



Land and Environment Court New South Wales

Medium Neutral Citation:

**Place Studio Au Pty Ltd v Ku-ring-gai Council [2026]
NSWLEC 1336**

Hearing dates:

Conciliation Conference 22 May 2026

Date of orders:

05 June 2026

Decision date:

05 June 2026

Jurisdiction:

Class 1

Before:

Targett C

Decision:

The Court orders that:

- (1) The appeal is upheld.
- (2) Development consent is granted to Development Application eDA0189/25 for demolition of the existing dwellings and construction of a seven-storey residential flat building containing 39 apartments over three levels of basement parking at 7-11 Pockley Avenue, Roseville, subject to the conditions contained at Annexure A.
- (3) The applicant is to pay the respondent's costs thrown away pursuant to s 8.15(3) of the *Environmental Planning and Assessment Act 1979* (NSW) in the agreed amount of \$24,000 payable within 28 days of the orders being made.

Catchwords:

APPEAL – Development application - residential flat building - conciliation conference – agreement between the parties - orders

Legislation Cited:

Biodiversity Conservation Act 2016 (NSW), Pt 7, ss 6.12, 6.15, 7.2, 7.7, 7.13
Environmental Planning and Assessment Act 1979 (NSW), ss 4.15, 8.7, 8.10, 8.11, 8.15
Land and Environment Court Act 1979 (NSW), ss 17, 34

Environmental Planning and Assessment Regulation 2021 (NSW), s 38

Ku-ring-gai Local Environmental Plan 2015 cl 1.8A, 4.6, 5.21, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6
State Environmental Planning Policy (Biodiversity and Conservation) 2021, Ch 6, Pt 6.2, Div 2, ss 6.6, 6.7, 6.8, 6.9, 6.10
State Environmental Planning Policy (Housing) 2021, Ch 5, ss 144, 145, 147, 148, 150, 152, 154, 155, 156, 157, 158, 159, 161, Sch 9
State Environmental Planning Policy (Resilience and Hazards) 2021

Texts Cited: NSW Government, Apartment Design Guidelines (July 2015)
Ku-ring-gai Development Control Plan 2015

Category: Principal judgment

Parties: Place Studio Au Pty Ltd (Applicant)
Ku-ring-gai Council (Respondent)

Representation: Counsel:
S Siv (Solicitor) (Applicant)
K Ng (Solicitor) (Respondent)

Solicitors:
Mills Oakley (Applicant)
Sparkes Helmore Lawyers (Respondent)

File Number(s): 2025/388660

Publication restriction: Nil

JUDGMENT

COMMISSIONER:

Introduction

- 1 This is a Class 1 Development Appeal pursuant to s 8.7 of the *Environmental Planning and Assessment Act 1979* (NSW) (EPA Act) by the applicant against the respondent's deemed refusal of the applicant's development application No eDA0189/25 (Development Application). The Development Application sought consent for the demolition of all existing dwellings, consolidation of lots and construction of a seven-storey residential flat building containing 42 units, and basement parking on land identified as Lot 23 in DP 652725, Lot 22 in DP 8261 and Lot 1 in DP 960352, known as 7-11 Pockley Avenue, Roseville (Subject Land).
- 2 The Court has power to dispose of these proceedings under its Class 1 jurisdiction pursuant to s 17(d) of the *Land and Environment Court Act 1979* (NSW) (LEC Act).

Background

- 3 The Development Application was lodged with the respondent on 11 April 2025.
- 4 The Development Application was notified between 22 May and 23 June 2025 in accordance with the Ku-ring-gai Community Participation Plan. Ten submissions were received objecting to the proposal.
- 5 On 9 October 2025, the proceedings were commenced in relation to the deemed refusal of the Development Application, being within the appeal period prescribed by ss 8.10 and 8.11 of the EPA Act.
- 6 Given that the Development Application met the regionally significant capital investment value threshold of >\$30 million, the Sydney North Planning Panel (SNPP) was the determining authority for the Development Application.
- 7 The Court arranged a conciliation conference under s 34 of LEC Act between the parties, which was terminated on 12 May 2026.
- 8 Following the conciliation process, the parties reached agreement as to the terms of a decision in the proceedings that would be acceptable to the parties and requested that the matter be listed for a further s 34 conference. This request was granted and another s 34 conciliation conference listed on 22 May 2026. I presided over this conciliation conference.
- 9 The decision agreed upon is for the grant of consent to the Development Application, in an amended form, subject to conditions of consent (Amended Development Application). The amendments include:
- (1) Increase in ground floor level to reduce the excavation required for the basement resulting in an increase of the height of the building to 29.7m, supported by an amended clause 4.6 variation request.
 - (2) Privacy screening to private open spaces and glazing along the eastern façade to maintain privacy requirements, while optimising solar amenity.
 - (3) Increase in the landscaping and deep soil amenity through a reduction in site coverage (see DA.05.50). The reduction in site coverage provides a total deep soil area equivalent to the 50% minimum required under the Ku-ring-gai Development Control Plan 2015 (KDCP).
 - (4) Amended solar access model to show the potential development envelopes for neighbouring sites similarly mapped as Transport Oriented Development (TOD) in the 'sun-eye view' diagrams. The revised documentation DA.05.11 - DA.05.17 demonstrates adequate potential for neighbouring TOD sites to achieve Apartment Design Guide (ADG) compliant solar access.
 - (5) Outdoor clothes drying has been provided in the revised design as demonstrated in DA.01.04.1.
- 10 Under s 34(3) of the LEC Act, I must dispose of the proceedings in accordance with the parties' decision if the parties' decision is a decision that the Court could have made in

the proper exercise of its functions.

Jurisdictional considerations

- 11 As the presiding Commissioner, I am satisfied that the decision is one that the Court can make in the proper exercise of its functions (this being the test applied by s 34(3) of the LEC Act). I form this state of satisfaction for the reasons that follow.

Owners consent

- 12 The registered proprietors of the Subject Land provided their consent to the Development Application when it was lodged with the respondent (Class 1 Application, tab 1).

Biodiversity Conservation Act 2016

- 13 Section 7.7(2) of the *Biodiversity Conservation Act 2016* (NSW) (BC Act) relevantly provides that if proposed development is likely to significantly affect threatened species, the application is to be accompanied by a biodiversity development assessment report (BDAR). Section 7.2 of the BC Act provides a series of triggers for when a proposed development is deemed “likely to significant affect threatened species”.
- 14 The parties agree that the proposed development is likely to significantly affect threatened species for the purposes of Pt 7 of the BC Act because native vegetation is proposed to be cleared on land included on the Biodiversity Values Map.
- 15 A Biodiversity Development Assessment Report (BDAR) prepared by Keystone Ecological dated 25 February 2026 forms part of the Amended Development Application under s 7.7(2) of the BC Act. The BDAR:
- (1) was prepared by a suitably accredited person for the purposes of the BC Act who has certified that the report has been prepared on the basis of the requirements of (and information provided under) the biodiversity assessment method as of 25 February 2026 (being the date the BDAR was prepared) as required by s 6.15 of the BC Act;
 - (2) sets out in Sections 3 and 4 the biodiversity values of the land the subject of the proposed development as required by s 6.12(a) of the BC Act;
 - (3) sets out in Section 7 the impact of the proposed development on the biodiversity values of the land as required by s 6.12(b) of the BC Act;
 - (4) sets out in Section 6 the measures that the proponent of the proposed development proposes to take to avoid or minimise the impacts of the proposed development on biodiversity values as required by s 6.12(c) of the BC Act; and
 - (5) concludes that a total of one ecosystem credit is required to offset the impacts of the proposed development on Plant Community Type 3136 Blue Gum High Forest as required by s 6.12(d) of the BC Act. Condition 3 of the Agreed

Conditions requires the credits to be retired as required by s 7.13(3) of the BC Act.

- 16 Pursuant to s 7.13(2) of the BC Act, the consent authority is to relevantly take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR that relates to the application. In determining the Amended Development Application, I confirm that I have considered the likely impact of the proposed development on biodiversity values as assessed in the BDAR.

State Environmental Planning Policy (Sustainable Buildings) 2022

- 17 The Amended Development Application is accompanied by BASIX certificate No. 1789842M_04 dated 12 May 2026, prepared by Gradwell Consulting.

State Environmental Planning Policy (Resilience and Hazards) 2021

- 18 I accept the parties' submission that the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 have been considered and the Subject Land is suitable to accommodate the development the subject of the Amended Development Application. This is primarily because of the Subject Land's longstanding history of residential use with no known history of potentially contaminating uses or events (see Amended Statement of Environmental Effects prepared by Sutherland & Associates Planning dated March 2026 (SEE), p 25).

State Environmental Planning Policy (Biodiversity and Conservation) 2021

- 19 Chapter 6 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP) applies to the Amended Development Application as the Subject Land is located in the "Sydney Harbour Catchment". The following documents provide supporting information for consideration of this development under general controls for development in this catchment set out in Pt 6.2, Div 2:

- (1) Amended Stormwater Plans by Telford Civil Consulting Civil & Stormwater Engineers (Telford Engineers) dated 24 March 2026 (Stormwater Plans); and
- (2) Amended Flood Impact Assessment Report prepared by Telford Engineers dated 26 February 2026 (Flood Impact Assessment);
- (3) Design Engineer's Certificate prepared by Telford Engineers dated 22 January 2026 (Engineer Certificate);
- (4) DRAINS modelling prepared by Telford Engineers dated March 2026 (DRAINS Model); and
- (5) Agreed conditions of consent.

- 20 Having regard to the above, the parties submit, and I accept that:

- (1) The effect on the quality of water entering a natural waterbody will be neutral,

and the impact on water flow in a natural waterbody will be minimised (s 6.6).

- (2) The proposed development keeps to a minimum any direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation or wetlands; will not have a direct, direct of cumulative impact on aquatic reserves; and minimises the erosion of land abutting a natural waterbody or the sedimentation of a natural waterbody (s 6.7).
- (3) The development is very unlikely to have any impact on periodic flooding that benefits wetlands and other riverine ecosystems and in the event of flood (s 6.8).
- (4) The development is not likely to have any impact on recreation and public access (s 6.9) nor downstream local government areas (s 6.10).

21 The relevant requirements of Pt 6.2 of the BC SEPP are therefore satisfied in respect of the Amended Development Application.

- 22 The parties agree that Ch 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) applies to the Amended Development Application as the proposed development relates to residential apartment development under s 144 of the Housing SEPP.
- 23 Section 145(2) of the Housing SEPP requires the consent authority to refer the application to the design review panel for the local government area in which the development will be carried out for advice on the quality of the design of the development. The parties confirm that a design review panel does not exist in the Ku-ring-gai local government area.
- 24 Section 147 of the Housing SEPP requires the consent authority to have considered the matters listed in s 147(1) of the Housing SEPP (which includes the ADG) before granting consent.
- 25 The parties agree, and I accept, that the Amended Development Application is satisfactory in light of the principles set out in Sch 9 of the Housing SEPP and the ADG, having regard to the:
- (1) Amended Architectural Plans prepared by Place Studio dated 28 April 2026;
 - (2) Amended Design Verification Statement (Design Verification Statement) and ADG Compliance Table prepared by Place Studios dated 20 February 2026; and
 - (3) SEE (pp 26-30).
- 26 Section 148 of the Housing SEPP sets out development standards that, if complied with, prevent the consent authority from requiring more onerous standards. The parties agree, and I accept, that the proposal complies with these minimum standards.
- 27 Chapter 5 of the Housing SEPP applies to the Amended Development Application as the Subject Land is located within the Ku-ring-gai local government area for the purposes of s 152 of the Housing SEPP.
- 28 The Subject Land is zoned R2 Low Density Residential under the Ku-ring-gai Local Environmental Plan 2015 (KLEP) and is therefore within a “relevant residential zone” for the purposes of s 154 of the Housing SEPP. This means that residential flat buildings are permissible within the R2 zone having regard to s 154(1) of the Housing SEPP.
- 29 Pursuant to s 155(2) of the Housing SEPP relating to maximum building height and maximum floor space ratio (FSR), the Subject Land is subject to a maximum FSR of 2.5:1 (FSR Standard) and a maximum height of 22m (Height Standard). The parties agree that the proposal seeks consent for a maximum:
- (1) FSR of 2.02:1 and therefore complies with the FSR Standard; and
 - (2) building height of 29.7m and therefore does not comply with the Height

Standard.

- 30 The Amended Development Application is accompanied by a request under cl 4.6 of the KLEP prepared by Sutherland & Associates Planning dated March 2026 (Height Request).
- 31 The Height Request provides a detailed assessment of the Amended Development Application's compliance with the matters raised in cl 4.6(3) of the KLEP and concludes that:
- (1) Compliance with the Height Standard is unreasonable or unnecessary in the circumstances because the Amended Development Application is consistent with the objectives of Ch 5 of the Housing SEPP as set out in s 150 of the Housing SEPP, notwithstanding the non-compliance.
 - (2) There are sufficient environmental planning grounds to justify the contravention because:
 - (a) Eliminating the components of the proposal which breach the Height Standard will not result in a better planning outcome (when compared to a strictly compliant development).
 - (b) The proposal still presents as nine storeys to the adjacent street and achieves an appropriate contextual fit which will be compatible with the future desired character of the area.
 - (c) Having regard to the increased building height control under the new R4 High Residential zone which now applies to the Subject Land, the proposed areas of variation for the height do not result in any unreasonable impact to adjacent properties.
- 32 The Height Request demonstrates that compliance with the Height Standard is unreasonable or unnecessary in the circumstances and there are sufficient environmental planning grounds to justify the contravention of the Height Standard in accordance with the requirements under cl 4.6(3) of the KLEP.
- 33 Pursuant to s 156 of the Housing SEPP relating to affordable housing, development consent cannot relevantly be granted to residential flat buildings if the building has a gross floor area of at least 2000m² unless the consent authority is satisfied of the matters set out in s 156(2). The parties agree, and I accept, that:
- (1) the proposed development seeks consent for more than 2% of the gross floor area to be used for affordable housing; and
 - (2) the affordable housing will be managed by a registered community housing provider in perpetuity by virtue of condition 122 of the Agreed Conditions.
- 34 Pursuant to s 157 of the Housing SEPP relating to affordable housing parking spaces, the proposed development must provide a specified number of parking spaces for each affordable housing dwelling. The parties agree, and I accept that, the proposed

development seeks consent for two, two-bedroom affordable housing units and has provided the required number of parking spaces (being 1 parking space).

- 35 Pursuant to s 158 of the Housing SEPP relating to exception to minimum lot size, although the KLEP prescribes a minimum lot size of 1,200m² for residential flat buildings, development consent may still be granted to the proposal by virtue of s 158(2) of the Housing SEPP.
- 36 Pursuant to s 159 of the Housing SEPP relating to minimum lot width, the parties agree and I accept that the proposal complies with this provision.
- 37 Pursuant to s 161 of the Housing SEPP relating to consideration of ADG, the consent authority must consider the ADG. As set out above, the ADG has been considered having regard to the ADG Compliance Table and SEE (pp 26-30).

Ku-ring-gai Local Environmental Plan 2015

- 38 On 14 November 2025, State Environmental Planning Policy Amendment (Ku-ring-gai Station Precincts) 2025 (KRG Precincts SEPP) was gazetted and made a series of amendments to the KLEP, including to rezone the Subject Land R4 High Density Residential. Pursuant to cl 1.8A(2) of the KLEP, as the Development Application was lodged prior to the commencement of the KRG Precincts SEPP, it must be determined as if that policy had not commenced and therefore in accordance with the controls in Ch 5 of the Housing SEPP.
- 39 As at the date the Development Application was lodged, the Site was zoned R2 Low Density Residential under the KLEP. Development for the purpose of residential flat buildings is permissible with consent in the R2 zone by operation of s 154(1) of the Housing SEPP. I have had regard to the zone objectives which are extracted below:
- To provide for the housing needs of the community within a low density residential environment.
 - To enable other land uses that provide facilities or services to meet the day to day needs of residents.

- To provide for housing that is compatible with the existing environmental and built character of Ku-ring-gai.

- 40 As set out at [29] above, the Height Standard and FSR Standard applying to the Subject Land are provided in s 155 of the Housing SEPP and prevail to the extent of any inconsistency with the provisions in the KLEP.
- 41 Pursuant to cl 5.21 of the KLEP relating to flood planning, the Subject Land is identified as being within a flood planning area and therefore development consent must not be granted unless the consent authority is satisfied of the matters in cl 5.21(2) and has considered the matters in cl 5.21(3). The Amended Development Application is accompanied by the following documents (Flood Documents):
- (1) Stormwater Plans;
 - (2) Flood Impact Assessment;
 - (3) Engineer Certificate; and
 - (4) DRAINS Model.
- 42 Having regard to the Flood Documents, SEE (pp 36-37) and Agreed Conditions, the parties agree, and I accept, that the matters in cl 5.21(2) and (3) have been satisfied and considered, respectively.
- 43 Pursuant to cl 6.1 of the KLEP, the Subject Land is mapped as being affected by Class 5 Acid Sulfate Soils (ASS). As the Subject Land is not located within 500m of Class 1-4 land that is below 5 metres Australian Height Datum and will not lower the water table, the parties submit, and I accept, that an ASS management plan is not required in accordance with cl 6.1(2) of the KLEP and the Subject Land is suitable for the proposed development (see also SEE, p 37).
- 44 Pursuant to cl 6.2 of the KLEP relating to earthworks, the consent authority must consider the matters in cl 6.2(3). Having regard to the Geotechnical Report prepared by CEC Geotechnical dated 21 January 2026 (Geotech Report), Stormwater Plans, Flood Impact Assessment Report, SEE (p 38) and Agreed Conditions, the parties agree, and I accept that the matters in cl 6.2(3) of the KLEP have been considered.
- 45 Pursuant to cl 6.3 of the KLEP, part of the Subject Land is identified as "Biodiversity" on the Terrestrial Biodiversity Map. Clause 6.3(3) requires the consent authority to consider specified matters and cl 6.3(4) requires the consent authority to be satisfied of specified matters prior to granting consent. The matters in cl 6.3 of the KLEP are addressed in the BDAR and SEE (pp 38-42). Having regard to the BDAR, SEE and Agreed Conditions, the parties agree and I accept that the relevant matters under cl 6.3 of the KLEP have been considered and satisfied.
- 46 Pursuant to cl 6.4 of the KLEP relating to riparian land and adjoining waterways, part of the Subject Land is identified on the Riparian Lands and Watercourses Map. Clause 6.4(3) requires the consent authority to consider specified matters and cl 6.4(4) requires the consent authority to be satisfied of specified matters prior to granting

consent. The matters in cl 6.4 of the KLEP are addressed in the SEE (p 42). The parties agree, and I accept that the matters in cl 6.4 of the KLEP have been considered and satisfied.

47 Pursuant to cl 6.5(2) of the KLEP relating to stormwater and water sensitive urban design, a consent authority must be satisfied of specified matters before granting development consent. Clause 6.5 of the KLEP is addressed in the SEE (p 42), and Flood Documents. The parties submit, and I accept that, having regard to the SEE and Flood Documents, the matters in cl 6.5(2) of the KLEP are satisfied.

48 Pursuant to cl 6.6 of the KLEP relating to requirements for multi dwelling housing and residential flat buildings, development consent must not be granted for the erection of multi-dwelling housing on a lot in a residential zone unless, relevantly, the lot has an area of at least 1,200m² and complies with specified minimum dimensions. The parties submit, and I accept, that this provision is superseded by s 158 of the Housing SEE (see [35] above).

Ku-ring-gai Development Control Plan 2015

49 The SEE considers the provisions of the Ku-ring-gai Development Control Plan 2015 (KDCP) that are of relevance to the proposal (see pp 43-50).

Remaining matters in s 4.15(1) of the EPA Act

50 The parties agree that the matters set out in s 4.15(1)(b), (c), and (e) of the EPA Act have been considered (see pp 51-54 of the SEE), the Subject Land is suitable for the proposed development, and the Amended Development Application is in the public interest.

51 In respect of s 4.15(1)(d) of the EPA Act, the Development Application was notified between 22 May and 23 June 2025 in accordance with the Ku-ring-gai Community Participation Plan. Ten submissions were received objecting to the proposal, raising concerns including:

- (1) overshadowing and solar access;
- (2) overlooking and privacy impacts;
- (3) excessive height and scale which is inconsistent with the existing low density of

the area;

- (4) traffic impacts;
- (5) increased bushfire risk;
- (6) overdevelopment;
- (7) streetscape impacts;
- (8) encroachment on wildlife corridor;
- (9) drainage impacts; and
- (10) social fabric impacts.

52 The Amended Development Application was notified from 27 March to 9 April 2026. One submission was received objecting to the amended proposal raising concerns regarding height, loss of sunlight, increased traffic and geotechnical impacts.

53 I am satisfied that the written submissions received have been taken into consideration in the assessment and determination of the Amended Development Application.

Conclusion

54 As the parties' decision is a decision that the Court could have made in the proper exercise of its functions, I am required under s 34(3) of the LEC Act to dispose of the proceedings in accordance with the parties' decision.

55 In making the orders to give effect to the agreement between the parties, I was not required to, and have not, made any merit assessment of the issues that were originally in dispute between the parties.

56 The Court notes that the respondent, as the relevant consent authority, has approved under s 38 of the Environmental Planning and Assessment Regulation 2021 (NSW), to the applicant amending Development Application eDA0189/25 to rely on the documents listed below:

Amended Architectural Plans				
Plan name	Drawing ref	Revision	Date	Prepared by
Cover sheet	DA.00.00	F	21.04.2026	Place Studio Pty Ltd
Development summary	DA.00.01	F	21.04.2026	Place Studio Pty Ltd
Site analysis	DA.00.02	F	21.04.2026	Place Studio Pty Ltd

Site plan	DA.00.03	F	21.04.2026	Place Studio Pty Ltd
Location plan	DA.00.04	F	21.04.2026	Place Studio Pty Ltd
Survey	DA.00.05	F	21.04.2026	Place Studio Pty Ltd
Demolition plan	DA.00.06	G	28.04.2026	Place Studio Pty Ltd
Arborist analysis	DA.00.07	G	28.04.2026	Place Studio Pty Ltd
Environmental site management plan	DA.00.09	G	28.04.2026	Place Studio Pty Ltd
Surrounding development	DA.00.10	E	21.04.2026	Place Studio Pty Ltd
Basement 3	DA.01.01	G	28.04.2026	Place Studio Pty Ltd
Basement 2	DA.01.02	G	28.04.2026	Place Studio Pty Ltd
Basement 1	DA.01.03	G	28.04.2026	Place Studio Pty Ltd
Ground level – survey overlay	DA.01.04.1	G	28.04.2026	Place Studio Pty Ltd
Ground level	DA.01.04	G	28.04.2026	Place Studio Pty Ltd
Level 01	DA.01.05	G	28.04.2026	Place Studio Pty Ltd
Level 02	DA.01.06	G	28.04.2026	Place Studio Pty Ltd

Level 03	DA.01.07	G	28.04.2026	Place Studio Pty Ltd
Level 04	DA.01.08	G	28.04.2026	Place Studio Pty Ltd
Level 05	DA.01.09	G	28.04.2026	Place Studio Pty Ltd
Level 06	DA.01.10	G	28.04.2026	Place Studio Pty Ltd
Level 07	DA.01.11	G	28.04.2026	Place Studio Pty Ltd
Level 08	DA.01.12	G	28.04.2026	Place Studio Pty Ltd
Level roof – survey overlay	DA.01.14.1	G	28.04.2026	Place Studio Pty Ltd
Level roof	DA.01.14	G	28.04.2026	Place Studio Pty Ltd
North-south elevations	DA.02.00	G	28.04.2026	Place Studio Pty Ltd
East-west elevations	DA.02.01	G	28.04.2026	Place Studio Pty Ltd
Sections – Sheet 1	DA.03.00	G	28.04.2026	Place Studio Pty Ltd
Sections – Sheet 2	DA.03.01	C	28.04.2026	Place Studio Pty Ltd
Sections – Sheet 3	DA.03.02	G	28.04.2026	Place Studio Pty Ltd
Driveway	DA.03.03	G	28.04.2026	Place Studio Pty Ltd

Subterranean sections	DA.03.04	F	28.04.2026	Place Studio Pty Ltd
Landscape sections	DA.03.05	E	28.04.2026	Place Studio Pty Ltd
Shadow diagrams	DA.05.00	F	21.04.2026	Place Studio Pty Ltd
Shadow diagrams	DA.05.01	F	21.04.2026	Place Studio Pty Ltd
Solar compliance diagrams	DA.05.10	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_9am	DA.05.11	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_10am	DA.05.12	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_11am	DA.05.13	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_12pm	DA.05.14	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_1pm	DA.05.15	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_2pm	DA.05.16	F	21.04.2026	Place Studio Pty Ltd
Sun eye view_3pm	DA.05.17	F	21.04.2026	Place Studio Pty Ltd
Cross-vent compliance diagrams	DA.05.20	F	21.04.2026	Place Studio Pty Ltd
GFA diagrams	DA.05.30	F	21.04.2026	Place Studio Pty Ltd

GFA affordable	DA.05.31	F	21.04.2026	Place Studio Pty Ltd
Adaptable layout	DA.05.40	F	21.04.2026	Place Studio Pty Ltd
Deep soil and site coverage	DA.05.50	F	21.04.2026	Place Studio Pty Ltd
Communal open space	DA.05.60	F	21.04.2026	Place Studio Pty Ltd
Storage	DA.05.70	E	21.04.2026	Place Studio Pty Ltd
Height plane diagram	DA.05.80	F	21.04.2026	Place Studio Pty Ltd
Storey calculation diagram	DA.05.82	C	21.04.2026	Place Studio Pty Ltd

Amended Landscaping Plans

Plan name	Drawing Ref	Revision	Date	Prepared by
Title Page	L000	D	20.04.2026	Place Landscape
Existing Trees	L001	D	20.04.2026	Place Landscape
Full Site Plan	L002	D	20.04.2026	Place Landscape
Landscape Finishes Ground Floor	L003	D	20.04.2026	Place Landscape
Landscape Finishes First Floor	L004	D	20.04.2026	Place Landscape
Planting Plan Ground Floor	L005	D	20.04.2026	Place Landscape

Planting Plan First Floor	L006	D	20.04.2026	Place Landscape
Level 2	L007	D	20.04.2026	Place Landscape
Level 3	L008	D	20.04.2026	Place Landscape
Level 4	L009	D	20.04.2026	Place Landscape
Level 5	L010	D	20.04.2026	Place Landscape
Level 6	L011	D	20.04.2026	Place Landscape
Level 7	L012	D	20.04.2026	Place Landscape
Level 8	L013	D	20.04.2026	Place Landscape
Planting Section	L014	D	20.04.2026	Place Landscape
Amended Civil Plans				
Plan name	Drawing Ref	Revision	Date	Prepared by
General Notes, Locality Plan & Drawing Schedule	C000	E	19.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Civil Works Layout Plan	C101	E	19.03.2026	Telford Civil Consulting Civil & Stormwater Engineers

Driveway Profile - Longitudinal Sections	C201	B	18.02.2026	Telford Civil Consulting Civil & Stormwater Engineers
Pockley Avenue - Longitudinal Section Sheet 1	C301	C	02.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Pockley Avenue - Longitudinal Section Sheet 2	C302	B	02.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Pockley Avenue - Cross Sections	C401	C	02.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Typical Cross Sections	C501	B	18.02.2026	Telford Civil Consulting Civil & Stormwater Engineers
Construction Notes and Details Sheet	C601	B	04.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Stormwater Longitudinal Section	C701	A	04.03.2026	Telford Civil Consulting Civil & Stormwater Engineers

Amended Stormwater Plans

Plan name	Drawing Ref	Revision	Date	Prepared by
Cover sheet plan	000	C	23.02.2026	Telford Civil Consulting Civil & Stormwater Engineers

Stormwater concept plan basement 3 sheet 1 of 2	101	E	24.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Stormwater concept plan basement 3 sheet 2 of 2	102	D	26.02.2026	Telford Civil Consulting Civil & Stormwater Engineers
Stormwater concept plan basement 2	103	E	24.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Stormwater concept plan basement 1	104	E	24.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Stormwater concept plan ground level	105	F	24.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
Stormwater concept plan ground level 01	106	F	24.03.2026	Telford Civil Consulting Civil & Stormwater Engineers
On-site detention details and calculations	107	D	26.02.2026	Telford Civil Consulting Civil & Stormwater Engineers
Catchment plan and music results	108	C	23.02.2026	Telford Civil Consulting Civil & Stormwater Engineers

Soil & Water management /sediment & erosion control plan & details sheet 1 of 2	109	C	26.01.2026	Telford Civil Consulting Civil & Stormwater Engineers
Soil & Water management /sediment & erosion control plan & details sheet 2 of 2	110	B	23.01.2026	Telford Civil Consulting Civil & Stormwater Engineers
Miscellaneous details sheet	111	C	23.02.2026	Telford Civil Consulting Civil & Stormwater Engineers

Reports

Report name	Ref	Revision	Date	Prepared by
Proposed Design Amendments & Schedule of Changes Covering Letter	eDA0189/25	N/A	28.04.2026	Place Studio Pty Ltd
Schedule of Changes	N/A	N/A	28.04.2026	Place Studio Pty Ltd
Amended Revised Traffic & Parking Assessment Report	25016	V4	29.04.2026	CJP Consulting Engineers
Amended Arboricultural Impact Assessment Report	N/A	N/A	27.03.2026	Jacksons Nature Works
Amended Statement of Environmental Effects	N/A	N/A	March 2026	Sutherland & Associates Planning

Amended Clause 4.6 – Building Height Development Standard	N/A	N/A	March 2026	Sutherland & Associates Planning
Design Engineer's Certificate – Minimum Floor Level Compliance	TEL25035	N/A	22.01.2026	Telford Civil Consulting Civil & Stormwater Engineers
Amended Noise Impact Assessment	N/A	002	12.09.2025	E-Lab Consulting
Amended Geotechnical Investigation Report	GR25272	N/A	21.01.2026	CEC Geotechnical
Urban Design Study For 7-11 Pockley Avenue, Roseville	25-085-1	N/A	February 2026	Dickson Rothschild
Amended Flood Impact Assessment	TEL25035	C	26.02.2026	Telford Civil Consulting Civil & Stormwater Engineers
Amended Biodiversity Development Assessment Report Small Areas Assessment	KMC 25-1289	1.2	25.02.2026	Keystone Ecological
Amended Design verification Statement and Apartment Design Guide	N/A	N/A	20.02.2026	Place Studio Pty Ltd

Amended BASIX certificate	Certificate number: 1789842M_04	N/A	12.05.2026	Gradwell Consulting
Amended NatHERS Certificate	No. #HR-E72F5Z-011	N/A	8.05.2026	Gradwell Consulting
Assessor Construction Summary	File Ref: SP66a	N/A	8.05.2026	Gradwell Consulting

57 The above documents were provided to the Court on 21 May 2026.

Orders

58 The Court orders that:

- (1) The appeal is upheld.
- (2) Development consent is granted to Development Application eDA0189/25 for demolition of the existing dwellings and construction of a seven-storey residential flat building containing 39 apartments over three levels of basement parking at 7-11 Pockley Avenue, Roseville, subject to the conditions contained at Annexure A.
- (3) The applicant is to pay the respondent's costs thrown away pursuant to s 8.15(3) of the *Environmental Planning and Assessment Act 1979* (NSW) in the agreed amount of \$24,000 payable within 28 days of the orders being made.

N Targett

Commissioner of the Court

Annexure A (483 KB, pdf)

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Decision last updated: 05 June 2026