

Waverley Council

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11 June 2013

A meeting of the **COUNCIL** will be held at the Waverley Council Chambers, Bondi Road, Bondi Junction, at:

12.30PM, SATURDAY, 15 JUNE 2013

QUORUM: Seven Councillors.

APOLOGIES: Fax or e-mail the General Manager or Governance and Administration Manager.

Late notice by phone, email or through a Councillor attending the meeting.

A handwritten signature in black ink that reads "Anthony Reed". The signature is written in a cursive style with a large, sweeping flourish at the end.

Tony Reed
GENERAL MANAGER

AGENDA

D-1306.O OPENING PRAYER & ACKNOWLEDGMENT OF INDIGENOUS HERITAGE

The Mayor will read the following Opening Prayer and Acknowledgment of Indigenous Heritage.

“God we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government area.”

I-1306.A LEAVES OF ABSENCE AND APOLOGIES

I-1306.DI DECLARATIONS OF INTEREST

I-1306.1 GENERAL BUSINESS

There are no items of General Business for consideration.

I-1306.2 INSPECTIONS

I-1306.2.1 PAGE 4 130 Ramsgate Avenue, Bondi Beach – Demolish existing dwelling and construct new part two to part three storey dwelling with basement parking, roof terrace and pool (DA 402/2012)

This matter was last considered at the Development Control Committee meeting held on 28 May 2013. At that meeting the Committee decided to defer the DA to this meeting and that the applicant erect height poles on each corner of the property in order to define the envelope of the subject site.

Report dated 15 May 2013 from the Development and Building Unit.

Recommendation: That the application be approved in accordance with the conditions contained in this report.

Note from the General Manager: Rescission motions must be submitted to the General Manager or, in the absence of the General Manager, a member of Council's Governance Unit and announced before the close of the meeting. The date and time of receipt will be noted on all rescission motions.

Rescission motions received before 10am on the next working day following the meeting will stay action to implement Council's decision until the rescission motion has been determined. This is in line with section 372 of the Local Government Act and Council's Code of Meeting Practice.

Rescission motions received after 10am on the next working day following the meeting may not stay action on implementing Council's decision.

Rescission motions will generally be dealt with at the next Council meeting.

The Chair will call for the submission of any rescission motions.

130 Ramsgate Avenue, Bondi Beach – Demolish existing dwelling and construct new part two to part three storey dwelling with basement parking, roof terrace and pool (DA 402/2012)

Report dated 15 May 2013 from the Development and Building Unit.

Recommendation: That the application be approved in accordance with the conditions contained in this report.

Saved by Cr Kanak, seconded by Cr Wakefield for reasons of DCP compliance, sandstone / excavation, amenity impacts, and public interest

Development Assessment Report Of Dwelling	
Development Application No.	DA 402 /2012
Address	130 Ramsgate Avenue, Bondi Beach
Lodgement Date	14 September 2012 Amended Plans: 11 April 2013
Proposal	Demolish existing dwelling and construct new part two to part three storey dwelling with basement parking roof terrace and pool
Zoning and relevant controls	Zoning: Residential 2(b) under WLEP 1996 R3 Medium Density Residential under Draft WLEP 2011 Waverley Local Environmental Plan 2010 Draft Waverley Development Control Plan 2011
Owner	R Assouline
Applicant	R Assouline
Submissions	6 (six) Objections to amended plans
Issues	FSR, rear building line, setback, height, landscaping
Recommendation	Approval



1. PREAMBLE

1.1 The Site and its Locality

The site is situated on north-eastern side of Ramsgate Avenue, east of Campbell Parade. Its irregular shape provides a 10.36m width and street frontage with a depth up to 40.2m. This provides an area of 406.2m². The site slopes from south to north towards Ramsgate Avenue Street with 7m fall from the rear boundary.

Existing on the site is a single storey detached dwelling with a single garage accessed off Ramsgate Avenue. The front fence is constructed of sandstone and acts as a retaining wall to an elevated front yard.

Adjoining to the north-western side is a detached mixed-use building with ground level shops and unit dwellings above. A rooftop terrace also exists, providing communal open space and laundry facilities. Adjoining on the south-eastern side is a two storey detached dwelling.

Rear adjoining properties include two storey dwellings detached dwellings elevated above the subject site. The locality is characterised by a mix of detached dwellings, residential flat and mixed-use buildings.

1.2 Background

Council records indicate no recent applications are registered against the property.

A preliminary assessment of the initial proposal raised issues which required the design to be reconsidered. The application was deferred to address issues outlined below with subsequent meetings and amended plans received by Council on 11th April 2013. The amended scheme forms the basis of this assessment. The deferral issues were as follows:

1. *The proposed rear building line should provide a stepped design reflecting both adjoining buildings. This would provide less visual bulk at the rear, afford greater amenity to adjoining properties and increase opportunities for more landscaping. Refer to Section 5.2 – Size and Bulk, Section 5.3 – Setbacks and Section 5.8 – Landscaped Open Space, Part D1 of Development Control Plan 2010.*

Comment: The rear building line has increased by 1.55m from the rear boundary. This provides some stepping in rear building alignments and matches the existing dwelling.

2. *The north-western side setback should be increased to 1.5m, consistent with a three storey development. This would provide greater building separation resulting in better amenity to adjoining dwellings. Refer to Section 5.3 – Setbacks, Part D1 of Development Control Plan 2010.*

Comment: Sections of the third level have been setback 1.5m from the north-western side, improving visual bulk when viewed from residential unit dwellings at No.128. It was agreed the rear two storey portion could remain less than 1.5m along this side as there would be no overshadowing impacts. External pole elements to a central light-well have also been lowered in height. The amended scheme now provides acceptable setbacks.

3. *Covered roof access should be recessed within the building to reduce the overall height and decrease visual bulk. Refer to Section 5.1 – Building Height, Part D1 of Waverley Development Control Plan 2010.*

Comment: Covered roof access has been slightly lowered by 0.35m, reduced in width and changed to a light-weight material which includes glazing. The structure will still remain highly visible from adjoining properties and its removal would improve visual bulk.

- 4. The rooftop deck size should be reduced or deleted. This will maintain the amenity of surrounding residential properties. Refer to Section 5.6 – Privacy and Noise Controls, Part D1 of Waverley Development Control Plan 2010.*

Comment: The rooftop terrace was reduced in size to reflect that of a single residential dwelling. This provides a more acceptable scale.

- 5. The blade wall element within the front setback (along the north-western side elevation) should be reduced. This would provide greater amenity to adjoining dwellings and provide a more cohesive dwelling and streetscape design. Refer to Section 5.2 – Size and Bulk and Section 5.4 – Streetscape and Visual Impact, Part D1 of Waverley Development Control Plan 2010.*

Comment: The blade wall has been reduced in length. Spacing has been angled 45° to enable some line of sight between adjoining residential units and Bidigal Reserve.

Further discussion on all the above is provided later in the report.

1.3 Proposal Description

The proposal involves demolition of an existing dwelling and construction of a new part two to part-three storey dwelling with five bedrooms, basement parking, roof terrace and swimming pool. The proposal specifically includes:

Basement

- Vehicular turntable
- Dwelling entry
- Storage areas
- Plant room (with rainwater tank)
- Waste storage area

Lower Ground

- Three bedrooms
- Bathroom and laundry amenities
- Storage areas
- Rumpus area
- Courtyard (fronting Ramsgate Avenue)
- Pond (along western side)

Ground Level

- Combined kitchen and family area
- Combined living and dining area
- Elevated balcony (fronting Ramsgate Avenue)
- Rear courtyard and pool

First Floor Level

- Master bedroom with ensuite and robe
- Elevated balconies (front and rear)
- Study spare bedroom
- Laundry amenities

Rooftop

- Rooftop terrace with landscaping
- Stair access

Note: Lift and stair access is provided to all internal areas. Landscaping works are also proposed across the site.

2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under Section 79C of the Environmental Planning and Assessment Act 1979.

2.1 Section 79C(1)(a) Planning Instruments.

2.1.1 State Environmental Planning Policies (SEPP)

SEPP (BASIX) 2004

The proposed BASIX Certificate demonstrates compliance with State regulated energy efficiency and water conservation targets. The proposal is considered acceptable with regards to the SEPP (BASIX).

2.1.2 Waverley Local Environmental Plan 1996

The site is zoned Residential 2(b) under the Waverley LEP 1996. The proposal satisfies zone objectives by allowing for varied housing type to improve the characteristics of the locality. Issues relating to amenity have been discussed below.

Biddigal Reserve is situated directly opposite and included as a Beachfront Scenic Protection area. The proposal is not considered to detract from its significance. The site does not contain or adjoin a Heritage item, nor does it exist with a Heritage Conservation area.

The application has been assessed having regard to the relevant provisions of the LEP and is acceptable for the reasons discussed below.

2.1.2 Draft Waverley Comprehensive Local Environmental Plan 2011

The relevant provisions of the Draft LEP are detailed and addressed below.

This application was lodged when the Draft Waverley LEP 2011 was being exhibited. While it has since been adopted, consideration has been given as if it were a draft due to the savings provision under Clause 1.6 of the development control plan 2012. It has a draft zoning of R3 – Medium Density Residential. The draft height and FSR standards are outlined in the table below:

COMPLIANCE CHECK			
Control	Development Standard	Proposed	Compliance
Height	• Max. building height 9.5m	• 6.7m - 10.6m	No
Floor Space Ratio (Site Area 406.2m ²)	• 0.66:1 or 268m ²	• 1.04:1 or 422m ²	No

The non-complaint proposal reflects the draft FSR and Height objectives of each standard. The proposal falls into non-compliance towards the front (Ramsgate Avenue). The overall building bulk will remain predominantly below the ridge height of No.132 and slightly above the adjoining mixed use building - No.128. A rooftop stair access however extends beyond the height of both adjoining buildings. This component contributes to visual bulk and should be deleted. The proposal remains contextually appropriate to surrounding building bulk. Further discussion is provided in subsequent sections.

The draft does not contain a Heritage Item nor will it exist within a Heritage Conservation Area. Biddigal Reserve is situated directly opposite and has draft Heritage Item status of state significance. This forms part of Item of the Bondi Beach Cultural Landscape Item - 194. The proposal will maintain the heritage significance of the proposal.

2.1.3 Waverley Development Control Plan 2010, Part D1 – Dwelling House & Dual Occupancy Development

COMPLIANCE CHECK			
Control	Standard	Proposed	Compliance
Excavation	<ul style="list-style-type: none"> Max. 3m depth Max. 50% of footprint Site slope >25% - require geotech Min. side boundary setback 1m Habitable room – 1 external wall above ground level 	<ul style="list-style-type: none"> Up to 6m >50% >25% <1m (includes piers) Yes 	<p>No</p> <p>No</p> <p>Conditioned</p> <p>Yes</p> <p>Yes</p>
Height	<ul style="list-style-type: none"> Flat Roof 7.5m 	<ul style="list-style-type: none"> Up to 10.6m 	No
Floor Space Ratio Site Area - 406.2m ²	<ul style="list-style-type: none"> 0.65:1 or 264m² 	<ul style="list-style-type: none"> 1.62:1 or 658m² 	No
Setbacks	<ul style="list-style-type: none"> Side 900 (2 storey) 1500mm (3 storey) Front and rear est. building line 	<ul style="list-style-type: none"> 900mm 900mm- 1800mm Yes 	<p>Yes</p> <p>No</p> <p>Yes</p>
Front fencing	<ul style="list-style-type: none"> 1.2 metres 	<ul style="list-style-type: none"> Up to 2.1m 	No
Elevated external decks	<ul style="list-style-type: none"> 10m² in area 1.5m depth 	<ul style="list-style-type: none"> >10m² >1.5m 	<p>No</p> <p>No</p>
Roof terrace	<ul style="list-style-type: none"> 15m² max. 	<ul style="list-style-type: none"> 22m² 	No
Vehicular Access and Parking	<ul style="list-style-type: none"> No. of spaces = 2 Dimensions (5.5 m × 2.5m) Behind building setback 	<ul style="list-style-type: none"> 2 spaces > 5.5m x 2.5m Yes 	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Landscaping	<ul style="list-style-type: none"> 40% of site area 15% of site as soft 50% of front lands. 50% of front lands. as soft 	<ul style="list-style-type: none"> 44% or 178.7m² 15% or 61m² >50%* >50%* 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

*The front setback (excluding open roofed area) landscaped area includes extensive soft landscaping for the entire front yard.

Excavation

Excavation beyond the recommended maximum depth and building footprint is acceptable given the topography of the site. The significant topographical slope of the site results in the lower two (of four) levels being concealed below the rear yard. The location and extent of excavation will not be visible from the street. Deletion of the basement and lower ground component to limit excavation would not result in any obvious change to building bulk. The excavation enables a larger garage to enter and leave in a forward direction, along with storage and plant rooms.

Height

The proposal exceeds the maximum allowable height yet reasonably responds to the objectives of the control. The predominant building (excluding roof access structure) is proposed at RL22.9, increasing from the existing RL20.33. It remains below the ridge of No.132 at RL23.89 and slightly above the predominant height of No.128 at RL21.34. These stepping heights reflect the sloping topography of the area. Visually, the proposal will provide an appropriate building form in keeping with surrounding built context and established streetscape pattern. Rooftop stair access which extends above the upper most point of both adjoining buildings is not supported. While minor, this still increases visual bulk, particularly when viewed from rear adjoining sites. A condition will recommend this component be removed.

Some views will be maintained from adjoining dwellings including No.132. Currently beach views from dwellings adjoining to the immediate rear are already obstructed by vegetation, and existing building bulk from the adjoining No.128. Furthermore, a compliant upper level addition to the existing dwelling would also predominantly obstruct the same view. Should the existing dwelling be retained and a new upper level addition constructed, the building would comply with height and still obstruct water views. No benefit would serve rear adjoining dwellings if the non-compliant part along Ramsgate Avenue were lowered or stepped.

Amenity impacts have been discussed at length throughout this report. The extent of privacy loss is limited and reasonable. A reasonable level of solar access is maintained to adjoining properties during winter solstice including No.132.

For the purposes of clarifying the number of storeys, the proposal involves a part-two to part-three storey dwelling with basement parking. It contains four levels with the lowest level considered basement, of which a majority will exist below natural ground level.

It is also noted that the Draft LEP includes a height limit of up to 9.5m above the DCP control which is currently being used to assess this proposal.

Floor Space Ratio

The non-complaint FSR is contextually reasonable with the proposal maintaining the underlying objectives of the control. The proposal is a result of a contemporary design which competes between sloping topography, irregular sub-division patterns, excessive surrounding bulk, views from adjoining sites and limiting amenity impacts. In considering the non-compliance, FSR becomes arbitrary when the proposal is contextually appropriate and demonstrates reasonable amenity impacts.

The proposal maintains a reasonable scale relative to built context. Front and rear building lines are stepped between both adjoining properties. The amended scheme provides adequate side setbacks. Scope also exists to further improve visual bulk as seen from rear adjoining sites by deleting the rooftop staircase structure.

The visual impact of the dwelling on both immediate adjoining properties is acceptable. No.132 is a corner block primarily orientated towards Ramsgate Avenue and the public reserve linking Brighton Boulevard to Ramsgate Avenue. The impact on No.128 is acceptable given varied side setbacks particularly on upper levels will maintain natural daylight, ventilation and appropriate distance separation.

A reasonable level of privacy will be maintained between subject and adjoining dwellings. Mutual overlooking from a sloping topography results from the predominantly two and three storey buildings. The rear elevation is the only part of the building generating the most overlooking. This includes a bedroom/study commonly used for passive purposes. It was noted however, extensive planting along the shared boundary of the subject and rear adjoining sites limit overlooking.

The proposal demonstrates a reasonable streetscape relationship to Ramsgate Avenue. The curved front elevation links the differing front setbacks of adjoining buildings. Its contemporary design provides a positive contribution to the character of the area which is undergoing a transformation from traditional to contemporary building designs. It was also noted, the proposal complies with the minimum landscaping requirements demonstrating reasonable levels of solar access being maintained to adjoining dwellings.

When considering the degree of non-compliance, it is noted that the now adopted draft FSR controls also grant greater floor area under a new definition of gross floor area. This excludes areas previously included in the floor area significantly revises down the proposed FSR with a much lesser degree of non-compliance if the DA were re-submitted today.

Front Fencing

The existing sandstone front fence / retaining wall will be reused for the elevated front yard. Its height measures in excess of 2.4m from the finished footpath level with the proposal increasing this to 3.1m – 4m. Its height is reasonable given what currently exists and the adjoining sandstone fence at No.128. The height will incorporate pedestrian and vehicular openings at street level activating an otherwise blank wall. The new fence will maintain the elevated front yard and sandstone walling consistent with DCP requirements.

Roof Terrace

A non-compliant roof terrace is attributed to an elongated access handle which links rooftop stair access with the terrace. Its 1m width prevents this area from having passive recreation. Should access be excluded, the area would comply. It was noted the terrace design is setback from both sides of the building and orientated towards Ramsgate Avenue, away from rear adjoining sites. Few visual and acoustic impacts will be generated as a result. Furthermore the terrace size will be significantly smaller than the communal rooftop terrace on the adjoining mixed-use building at No.128.

Setback

The proposal is setback a minimum of 1.5m from the south-eastern side boundary while the north-western side has a varied setback of 900-1800mm. The amended scheme has introduced 1.5m setback along sections of the north-western side of the upper level to increase separation along the upper level of the building to improve visual bulk, natural light and ventilation for unit dwellings from No.128 Ramsgate Avenue.

The rear setback provides a setback which steps between both adjoining properties. The front elevation provides appropriate setback which steps between both adjoining buildings. The curved front elevation is a contemporary design which reinforces the established streetscape pattern.

2.1.4 Other Matters

Streetscape

The existing dwelling is setback greater than both adjoining buildings. The proposal decreases the front setback whilst providing a reasonable stepped front building line, reinforcing the streetscape pattern between adjoining buildings. Its high architectural quality and contemporary design respects the general alignments of surrounding buildings. The reuse of sandstone along the front fence (basement level street wall) will maintain the dwellings relationship to the existing sandstone front fence at No.132.

Overshadowing / Solar Access

Reasonable amounts of solar access is maintained to surrounding dwellings during winter solstice. The design demonstrates overshadowing will occur primarily to the adjoining dwelling at No.132 Ramsgate Avenue from late morning onwards. The impact to this adjoining dwelling is reasonable when considering an upper level addition to the existing dwelling would have similar impacts. Furthermore, the adjoining site abuts a public reserve taking advantage of unobstructed solar access to internal and external spaces throughout winter solstice.

Privacy (Visual and Acoustic)

Reasonable attempts are made to maintain privacy between subject and adjoining dwellings. Some overlooking is expected given the sloping topography of the site and surrounding area. The rear elevated balcony extends from a bedroom/study which is used for passive purposes. Privacy impacts are limited and reasonable given the number of existing elevated balconies on adjoining properties. The rooftop terrace is modestly sized (excluding access handle) in accordance DCP requirements. Its orientated towards Ramsgate Avenue in setback from building edges.

Windows are appropriately spaced along both side elevations to maintain breaks in overlooking potential. While some provide a nil sill height, the impacts are reasonable given a limited number are provided on the upper most level.

Safety and security

The proposal will increase opportunities for casual surveillance of Ramsgate Avenue and Biddigal Reserve. Safety and security for the site will otherwise remain generally unchanged which is considered acceptable.

Pedestrian safety is maintained. The existing crossover location will be maintained for the double garage. Vehicles using the double garage will always enter and leave the site in a forward direction with the use of a vehicular turntable. This limits the likelihood of pedestrian and vehicular safety conflicts.

Views

The proposal interrupts views from rear adjoining properties. The proposals predominant height will remain below the ridge height of No.132 and No.128. In considering the reasonableness of view obstruction from rear adjoining properties, it was noted that extensive landscaping along the shared boundaries currently block any significant view. Furthermore, it would be unreasonable to expect the view to be retained over the site when an upper level addition over the existing dwelling would also interrupt the view.

An analysis of views from the adjoining No.132 demonstrates that majority of the view will be maintained. The dwelling enjoys views from the full width of the site and dwelling. While some view loss is expected from the side windows of the sunroom, the expanse of additional windows along its front elevation will retain a view of Bondi Beach.

3 REFERRALS

3.1 Internal

Stormwater

The application was referred to Technical Services for consideration of stormwater details and standard conditions were recommended.

Vehicular Access

The application was referred to Transport and Development for consideration. Standard Conditions were recommended along with the following special conditions:

CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT

Prior to any works on the site including any demolition works the applicant is to submit a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) for the routing and control of construction vehicles accessing and exiting the site for approval of Council's Manager of Technical Services. No works, including demolition works, are to take place on the site until Council's Manager of Technical Services has approved the CVPPM in writing. The CVPPM is to be complied with at all times.

LONG SECTION OF DRIVEWAY

Long sections along the both edges of the driveway shall be submitted for approval to the satisfaction of Divisional Manager, Technical Services, prior to issue of the Construction Certificate. The long sections are to be drawn at a scale of 1:25 and shall include Reduced Levels (RLs) of the road centreline, kerb, road reserve, and pavement within the property and garage floor. The RLs shall include the existing levels and the design levels.

GARAGE FLOOR LEVEL

The garage floor slab at the opening to Ramsgate Avenue being constructed in accordance with levels to be issued by Council and sloped to follow the fall on the roadway.

Comment – The above conditions were noted and included in the recommendation.

Section 79C(1)(b)&(c) - The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality and suitability of the site for the development.

The proposal provides a dwelling which takes into consideration existing surrounding natural and built context. The non-compliances are acceptable with limited amenity loss impacting adjoining properties. The proposal is reasonable for the reasons discussed throughout this report. The proposal is acceptable with regards to the Section 79C(1)(b) and (c) of the Act and the site suitable for the proposal.

4. PUBLIC SUBMISSION

The application was notified on two occasions each 14 days in accordance with *Waverley Development Control Plan 2010, Part A - 3 Advertising and Notification*. The initial application received 9 (nine) objections with re-notification of amended plans receiving 6 (six) submission.

Issues raised in submissions relating to amended plans are summarised in the table below:

Property	Location	Summary of Objections
107 Brighton Blvd	Adjoins to north	<ul style="list-style-type: none"> • Number of storeys • Rooftop terrace • Excessive FSR • Soft landscaping • Rear setback
109 Brighton Blvd	Adjoins to north	
111 Brighton Blvd	Adjoins to north	
113 Brighton Blvd	Adjoins to east	
115 Brighton Blvd	Adjoins to east	
132 Ramsgate Ave	Adjoins to east	<ul style="list-style-type: none"> • Views / Setback • Privacy • Landscaping • Bulk and Scale • Sandstone walling • Pool / air-con equipment

The issues raised in the submission are discussed below.

Issue: Number of Storeys - the development is incorrectly described as a two-storey development when it is clearly 4 storey house with the garage level being above ground level.

Comment: See Section 2.1.3 Height.

Issue: Rooftop Terrace - this is a five storey dwelling with the inclusion of rooftop terrace. The terrace will hinder views from properties at the rear and result in a loss of privacy to adjacent properties and will create privacy and noise issues to adjoining dwellings.

Comment: The rooftop terraces is orientated towards Ramsgate Avenue away from rear adjoining properties with little visual and acoustic impacts expected. The terrace itself will not have any structures above it to constitute a storey. As noted earlier, the covered access staircase will create additional bulk and interrupts general views. A condition recommends this be inverted. The terrace has also been setback from building edges which limits overlooking down into adjoining properties.

Issue: Excessive FSR / Bulk and Scale - the proposal is 2.5 times in excess of the allowable FSR in the Draft 2011 LEP.

Comment: The degree of non-compliance has been revised down under the draft LEP due to a change in the way Gross Floor Area is calculated. See Sections 2.1.2 - Draft LEP 2011 and 2.1.3 - FSR for comments.

Issue: Soft Landscaping - the soft landscaping is also of concern as the proposal is 25% under the allowable minimum 15% of the site which is inconsistent with the Waverley's vision of having an environmentally sustainable community which respects and enriches our diversity.

Comment: The initial scheme did not satisfy landscaping providing only 11% of the site as soft landscaping. The amended scheme has increased this to meet minimum requirement.

Issue: Rear setback - the rear setback is less than the minimum allowable, and this will have a detrimental impact on privacy - visual and acoustic of our homes (Brighton Boulevard).

Comment: See Section 2.1.3 - Setbacks.

Issue: Views - the proposal will have adverse impacts on views and does not encourage view sharing when it does not meet minimum front setback requirements, FSR and provides insufficient landscaping.

Comment: See Section 2.1.4 - Views.

Issue: Sandstone Walling - the proposal reduces the amount of sandstone walling with the introduction of double garage entry and loss of on-street parking.

Comment: The proposal retains the sandstone wall and the larger basement parking entry is acceptable.

Issue: Pool / Air-conditioning equipment - the location of pool and air-conditioning equipment has the potential to create noise impacts and should be moved away from neighbouring properties. A basement location should be considered.

Comment: Appropriate conditions will ensure pool and air-conditioning equipment will be acoustically treated.

5. DEVELOPMENT BUILDING UNIT REVIEW

The DBU gave consideration to the proposal having regard to the matters under Section 79C of the Act. This included the issues raised in submissions to the application and the provisions of Council's Development Control Plan.

The DBU reviewed the proposal and noted that the application was deferred to allow the applicant to amend the plans in relation to rear building line, side setbacks, covered roof access, roof top deck size and the blade wall element within the front setback.

Amended plans were submitted to Council on 11 April, 2013. After having reviewed the amended plans the DBU formed the view that the new development generally satisfies the objectives of the controls for the site. The DBU noted the departure in floor space ratio and building height and formed the opinion that whilst the building does not numerically comply with the standards set out in the DCP, the proposed bulk, scale and height is commensurate with the surrounding developments and is contextually appropriate in this section of Ramsgate Avenue streetscape. The development proposes a stepping of front and rear building line when compared with the two adjoining properties, which provides a gradual transition between the properties and is considered acceptable in the present circumstance.

The height of the proposed development whilst not complying with the maximum controls is considered acceptable given that it will be lower than the two adjoining properties and satisfies the performance objectives of the codes.

The site is located in an area where the neighbouring properties enjoy views to Bondi Beach. The view impact has been analysed taking into consideration the planning principles of Tenacity Consulting V Warringah and the development potential of the site. It is acknowledged that there will be some view loss from the properties located at the rear.

However, it was noted that an additional storey over the existing dwelling would have similar impact on views when compared with what is proposed, as such the application cannot be refused on the grounds of views loss.

Having regard to the above, the application is recommended for approval subject to the conditions given in the report.

6. RECOMMENDATION

That Development Application No. 402 /2012 at 130 Ramsgate Avenue, Bondi Beach for demolition of existing dwelling and construction of new part-two to part-three storey dwelling with basement parking, roof terrace and pool be approved by Council, subject to the following conditions:

A. APPROVED DEVELOPMENT

1. APPROVED DEVELOPMENT

The development must be in accordance with:

- (a). Architectural plans, tables and documentation prepared by BKH, dated and received according to the following schedule:

<u>Plan No.</u>	<u>Dated</u>	<u>Received Date</u>
A.1.00-B	4th March 2013	11th April 2013
A.1.01-B	4th March 2013	11th April 2013
A.1.02-B	4th March 2013	11th April 2013
A.1.03-B	4th March 2013	11th April 2013
A.1.04-B	4th March 2013	11th April 2013
A.1.05-B	4th March 2013	11th April 2013
A.2.00-B	3rd April 2013	11th April 2013
A.2.01-B	3rd April 2013	11th April 2013
A.2.02-B	3rd April 2013	11th April 2013
A.3.01-B	3rd April 2013	11th April 2013

- (b). Landscape Plan No.MB_130R_01 and MB_130R_02 documentation prepared by Myles Baldwin Design, dated 8 April 2013 and received by Council on 11 April 2013;

- (c). BASIX/NatHERS Certificate;

Except where amended by the following conditions of consent.

2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) The rooftop staircase covering be deleted and no structure on the rooftop be higher than 1.2m. This will reduce visual bulk. The staircase between the first floor level and rooftop terrace be amended to provide an external staircase with appropriate internal modifications made to differentiate between internal and external areas.

The amendments shall be submitted for the approval of Waverley's Planning and Environmental Service Department prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

3. USE OF ROOFTOP TERRACE

The height of furniture on roof terrace shall be limited to a maximum height of 1.2m so as not obstruct views from adjoining properties.

4. INSTALLATION OF AIR CONDITIONING

Air conditioning unit(s) installed within the building shall:

- (a). Be located a minimum of 1.5 metres from a boundary.
- (b). Be located behind the front building line and if visible suitable screened and located in an appropriate location.
- (c). Not be adjacent to neighbouring bedroom windows.
- (d). Not reduce the structural integrity of the building.
- (e). Not emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7.00am and after 10.00pm on any other day.
 - (iii) Not provide noise emissions that exceed 5dBA above the ambient background noise level measured at the property boundary at any other time outside of (e).

5. NOISE MANAGEMENT PLAN - DEMOLITION, EXCAVATION AND CONSTRUCTION

A site specific noise management plan must be submitted to the Council for approval and comment prior to the issue of a construction certificate and complied with during any building works. The plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants. The plan must include but not be limited to the following:-

- (a). Confirmation of the level of community consultation that has, is and will be undertaken with Building Managers/occupiers/residents of noise sensitive properties likely to be affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b). Confirmation of noise methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with Council's noise criteria.
- (c). What course of action will be undertaken following receipt of a complaint concerning site noise emissions?

- (d). Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring property to a minimum.
- (e). What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

6. USE OF DWELLING

The premises are to be used only as a single unit dwelling house.

7. EXCAVATION TO BE LIMITED

Excavation shall be limited to that shown in the approved plans. Excavation, proposed or undertaken in the certification or construction of the development, that results in additional habitable or non-habitable floor space (including storage) shall require the submission of a new development application or Section 96 application to modify the approved development. During consideration of this application construction work on site shall cease without prior agreement of Council. Failure to comply with this condition may lead to Council prosecuting or taking a compliance action against the development for breach of its consent.

B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

8. SECTION 94A CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 94A of the *Environmental Planning and Assessment Act 1979* and Waverley Council Development Contributions Plan 2006 in accordance with the following:

- (a). A cost report indicating the itemised cost of the development shall be completed and submitted to council:
 - (1). Where the total development cost is less than \$500,000:
"Waverley Council Cost Summary Report"; or,
 - (2). Where the total development cost is \$500,000 or more:
"Waverley Council Registered Quantity Surveyor's Detailed Cost Report".

A copy of the required format for the cost reports may be obtained from Waverley Council Customer Service Centre or downloaded from:
www.waverley.nsw.gov.au/publications/

- (b) Prior to the issue of the Construction Certificate, evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than \$100,000.
- (c) Should a section 96 modification result in any change to the total cost of the work, the Section 94A contribution is to be revised and amended. Prior to the issue of the Construction Certificate, evidence must be provided that the revised levy has been paid to Council in accordance with this condition.

Waverley Council Development Contributions Plans 2006 may be inspected at Waverley Council Customer Service Centre.

Advisory Note

- A development valued at \$100,000 or less will be exempt from the levy.
- A development valued at \$100,001 - \$200,000 will attract a levy of 0.5%.
- A development valued at \$200,001 or more will attract a levy of 1% based on the full cost of the development.

9. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of \$10,000 must be provided as security for the payment of the cost of making good any damage caused or unauthorised works that may be caused to any Council property as a consequence of this building work.

This deposit (cash or cheque) or guarantee must be established prior to the issue of the Construction Certificate. The full amount of the difference after recovery of Council's cost for any repair of damage to Council property or rectification of unauthorised works on Council property will be refunded after satisfactory completion of the building work to the person who paid the deposit.

10. LONG SERVICE LEVY

A long service levy, as required under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986, is to be paid in respect to this building work. In this regard, proof that the levy has been paid is to be submitted to Council prior to the issue of a Construction Certificate.

Note: Council acts as an agent for the Long Service Payment Corporation and the levy may be paid at Council's office. The levy rate is 0.35% of building work costing \$25,000 or more.

11. NO BUILDING WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

The building work, including demolition, must not be commenced until:

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with Section 81A(2) of the Environmental Planning & Assessment Act, 1979; and
- (b) a Principal Certifying Authority has been appointed and Council has been notified of appointment in accordance with Section 81(A)(2)(b) of the Environmental Planning & the Assessment Act, 1979 and Form 7 of Schedule 1 of the Regulations; and
- (c) Council is given at least two days Notice in writing of the intention to commence the building works.

The owner/applicant may make application to Council or an Accredited Certifier for the issue of a Construction Certificate and to be the Principle Certifying Authority.

12. HOARDING REQUIRED

A standard B-Class hoarding designed and constructed in accordance with the requirements of the Work Cover Authority being erected on the street alignments of the property, prior to the commencement of building operations, and such hoardings to be maintained during the course of building operations. Details of the hoarding are to be provided to Council prior to issue of the Construction Certificate.

Where the hoarding is to be erected over the footpath or any public place, the approval of Council must be obtained prior to the erection of the hoarding.

13. SITE WASTE AND RECYCLING MANAGEMENT PLAN

A Site Waste and Recycling Management Plan (SWRMP) Checklist 2 shall be submitted to the Principal Certifying Authority for approval in accordance with Part G1, Waverley DCP 2010 prior to the issue of the Construction Certificate. In this regard, Council expects demolition and excavated material to be reused and/or recycled wherever possible.

The builder and all subcontractors shall comply with the approved SWRMP Part 1 and 2 at all times during construction. At least one copy of the SWRMP is to be available on site at all times during construction. Copies of demolition and construction waste dockets that verify the facility that received the material for recycling or disposal and the quantity of waste received, must be retained on site at all times during construction.

14. GEOTECHNICAL ENGINEERS REPORT

A geotechnical report, regarding the stability of the subject site and stating that damage should not occur to any adjoining premises as a result of the proposed bulk excavation, driven type piles and shoring works, is to be submitted to the Principal Certifying Authority, Council and the owners of adjoining premises. The report is to be submitted prior to the issue of a Construction Certificate and commencement of any such works on the site.

15. EROSION, SEDIMENT AND POLLUTION CONTROL

Erosion, sediment and pollution control measures are to be implemented on this site. These measures are to be in accordance with Council's Stormwater Policy and are to be implemented prior to commencement of any work or activities on or around the site. Details of these measures are to be submitted to the Principal Certifying Authority prior to the issuing of a Construction Certificate.

16. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT

A "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) is to be approved by Council prior to the issue of a Construction Certificate and the undertaking of any demolition, excavation, remediation or construction on the site.

The CVPPM shall provide details of the following:

- (a). The proposed route to be taken by demolition/construction vehicles in the Waverley Council area when accessing and exiting the site.
- (b). The type and size of demolition/construction vehicles. Trucks with dog trailers and semi trailers may not be approved for use if it is considered with the information submitted that such vehicles cannot adequately and safely gain access to and from the site or where access into or out of the site may not be possible without the need to remove an unsatisfactory number of vehicles parked on the roadway adjacent to or opposite the site.
- (c). The location of truck holding areas remote from the site should Council not give approval for demolition/construction vehicles to stand on the roadway in the vicinity of the site.
- (d). Traffic control measures to be put in place when trucks, manoeuvring in the vicinity of the site, will interfere with the free flow of traffic.

- (e). The location and materials of construction of temporary driveways providing access into and out of the site.
- (f). The location and length of any proposed Works/Construction Zones. Note: such zones require the approval of the Waverley Traffic Committee and Council prior to installation.
- (g). The hours of operation of demolition/construction vehicles.
- (h). The number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.
- (i). How it is proposed to cater for the safe passage of pedestrians past the site. The details shall include:
 - the route required to be taken by pedestrians including signage and any other control measures that will need to be put in place to direct and keep pedestrians on the required route;
 - any obstructions such as street furniture, trees and bollards etc., that may interfere with the safe passage of pedestrians;
 - the type(s) of material on which pedestrians will be required to walk;
 - the width of the pathway on the route;
 - the location and type of proposed hoardings;
 - the location of existing street lighting.

17. STORMWATER MANAGEMENT

Certification is to be provided from a suitably qualified professional, that the stormwater system has been designed in accordance with the Water Management Technical Guidelines. Stormwater system details are to be submitted in accordance with the Waverley Development Control Plan 2012 prior to the issue of a Construction Certificate.

18. ENGINEERING DETAILS

Structural details prepared and certified by a practicing Structural Engineer being furnished to Council or Accredited Certifier in connection with all structural components prior to the issue of a Construction Certificate.

19. FENCE NOT TO ENCROACH BEYOND BOUNDARIES

No portion of the proposed front fence, including the footings, is to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the construction of the party fence wall on the common boundary between these properties is to be submitted to Council prior to the issue of a Construction Certificate.

20. SANDSTONE WALL

The existing sandstone wall to **Ramsgate Avenue** shall be retained and or reinstated (ie stone salvaged and reused in the new front fence). The replacement stone shall be of a suitable quality to match the existing walls. The wall is to be a block work wall and not a clad wall. The wall shall be constructed using appropriate tradesmen skilled in traditional block

work construction. Details of the works, including provision for storage of stone if required and grade of matching stone, shall be provided for in the Construction Certificate plans to the satisfaction of the Principal Certifying Authority.

21. LONG SECTION OF DRIVEWAY

A long section of the driveway shall be submitted with the Construction Certificate. The long section is to be drawn at a scale of 1:25 and shall include Reduced Levels (RLs) of the road centreline, kerb, road reserve, and pavement within the property and garage floor. The RLs shall include the existing levels and the design levels.

22. EXISTING VEHICLE CROSSING IS TO BE MODIFIED

The existing vehicle crossing is to be modified to provide access to the proposed **garage**. A separate application is required for the modified vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council. Modified vehicle crossing to be Wheel Strips instead of full width Concrete Driveway wherever feasible.

23. GARAGE FLOOR LEVEL

The garage floor slab at the opening to Ramsgate Avenue being constructed in accordance with levels to be issued by Council and sloped to follow the fall on the roadway.

24. EXTERNAL FINISHES

A schedule of external finishes shall be submitted for Council's consideration and approval prior to the issue of the Construction Certificate. The schedule shall include details of proposed external walls and roofing materials in the form of either trade brochures or building samples. Where specified, the schedule shall also include window fenestration and window frame colour details, as well as fencing, paving and balustrading details and guttering colour and profile.

25. ROOFWATER GUTTERING

All new or replacement roof guttering is to comply with the requirements of the Building Code of Australia and Australian Standard AS 3500 *Plumbing & Drainage Standards* to ensure that collected roof water does not flow back into the building.

C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION

26. PRIOR TO SITE WORKS

The Principal Certifying Authority must be informed in writing before any site works, building or demolition commences of:

- (a) the name and contractor licence number of the licensee who has contracted to do, or intends to do, work ; or
- (b) the name and permit number of the owner/builder who intends to do the work; and
- (c) any change to these arrangements for doing of the work.

27. HOME BUILDING ACT

The builder or person who does the residential building work shall comply with the applicable requirements of Part 6 of the Home and Building Act, 1989. In this regard a person must not contract to do any residential building work unless a contract of insurance that complies with

this Act is in force in relation to the proposed work. It is the responsibility of the builder or person who is to do the work to satisfy the Principal Certifying Authority that they have complied with the applicant requirements of Part 6, before any work commences.

28. CONSTRUCTION SIGNS

Prior to commencement of any works on the site and during construction a sign shall be erected on the main frontage of the site detailing the name, address and contact details (including a telephone number) of the Principal Certifying Authority and principal contractor (the coordinator of the building works). The sign shall be clearly legible from the adjoining street/public areas and maintained throughout the building works.

29. EXCAVATION AND BACKFILLING

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.

30. EXCAVATION BELOW FOOTINGS

If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made, at their own expense, must:

- (a) preserve and protect the building from damage; and
- (b) if necessary, must underpin and support the building in an approved manner; and
- (c) must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

31. OBSTRUCTION TO PUBLIC AREAS

If a public place or pedestrian vehicular traffic may be obstructed because of the carrying out of work involved in the erection or demolition of a building; or a public place is required to be enclosed in connection with the erection or demolition of a building; then:

- (a) a hoarding fence must be erected between the building site and the public place of the proposed building and the public place. If necessary, an awning sufficient to prevent any substance from, or in connection with, the work falling into the public place, is also to be erected;
- (b) the work is to be kept lit during the time between sunset and sunrise if the work may be of a sort of danger to persons using the public place; and
- (c) a hoarding, fence or awning is to be removed when it is no longer required for the purpose it was provided.

32. TOILET FACILITIES

Toilet facilities being provided on the work site in accordance with the requirements of Sydney Water.

33. DILAPIDATION REPORTS

A Dilapidation surveys must be conducted and dilapidation reports prepared by a practising professional engineer (structural) of all buildings, (both internal and external), including ancillary structures located on land adjoining the site and of such further buildings located

within the likely “zone of influence” of any excavation, dewatering and/or construction induced vibration. The survey must identify which properties are within the likely 'zone of influence'.

These properties must include (but are not limited to) Nos.128 and 132 Ramsgate Avenue, North Bondi, and any others identified to be in the zone of influence in the Dilapidation Survey.

The dilapidation reports must be completed and submitted to Council and the Principal Certifying Authority with or prior to the Notice of Commencement and prior to the commencement of any development work. The adjoining building owner(s) must be given a copy of the dilapidation report for their building(s) prior to the commencement of any work.

Please note the following:

- (a). The dilapidation report will be made available to affected property owners on request and may be used by them in the event of a dispute relating to damage allegedly due to the carrying out of the development.
- (b). This condition cannot prevent neighbouring buildings being damaged by the carrying out of the development.
- (c). Council will not be held responsible for any damage which may be caused to adjoining buildings as a consequence of the development being carried out.
- (d). Council will not become directly involved in disputes between the Developer, its contractors and the owners of neighbouring buildings.
- (e). In the event that access for undertaking the dilapidation survey is denied the applicant is to demonstrate in writing to the satisfaction of the Council that all reasonable steps were taken to obtain access to the adjoining property. The dilapidation report will need to be based on a survey of what can be observed externally.

34. DEMOLITION OR ALTERATION OF PRE 1987 BUILDINGS

At least five (5) days prior to the demolition, renovation work or alterations and additions to any building constructed before 1987, the person acting on the consent shall submit a Work Plan prepared in accordance with Australian Standard AS260-2001, Demolition of Structure and a Hazardous Materials Assessment by a person with suitable expertise and experience. The Work Plan and Hazardous Materials Assessment shall:

- (a). outline the identification of any hazardous materials, including surfaces coated with lead paint;
- (b). confirm that no asbestos products are present on the subject land; or
- (c). particularise a method of safely disposing of the asbestos in accordance with the Code of Practice for the Safe Removal of Asbestos NOHSC 2002 (1998);
- (d). describe the method of demolition;
- (e). describe the precautions to be employed to minimise any dust nuisance; and
- (f). describe the disposal methods for hazardous materials.

35. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS

All site works complying with the occupational health and safety requirements of WorkCover NSW.

36. SOIL AND WATER MANAGEMENT PLAN

A Soil and Water Management Plan (also known as an Erosion and Sediment Control Plan) shall be prepared according to SSROC's Soil and Water Management Brochure and the NSW Environment Protection Authority (EPA) Managing Urban Stormwater: Soils and Construction. This Plan shall be implemented prior to commencement of any works or activities. All controls in the Plan shall be maintained at all time. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.

37. STOCKPILES

Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

38. LOCATION OF BUILDING OPERATIONS

Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footpaths or in any locations which could lead to the discharge of materials into the stormwater drainage system.

39. ALL BUILDING MATERIALS STORED ON SITE

All building materials and any other items associated with the development are to be stored within the confines of the property. No materials are to be stored on Council's footpath, nature strip, or road reserve without prior Council approval.

40. CONSTRUCTION HOURS

Demolition and building work must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays and 8am to 3pm on Saturdays with no work to be carried out on:

- (a). The Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which form part of public holiday weekends;
- (b). Sundays and public holidays; and
- (c). On the Saturday (except minor renovation or refurbishment to a single dwelling construction) and Sunday which immediately precede or follow industry Rostered Days Off, as agreed by the CFMEU and the Master Builders Association of NSW.

Noise from construction activities shall comply with the Protection of the Environmental Operations (Noise Control) Regulation 2000.

41. USE OF HEAVY EARTH MOVEMENT EQUIPMENT

Excavation works involving the use of heavy earth movement equipment including rock breakers and the like must only be undertaken between the hours of 7am and 5pm on Mondays to Fridays with no such work to be carried out on Saturday, Sunday or a public holiday.

42. **BUILDING CODE OF AUSTRALIA**

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

43. **QUALITY OF CONSTRUCTION ACT - INSPECTIONS (DWELLING HOUSES CLASS 1 AND 10**

The building works are to be inspected during construction by the Principal Certifying Authority (PCA) and in accordance with the Building Legislation (Quality of Construction) Act 2002 and the Environmental Planning and Assessment Regulations. Also, documentary evidence of compliance with the relevant terms of conditions of development consent and standards of construction detailed in the Building Code of Australia is to be obtained prior to proceeding to the subsequent stages of construction and/or issue of an Occupation Certificate.

MANDATORY Critical Stage Inspections **MUST** be carried out by the PCA for work undertaken during specified stages of construction and prior to issuing an Occupation Certificate.

The specified **MANDATORY** inspections are:

In the case of a Class 1 and 10 building:

- (a). at the commencement of building work;
- (b). after excavation for, and prior to the placement of, any footings;
- (c). prior to pouring any in-situ reinforced concrete building element;
- (d). prior to covering of the framework for any floor, roof or other building element;
- (e). prior to covering any waterproofing in any wet areas;
- (f). prior to covering any stormwater drainage connections; and
- (g). after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The following additional inspections are required to be undertaken by the PCA:

- (a). sediment control measures prior to the commencement of building work;
- (b). foundation material prior to undertaking building work;
- (c). shoring of excavation works, retaining walls, piers, piling or underpinning works;
- (d). steel reinforcement, prior to pouring concrete;
- (e). prior to covering timber or steel framework for floors, walls and roofing, including beams and columns;
- (f). swimming pool fencing prior to filling the pool.

Note: Certification may be required from a suitably qualified person, in relation to specialist matters, verifying that particular works satisfy the relevant requirements of the Building Code of Australia and standards of construction.

44. **CERTIFICATE OF SURVEY - BOUNDARIES AND LOCATION OF BUILDING**

A Certificate of Survey prepared by a Registered Surveyor setting out the boundaries of the site and the actual situation of the building on the site is to be submitted to the Principal Certifying Authority to certify the building is located in accordance with the development consent plans. The Certificate is to be submitted prior to the construction of the external walls above the ground floor level of the building.

45. ENCROACH BEYOND THE BOUNDARIES

No portion of the proposal including the footings and roof eaves, to encroach beyond the boundaries of the subject property.

46. WATER PROOFING

The floor and wall surfaces of the proposed wet areas being protected against water in accordance with the Building Code of Australia. The wet areas are to be examined and certified by an Accredited Certifier.

Note: Water proofing is to be in accordance with AS 3740 - Water Proofing of Wet Areas within residential buildings.

47. HOT TAP WATER SCALDING

To reduce the incidence of hot tap water scalding and, for the purpose of energy efficiency, all new or replacement hot water systems shall deliver hot water to a maximum 50 degrees Celsius at the outlet of all sanitary fixtures used for personal hygiene.

48. SMOKE ALARM SYSTEM

A smoke alarm system is to be installed within the building in accordance with the requirements of the Building Code of Australia.

49. SERVICE PIPES

All plumbing and drainage, including sewerage drainage stacks, ventilation stacks and water service pipes shall be concealed within the building. Plumbing other than stormwater downpipes shall not be attached to the external surfaces of the building.

50. TREATMENT OF BOUNDARY WALLS

The walls on the [enter aspect] boundary are to be finished to a minimum standard, that being face brickwork and all mortar joints ironed(no dags).

51. WORK OUTSIDE PROPERTY BOUNDARY

All work outside the property boundary is to be carried out with the approval of, and in accordance with, the requirements of Council at the applicant's expense.

52. CONSTRUCTION OF SWIMMING POOLS

The following applies to the construction of swimming pools:

- (a). Reinforcement is to be inspected by an Accredited Officer or other suitably qualified person prior to the pouring of concrete;
- (b). The electrical wiring system for any proposed underwater artificial lighting installation to the pool being installed in accordance with the requirements of Australian Standard 3000, Part 1 - Wiring Rules;
- (c). The finished level of the proposed pool is not to exceed a maximum height of [state] mm above the existing natural ground level;

- (d). To minimise the likelihood of accidental drowning, the swimming pool is to be provided with a child resistant safety fence, designed and constructed in accordance with the requirements of Australian Standard 1926-1993 "Fencing for Private Swimming Pools". This fencing is to be erected and inspected by the Principal Certifying Authority prior to the pool being filled with water; and
- (e). A final inspection of the completed pool is to be carried out by the Principal Certifying Authority prior to the pool being filled with water.

53. POOL DRAINAGE

Waste waters from the proposed pool being discharged into Sydney Water's sewerage system and in this regard, approved plans **MUST** be submitted to Sydney Water at least fourteen (14) days prior to commencement of building operations.

54. NO WORKS BEYOND BOUNDARIES

No portion of the proposed fencing, including the footings, is to encroach beyond the boundaries of the subject property.

D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

55. FINAL OCCUPATION CERTIFICATE

The Principal Certifying Authority prior to occupation or use of the development must issue a final Occupation Certificate. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning & Assessment Act, 1979 have been satisfied.

56. POOL MANUFACTURER'S CERTIFICATION

The proposed fibreglass pool is to be constructed in accordance with the Consulting Engineer's design as shown on the approved plans and in this regard, the pool is not to be filled with water until a Certificate has been submitted by the pool construction manufacturer to the Principal Certifying Authority.

57. POOL SIGN

An approved sign outlining details of resuscitation techniques for adults, children and infants must be placed in a prominent position, close to the pool prior to filling the pool with water. Signs are available from Council's Planning & Environmental Services Department.

58. INSPECTION OF POOL

A final inspection of the completed pool is to be carried out by the Principal Certifying Authority prior to the pool being filled with water.

59. LIGHTING

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the *Australian Standard AS 4282:1997 Control of the Obtrusive Effects of Outdoor Lighting*.

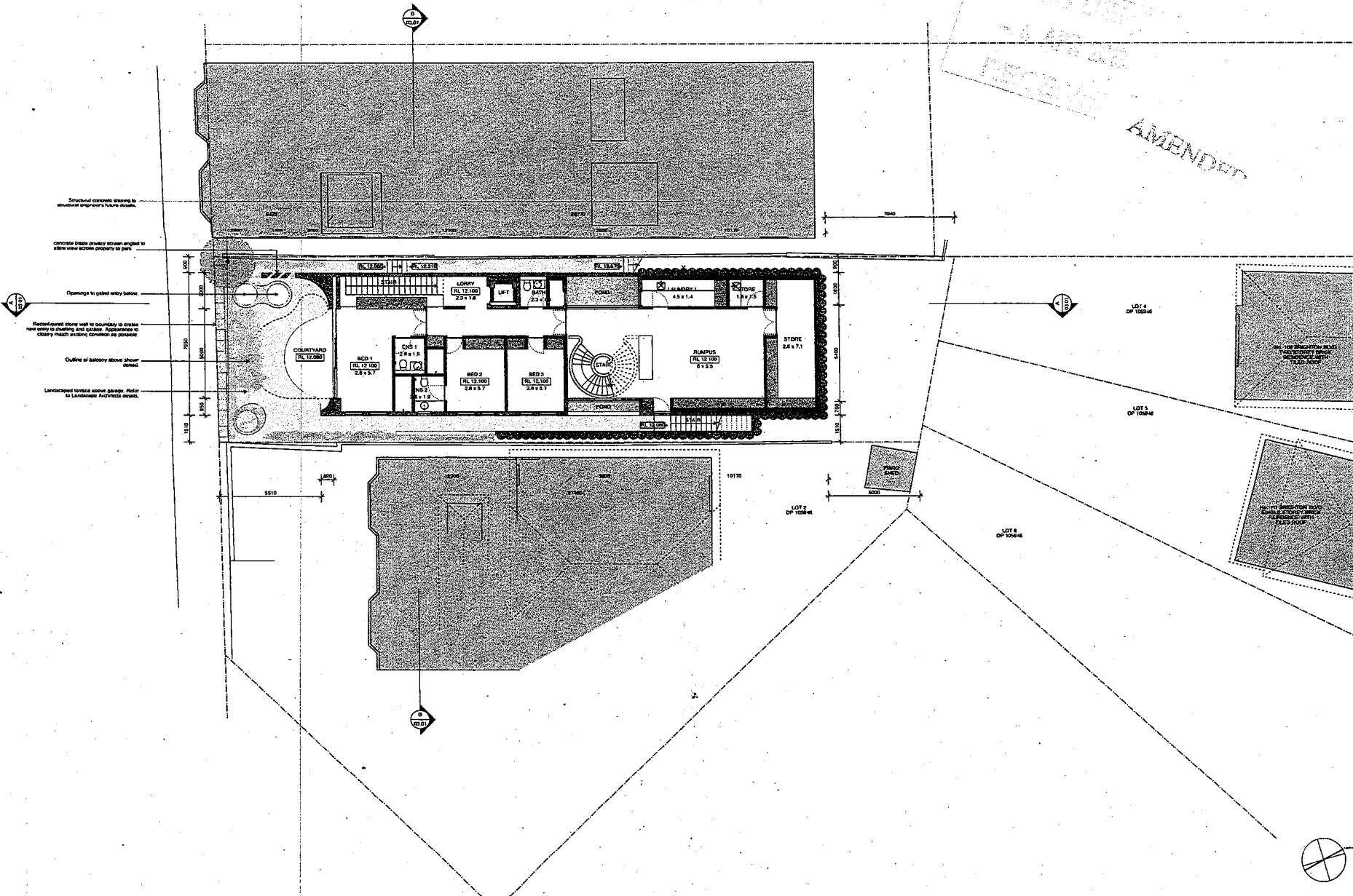
60. STREET NUMBER/S

The street number for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary that fronts the street. Should the number be fixed to an awning then it shall be a minimum 150mm high.



DA-402/12

PLANS DELETED
 11 APR 2012
 RECENTLY AMENDED



- GENERAL NOTES**
- All works to be in accordance with Planning Code of Australia, and the relevant Australian Standards.
 - Contractor to obtain necessary permits under section 4.8.8.
 - Contractor to notify RA of any proposed, permanent, independent of the need for developer and its manufacturer prior to issuing of contracts and to engineering and prior to construction.
 - Contractor to obtain survey and approval of all measurements prior to construction.
 - Contractor to have all structural connections in situ at all times and to be inspected by the RA.
 - All drawings to be worked or not - as per note.
 - Dimensions indicated on general arrangement plans are at finished surfaces, not structural surfaces.
- LEGEND: GENERAL ARRANGEMENT**
- structure: existing to remain
 - structure: new brickwork
 - structure: new concrete
 - structure: timber framing
 - bulkhead above over
 - hidden detail
 - existing ground condition unknown
 - proposed soil
 - RL 00.00 existing reduced level
 - RL 00.00 new reduced level
 - DP down pipe connected to stormwater unless noted otherwise
 - DP
 - FFL RL of finished floor level
 - FLC RL of top of finished structural slab
 - FW floor-water - connect to stormwater
 - OP over-flow pipe for roof gutters

B Development Application Amended 03.04.2012
 A Issue for Development Application 07.08.2012



ABSOLUTE REFERENCE
 130 Harragee Avenue, NORTH BOND NSW
 Lot 3, DP 105946

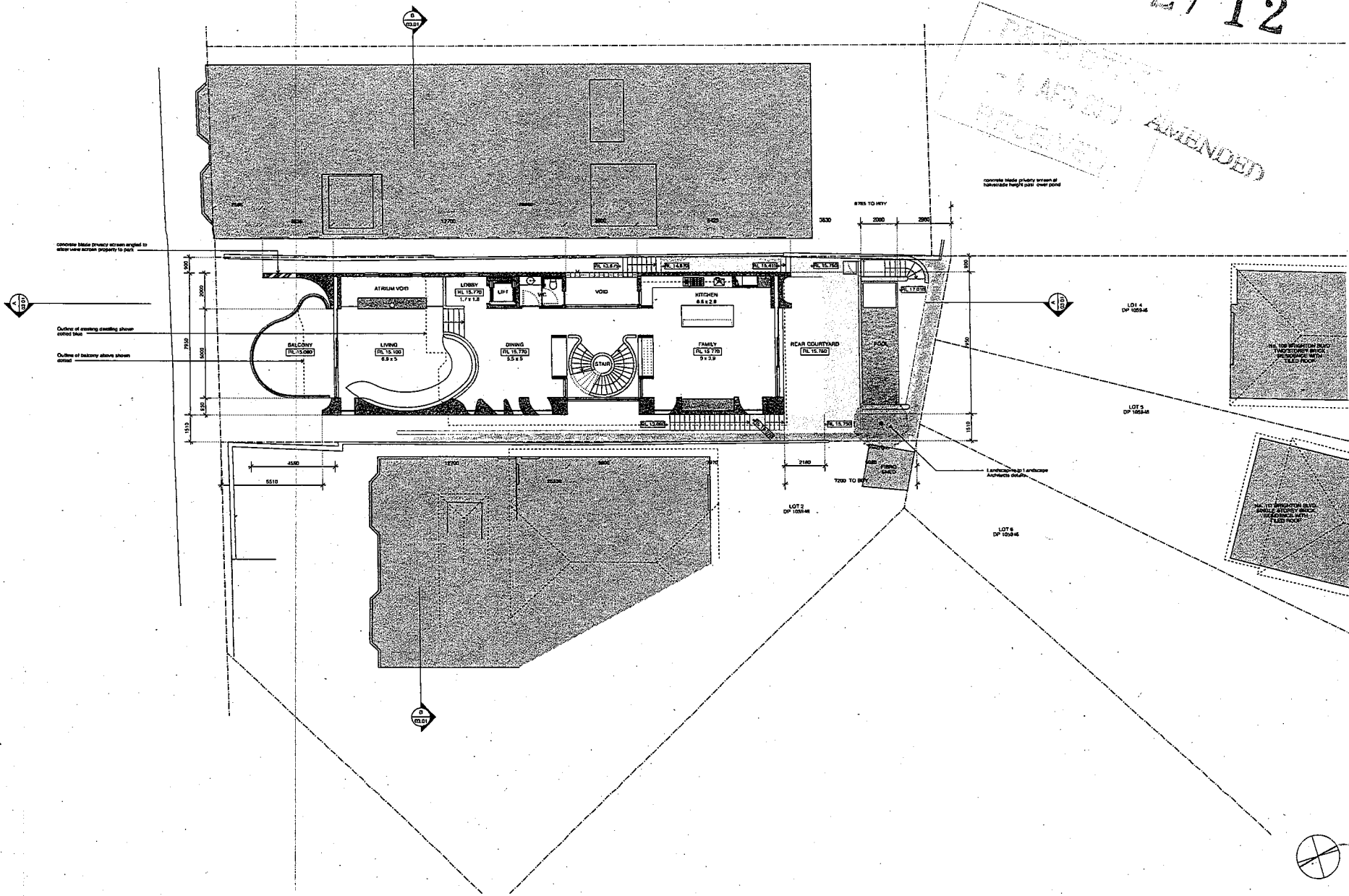
DEVELOPMENT APPLICATION
 GENERAL ARRANGEMENT PLAN
 LOWER GROUND FLOOR PLAN

1:1000 A8 JUL 2012 08:01
 2012-07-08 08:01



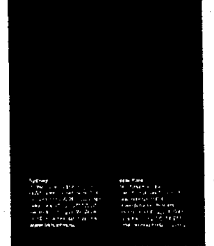
DA-402/12

PROPOSED DEVELOPMENT AMENDED RECEIVED



- GENERAL NOTES**
- All works to be in accordance with Building Code of Australia, and the relevant Australian Standards.
 - Contractor to ensure consistency between tender measures & construction.
 - Contractor to read & check all drawings, specifications, and amendments to the contract documents prior to construction.
 - Refer to schedule of contractor's services & arrangements out prior to construction.
 - Contractor to confirm nature and location of all underground services prior to construction.
 - Contractor to note that electrical services are shown as shown & that all electrical services are shown as shown.
 - All drawings to be checked for compliance with the Building Code of Australia.
 - Dimensions indicated on drawings are approximate unless otherwise stated.
- LEGEND: GENERAL ARRANGMENT**
- structure: existing to remain
 - structure: new brickwork
 - structure: new concrete
 - structure: timber framing
 - bulkhead above over
 - hidden detail
 - existing ground condition unknown
 - proposed soil
 - RL 00.00 existing reduced level
 - RL 00.00 new reduced level
 - DP down pipe connected to stormwater unless noted otherwise
 - FIL F.L. of finished floor level
 - FSL F.L. of top of finished structural slab
 - FW floor waste - connect to stormwater
 - DF over-flow pipe for roof gutters

B Development Application Amended 02/01/2012
 A Issue for Development Application 07/06/2012



APPROVAL PERFORMANCE
 130 Remarque Avenue, NORTH SYDNEY NSW
 Lot 3, DP 105946

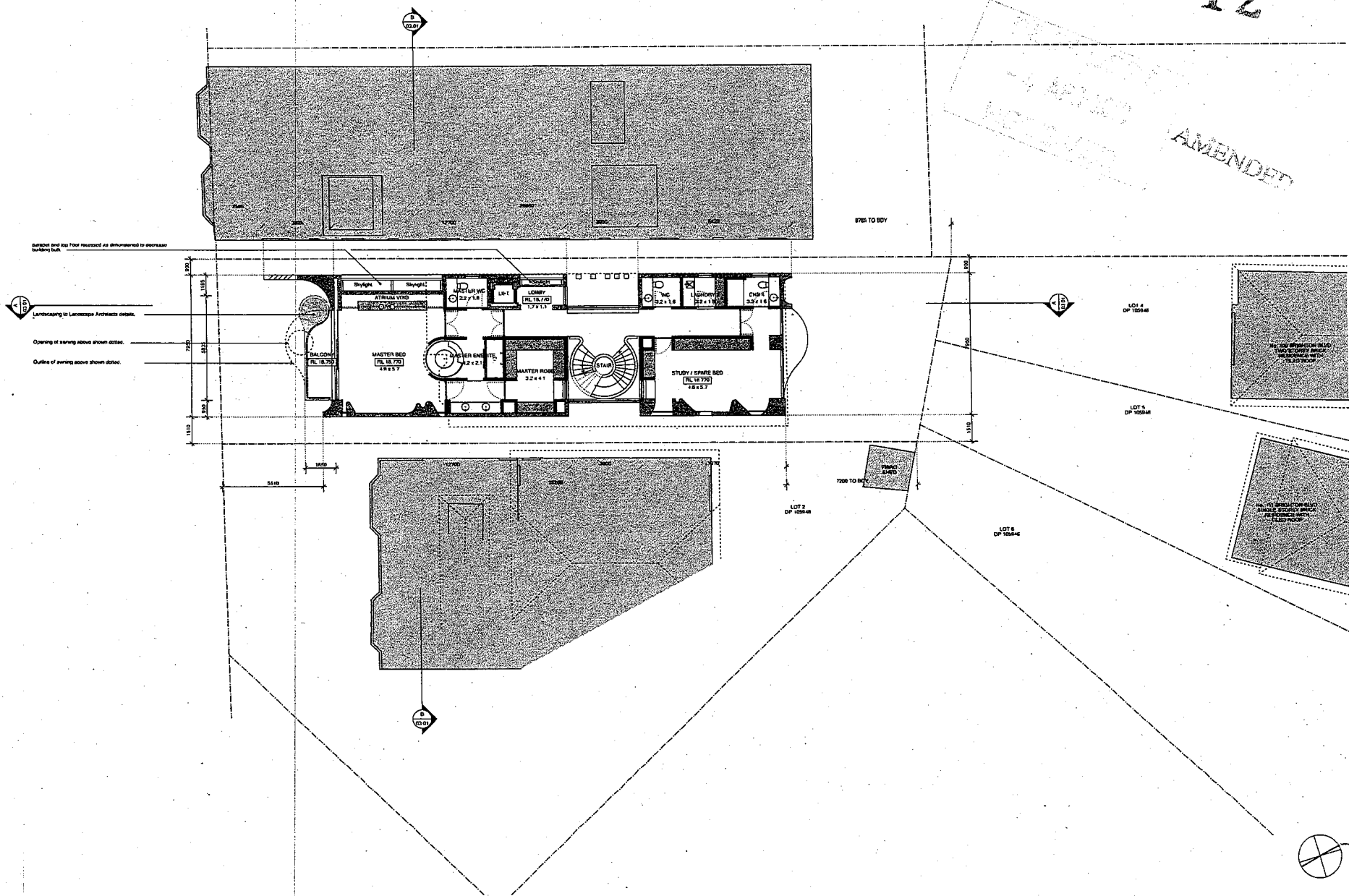
DEVELOPMENT APPLICATION
 GENERAL ARRANGEMENT PLAN
 GROUND FLOOR PLAN



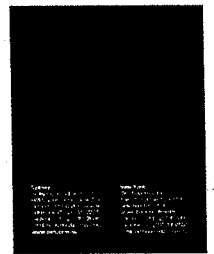
DA-402/12

DA-402/12
 DEVELOPMENT
 AMENDMENT

- GENERAL NOTES**
- All work to be in accordance with Planning Code of Victoria, and the relevant Australian Standards.
 - Contractor to ensure emergency egress routes are clearly marked.
 - Contractor to install 100% of any structural, dimensional or other requirements of the local or state government or its officers.
 - Min. 50% approval of contractors to ensure structural integrity of any work.
 - Contractor to ensure stability and feasibility of all construction prior to construction.
 - Contractor to sign off Structural Engineers to ensure all other structural requirements are met.
 - All drawings to be verified on site - do not start.
 - Dimensions shown on general arrangement plan are of finished surface, not on natural surface.
- LEGEND: GENERAL ARRANGMENT**
- structure: existing to remain
 - structure: new brickwork
 - structure: new concrete
 - structure: timber framing
 - bulkhead: above over
 - hidden detail
 - existing ground condition unknown
 - proposed soil
 - RL 00.00 existing reduced level
 - RL 00.00 new reduced level
 - DP down pipe connected to stormwater unless noted otherwise
 - FFL FFL of finished floor level
 - FSL FSL of top of finished structural slab
 - PW floor waste - connect to stormwater
 - OF over-flow pipe for roof gutters



A Development Application Amended
 Issue by Development Application
 AMENDMENTS



ADDRESS: 130 RAMPAGE AVENUE, NORTH HENDON NSW
 Lot 2, SP 170910

DEVELOPMENT APPLICATION
 GENERAL ARRANGEMENT PLAN
 FIRST FLOOR PLAN

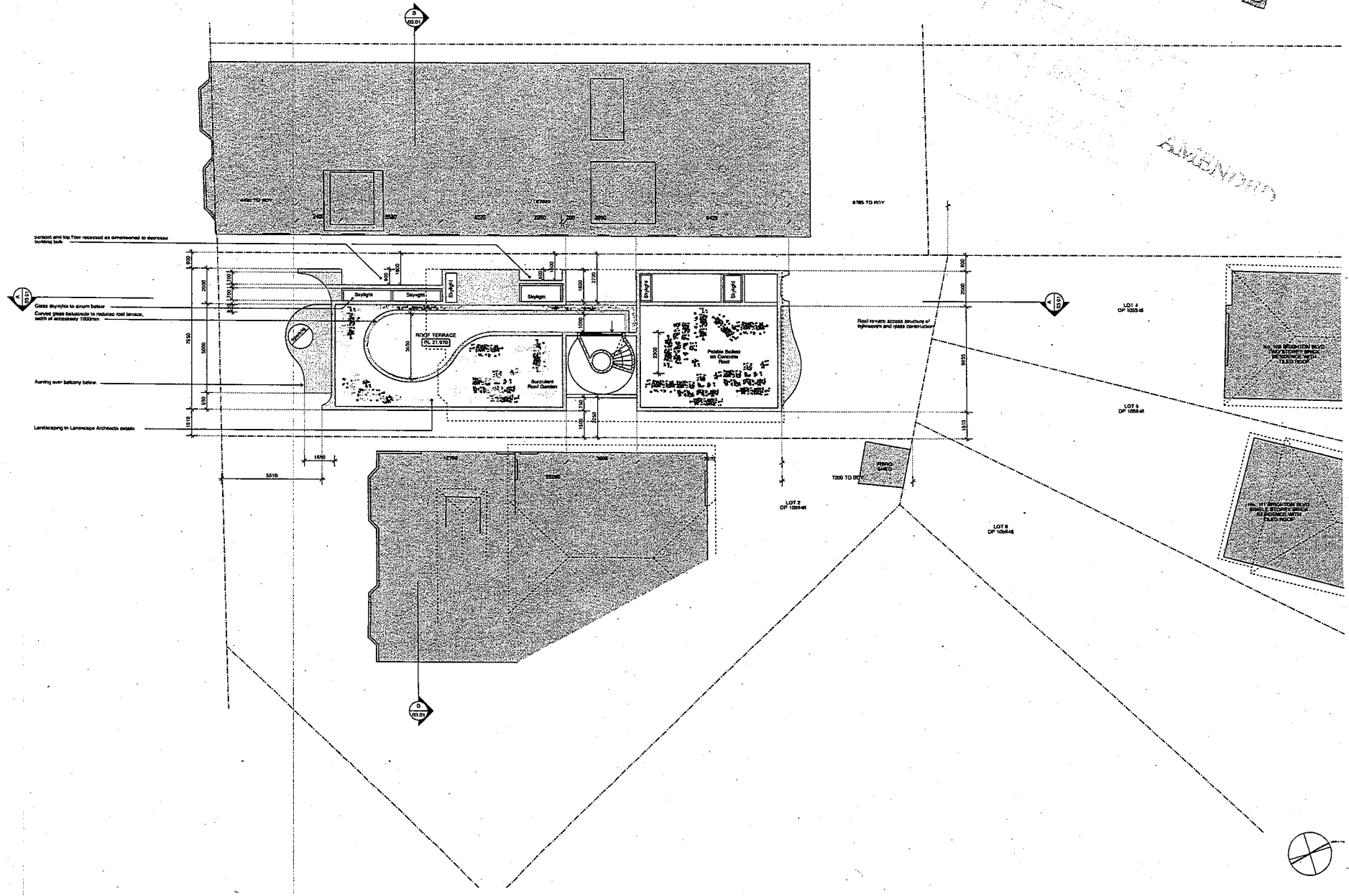
Issue	Plan	Date	Status
1	AB	JULY 2010	01/04-B



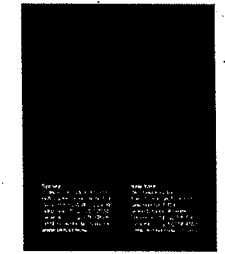
DA-402/12

- GENERAL NOTES**
1. All works to be completed with Planning Code of Council, and the "New South Wales Planning Code".
 2. Containing all relevant planning consent under relevant a planning code.
 3. Containing all relevant notes or any other documents, drawings, representations or the need for clarification prior to construction.
 4. All works to be completed in accordance with the planning code and any other relevant documents.
 5. Containing all relevant notes and drawings and any other relevant documents.
 6. Containing all relevant notes and drawings and any other relevant documents.
 7. All drawings to be worked on / as per scale.
 8. Dimensions, whether on general arrangement plans are in metric units, unless otherwise stated.

- LEGEND: GENERAL ARRANGMENT**
- Structure: existing to remain
 - Structure: new bedrock
 - Structure: new concrete
 - Structure: timber framing
 - Structure: timber frame over
 - Indian street
 - existing ground condition unknown
 - proposed soil
 - +RL 00.00 existing reduced level
 - RL 00.00 new reduced level
 - down pipe connected to stormwater unless noted otherwise
 - RL of top of finished floor level
 - RL of top of finished structural slab
 - floor waste - connect to stormwater
 - over-flow pipe for roof gutters



Development Application Amended 03/04/2013
 Issue for Development Application 07/05/2013
 AMENDMENTS



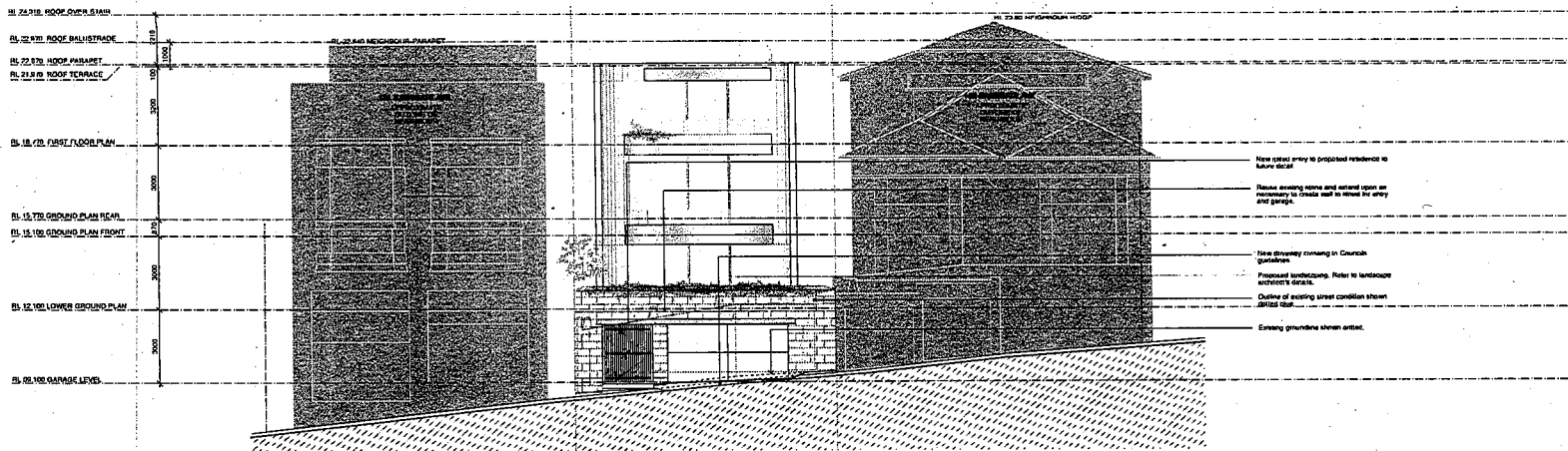
ARBOREAL PERFORMANCE
 120 Harrington Avenue, NORTH SYDNEY NSW
 Lot 3, DP 105546

DEVELOPMENT APPLICATION
 GENERAL ARRANGEMENT PLAN
 ROOF PLAN



DA-402/12

PROPOSED
STREET ELEVATION
AMENDMENT



STREET ELEVATION - Ramsgate Ave
Scale: 1:100

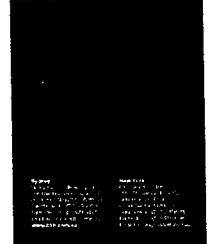
**BABY Certificate Centre
Thermal Comfort Specifications**

ABSAs Approved # 7022 SEE Clause 8 100/1000

Component	U-value	Area	Value	Value
Roof	0.15	100	15	15
External Wall	0.25	100	25	25
Internal Wall	0.10	100	10	10
Floor	0.10	100	10	10
Window	1.0	100	100	100
Door	1.5	100	150	150
Glazing	1.5	100	150	150
Shading	0.5	100	50	50
Lighting	0.1	100	10	10
Internal Air	0.1	100	10	10
External Air	0.1	100	10	10

Additional details and notes regarding thermal performance and compliance with AS/NZS 5547:2005.

B Development Application Amendment A
Issue for Development Application
04/03/2012
02/03/2012



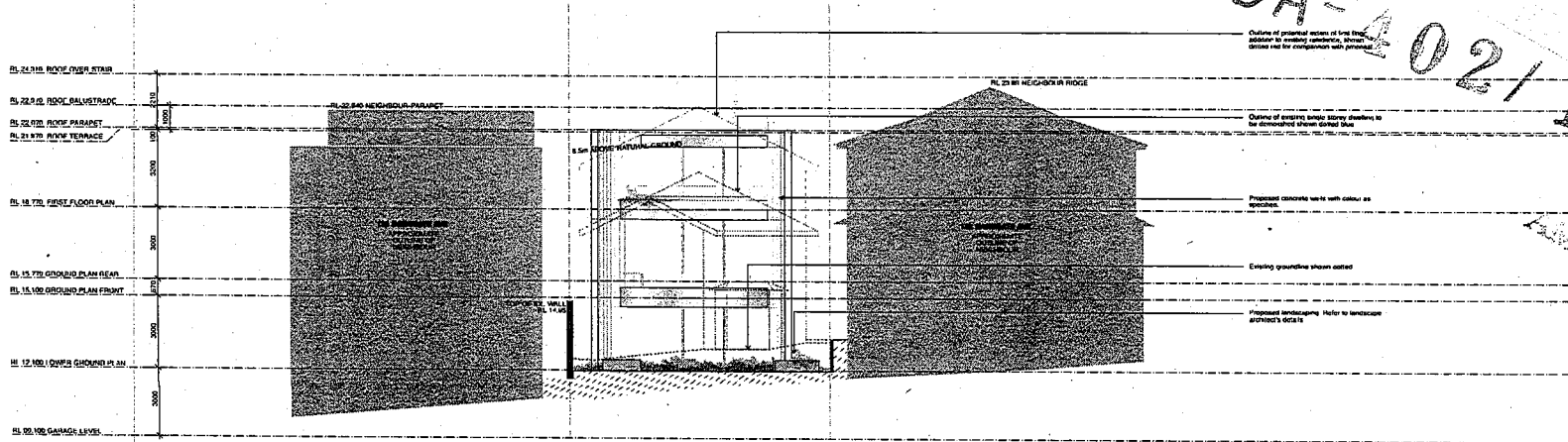
ABSOLUTELY PREFERENCE
130 Ramsgate Avenue, NORTH BOND NSW
Tel: 02 957 0000

DEVELOPMENT APPLICATION
STREET - RAMSGATE AVE

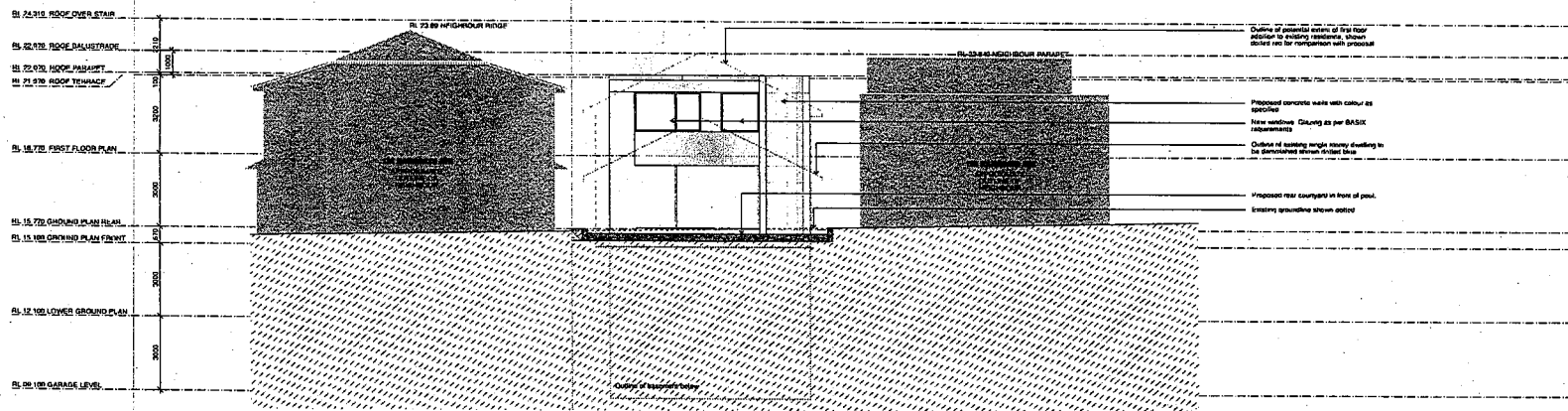


DA-402/12

AMENDED

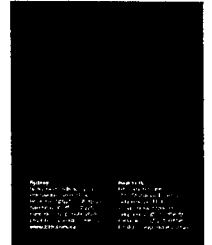


SOUTH ELEVATION
Scale: 1:100



NORTH ELEVATION
Scale: 1:100

B Development Application Amended 01 03 2013
A Issue for Development Application 07 05 2012



ABSOLINE RESIDENCE
133 Highgate Avenue, NORTH DONNS NSW
Lot 3, DP 1204540

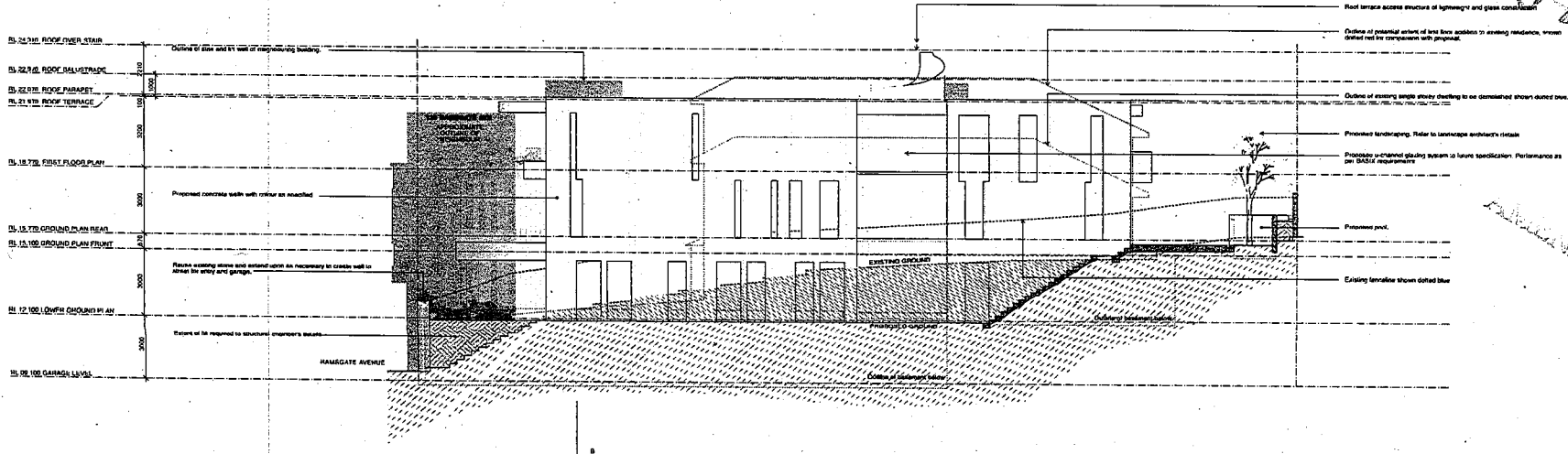
DEVELOPMENT APPLICATION

ELEVATION
SOUTH + NORTH

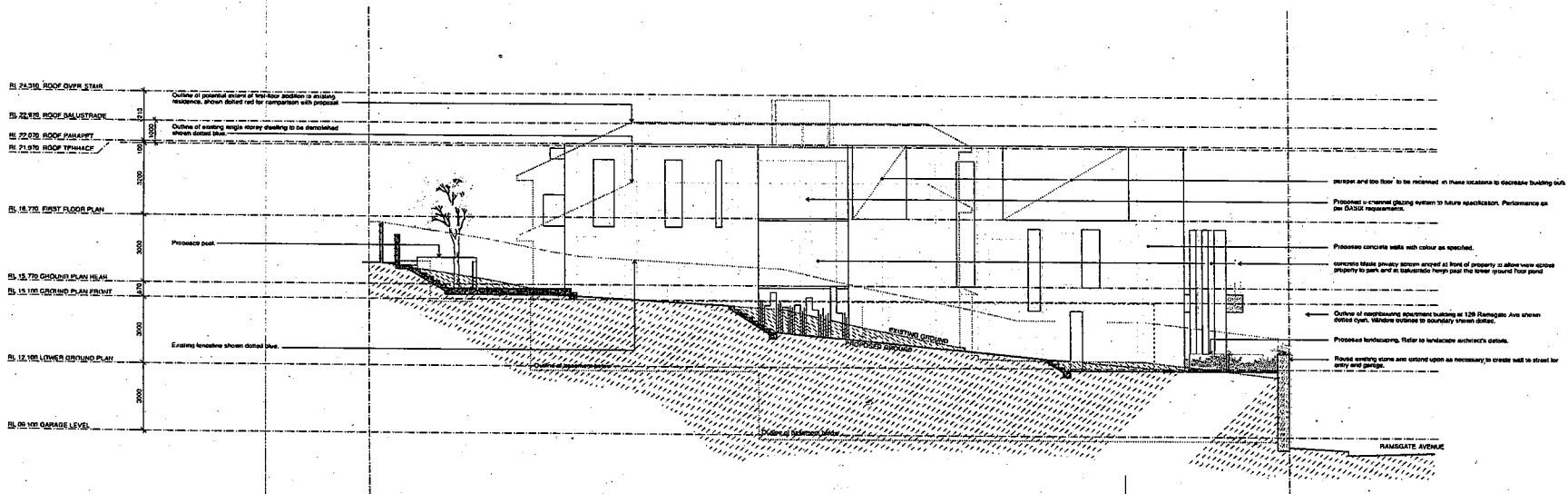
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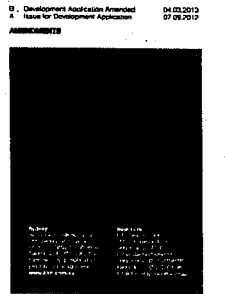
DA-402/12



EAST ELEVATION
SCALE: 1:100



WEST ELEVATION
SCALE: 1:100



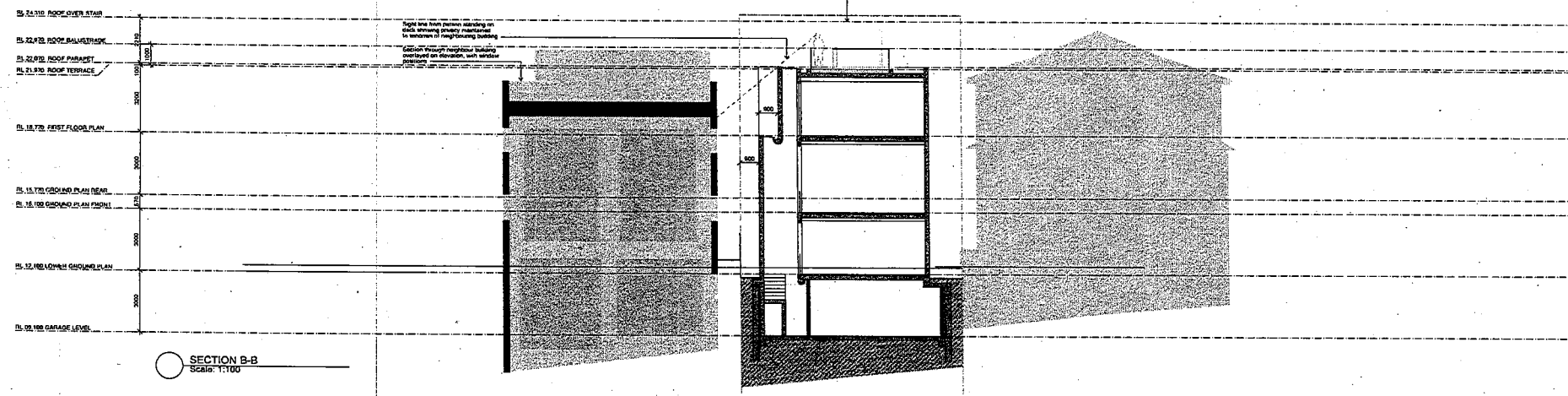
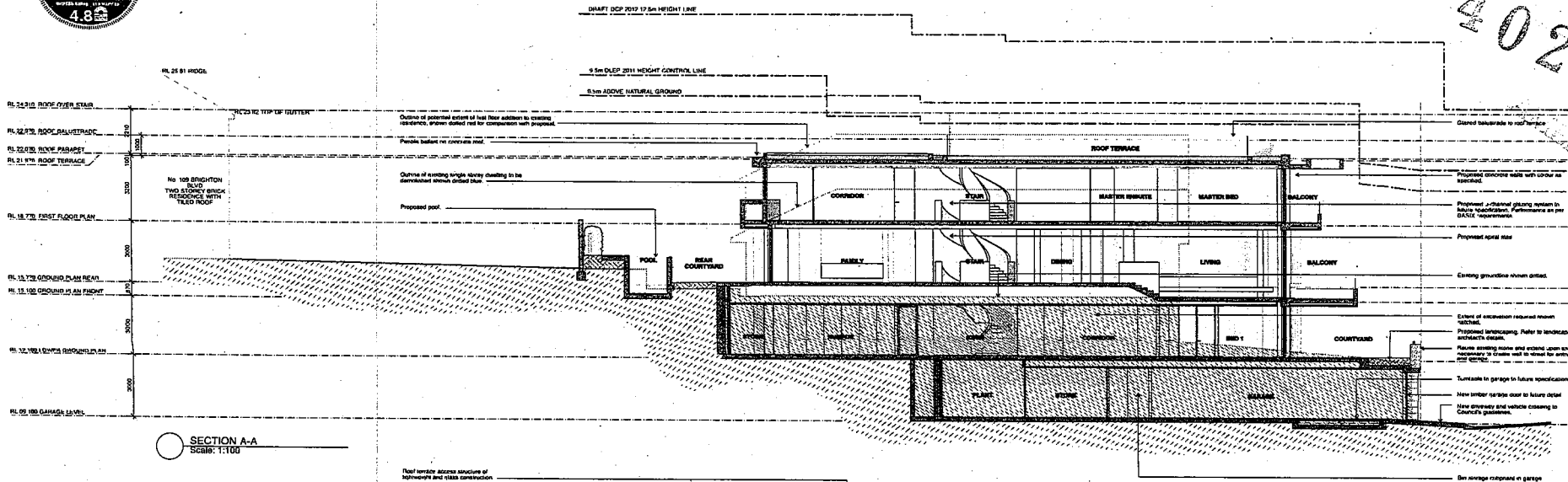
ABSOLUTE RESIDENCE
130 Ramsgate Avenue, NORTH BOND NSW
Lot 3, DP 126546
DEVELOPMENT APPLICATION
ELEVATIONS
EAST & WEST
1:100 (M) AB JULY 2012
A2.02-B
35



DA-402712

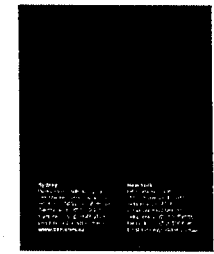
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11 JUL 2013 10:57

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DEVELOPMENT APPLICATIONS
11 JUL 2013 10:57



B Development Application Amended 04.03.2013
A Issue for Development Application 09.09.2012

AMENDMENTS



ABSOLINE RESIDENCE
130 Fitzroy Avenue, NORTH BRIDGE NSW
Lot 3, DP 12846

DEVELOPMENT APPLICATION

SECTIONS
A-A + B-B