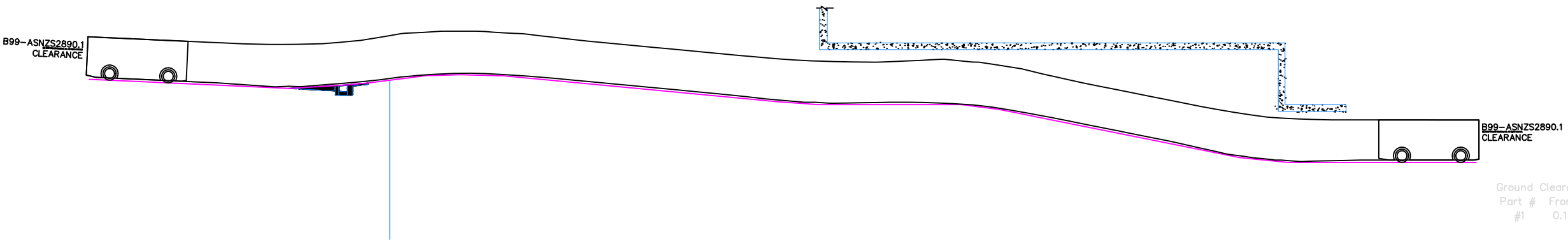
B99
Width : 1.94 meters
Track : 1.84
Lock to Lock Time : 6.0
Steering Angle : 33.9



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

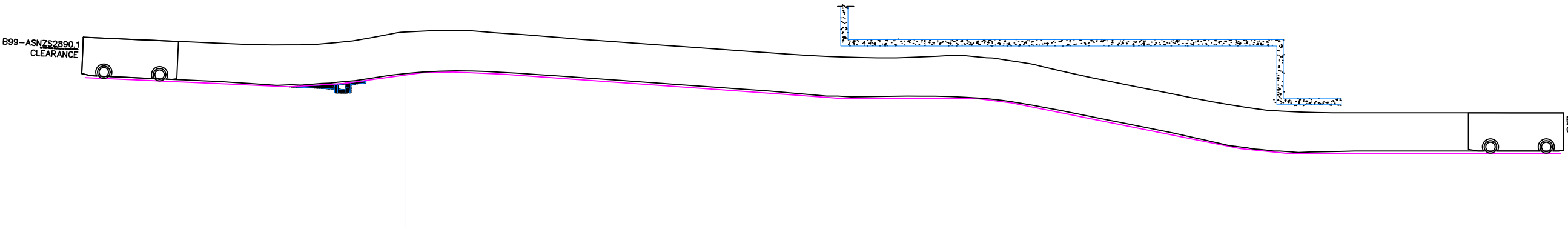
SECTION B



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

SECTION C



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

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Plotted by Slaw Hwee Long

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT PARKING ENTRY
VERTICAL PATH ASSESSMENT



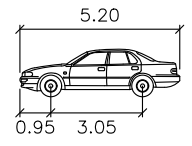
TRANSPORT STRATEGIES ALLIANCE PTY LTD
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EMAIL technical@transportstrategies.com.au
PHONE 0424 007 141
WEBSITE <http://www.transportstrategies.com.au/>

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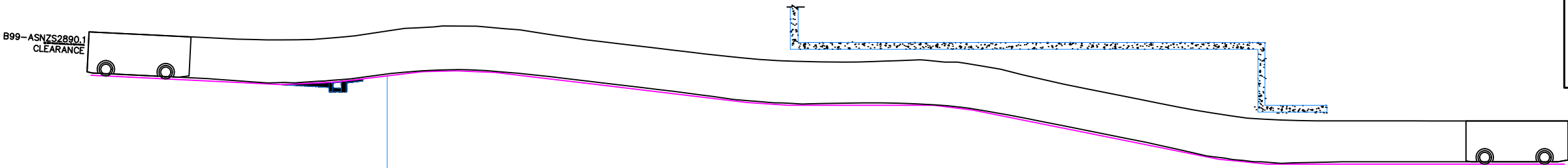
25037-02-V5_VP
03 OF 03
26 March 2025

DESIGNED BY
MUSTAFA
APPROVED BY
M.KONG
SCALE
A3
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1:250

SECTION A



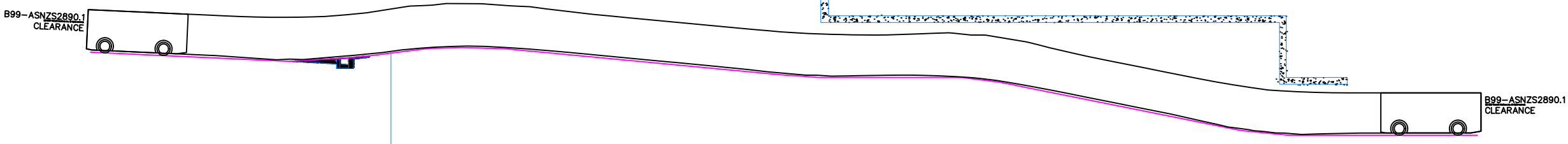
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Track : 1.84
Lock to Lock Time : 6.0
Steering Angle : 33.9



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
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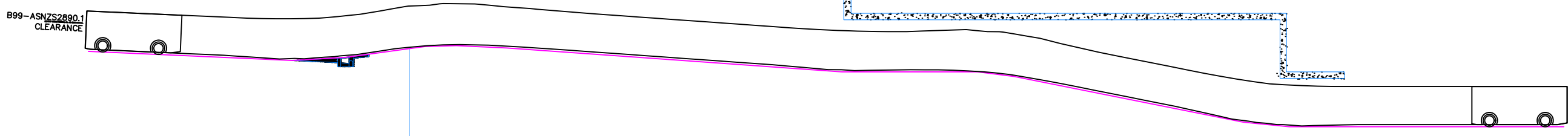
SECTION B



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

SECTION C



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

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Plotted by Slaw hwee long

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT PARKING ENTRY
VERTICAL PATH ASSESSMENT



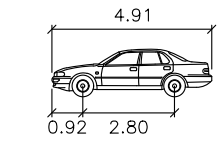
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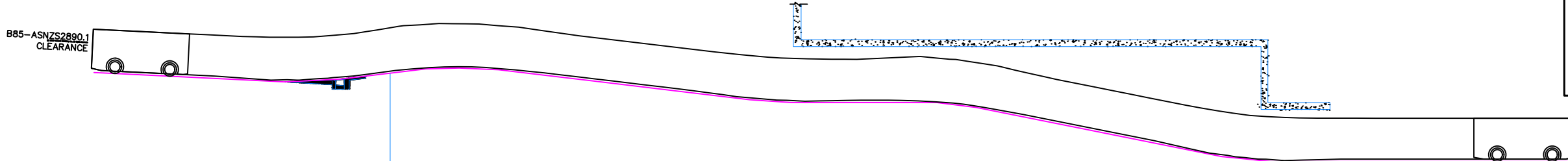
25037-02-V5_VP
04 OF 03
26 March 2025

DESIGNED BY
MUSTAFA
APPROVED BY
M.KONG
SCALE
A3
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1:250

SECTION A



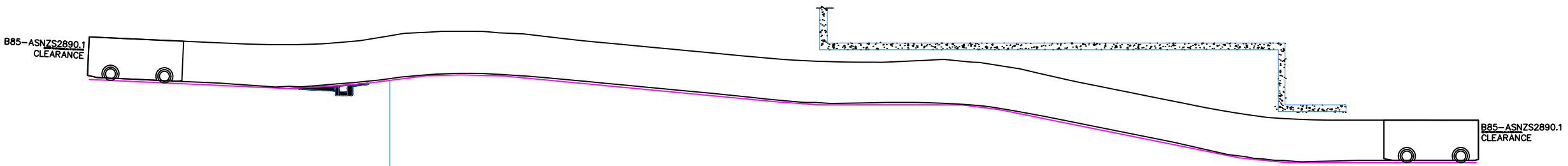
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Width : 1.87 meters
Track : 1.77
Lock to Lock Time : 6.0
Steering Angle : 34.1



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
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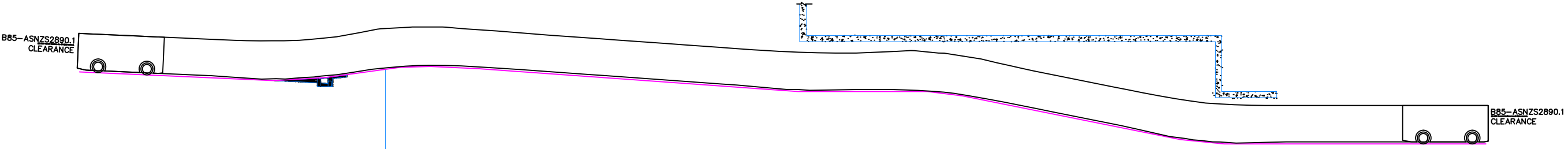
SECTION B



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

SECTION C



Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT PARKING ENTRY
VERTICAL PATH ASSESSMENT



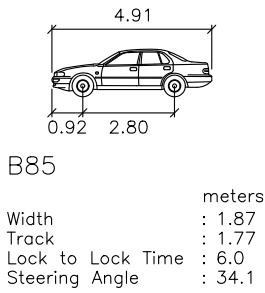
TRANSPORT STRATEGIES ALLIANCE PTY LTD
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25037-02-V5_VP
05 OF 03
26 March 2025

DESIGNED BY MUSTAFA
APPROVED BY M.KONG
SCALE A3 0 2.5 5.0 1:250

SECTION A



B85-ASNZS2890.1
CLEARANCE

B85-ASNZS2890.1
CLEARANCE

Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

SECTION B

B85-ASNZS2890.1
CLEARANCE

B85-ASNZS2890.1
CLEARANCE

Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
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SECTION C

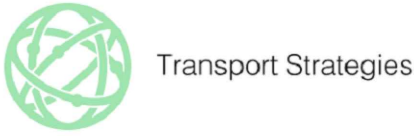
B85-ASNZS2890.1
CLEARANCE

B85-ASNZS2890.1
CLEARANCE

Ground Clearance (units: m)

Part #	Front	Wheelbase	Rear
#1	0.12	0.12	0.12

17-21 SHIRLEY ROAD, ROSEVILLE
BASEMENT PARKING ENTRY
VERTICAL PATH ASSESSMENT



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25037-02-V5_VP
06 OF 03
26 March 2025

DESIGNED BY
MUSTAFA

APPROVED BY
M.KONG

SCALE
A3

1:250



Appendix F

Clause 4.6 Variation Request - FSR

**Clause 4.6 variation request – Floor Space Ratio
Residential flat building development
Lot 1, DP 973520, 17 Shirley Road, Roseville
Lot 1, DP 972422, 19 Shirley Road, Roseville
Lot 1, DP 972554, 21 Shirley Road, Roseville
Applicant: Lindfield Estate Pty Limited**

1.0 Introduction

This updated clause 4.6 variation request has regard to the following amended Architectural plans prepared by MX Architects:

This clause 4.6 variation has been prepared having regard to the Land and Environment Court judgements in the matters of *Wehbe v Pittwater Council* [2007] NSWLEC 827 (*Wehbe*) at [42] – [48], *Four2Five Pty Ltd v Ashfield Council* [2015] NSWCA 248, *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118, *Baron Corporation Pty Limited v Council of the City of Sydney* [2019] NSWLEC 61, and *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130.

2.0 State Environmental Plan Policy (Housing) 2021 (SEPP Housing)

2.1 Chapter 5, clause 155(4)(a) – Maximum floor space ratio

Pursuant to clause 155(4)(a) of SEPP Housing the maximum floor space ratio (FSR) for a residential flat building in a Transport Oriented Development (TOD) Area is 2.5:1. The subject site is located within a mapped TOD Area.

It has been determined that the proposal has a total GFA, as defined, of 8636.38m² representing an FSR of 2.59:1 and a non-compliance of 286.38m² or 3.4%. The GFA calculation includes 292m² of floor space occupied by 19 carparking spaces located within Basement 3 on the basis that these spaces are in excess of the maximum number allowed to be excluded from the calculation of GFA pursuant to clause 7B.1 of Ku-ring-gai Development Control Plan (KDCP) an extract of which is over page.

Car parking rates

- 9 The following parking ranges apply to residential flat developments on sites within 800m walking distance of a railway station entry:

Apartment Size	Minimum number of parking spaces per dwelling	Maximum number of parking spaces per dwelling
Studio	0 spaces	0.5 spaces
One bedroom	0.6 spaces	1 space
Two bedrooms	1.0 space	1.25 spaces
Three or more bedrooms	1.4 spaces	2 spaces

Car parking exceeding the requirements of the parking controls in the above table will not be excluded from the Gross Floor Area as defined in the KLEP.

The carparking calculations are as follows:

Number of 2 bedroom units (including 2B+TV without windows) – 37

- Maximum rate $1.25 \times 37 = \underline{46.25 \text{ spaces}}$

Number of 3 bedroom units (including 2B+TV with windows) - 23

- Maximum rate $2.0 \times 23 = \underline{46 \text{ spaces}}$

Total maximum car spaces = 92 spaces (92.25 rounded down)

As the proposal provides for a total of 111 car parking spaces the GFA calculation includes the area of 19 carparking spaces located within Basement 3 as depicted on the plan extract over page.

In the event that these basement level carparking spaces were converted to storage or plant rooms, which are not GFA as defined, the proposal would have a total GFA as defined of 8344.38 representing a compliant FSR of 2.49:1.

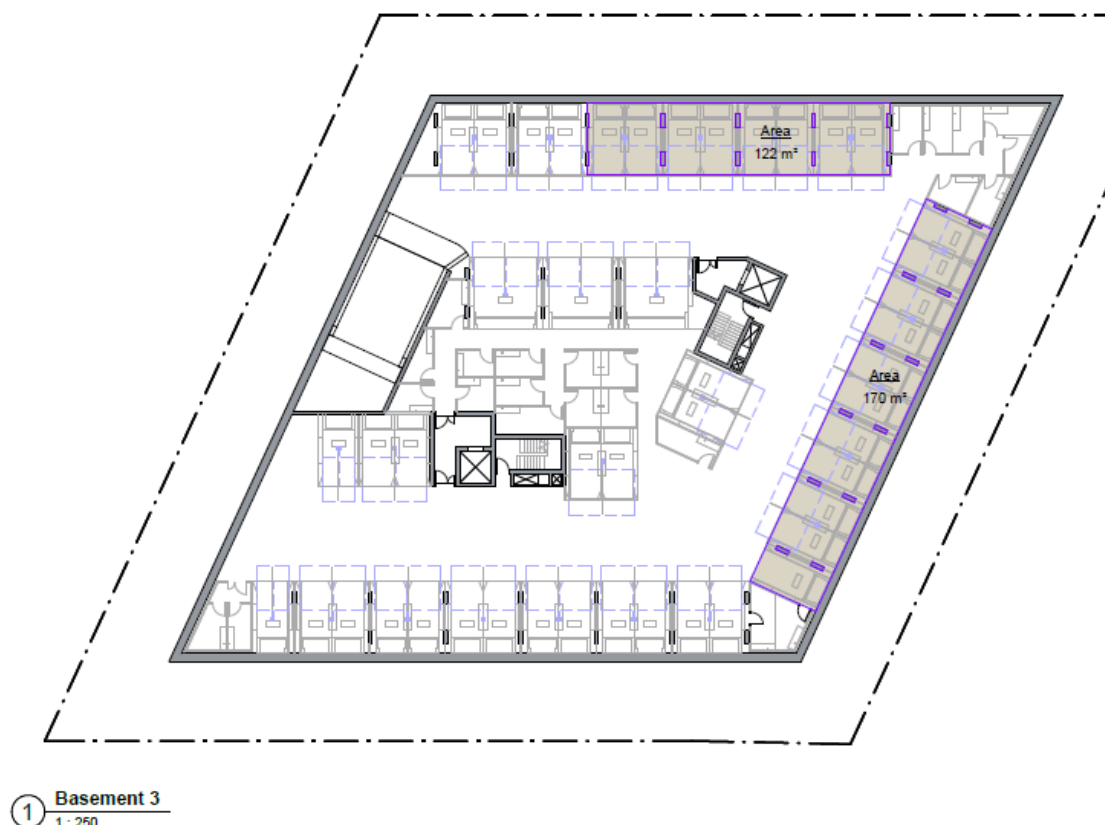


Figure 1 – Basement 3 plan extract showing the location of the floor space associated with the non-compliant carparking

2.2 Clause 4.6 – Exceptions to Development Standards

Clause 4.6(1) of KLEP provides:

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

The decision of Chief Justice Preston in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 118 (“Initial Action”) provides guidance in respect of the operation of clause 4.6 subject to the clarification by the NSW Court of Appeal in *RebelMH Neutral Bay Pty Limited v North Sydney Council* [2019] NSWCA 130 at [1], [4] & [51] where the Court confirmed that properly construed, a consent authority has to be satisfied that an applicant’s written request has in fact demonstrated the matters required to be demonstrated by cl 4.6(3).

Initial Action involved an appeal pursuant to s56A of the Land & Environment Court Act 1979 against the decision of a Commissioner. At [90] of *Initial Action* the Court held that:

“In any event, cl 4.6 does not give substantive effect to the objectives of the clause in cl 4.6(1)(a) or (b). There is no provision that requires compliance with the objectives of the clause. In particular, neither cl 4.6(3) nor (4) expressly or impliedly requires that development that contravenes a development standard “achieve better outcomes for and from development”. If objective (b) was the source of the Commissioner’s test that non-compliant development should achieve a better environmental planning outcome for the site relative to a compliant development, the Commissioner was mistaken. Clause 4.6 does not impose that test.”

The legal consequence of the decision in *Initial Action* is that clause 4.6(1) is not an operational provision and that the remaining clauses of clause 4.6 constitute the operational provisions.

Clause 4.6(2) of KLEP provides:

Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

This clause applies to the clause 155(4)(a) of SEPP Housing maximum FSR development standard.

Clause 4.6(3) of KLEP provides:

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 that:

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

The proposed development does not comply with the FSR provision at clause 155(4)(a) of SEPP Housing which specifies a maximum FSR however strict compliance is considered to be unreasonable and unnecessary in the circumstances of this case and there are considered to be sufficient environmental planning grounds to justify contravening the development standard.

3.0 Relevant Case Law

In *Initial Action* the Court summarised the legal requirements of clause 4.6 and confirmed the continuing relevance of previous case law at [13] to [29]. In particular the Court confirmed that the five common ways of establishing that compliance with a development standard might be unreasonable and unnecessary as identified in *Wehbe v Pittwater Council* (2007) 156 LGERA 446; [2007] NSWLEC 827 continue to apply as follows:

17. *The first and most commonly invoked way is to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard: Wehbe v Pittwater Council at [42] and [43].*
18. *A second way is to establish that the underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary: Wehbe v Pittwater Council at [45].*
19. *A third way is to establish that the underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable: Wehbe v Pittwater Council at [46].*
20. *A fourth way is to establish that the development standard has been virtually abandoned or destroyed by the Council's own decisions in granting development consents that depart from the standard and hence compliance with the standard is unnecessary and unreasonable: Wehbe v Pittwater Council at [47].*
21. *A fifth way is to establish that the zoning of the particular land on which the development is proposed to be carried out was unreasonable or inappropriate so that the development standard, which was appropriate for that zoning, was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in the circumstances of the case would also be unreasonable or unnecessary: Wehbe v Pittwater Council at [48]. However, this fifth way of establishing that compliance with the development standard is unreasonable or unnecessary is limited, as explained in Wehbe v Pittwater Council at [49]-[51].*

The power under cl 4.6 to dispense with compliance with the development standard is not a general planning power to determine the appropriateness of the development standard for the zoning or to effect general planning changes as an alternative to the strategic planning powers in Part 3 of the EPA Act.

22. *These five ways are not exhaustive of the ways in which an applicant might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. An applicant does not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, an applicant can demonstrate that compliance is unreasonable or unnecessary in more than one way.*

The relevant steps identified in *Initial Action* (and the case law referred to in *Initial Action*) can be summarised as follows:

1. Is clause 155(4)(a) of SEPP Housing a development standard?
2. Is the consent authority satisfied that this written request adequately addresses the matters required by clause 4.6(3) by demonstrating that:
 - (a) compliance is unreasonable or unnecessary; and
 - (b) there are sufficient environmental planning grounds to justify contravening the development standard

4.0 Request for variation

4.1 Is clause 155(4)(a) of SEPP Housing a development standard?

The definition of “development standard” at clause 1.4 of the EP&A Act includes a provision of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development, including, but without limiting the generality of the foregoing, requirements or standards in respect of:

- (c) *the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of a building or work,*

Clause 155(4)(a) of SEPP Housing prescribes a density standard that seeks to control the bulk and scale of certain development. Accordingly, clause 155(4)(a) of SEPP Housing is a development standard.

4.2 Clause 4.6(3)(a) – Whether compliance with the development standard is unreasonable or unnecessary

The common approach for an applicant to demonstrate that compliance with a development standard is unreasonable or unnecessary are set out in *Wehbe v Pittwater Council* [2007] NSWLEC 827.

The first way, which has been adopted in this case, is to establish that compliance with the development standard is unreasonable and unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.

First way - Consistency with objectives of the standard

There are no stated objectives associated with the clause 155(4)(a) FSR standard although the aims of Chapter 5 of SEPP Housing are as follows:

- (a) to increase housing density within 400m of existing and planned public transport,*
- (b) to deliver mid-rise residential flat buildings, seniors housing in the form of independent living units and shop top housing around rail and metro stations that—*
 - (i) are well designed, and*
 - (ii) are of appropriate bulk and scale, and*
 - (iii) provide amenity and liveability,*
- (c) to encourage the development of affordable housing to meet the needs of essential workers and vulnerable members of the community.*

The non-compliant FSR is located within Basement 3 which is subterranean in nature and accordingly the non-compliance does not contribute to the bulk and scale of the development in any discernible manner. Accordingly, the FSR non-compliance does not compromise the development's ability to achieve the aims of the Chapter noting that the additional car parking will contribute to the amenity of the apartments benefiting from the car parking spaces.

Notwithstanding the FSR non-compliance the aims of the Chapter are achieved.

I also consider it appropriate to assess the proposed FSR non-compliance against the objectives of the FSR standard contained at clause 4.4 KLEP to the extent that they do not derogate from Chapter 5 provisions of SEPP Housing.

An assessment as to the consistency of the proposal when assessed against the objectives of clause 4.4 KLEP are as follows:

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

Response: The non-compliant FSR is located within Basement 3 which is subterranean in nature and accordingly the non-compliance does not contribute to the bulk and scale of the development in any discernible manner. That is, the conversion of the excess car spaces to storage or plant rooms which are not included in the GFA calculation would bring FSR into compliance without any change to the proposed building form or footprint.

Accordingly, the non-compliant FSR does not prevent the proposed built form and density from being compatible with the size of the land to be developed, its environmental constraints and its contextual relationship. This objective is achieved notwithstanding the non-compliant FSR proposed.

- (b) *to provide for floor space ratios compatible with a range of uses,*

Response: For the reasons previously outlined this objective is achieved notwithstanding the non-compliant FSR proposed.

- (c) *to ensure that development density is appropriate for the scale of the different centres within Ku-ring-gai,*

Response: For the reasons previously outlined this objective is achieved notwithstanding the non-compliant FSR proposed.

- (d) *to ensure that development density provides a balanced mix of uses in buildings in the employment and mixed use zones.*

Response: N/A

Having regard to the above, the non-compliant component of the building will achieve the objectives of the standard to at least an equal degree as a development compliant with the standard. Given the developments consistency with the objectives of the FSR standard strict compliance has been found to be both unreasonable and unnecessary under the circumstances.

4.3 Clause 4.6(4)(b) – Are there sufficient environmental planning grounds to justify contravening the development standard?

In Initial Action the Court found at [23]-[24] that:

As to the second matter required by cl 4.6(3)(b), the grounds relied on by the applicant in the written request under cl 4.6 must be “environmental planning grounds” by their nature: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [26]. The adjectival phrase “environmental planning” is not defined, but would refer to grounds that relate to the subject matter, scope and purpose of the EPA Act, including the objects in s 1.3 of the EPA Act.

The environmental planning grounds relied on in the written request under cl 4.6 must be “sufficient”. There are two respects in which the written request needs to be “sufficient”. First, the environmental planning grounds advanced in the written request must be sufficient “to justify contravening the development standard”. The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds.

The environmental planning grounds advanced in the written request must justify the contravention of the development standard, not simply promote the benefits of carrying out the development as a whole: see Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248 at [15].

Second, the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [31].

Sufficient environmental planning grounds

Ground 1 - Minor nature of breach and absence of impact

The FSR non-compliance is appropriately described both quantitatively and qualitatively as minor. I am satisfied that the FSR breaching floor space does not contribute to building height, bulk or scale. The above ground floor space is compliant with the FSR standard and accordingly the building will be compatible with the desired future character of the precinct as anticipated by the Chapter 5 TOD provisions of SEPP Housing.

I am also satisfied that the building height breaching elements will not give rise to any streetscape or residential amenity impacts. Consistent with the findings of Commissioner Walsh in *Eather v Randwick City Council* [2021] NSWLEC 1075 and Commissioner Grey in *Petrovic v Randwick City Council* [2021] NSW LEC 1242, the particularly small departure from the actual numerical standard and absence of impacts consequential of the departure constitute environmental planning grounds, as it promotes the good design and amenity of the development in accordance with the objects of the EP&A Act.

Ground 2 – Aims of Chapter 5 SEPP Housing

The non-compliant FSR is located within Basement 3 which is subterranean in nature and accordingly the non-compliance does not contribute to the bulk and scale of the development in any discernible manner. Accordingly, the FSR non-compliance does not compromise the development's ability to achieve the aims of the Chapter noting that the additional car parking will contribute to the amenity of the apartments benefiting from the car parking spaces.

Notwithstanding the FSR non-compliance the aims of the Chapter are achieved.

Ground 3 - Objectives of the Environmental Planning and Assessment Act 1979

Approval of the variation to the FSR standard will enable the development to achieve the habitable FSR anticipated by the TOD provisions and in doing so promote the orderly and economic use and development of the land consistent with objective 1.3(c) of the Act.

Approval of the FSR variation will promote the delivery of affordable housing consistent with objective 1.3(d) of the Act.

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

5.0 Conclusion

Pursuant to clause 4.6(4)(a), the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) being:

- (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.*

As such, I have formed the considered opinion that there is no statutory or environmental planning impediment to the granting of an FSR variation in this instance.

Boston Blyth Fleming Pty Limited



Greg Boston
B Urb & Reg Plan (UNE) MPIA
Director

11.9.25