



9 April 2018

A meeting of the **WAVERLEY DEVELOPMENT ASSESSMENT PANEL** will be held on Level 3, Waverley Council Chambers, Cnr Bondi Road and Paul Street, Bondi Junction at:

**12.00 PM WEDNESDAY, 18 APRIL 2018**

**QUORUM:** Three Panel members.

**APOLOGIES:** By e-mail to [WDAP@waverley.nsw.gov.au](mailto:WDAP@waverley.nsw.gov.au)

OR

Late notice by telephone to the WDAP Co-ordinator on 9083 8273.

## AGENDA

### **WDAP-1804.A** **Apologies**

### **WDAP-1804.DI** **Declarations of Interest**

The Chair will call for any declarations of interest.

### **WDAP-1804.1** **PAGE 4** **24 Mackenzie Street, Bondi Junction – Alterations and additions to existing terrace dwelling including an attic addition (DA-21/2018)**

Report dated 9 April 2018 from the Development and Building Unit.

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

### **WDAP-1804.2** **PAGE 37** **28 Ruthven Street, Bondi Junction – Alterations and additions to rear of existing terrace dwelling (DA-499/2017)**

Report dated 9 April 2018 from the Development and Building Unit.

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

### **WDAP-1804.3** **PAGE 60** **46 Gardyne Street, Bronte – Section 4.55 – Modification of development consent DA-513/2016 relating to rear terrace, increased floor space, reduced side setback, driveway conditions (DA-513/2016/A)**

Report dated 9 April 2018 from the Development and Building Unit.

**Recommendation:** That the application be approved (in part) in accordance with the conditions contained in the report.



**WDAP-1804.4**

**PAGE 113**

**8 Jackaman Street, Bondi – Review of refusal for demolition, construction of a dual occupancy development (attached), Torrens title subdivision and a swimming pool. (DA-142/2017/1)**

Report dated 6 April 2018 from the Development and Building Unit.

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

**WDAP-1804.5**

**PAGE 170**

**60 Lamrock Avenue, Bondi Beach – Alterations and additions to a dual occupancy to create a residential flat building containing four units, front hardstand parking, swimming pool and strata subdivision (DA-193/2017)**

Report dated 5 April 2018 from the Development and Building Unit.

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

**WDAP-1804.6**

**PAGE 244**

**93 Hardy Street, Dover Heights – Demolition of existing building and construction of a part two part three storey dwelling with roof terrace and swimming pool (DA-442/2017)**

Report dated 4 April 2018 from the Development and Building Unit.

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

**WDAP-1804.7**

**PAGE 286**

**6 Roberts St, Rose Bay – Modification to delete condition 2(a) of the consent relating to the height of the approved front fence (DA-481/2017/A)**

Report dated 6 April 2018 from the Development and Building Unit.

**Recommendation:** That the application be refused for the reasons contained in the report.

**WDAP-1804.8**

**PAGE 294**

**701-707 Old South Head Road, Vaucluse – Section 96 Modification including 3 additional units, extending approved units and addition of 6 car parking spaces (DA-482/2016/A)**

Report dated 6 April 2018 from the Development and Building Unit.

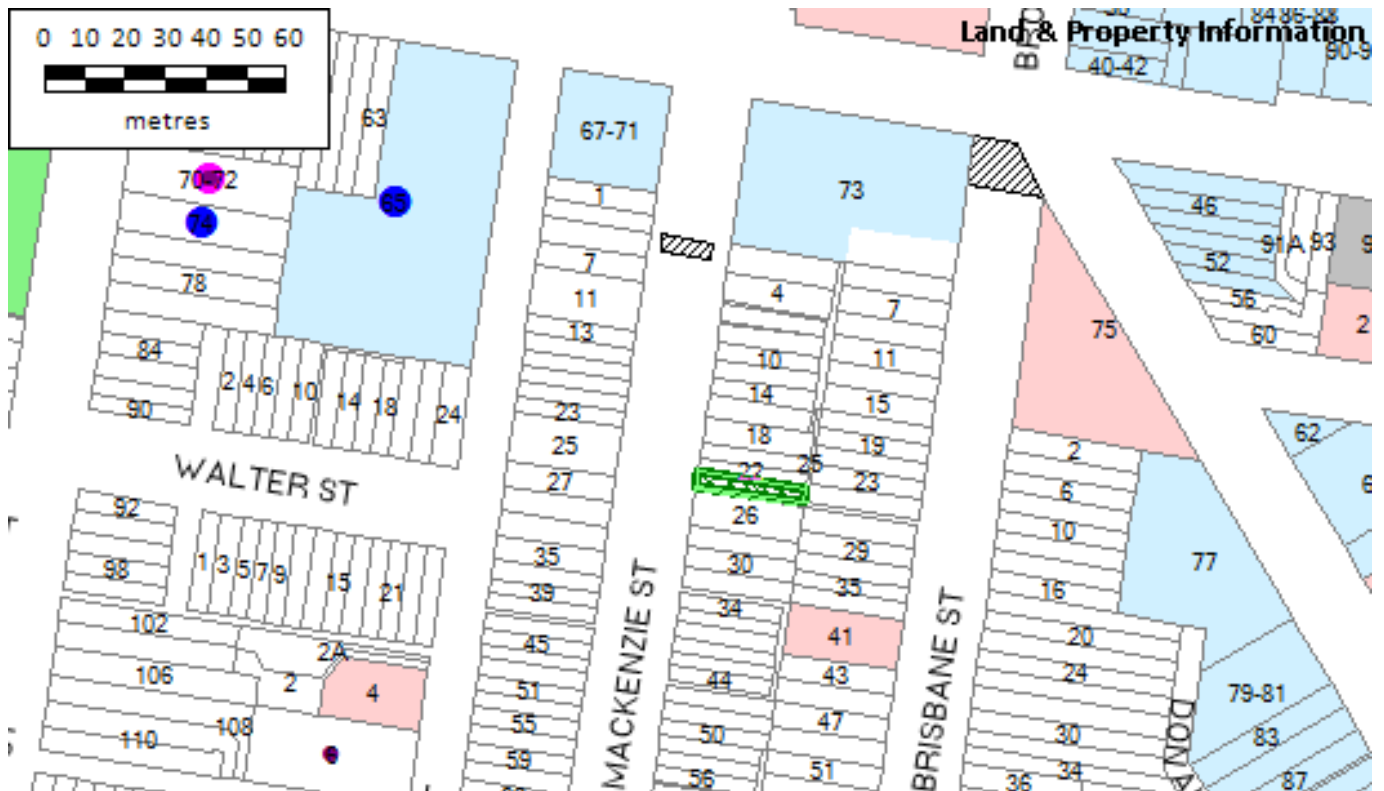
**Recommendation:** That the application be approved in accordance with the conditions contained in the report.



## Report to Waverley Development Assessment Panel

<b>Application number</b>	DA-21/2018
<b>Site address</b>	24 Mackenzie Street, Bondi Junction
<b>Proposal</b>	Alterations and additions to existing terrace dwelling including an attic addition
<b>Date of lodgement</b>	5 Feb 2018
<b>Owner/ Applicant</b>	Mr C Tynan & Ms C Suttie
<b>Submissions</b>	Nil
<b>Cost of works</b>	\$110,000.00
<b>Issues</b>	Floor space ratio
<b>Recommendation</b>	That the application be APPROVED

### Site Plan



## 1. PREAMBLE

### 1.1 Site And Surrounding Locality

A site visit was carried out on 8 March 2018.

The site is identified as Lot 280 in DP 1012839, known as 24 Mackenzie Street, Bondi Junction. The site is rectangular in shape with a north and south (side) boundaries measuring 26.875m, west (front) boundary measuring 3.7m and east (rear) boundary measuring 3.545m. The site has an area of 94.85m<sup>2</sup> and the site is relatively level.

The site is occupied by a two storey terrace with no vehicular access provided.

The subject site is adjoined by an adjoining terraces on the northern side. The Locality is characterised by a variety of residential developments including semi-detached dwellings, detached dwellings, terraces and residential flat buildings.

The property is located within the Mill Hill Heritage Conservation Area. The property is not an item of Environmental Heritage in accordance with the WLEP 2012.



Figure 1: Site viewed from Mackenzie Street.





**Figure 2:** Site viewed from across the road in MacKenzie St.



**Figure 3:** Adjoining terraces to the north and south of the subject site with similar dormer windows.

## 1.2 Relevant History

LD-75/2001 - Construct Two Storey Terrace House. Approved on 28 March 2001.

DA-428/2009 - Alterations including internal demolish of wall. Approved 18 Aug 2009.

### 1.3 Proposal

The proposal includes the following works:

#### **Demolition**

The only demolition work is proposed within the existing roof area in order to accommodate the proposed dormer windows.

#### **Ground Floor**

No work has been proposed to the ground floor.

#### **First Floor**

The proposed first floor works include new attic stairs only.

Attic Conversion, Front and Rear Dormer Window

The existing roof space will be utilised as a new bedroom and bathroom. A front dormer window and rear roof dormer is proposed to allow natural light and ventilation.

## 2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act).

### 2.1 Section 4.15 (1)(a) Planning Instruments and Development Control Plans

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning polices (SEPPs), and development control plans.

#### 2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are implemented.

#### 2.1.2 SEPP 55 Remediation of Land

There is no known history of contamination applicable to the site. The subject site has historically been used for residential purposes. Accordingly, site land contamination is considered unlikely and no further investigation is necessary.

#### 2.1.3 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

**Table 1: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal complies with the aims of the WLEP 2012.
<b>Part 2 Permitted or prohibited development</b>		
Land Use Table R3 Zone	Yes	The proposal is defined as alterations and additions to the dwelling, which is permitted with consent in the R3 zone.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>9.5m</li> </ul>	Yes	The existing overall height is 10.3m. The proposal has a maximum height of 9.1m and complies with the development standard.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> <li>1:1 (94.85m<sup>2</sup>) Existing =102.94m<sup>2</sup> which is currently over by 8.44m<sup>2</sup> (8.9%)</li> </ul>	<b>No</b>	The proposal has a FSR of 1.2:1 (114.14m <sup>2</sup> ), the proposal does not comply with the control.  A total of 19.29m <sup>2</sup> (20%) variation to the development standard is proposed.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the 4.4A development standard. A detailed discussion of the variation to the development standard is presented below this table.
<b>Part 5 Miscellaneous provisions</b>		
5.10 Heritage conservation	Yes	The proposed development is located within the Mill Hill Conservation Area. The proposal has been referred to Council's Heritage Architect for comment. The proposal is supported subject to compliance with the BCA.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

### **Exceptions to Development Standards**

#### *Clause 4.4 Floor space ratio*

The proposal has an overall floor space ratio of 1.2:1, which exceeds the floor space ratio development standard of 0.9:1 prescribed under clause 4.4A of Waverley LEP 2012 by 19.29m<sup>2</sup> in gross floor area or 20%.

A written request pursuant to clause 4.6 of Waverley LEP 2012 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- *The proposed development is consistent with the zone objectives.*
- *The proposal will provide a much needed additional bedroom*
- *The site specific and contextually responsive development is consistent with the objectives of the FSR standard.*
- *There are no significant adverse impacts on the amenity of the adjoining, adjacent or properties in terms of solar access, visual bulk and privacy.*
- *Contravention of the development standard does not raise any matter of significance for State or regional environmental planning.*
- *Approval of the proposal will not set a precedent for non-complying applications.*

Variation to the development standard is considered to be acceptable given the proposal is consistent with the built form and scale of the existing streetscape. The proposal is considered to generally comply with the DCP subject to some minor departures from the controls, which are supported. The proposal is consistent with the objectives of the development standard and the R3 zone, and is therefore supported for approval.

The proposed variation to the floor space ratio development standard is considered to satisfy the objectives and is also considered to be in the public interest considering the circumstances of the case. The applicant’s written request is considered to be satisfactory for the proposed development, considering the streetscape.

The proposed variation is considered to be acceptable and adequate justification is provided for contravention of the development standard. The variation is recommended to be supported.

#### **2.1.4 Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)**

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

**Table 2: Waverley DCP 2012 – Part B General Provisions Compliance Table**

<b>Development Control</b>	<b>Compliance</b>	<b>Comment</b>
1. Waste	Yes	The applicant has submitted a site waste and recycling management plan as part of the application.
2. Energy and water conservation	Yes	The applicant has submitted a Basix Certificate as part of the application.
6. Stormwater	Yes	The proposal is considered to comply with Council’s controls in relation to stormwater.
9. Heritage	Yes	The additions are consistent with the scale of the adjoining buildings and are similar to other developments in MacKenzie St.

**Table 3: Waverley DCP 2012 – Part C1 Dwelling House and Dual Occupancy Development Compliance Table**

Development Control	Compliance	Comment
<b>1.1 Height</b>		
1.1.1 Flat roof dwelling house <ul style="list-style-type: none"> <li>Maximum overall building height of 7.5m</li> </ul>	N/A	
<b>1.2 Setbacks</b>		
1.2.1 Front and rear building lines <ul style="list-style-type: none"> <li>Predominant rear building line at each floor level</li> </ul>	Yes	The front and rear building lines to the ground and upper floors are considered to satisfy the controls.
1.2.2 Side setbacks <ul style="list-style-type: none"> <li>Minimum of 0.9m</li> </ul>	Yes	The terrace maintains the existing nil setback for terrace dwellings off the boundary. The dormer window setbacks to the front elevation are between 1190 & 1200mm and the dormer window setbacks to the rear elevation are between 615 & 770mm.
<b>1.4 Streetscape and visual impact</b>		
<i>Assess against general controls</i>	Yes	The proposal is consistent with the bulk and scale and does not detract from the streetscape of Mackenzie Street.
<b>1.8 Visual and acoustic privacy</b>		
<ul style="list-style-type: none"> <li><i>Minimise overlooking</i></li> </ul>	Yes	The proposed development is considered to maintain privacy of the adjoining buildings. The proposal is not considered to significantly reduce the existing level of privacy of the adjoining neighbours, therefore the proposal is supported in its current form.
<b>1.9 Solar access</b>		
<ul style="list-style-type: none"> <li>Minimum of three hours of sunlight maintained to minimum of 50% of living areas and principal open space areas of adjoining properties on 21 June</li> </ul>	Yes	The proposed additions are consistent with the building line of the adjoining properties. No significant adverse impact to adjoining premises is anticipated, which is confirmed with the shadow diagrams accompanying the application. The proposal is considered acceptable on merit and is recommended for approval.
<b>1.12 Landscaping and open space</b>		
<ul style="list-style-type: none"> <li>Overall open space: 40% of site area</li> </ul>	Yes (existing)	Unchanged.
<ul style="list-style-type: none"> <li>Overall landscaped area: 15% of site area</li> </ul>	Yes (existing)	Unchanged.



Development Control	Compliance	Comment
<ul style="list-style-type: none"> <li>Minimum area of 25m<sup>2</sup> for private open space</li> </ul>	Yes	Unchanged.
<b>1.15 Dormer windows</b>		
<ul style="list-style-type: none"> <li>If &gt; 2.5m from gutter to ridge, flush to the roof and maximum of one per single fronted dwelling or one pair on a double fronted dwelling</li> <li>Minimum 0.3m below main roof ridge</li> </ul>	Yes	<p>The proposal includes one dormer to the front and rear elevation of the existing roof.</p> <p>The dormers are set down 300mm below the main ridge and comply with the control.</p>

The following is a detailed discussion of the issues identified in the compliance tables above in relation to the Waverley DCP 2012.

The proposal is compliant with the WDCP controls.

## 2.2 Section 4.15 (1)(b) – Other Impacts of the Development

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

## 2.3 Section 4.15 (1)(c) – Suitability of the Site for the Development

The site is considered to be suitable for the proposed development.

## 2.4 Section 4.15 (1)(d) – Any Submissions

The application was notified for 14 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

No submission was received.

## 2.5 Section 4.15 (1)(e) – Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

### 3. REFERRALS

#### 3.1 Heritage

The proposal was discussed with Council's heritage architect on 22<sup>nd</sup> March, who stated that the application was considered acceptable.

#### 3.2 Stormwater – Creating Waverley

*The plans prepared by Addspace Building & Renovations Pty Ltd, Project No. 2201, Drawing No. A-01 to A-14 (all Revision 01), dated 9 January 2018 have been checked and considered **not satisfactory** with respect to stormwater details.*

*The drawings do not comply with the Waverley Development Control Plan 2012 in reference to Waverley Council's Water Management Technical Manual.*

- *On-Site Stormwater Detention (OSD) tank and its details are required e.g. dimensions, cross & long sections, top water level, details of orifice plate including orifice diameter & depth of water above centreline of orifice etc.*
- *An updated Stormwater Management Plan including On-site Stormwater Detention (OSD) and its details along with completed mandatory checklist as set out in page 22 of Waverley Council's Water Management Technical Manual is required.*

**Officer comment:** The proposal does not increase the existing roof area. It is considered impractical and unreasonable to impose the above condition having regard to the minor nature of the proposal and the fact that the site has limited open space. It is considered that the existing stormwater system is adequate to dispose the stormwaters from the site.

### 4. SUMMARY

The applicant proposes an attic addition to a two storey terrace dwelling including dormers to the attic.

The proposal does not comply with the Floor Space Ratio development standard in the Waverley LEP 2012, however as discussed in the report the variation is considered acceptable on merit as it does not result in any adverse environmental impacts. The issue is considered to be acceptable and supported.

No submission was received to the application.

The proposal is considered to be consistent with the objectives and controls of the WLEP 2012 and WDCP 2012 and is recommended for approval subject to the conditions of consent.

**5. DETERMINATION – DELEGATED AUTHORITY**

That the Development Application is **APPROVED** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A:

**Report prepared by:**

**Application determined by:**

Paul Yachmennikov  
**Senior Development Assessment Officer**

Lee Kosnetter  
**Manager, Development Assessment (South)**

**(Reviewed and agreed on behalf of the  
Development and Building Unit)**

**Date: 2 April 2018**

**Date: 9 April 2018**

**Reason for referral:**

**3 Departure from any development standard in an EPI by more than 10%**

## **APPENDIX A – CONDITIONS OF CONSENT**

### **A. APPROVED DEVELOPMENT**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Project No 2201 Architectural Plan/dwg Nos A-05 to A-10 & A-12, tables and documentation prepared by Add + Space, dated 09.01.18, and received by Council on 5 February 2018,
- (b) BASIX Certificate received by Council on 5 February 2018 ;
- (c) The Waste Management Plan/ Report prepared by IQ Homes received by Council on 5 February 2018;

Except where amended by the following conditions of consent.

#### **2. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES**

Where there is a strong community reaction to noise associated with demolition, excavation and/or construction, Council may require respite periods by restricting the hours that the specific noisy activity can occur.

Notes: If this is imposed, Council will take into account:

- 1. Times identified by the community when they are less sensitive to noise
- 2. If the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.

#### **3. USE OF DWELLING**

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

## B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

### 4. 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/](http://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.

### 5. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of **\$3,300.00** 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.

**6. 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.

**7. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

The building work, or demolition work, 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 & 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.

**8. 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 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.

**9. 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.

**10. STORMWATER MANAGEMENT**

Certification is to be provided from a suitably qualified professional, that the stormwater system has been connected to the existing stormwater system designed in accordance with minimum design standards for *good management practice*.

**11. 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.

**12. ENGINEERING DETAILS - CERTIFICATE OF ADEQUACY**

A Certificate of Adequacy prepared by a practicing Structural Engineer, certifying the adequacy of the existing building structure to carry the extra load of the proposed additions is to be provided to Council or the Accredited Certifier prior to the issue of a Construction Certificate.

**13. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and cannot be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.

## **C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION**

### **14. 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.

### **15. 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.

### **16. 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.

### **17. TOILET FACILITIES**

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

### **18. 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by SafeWork NSW (catalogue WC03561)
- (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.



**19. SITE HEALTH & SAFETY PLAN**

A Site Health & Safety Plan is to be prepared prior to the commencement of remediation works by a person competent to do such Plan. All works are to be carried out in accordance with this Plan. This Plan shall include:

- (a) hazard identification and control
  - (b) site security
  - (c) personal protective equipment
  - (d) work zones and decontamination procedures
  - (e) contingency plans and incident reporting
- environmental monitoring

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the Principal Certifying Authority immediately.

**20. COMPLIANCE WITH SAFEWORK NSW REQUIREMENTS**

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

**21. 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.

**22. 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.

**23. 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.

**24. 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.

**25. ASBESTOS REMOVAL**

All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by SafeWork NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.

**26. PROHIBITION OF ASBESTOS RE-USE**

No asbestos products are to be reused on site.

**27. ASBESTOS REMOVAL SIGNAGE**

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.

**28. SKIPS AND BINS**

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

**29. NOTIFICATION OF ASBESTOS REMOVAL**

All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.

**30. 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

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

**31. BUILDING CODE OF AUSTRALIA**

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

**32. BUILDING LEGISLATION AMENDMENT (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) prior to covering of the framework for any floor, roof or other building element;
- (c) prior to covering any waterproofing in any wet areas;
- (d) prior to covering any stormwater drainage connections; and
- (e) after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

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.

**33. ENCROACH BEYOND THE BOUNDARIES**

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

**34. 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.

**35. 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.

## **D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION**

### **36. 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.

### **37. LIGHTING**

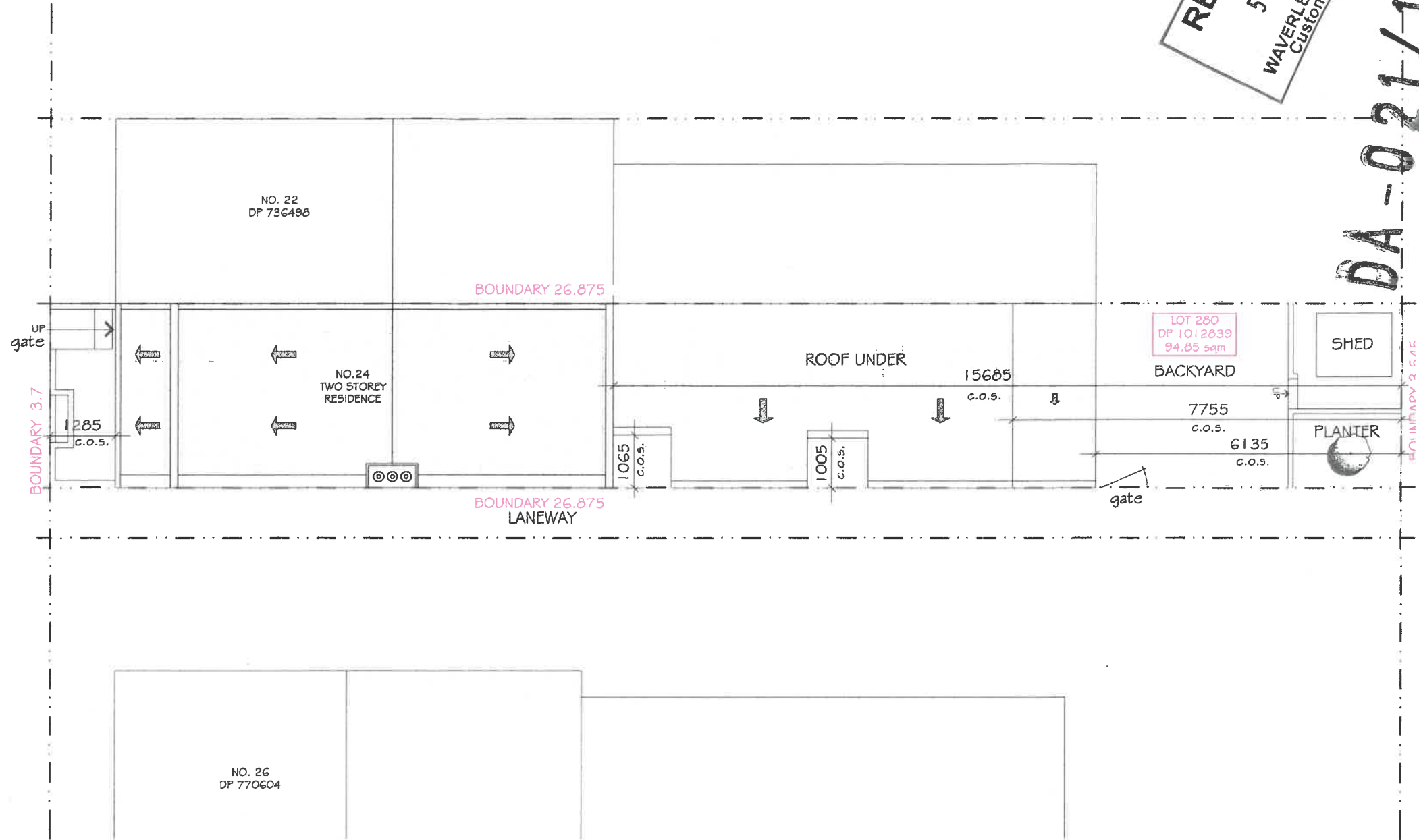
Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Australian Standard AS 4282:1997 Control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

not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 checked & verified by the contractor/s prior to the  
 commencement of works

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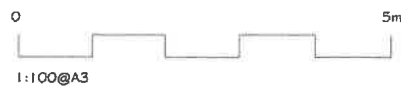
DA-021/18

MACKENZIE STREET



EXISTING SITE CALCULATIONS :	
SITE AREA TOTAL:	94.85 sqm
GROUND FLOOR:	54.59 sqm
FIRST FLOOR:	48.35 sqm
TOTAL:	102.94 sqm
EXISTING FSR:	1.085:1
RECOMMENDED FSR:	0.9:1
OPEN SPACE - BACKYARD:	22.70 sqm
LANDSCAPE AREA:	
BACKYARD:	3.00 sqm

EXISTING SITE & ROOF PLAN



1:100@A3

Description	By	Date
Issue for DA	IQH	09.01.18

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 e. nick@addspacebuilding.com.au

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Drawing Title:  
 EXISTING SITE & ROOF PLAN

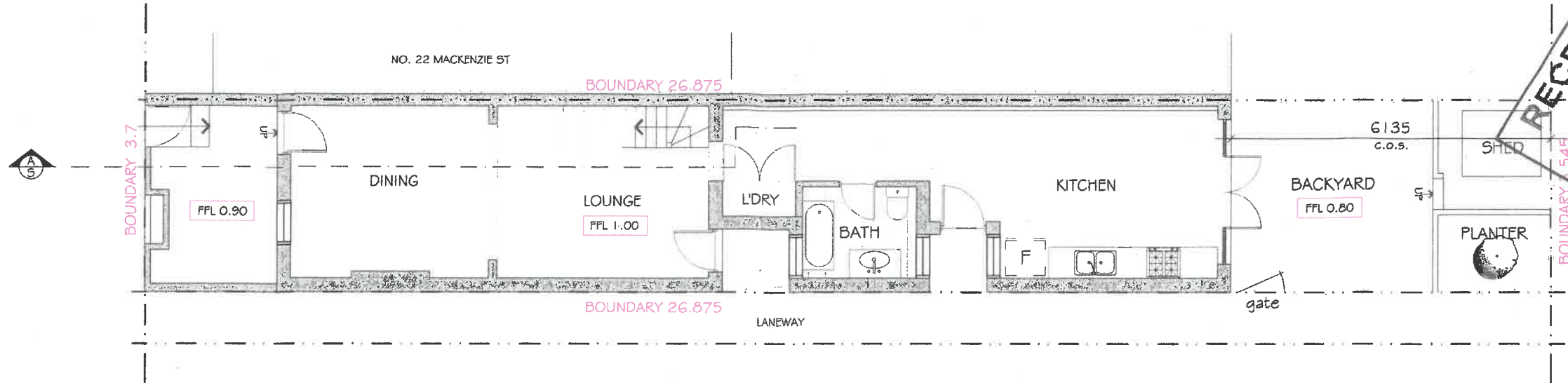
Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

DATE: 09.01.2018  
 DRAWN: IQ HOMES  
 CKD: MA  
 SCALE: 1:100 @A3

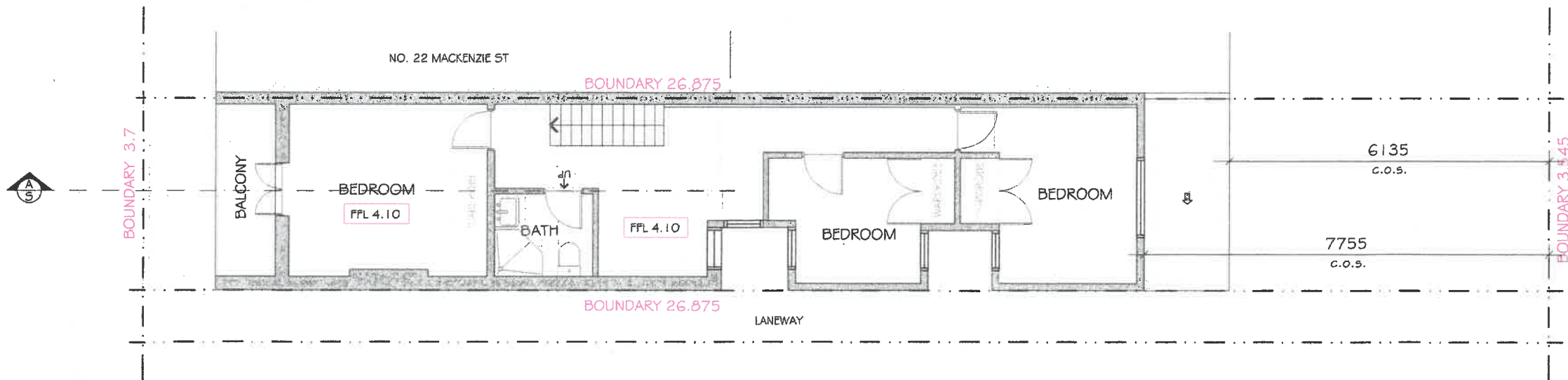
PROJECT NUMBER:  
 2201  
 DRAWING NUMBER:  
 A-01

\*\* not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 checked & verified by the contractor/s prior to the  
 commencement of works



### EXISTING GROUND FLOOR PLAN

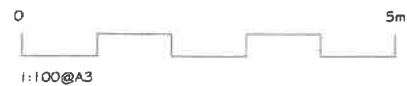
(NOTE: NO CHANGES TO EXISTING GROUND FLOOR PLAN)



### EXISTING FIRST FLOOR PLAN

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Drawing Title:  
**EXISTING GROUND & FIRST FLOOR PLANS**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

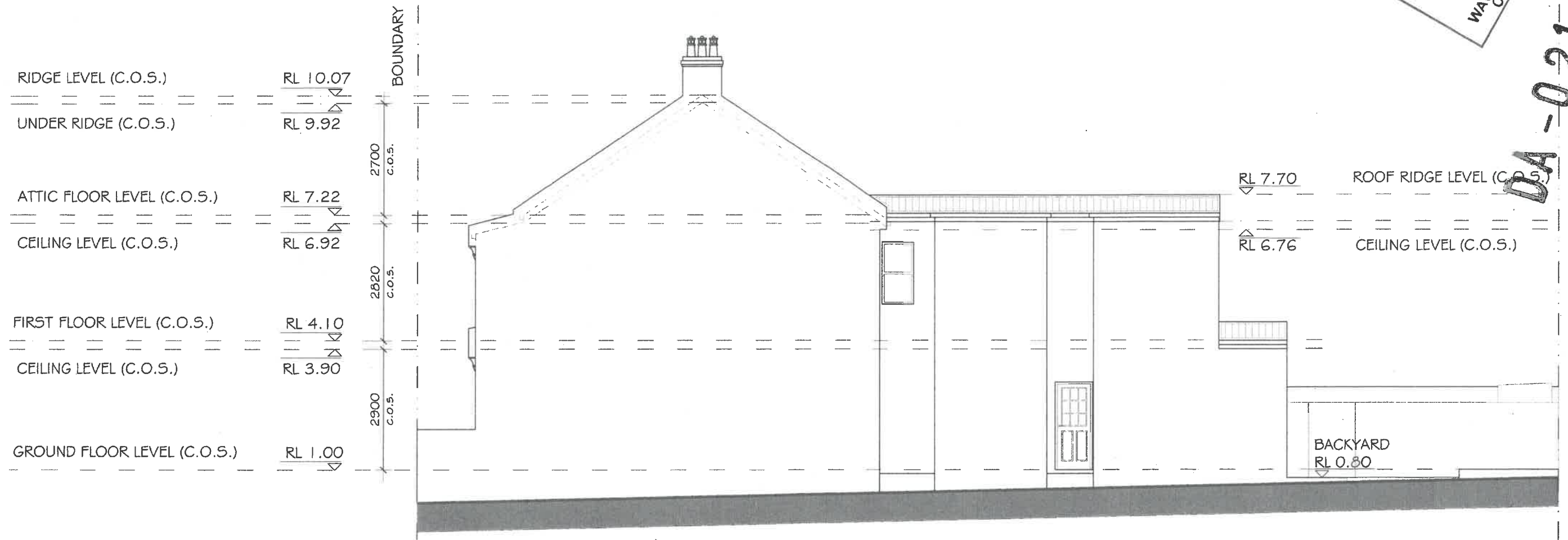
DATE 09.01.2018  
 DRAWN IQH HOMES  
 CKD MA  
 SCALE 1:100 @A3

PROJECT NUMBER  
 2201  
 DRAWING NUMBER  
 A - 02

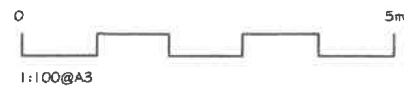
not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 checked & verified by the contractor/s prior to the  
 commencement of works

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EXISTING SOUTH ELEVATION



No.	Description	By	Date
1	Issue for DA	IQH	09.01.18

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Property Title:  
 EXISTING SOUTH ELEVATION

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

DATE: 09.01.2018  
 DRAWN: IQ HOMES  
 CKD: MA  
 SCALE: 1:100 @A3

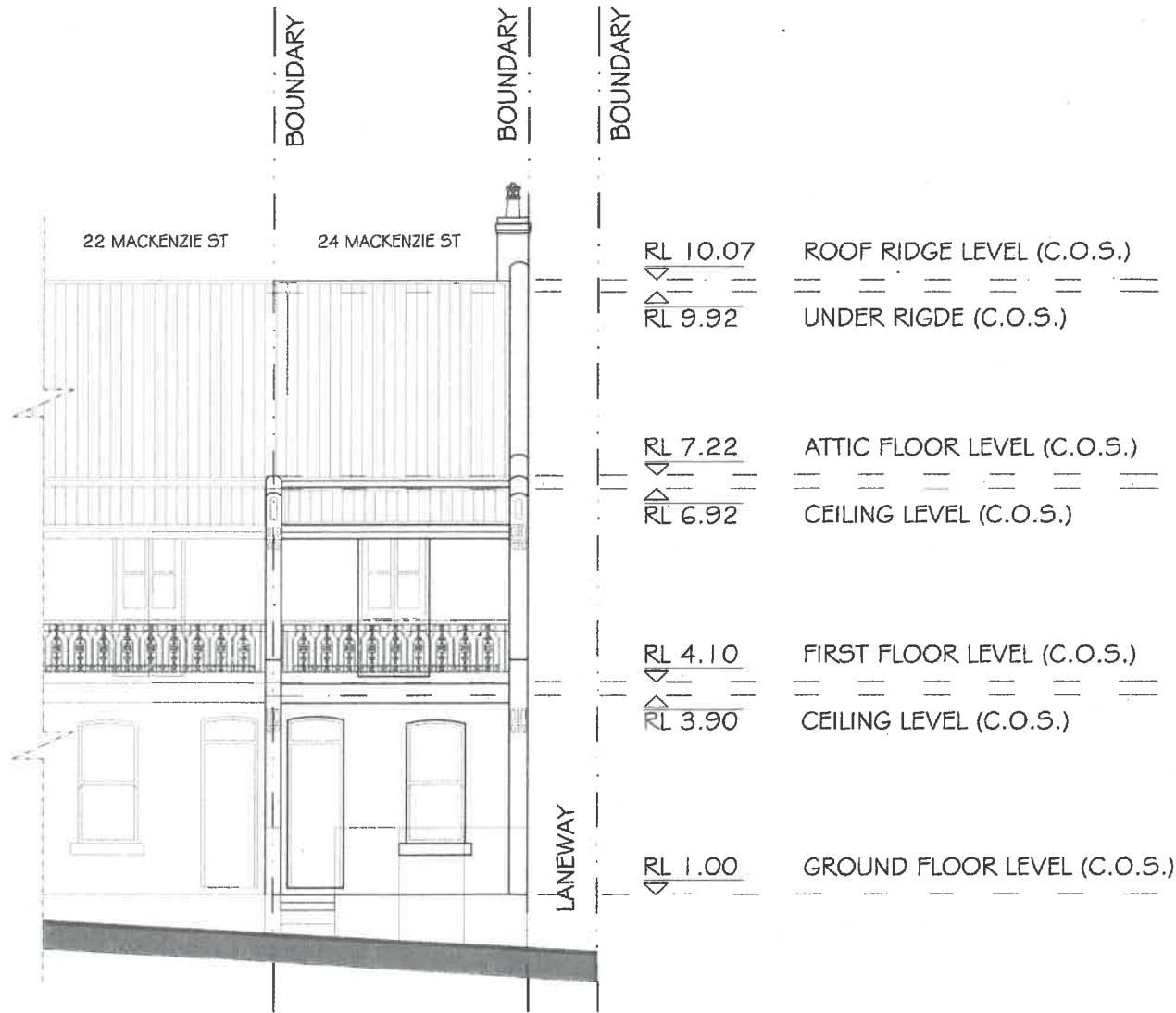
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 DRAWING NUMBER: A-03



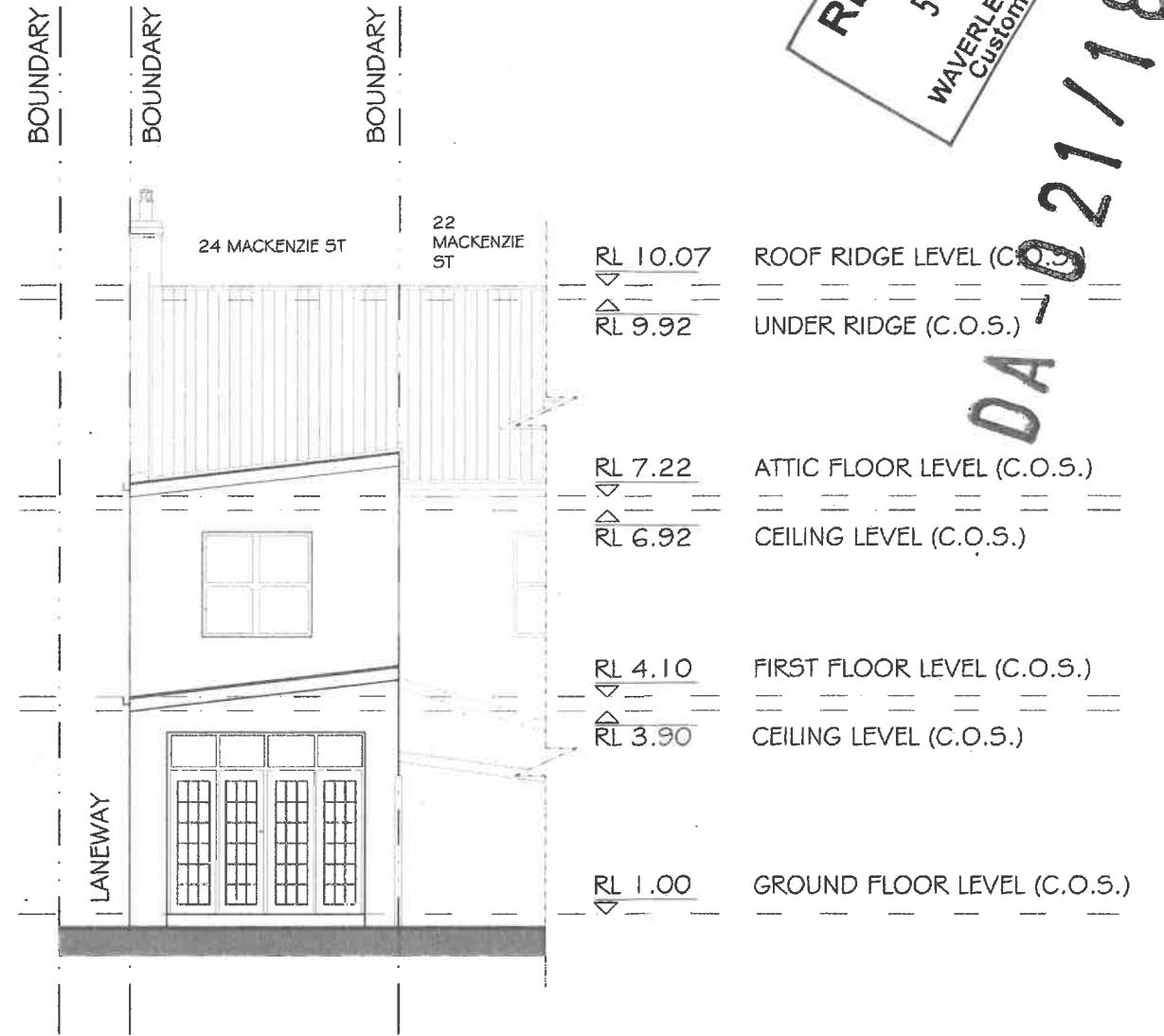
not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 checked & verified by the contractor/s prior to the  
 commencement of works

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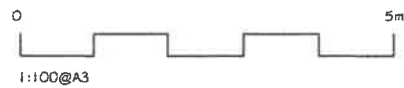
DA-021/18



EXISTING WEST ELEVATION



EXISTING EAST ELEVATION



No.	Description	By	Date
1	Issue for DA	IQH	09.01.18

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Drawing Title:  
 EXISTING WEST & EAST  
 ELEVATION

Property/Owners:  
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 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

DATE: 09.01.2018  
 DRAWN: IQ HOMES  
 CKD: MA  
 SCALE: 1:100 @A3

PROJECT NUMBER:  
 2201

DRAWING NUMBER:  
 A - 04



not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
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 commencement of works

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DA-021118

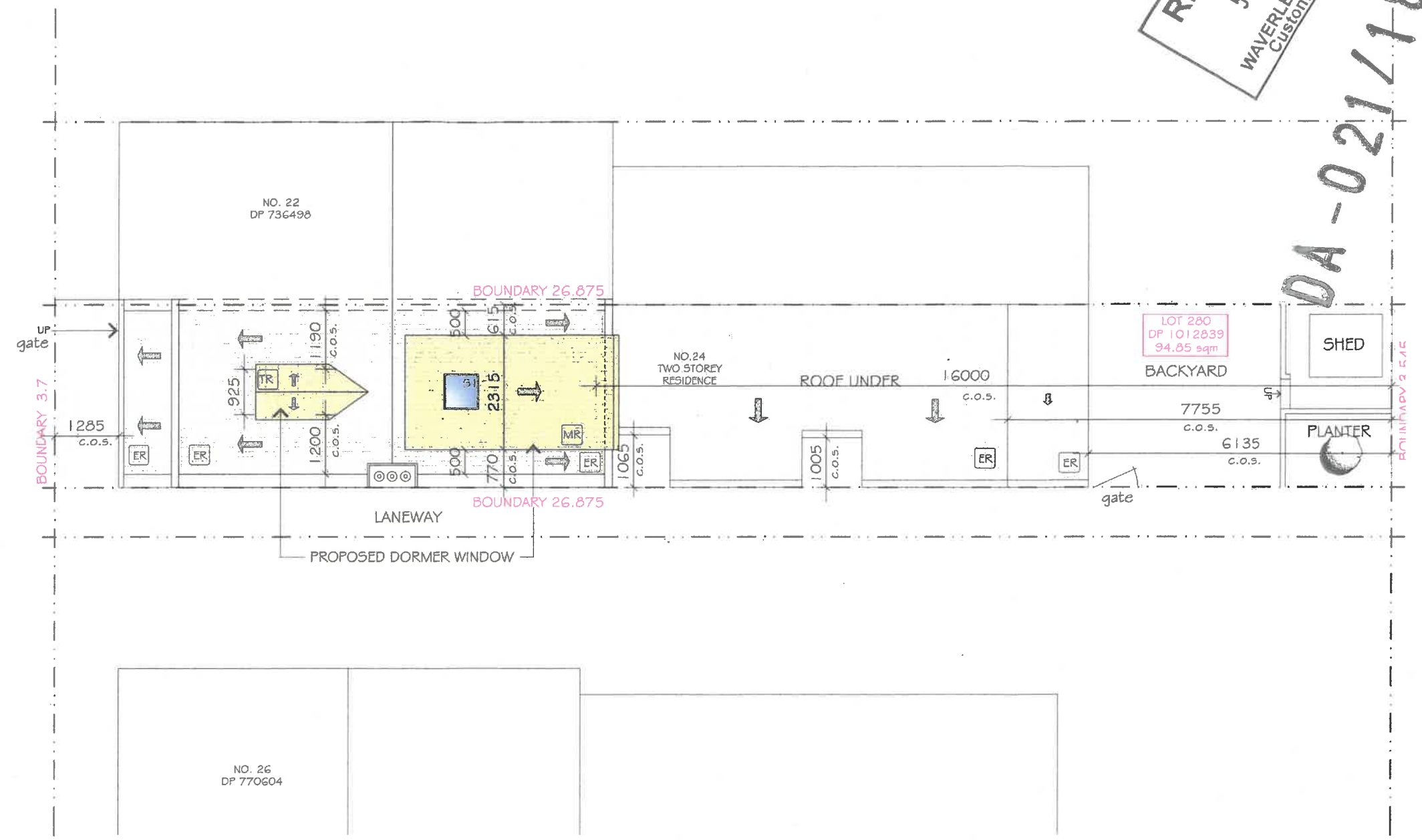
MACKENZIE STREET

- ER EXISTING ROOF
- MR PROPOSED COLORBOND ROOF
- TR PROPOSED COLORBOND ROOF
- SI PROPOSED SKYLIGHT

- PROPOSED DORMER WINDOWS
- PROPOSED SKYLIGHT

PROPOSED SITE CALCULATIONS :

SITE AREA TOTAL:	94.85 sqm
EXT. GROUND FLOOR:	54.59 sqm
EXT. FIRST FLOOR:	48.35 sqm
PROP. ATTIC ROOM: (2.4m HEAD HEIGHT)	11.20 sqm
<b>TOTAL:</b>	<b>114.14 sqm</b>
EXISTING FSR:	1.085:1
PROPOSED FSR:	1.2:1
RECOMMENDED FSR:	0.9:1
OPEN SPACE - BACKYARD:	22.70 sqm
LANDSCAPE AREA (NOT TO BE CHANGED):	
BACKYARD:	3.00 sqm



PROPOSED SITE & ROOF PLAN



Issue	Description	By	Date
1	Issue for DA	IQH	09.01.18

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 E: nick@addspacebuilding.com.au

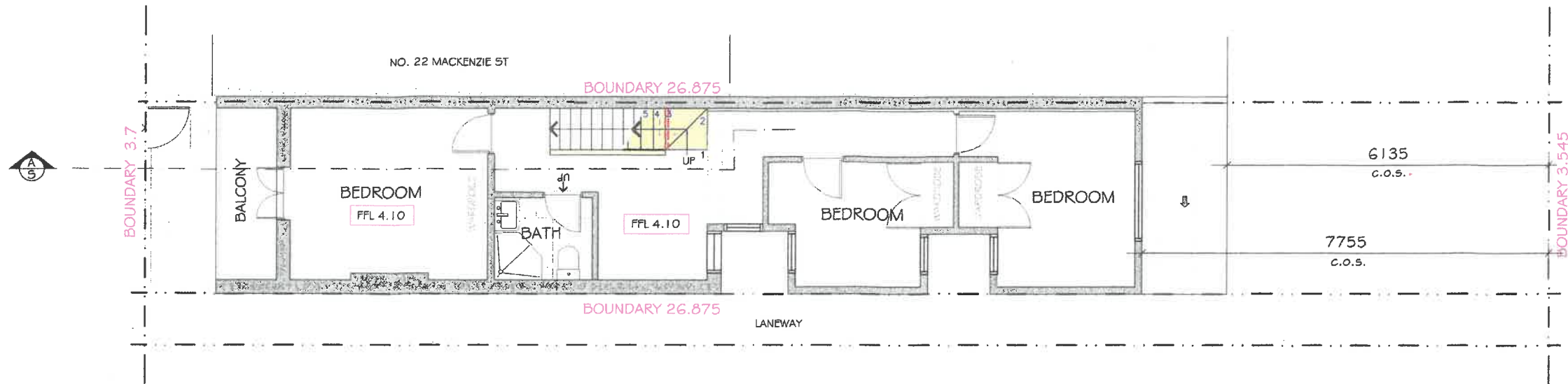
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Drawing Title:  
**PROPOSED SITE & ROOF PLAN**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title: PROPOSED ATTIC CONVERSION PROPOSED INTERNAL STAIRS BETWEEN FIRST FLOOR AND ATTIC	
DATE: 09.01.2018	PROJECT NUMBER: 2201
DRAWN: IQ HOMES	DRAWING NUMBER: A-05
CKD: MA	SCALE: 1:100 @A3
	01

scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 verified by the contractor/s prior to the  
 commencement of works



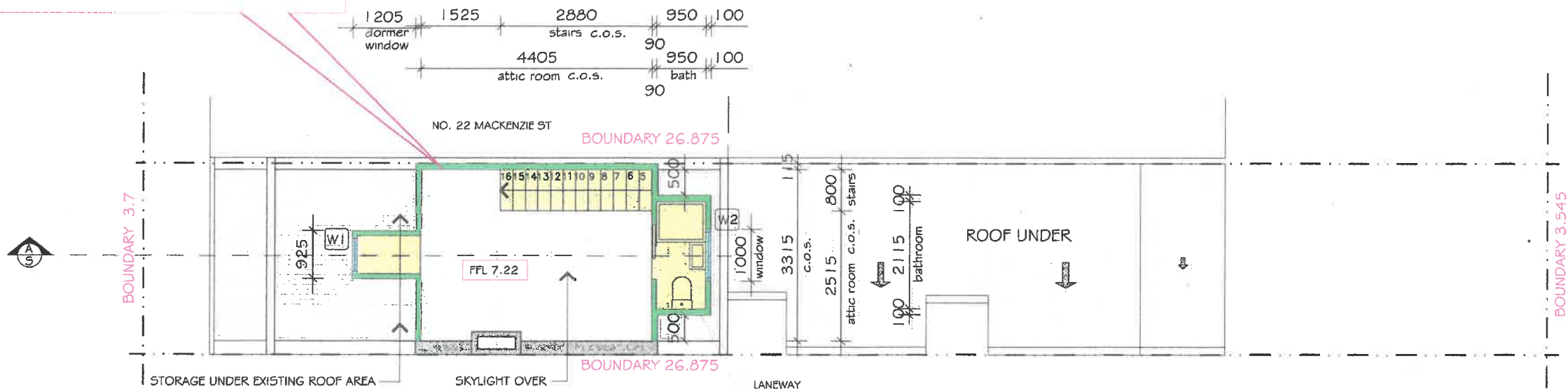
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ALL MATERIALS TO BE NON COMBUSTIBLE

\*NEW WALLS ON, OR WITHIN, 900MM OF A BOUNDARY TO HAVE 60/60/60 FIRE RESISTANCE RATING.

PROPOSED FIRST FLOOR PLAN



PROPOSED ATTIC FLOOR PLAN

\*NEW WALLS ON, OR WITHIN, 900MM OF A BOUNDARY TO HAVE 60/60/60 FIRE RESISTANCE RATING.

ALL MATERIALS TO BE NON COMBUSTIBLE

C.O.S. CHECK ON SITE

- EXISTING WALLS
- PROPOSED WALLS
- PROPOSED ADDITION
- PROPOSED WINDOWS



Issue for DA	IQH	09.01.18
Description	By	Date

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Drawing Title:  
**PROPOSED FIRST FLOOR & ATTIC PLAN**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

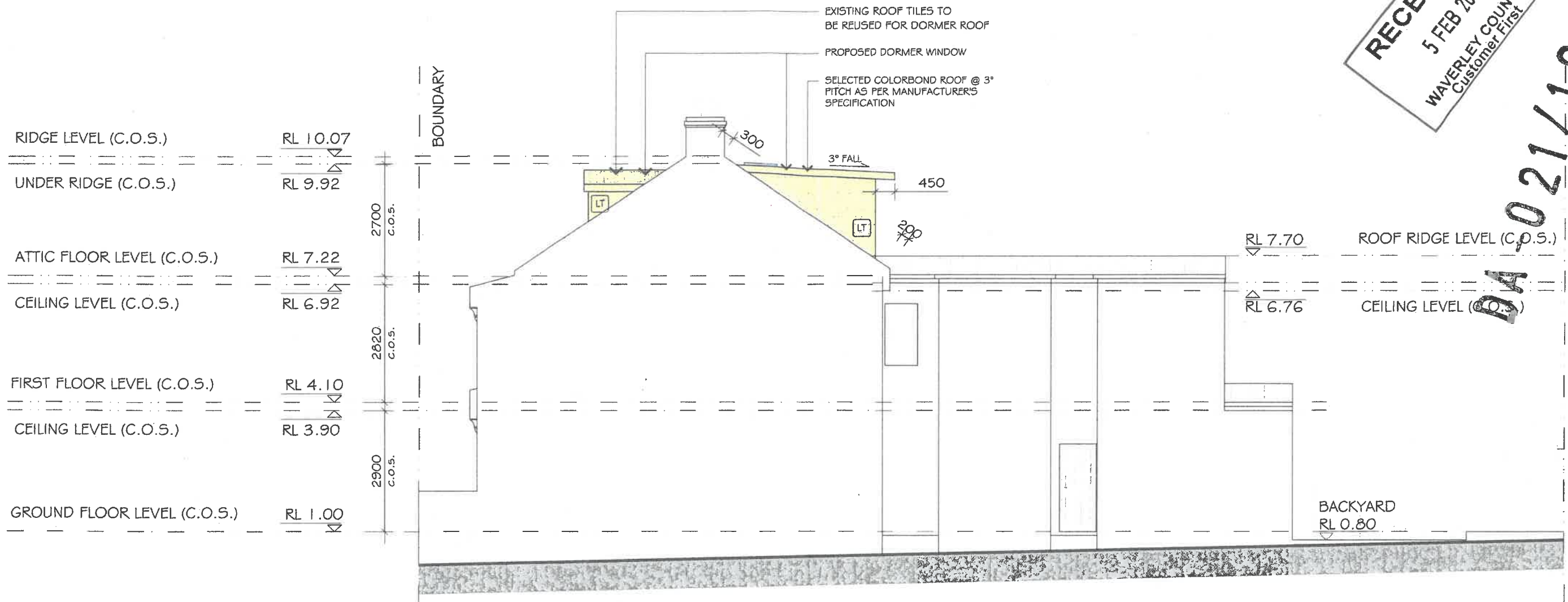
DATE	09.01.2018	PROJECT NUMBER	2201
DRAWN	IQ HOMES	DRAWING NUMBER	A - 06
CRD	MA		
SCALE	1:100 @A3		

BASIX COMMITMENTS		
CONSTRUCTION	Additional insulation required (R-value)	Other specifications
Construction floor above existing dwelling or building.	nil	
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)	
raked ceiling, pitched/skillion roof: framed	ceiling: R1.74 (up), roof: foil backed blanket (55mm)	medium (solar absorbance 0.475 to 0.70)
WINDOWS		
W1 & W2	FRAME & GLASS TYPE timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.66)	
SKYLIGHT		
S1	FRAME & GLASS TYPE aluminum, moulded plastic single clear, (or U-value: 6.21, SHGC: 0.808)	

not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 checked & verified by the contractor/s prior to the  
 commencement of works

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DA-021118  
 BOUNDARY



**PROPOSED SOUTH ELEVATION**

LT SELECTED CLADDING ON LIGHTWEIGHT FRAME

PROPOSED ADDITION  
 NEW WINDOWS \ SKYLIGHT



1	Issue for DA	IQH	09.01.18
	Description	By	Date

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**PROPOSED SOUTH ELEVATION**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

PROJECT NUMBER  
 2201

DATE 09.01.2018  
 DRAWN IQ HOMES  
 CKD MA  
 SCALE 1:100 @A3

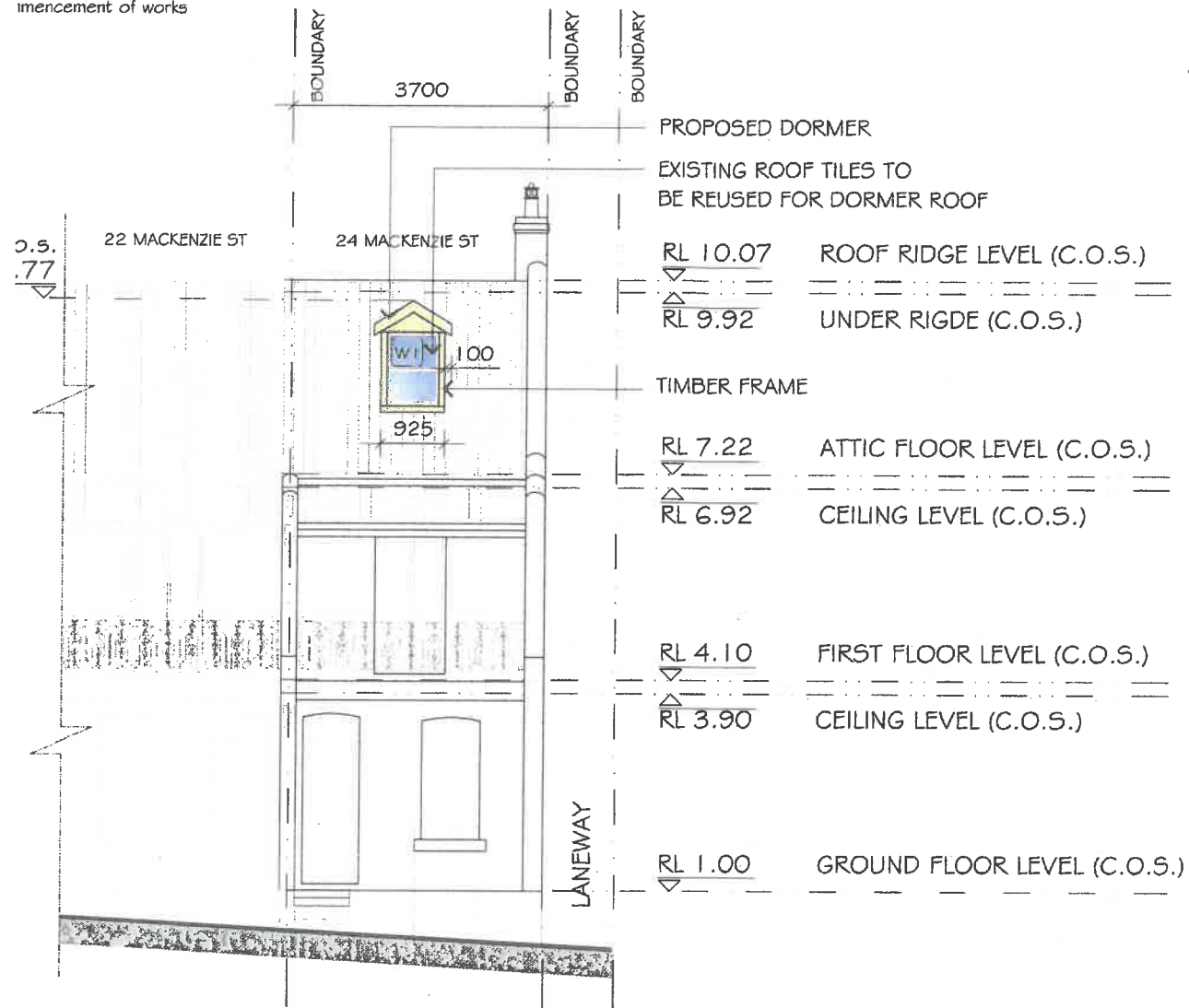
DRAWING NUMBER  
 A - 07

**BASIX COMMITMENTS**

CONSTRUCTION	Additional insulation required (R-value)	Other specifications
Construction floor above existing dwelling or building.	nil	
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)	
raked ceiling, pitched/skillion roof: framed	ceiling: R1.74 (up), roof: foil backed blanket (55mm)	medium (solar absorptance 0.475 to 0.70)
<b>WINDOWS</b>	<b>FRAME &amp; GLASS TYPE</b>	
W1 & W2	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.66)	
<b>SKYLIGHT</b>	<b>FRAME &amp; GLASS TYPE</b>	
S1	aluminum, moulded plastic single clear, (or U-value: 6.21, SHGC: 0.808)	



not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
 checked & verified by the contractor/s prior to the  
 commencement of works

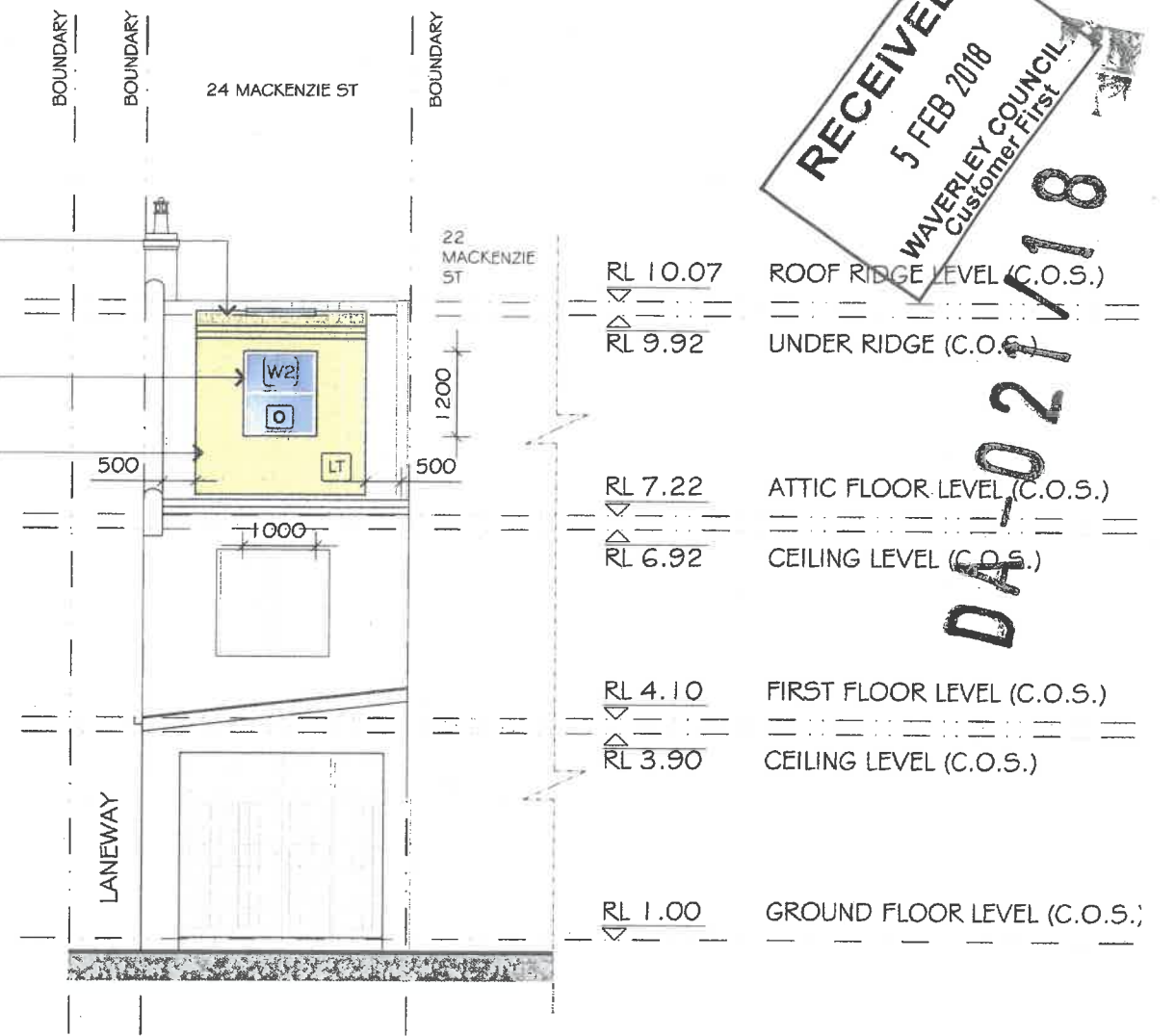


PROPOSED WEST ELEVATION

SELECTED COLORBOND ROOF @  
 3° PITCH AS PER  
 MANUFACTURER'S SPECIFICATION

DOUBLE HUNG WINDOW  
 TIMBER FRAME PART OPAQUE

PROPOSED DORMER  
 SELECTED CLADDING ON  
 LIGHTWEIGHT FRAME



PROPOSED EAST ELEVATION

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DA-021/18

LT SELECTED CLADDING ON  
 LIGHTWEIGHT FRAME

PROPOSED ADDITION  
 OPAQUE WINDOW  
 NEW WINDOWS \ SKYLIGHT

0 5m  
 1:100@A3

BASIX COMMITMENTS

CONSTRUCTION	Additional insulation required (R-value)	Other specifications
Construction floor above existing dwelling or building.	nil	
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)	
raked ceiling, pitched/skillion roof: framed	ceiling: R1.74 (up), roof: foil backed blanket (55mm)	medium (solar absorptance 0.475 to 0.70)
WINDOWS	FRAME & GLASS TYPE	
W1 & W2	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.66)	
SKYLIGHT	FRAME & GLASS TYPE	
S1	aluminum, moulded plastic single clear, (or U-value: 6.21, SHGC: 0.808)	

Issue for DA	By	Date
1	IQH	09.01.18
Description		

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Drawing Title:  
**PROPOSED WEST & EAST ELEVATION**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

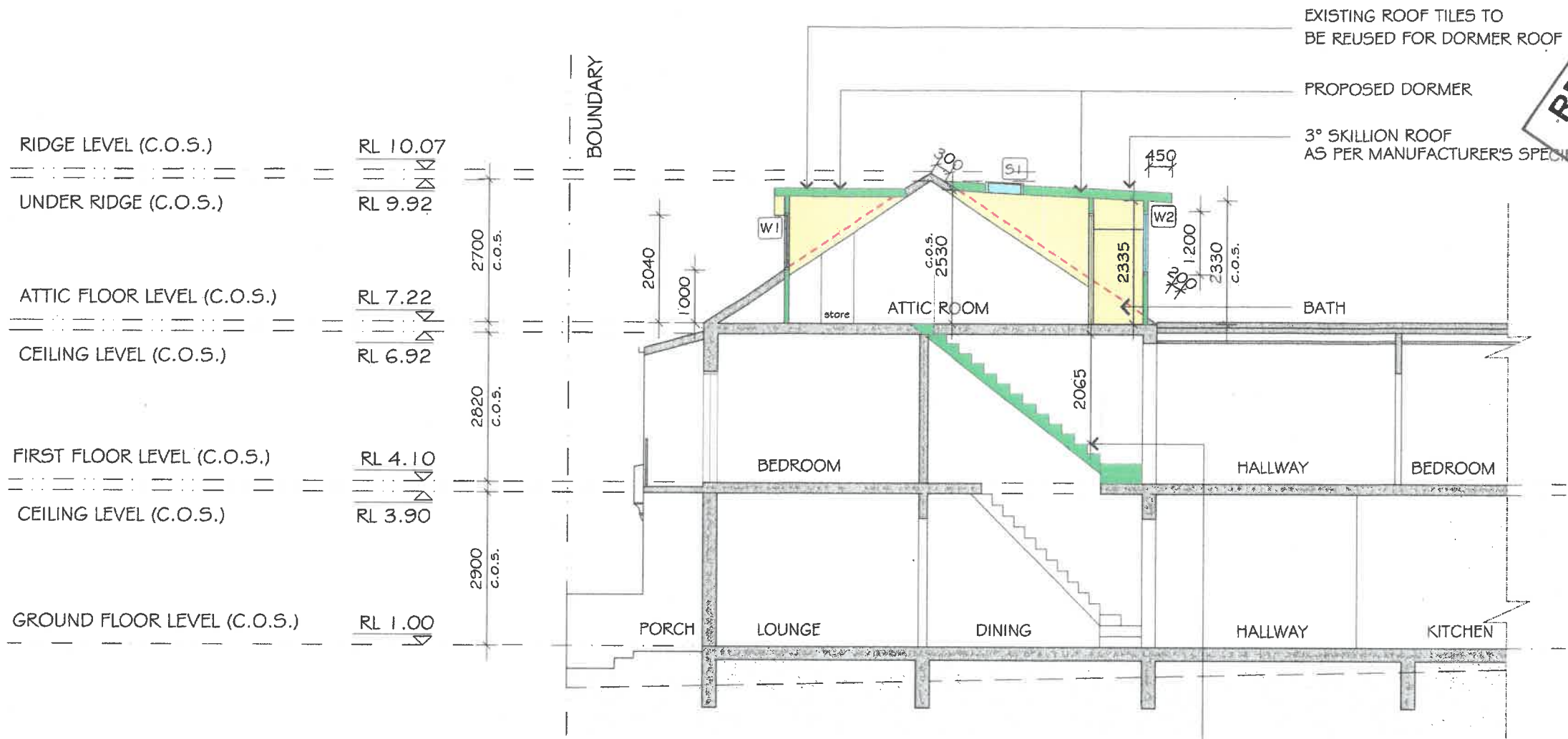
PROJECT NUMBER: 2201  
 DRAWING NUMBER: A-08

DATE: 09.01.2018  
 DRAWN: IQH HOMES  
 CKD: MA  
 SCALE: 1:100@A3

scale off drawings.  
 sions, levels & existing site conditions shall be  
 & verified by the contractor/s prior to the  
 ement of works

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RIDGE LEVEL (C.O.S.)	RL 10.07
UNDER RIDGE (C.O.S.)	RL 9.92
ATTIC FLOOR LEVEL (C.O.S.)	RL 7.22
CEILING LEVEL (C.O.S.)	RL 6.92
FIRST FLOOR LEVEL (C.O.S.)	RL 4.10
CEILING LEVEL (C.O.S.)	RL 3.90
GROUND FLOOR LEVEL (C.O.S.)	RL 1.00

PROPOSED SECTION A - A

PROPOSED STAIRS FROM FIRST FLOOR TO ATTIC ROOM

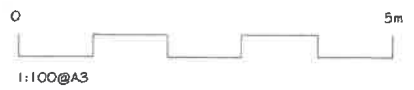
**S1** PROPOSED SKYLIGHT

EXISTING WALLS

PROPOSED WALLS/STAIRS

PROPOSED ADDITION

PROPOSED WINDOWS/ SKYLIGHT



BASIX COMMITMENTS

CONSTRUCTION	Additional insulation required (R-value)	Other specifications
floor above existing dwelling or building:	nil	
external wall: framed (weatherboard, fibro, metal clad)	R1.30 (or R1.70 including construction)	
raked ceiling, pitched/skillion roof: framed	ceiling: R1.74 (up), roof: foil backed blanket (55mm)	medium (solar absorptance 0.475 to 0.70)
WINDOWS	FRAME & GLASS TYPE	
W1 & W2	timber or uPVC, single clear, (or U-value: 5.71, SHGC: 0.66)	
SKYLIGHT	FRAME & GLASS TYPE	
S1	aluminum, moulded plastic single clear, (or U-value: 6.21, SHGC: 0.808)	

1	Issue for DA	IQH	09.01.18
	Description	By	Date

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Drawing Title:  
**PROPOSED SECTION A-A**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

PROJECT NUMBER  
 2201

DATE 09.01.2018  
 DRAWN IQH HOMES  
 CKD MA  
 SCALE 1:100 @A3

DRAWING NUMBER  
 A - 09

not scale off drawings.  
 dimensions, levels & existing site conditions shall be  
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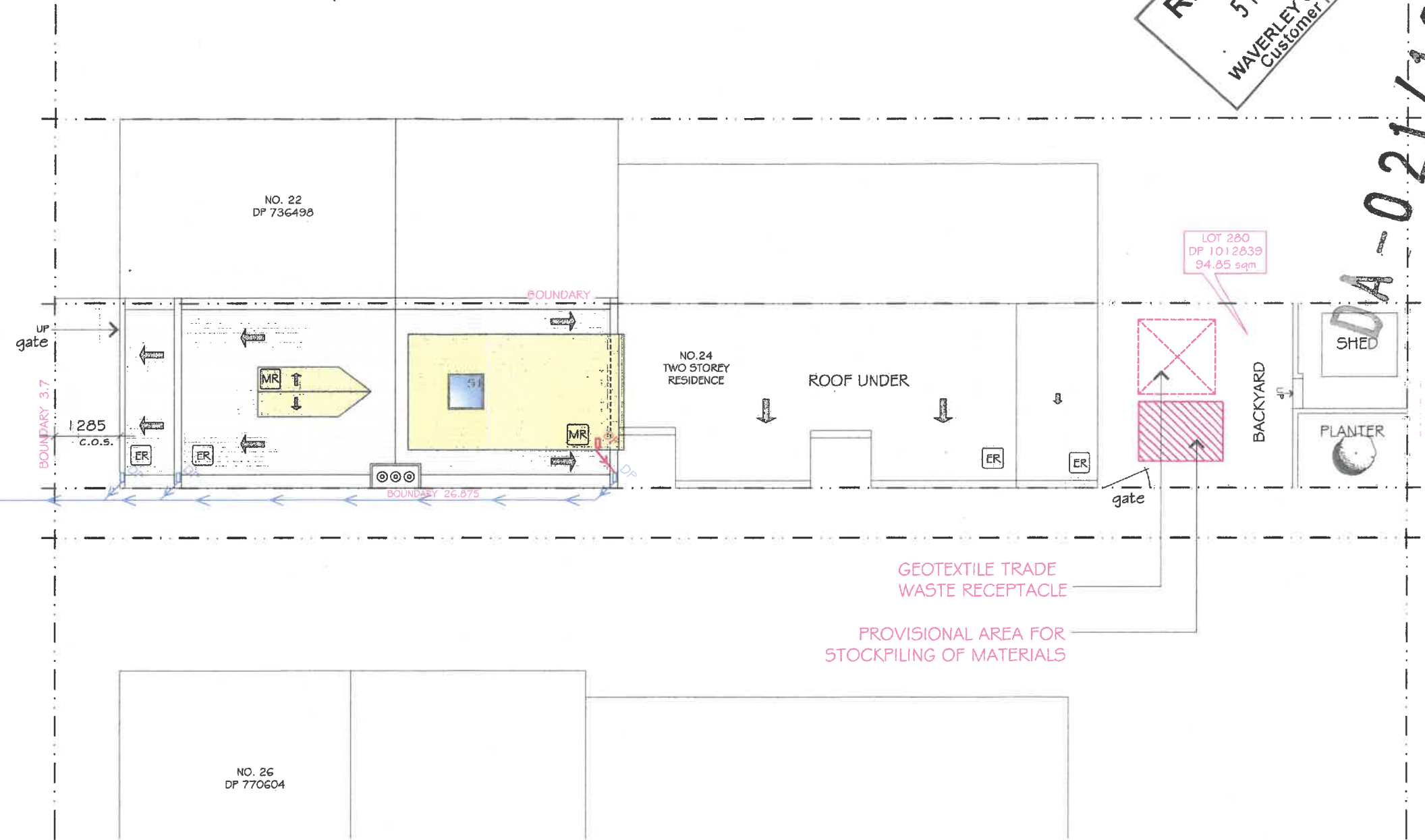


DA-021/18

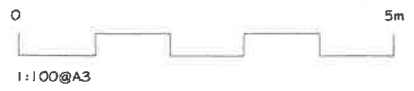
MACKENZIE STREET

PROPOSED ROOF STORM  
 WATER TO BE CONNECTED  
 TO EXISTING STORMWATER  
 SYSTEM ON SITE

EXISTING STORMWATER  
 SYSTEM ON SITE TO REMAIN



SITE AND WASTE MANAGEMENT PLAN  
 STORM WATER CONCEPT PLAN



Issue	Description	By	Date
1	Issue for DA	IQH	09.01.18

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Drawing Title:  
 SITE AND WASTE  
 MANAGEMENT PLAN  
 STORM WATER CONCEPT  
 PLAN

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

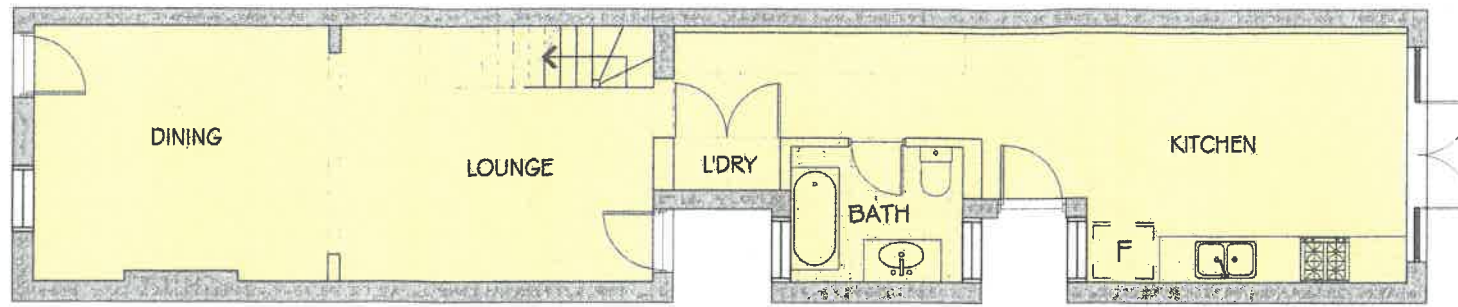
PROJECT NUMBER  
 2201

DATE 09.01.2018  
 DRAWN IQ HOMES  
 CKD MA  
 SCALE 1:100@A3

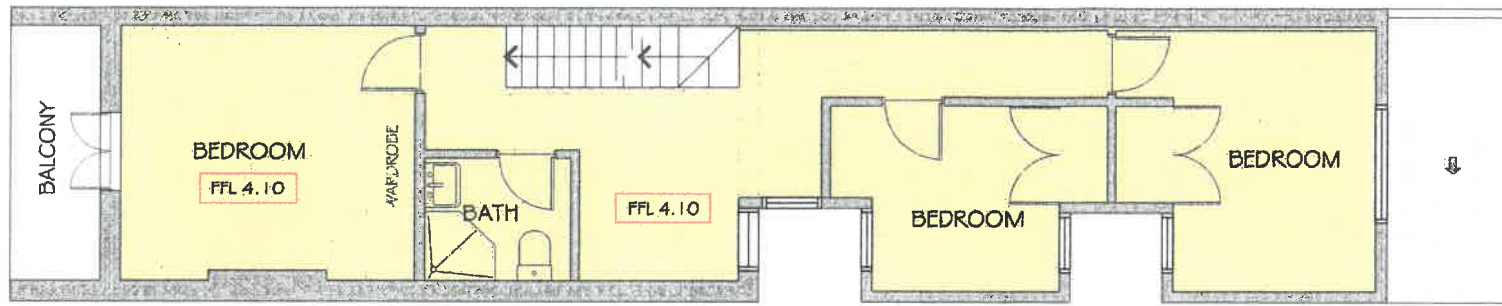
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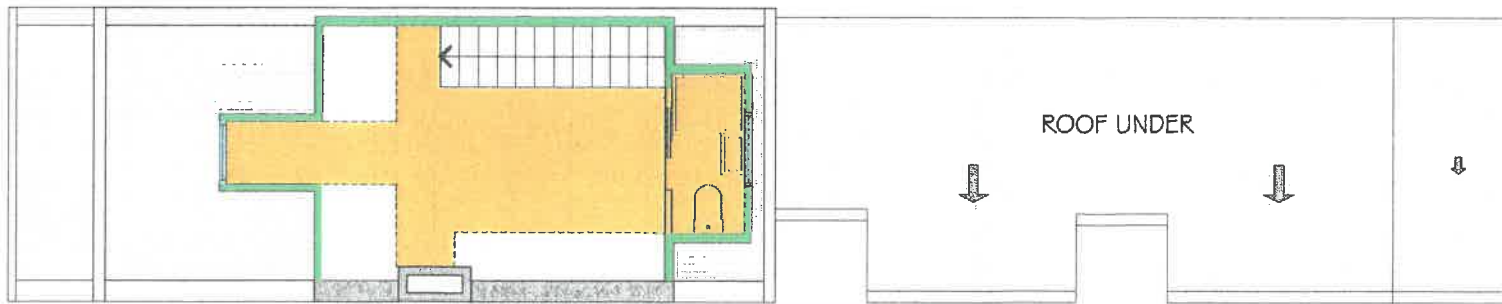
scale off drawings.  
 positions, levels & existing site conditions shall be  
 & verified by the contractor/s prior to the  
 commencement of works



**GROUND FLOOR PLAN**  
 (NO CHANGES TO EXISTING FLOOR PLAN)  
**54.59 sqm**



**GROUND FLOOR PLAN**  
 (NO CHANGES TO EXISTING FLOOR PLAN)  
**48.35sqm**



**ATTIC FLOOR PLAN**  
 (CALCULATED FOR APPROX. 2.33m TO 2.4m MIN. HEAD HEIGHT)  
**11.20 sqm**

CALCULATED EXISTING FLOOR AREA  
 CALCULATED PROPOSED FLOOR AREA

**RECEIVED**  
 15 FEB 2018  
 WAVERLEY COUNCIL  
 Customer First

**EXISTING SITE CALCULATIONS :**

SITE AREA TOTAL:	94.85 sqm
GROUND FLOOR:	54.59 sqm
FIRST FLOOR:	48.35 sqm
TOTAL:	102.94 sqm
EXISTING FSR:	1.085:1
RECOMMENDED FSR:	0.9:1
LANDSCAPE AREA:	
BACKYARD:	3.00 sqm

**PROPOSED SITE CALCULATIONS :**

SITE AREA TOTAL:	94.85 sqm
EXT. GROUND FLOOR:	54.59 sqm
EXT. FIRST FLOOR:	48.35 sqm
PROP. ATTIC ROOM: (2.4m MIN. HEAD HEIGHT)	11.20 sqm
TOTAL:	114.14 sqm
EXISTING FSR:	1.085:1
PROPOSED FSR:	1.2:1
RECOMMENDED FSR:	0.9:1
LANDSCAPE AREA (NOT TO BE CHANGED):	
BACKYARD:	3.00 sqm

DA-021/18



Issue for DA	IQH	09.01.18
Description	By	Date

Addspace Building & Renovations Pty Ltd  
 AN: 0416125377 FREE CALL 1800 ADDSPACE  
 E: nick@addspacebuilding.com.au

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Drawing Title:  
**KEY PLAN  
 CALCULATED GROSS  
 FLOOR AREA**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

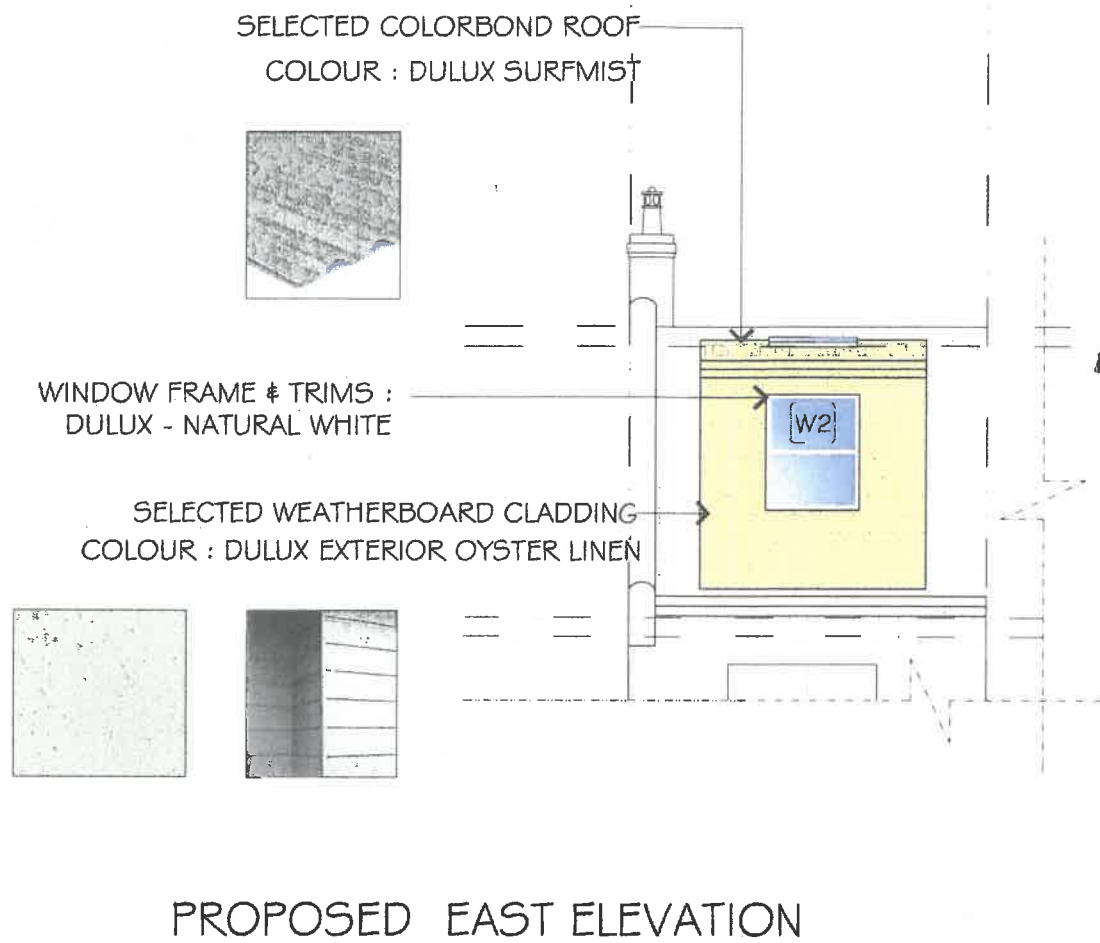
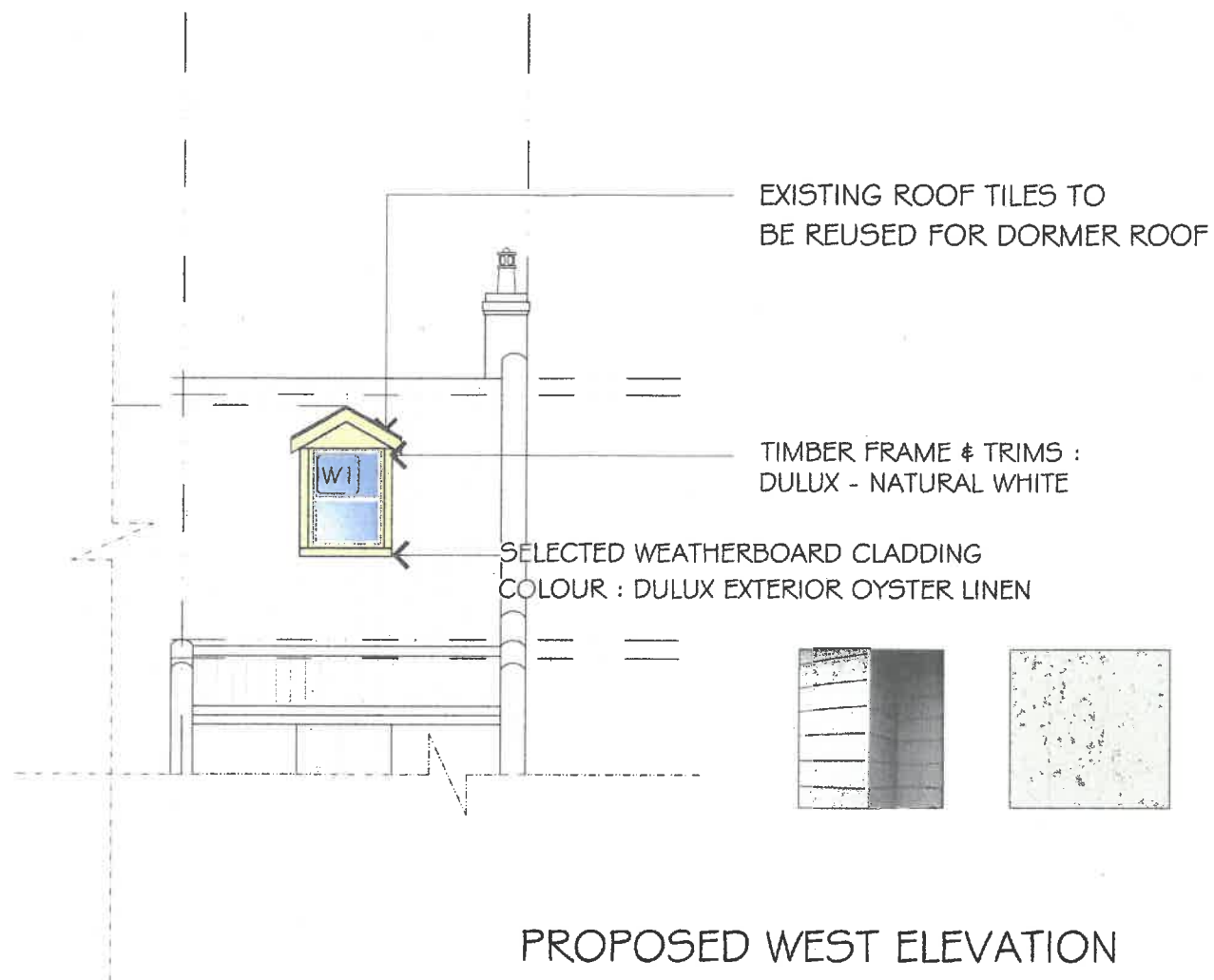
Title  
**PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC**

DATE	09.01.2018	PROJECT NUMBER	2201
DRAWN	IQ HOMES	DRAWING NUMBER	A - 11
CKD	MA		
SCALE	NT5@A3		

\*Do not scale off drawings.  
 \*All dimensions, levels & existing site conditions shall be checked & verified by the contractor/s prior to the commencement of works

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DA-021/18



PROPOSED COLOURS AND MATERIALS

Issue	Description	By	Date
1	Issue for DA	IQH	09.01.18

Addspace Building & Renovations Pty Ltd  
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 E: nick@addspacebuilding.com.au

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 www.addspacebuilding.com.au

Drawing Title:  
**PROPOSED COLOURS AND MATERIALS**

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

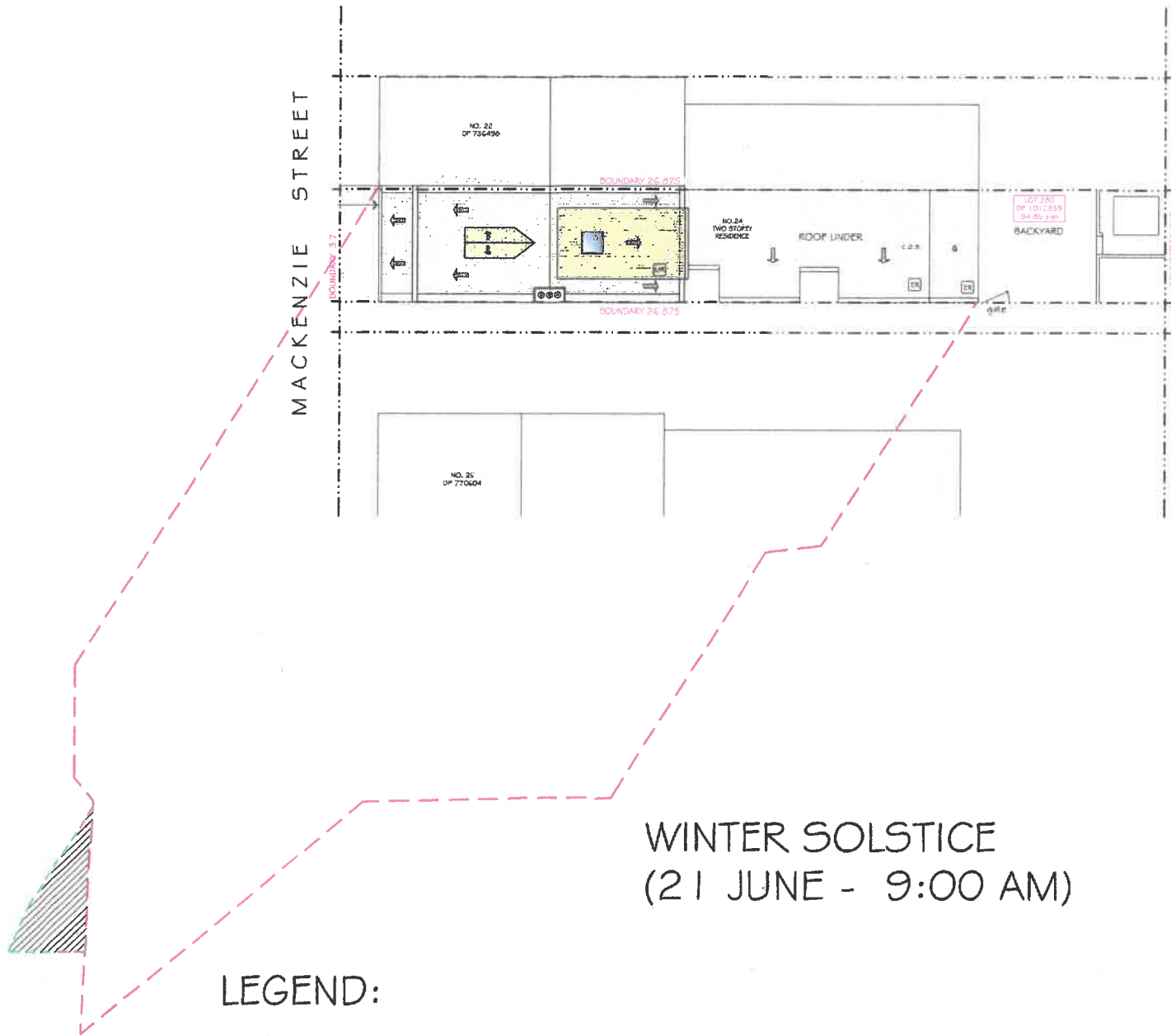
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 CKD: MA  
 SCALE: NTS @A3

PROJECT NUMBER: 2201  
 DRAWING NUMBER: A-12

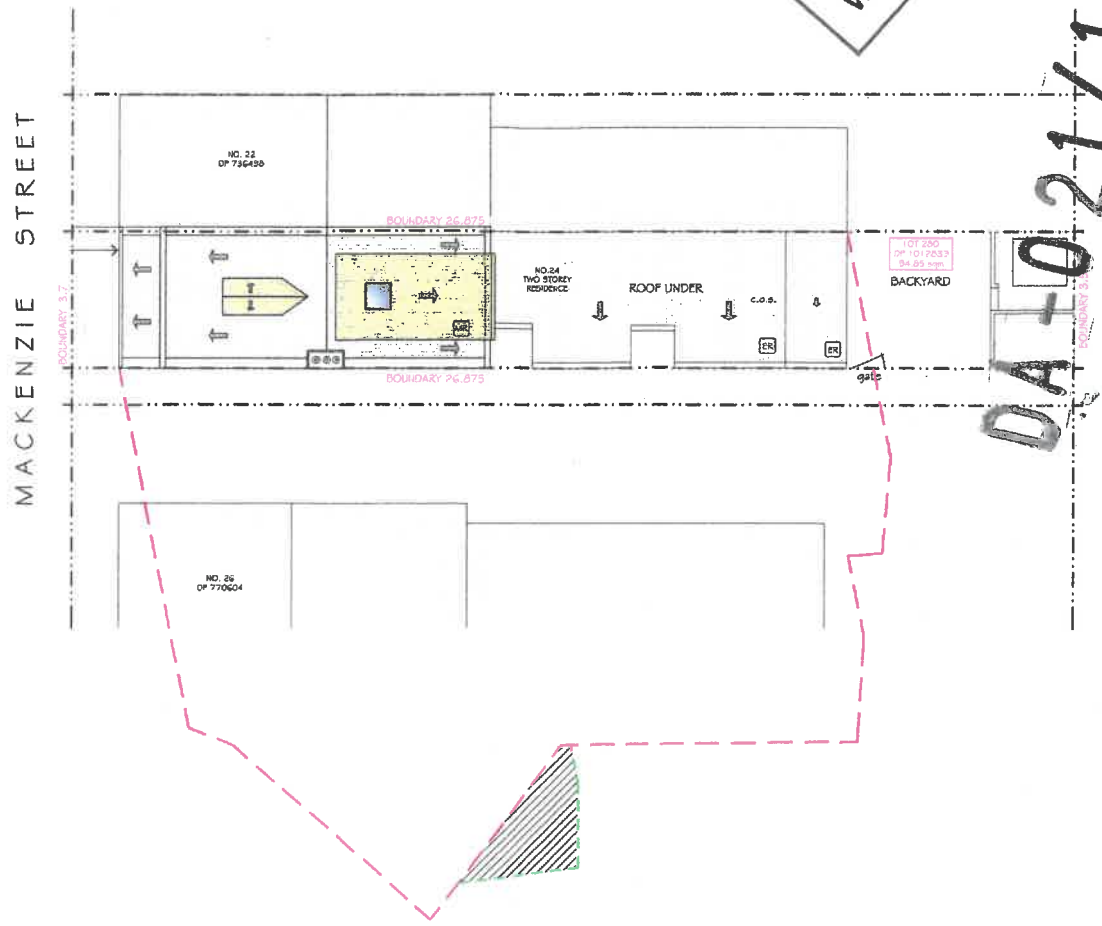


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 5 FEB 2018  
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DA-021118

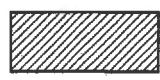


WINTER SOLSTICE  
 (21 JUNE - 9:00 AM)

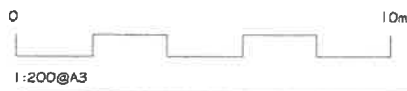


WINTER SOLSTICE  
 (21 JUNE - NOON)

LEGEND:



EXTRA SHADOW CAST DUE TO PROPOSED DORMER ADDITION



1	Issue for DA	IQH	09.01.18
	Description	By	Date

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Drawing Title:  
 SHADOW DIAGRAM  
 21 JUNE - 9 AM AND NOON

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

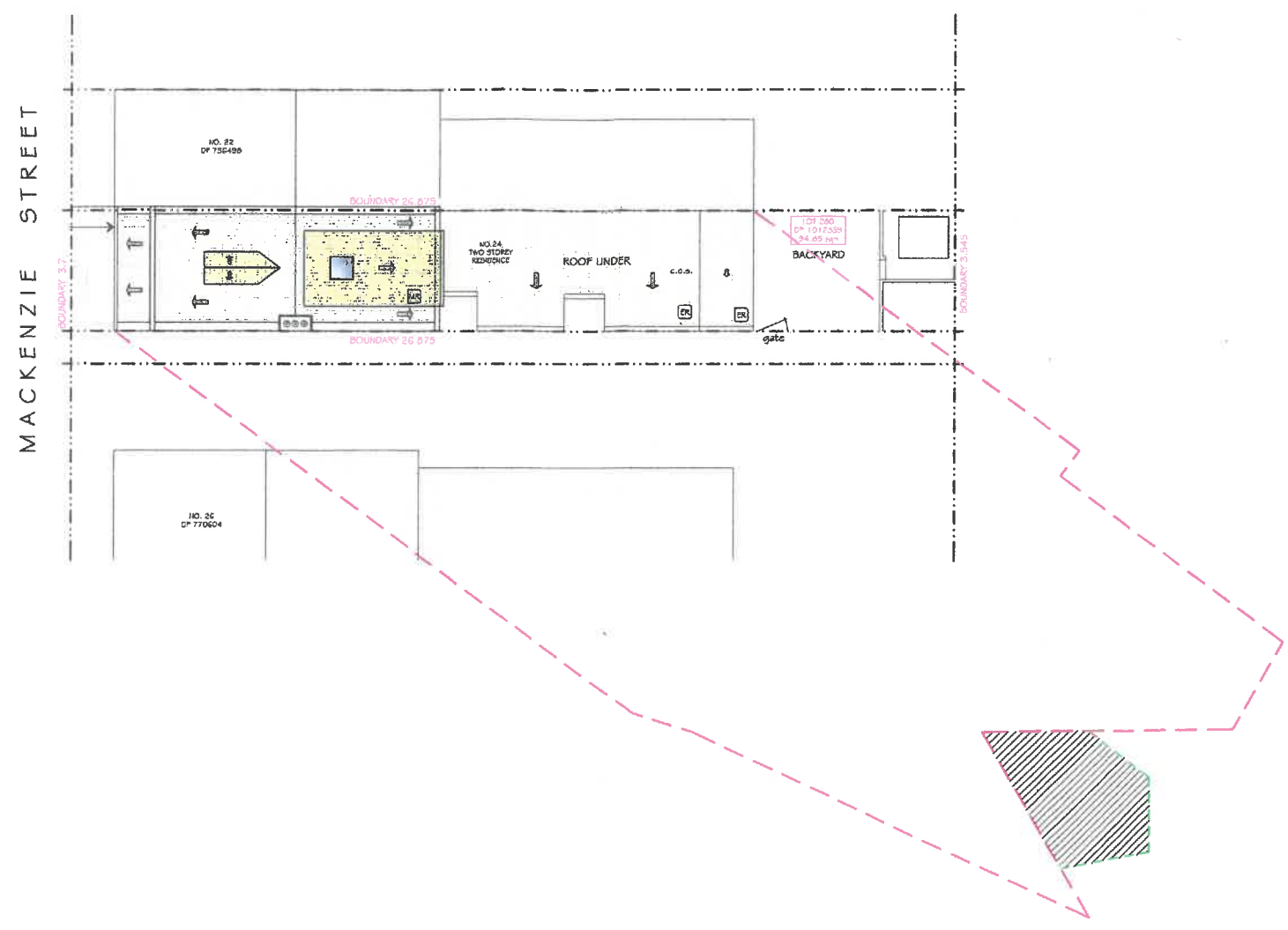
PROJECT NUMBER:  
 2201

DATE: 09.01.2018  
 DRAWN: IQ HOMES  
 CKD: MA  
 SCALE: 1:200 @A3

DRAWING NUMBER:  
 A - 13

**RECEIVED**  
 5 FEB 2018  
 WAVERLEY COUNCIL  
 Customer First

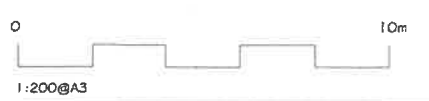
DA = 021/18



WINTER SOLSTICE  
 (21 JUNE - 3:00 PM)

LEGEND:

 EXTRA SHADOW CAST DUE TO PROPOSED DORMER ADDITION



Issue for DA		By		Date	
1	Description	IQH	09.01.18		

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Drawing Title:  
 SHADOW DIAGRAM  
 21 JUNE - 3 PM

Property/Owners:  
 Mr. Christopher Tynan  
 24 Mackenzie St  
 Bondi Junction

Title:  
 PROPOSED ATTIC CONVERSION  
 PROPOSED INTERNAL STAIRS BETWEEN  
 FIRST FLOOR AND ATTIC

DATE 09.01.2018  
 DRAWN IQ HOMES  
 CKD MA  
 SCALE 1: 200 @A3

PROJECT NUMBER  
 2201  
 DRAWING NUMBER  
 A - 14



## Report to Waverley Development Assessment Panel

<b>Application number</b>	DA-499/2017
<b>Site address</b>	28 Ruthven Street, Bondi Junction
<b>Proposal</b>	Alterations and additions to rear of existing terrace dwelling
<b>Date of lodgement</b>	23 November 2017
<b>Owner</b>	Ms L Sheaman and Mr A Bannister
<b>Applicant</b>	Ms L Sheaman and Mr A Bannister
<b>Submissions</b>	Two
<b>Cost of works</b>	\$95,000
<b>Issues</b>	FSR non-compliance, privacy, heritage
<b>Recommendation</b>	That the application be APPROVED



## 1. PREAMBLE

### 1.1 Site And Surrounding Locality

A site visit was carried out on 16 March 2018.

The site is identified as Lot 14 in DP 250200, known as 28 Ruthven Street, Bondi Junction. The site is rectangular in shape with street frontages of 4.135m and side boundaries of 24.1m. The site has a total area of 99.9sqm and is generally flat.

The site is occupied by a two storey terrace dwelling with rear pedestrian access provided from Gowrie Lane at the rear of the site. The subject site is part of a heritage listed terrace row and the locality is characterised by a variety of single dwellings and terraces.



**Figure 1:** Site and adjoining terraces viewed from Ruthven Street





**Figure 2:** Rear of site and neighbouring terrace at 30 Ruthven Street



**Figure 3:** Common boundary between subject site and 26 Ruthven Street





**Figure 4:** Rear of site viewed from Gowrie Lane



**Figure 5:** Rear of terrace row viewed from Gowrie Lane

## **1.2 Relevant History**

There is no relevant history applicable to the site.

## **1.3 Proposal**

The application proposes alterations and additions to the existing terrace including:

- Ground floor rear addition to the full width of the site;
- Internal alterations to provide an ensuite on the ground floor;
- Demolition of existing rear first floor balcony and associated awning and construction of larger balcony with roof and masonry balustrade; and,
- Replace existing side and rear brick fences with 1.8m high rendered and painted brick walls.

## **2. ASSESSMENT**

The following matters are to be considered in the assessment of this development application under section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act).

### **2.1 Planning Instruments and Development Control Plans**

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning policies (SEPPs), and development control plans.

#### **2.1.1 SEPP (Building Sustainability Index – BASIX) 2004**

A BASIX Certificate has been submitted with the development application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are implemented.

#### **2.1.2 SEPP 55 Remediation of Land**

There is no known history of contamination applicable to the site. The subject site has historically been used for residential purposes. Accordingly, site land contamination is considered unlikely and no further investigation is necessary.

### 2.1.3 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

**Table 1: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal complies with the aims of the Plan.
<b>Part 2 Permitted or prohibited development</b>		
Land Use Table R3 Zone	Yes	The proposal is defined a dwelling, which is permitted with consent.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>9.5m</li> </ul>	Yes	The existing building has a maximum height of 8m. The proposed works have a maximum height of 5.5m.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> <li>1:1</li> </ul>	No	The existing FSR is 1:1. The proposal results in an additional 17.08sqm, which equates to an FSR of 1.17:1.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.
<b>Part 5 Miscellaneous provisions</b>		
5.10 Heritage conservation	Yes	The site forms part of 12-42 Ruthven Street as Heritage Item No. 233 <i>Two storey terrace row, "Westgate Terrace"</i> . The site is also located within the Mill Hill Conservation Area – General (C12).  The proposed works are not considered to have an adverse impact on the heritage significance of the terrace or the conservation area, subject to the recommended design changes discussed below.



The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

### **Exceptions to Development Standards**

#### *Clause 4.4 Floor space ratio*

The proposal has an overall floor space ratio of 1.175:1, which exceeds the floor space ratio development standard of 1:1 prescribed under clause 4.4A of Waverley LEP 2012 by 17.53m<sup>2</sup> in gross floor area or 17.5%.

A written request pursuant to clause 4.6 of Waverley LEP 2012 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- The existing FSR slightly exceeds the development standard which restricts any potential for new work to the dwelling.
- The proposed development follows a precedent along the row, particularly 10, 12 and 14 Ruthven Street which have a ground floor setback of 5.4m from the rear boundary. The dwellings at 20 and 22 Ruthven Street have ground floor awnings that extend beyond the predominant ground floor building line of the terrace row.
- The proposed works will not result in additional overshadowing or amenity impacts on the local environment. The ground floor addition will not be visible from the laneway. The laneway includes only garages and carports (some with terrace courtyards above), with no property frontages to the laneway.
- The proposed infill of the external side passage beside 26 Ruthven Street at ground floor level makes use of currently unusable space, and creates an internal space that functions more efficiently. Without infilling the side passage, the internal living area is too narrow.
- The proposed additional floor space will allow for the upgrade of the heritage item, for continued use as a functional residential dwelling and is in keeping with other terraces within the row.

The applicant's written request is considered to adequately address the requirements of Clause 4.6(3) and (4) in that:

- Compliance with the FSR development standard is considered unreasonable and unnecessary in the circumstances given the relatively small site area of 99.9sqm, and the existing building having an FSR of 1.005:1, which restricts any form of future development on the site.
- There are sufficient environmental planning grounds to justify contravening the FSR development standard as the ground floor addition will not have an adverse impact on the neighbouring properties in terms of overshadowing (subject to the reduction of the proposed first floor rear balcony as discussed below) nor will it impact any views. The ground floor addition will not impact the heritage significance of the existing building or the conservation area and cannot be readily seen from the public domain.
- The proposed ground floor addition is in keeping with recently approved additions along the terrace row, which provide a ground floor rear setback of 5.4m. The consistent ground floor setback allows for adequate internal living space on the narrow terrace allotments while providing the opportunity for private open space or car parking. The proposal is consistent with the WDCP 2012 built form objectives for terrace dwellings.
- The proposal is not considered to be an overdevelopment of the site and allows for efficient use of the ground floor level to provide adequate internal living space. The proposal is in the public interest as it is consistent with the objectives of the R3 zone and the FSR development standard.

### 2.1.4 Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

**Table 2: Waverley DCP 2012 – Part B General Provisions Compliance Table**

Development Control	Compliance	Comment
1. Waste	Yes	A Site Waste and Recycling Management Plan has been submitted with the application and is satisfactory with regard to this section. Relevant conditions will be imposed on the consent.
2. Energy and water conservation	Yes	A BASIX Certificate has been submitted with the application which is satisfactory with regard to energy and water conservation. Relevant conditions will be imposed on the consent.
6. Stormwater	Yes	The application has been referred to Council's Stormwater Engineers who confirmed that the application is satisfactory with regard to stormwater and On-Site Stormwater Detention is not required.
9. Heritage	Yes, subject to conditions	The application was referred to Council's Heritage Advisor who advised that the first floor rear balcony addition is uncharacteristic of the terrace row. It is recommended that the existing balcony envelope be retained with BCA compliant open balustrade and lightweight roof structure. This will ensure that the balcony is a subservient structure to the building, and the terrace will read as a pair. A condition has been recommended.

**Table 3: Waverley DCP 2012 – Part C1 Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development Compliance Table**

Development Control	Compliance	Comment
<b>1.1 Height</b>		
1.1.2 External wall height <ul style="list-style-type: none"> <li>Maximum external wall height of 7m</li> </ul>	Yes	The proposed works have a maximum height of 5.5m.
<b>1.2 Setbacks</b>		
1.2.1 Front and rear building lines <ul style="list-style-type: none"> <li>Predominant rear building line at each floor level</li> </ul>	Yes	The proposed ground floor addition is consistent with the predominant rear building line for the recently renovated terraces within the row. The proposal retains a 5.4m setback from the rear boundary.
1.2.2 Side setbacks <ul style="list-style-type: none"> <li>Minimum of 0.9m</li> </ul>	No – acceptable	The existing ground floor is built to the boundary on the southern side. The proposal includes the infill of the external passage on the northern side

Development Control	Compliance	Comment
		of the site, which will result in nil setback. Given the narrow width of the site, and the existing pattern within the terrace row, the non-compliance is considered acceptable as it does not have amenity impacts on 26 Ruthven Street. Furthermore, the existing boundary fence is relatively high and there is a roof enclosure over the passageway at 26 Ruthven Street.
<b>1.4 Streetscape and visual impact</b>		
<ul style="list-style-type: none"> <li>New development should be visually compatible with the streetscape context</li> </ul>	Yes, subject to condition	The proposed ground floor addition will not be visible from the public domain. It is recommended that the first floor rear balcony be reduced to the existing balcony footprint and consist of a light weight roof and open balustrade (rather than the proposed roof and masonry surrounds). A condition has been recommended which will ensure that the development is compatible with the streetscape context.
<b>1.6 Semi-detached dwellings and terrace style development</b>		
<p>1.6.5 Side setback and courtyard design controls for terraces</p> <ul style="list-style-type: none"> <li>The extension should not encroach beyond the predominant rear building line.</li> </ul>	Yes	<p>The proposed infill of the external passage to the northern boundary is considered acceptable as the dwelling to the north (26 Ruthven Street) has an existing roof to the boundary. The existing boundary fence is of a considerable height (see Figure 3 above) so the ground floor addition to the full width of the site will not have an adverse impact.</p> <p>The ground floor extension is in line with the predominant rear building line of the recently approved works to terraces within the row. It is reasonably expected that other terraces within the row will be extended at ground floor level to the same building line (i.e. setback 5.4m from the rear boundary).</p> <p>The recommended condition to restrict the rear upper level balcony to the existing footprint with an open/lightweight balustrade will ensure that the balcony is a subservient structure and the terraces will read as a pair from Gowrie Lane.</p>
<b>1.7 Fences</b>		
<ul style="list-style-type: none"> <li>Side and rear fences maximum 1.8m from ground level of adjoining properties</li> </ul>	Yes	The applicant advised, and it was noted by the assessing officer on a site inspection, that the brick boundary fences may not be structurally sound. The proposal includes the removal of the existing fences, and construction of a rendered and painted brick wall to a height of 1.8m to the side and rear boundaries, which is acceptable.

Development Control	Compliance	Comment
<b>1.8 Visual and acoustic privacy</b>		
<ul style="list-style-type: none"> <li>• Windows to habitable rooms are not to directly face windows to habitable rooms and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design.</li> <li>• Maximum size of balconies: <i>1.5m deep</i></li> </ul>	Yes, subject to condition	The proposed ground floor is to be built to the full width of the site and does not have any privacy impacts. The proposal does not alter the windows at the first floor level. However, the proposed balcony is larger than existing (measuring 2.7m in width and 2m in depth) which does not comply. It is recommended that a condition be included restricting the first floor rear balcony to the existing balcony footprint to ensure it does not result in any additional privacy impacts.
<b>1.9 Solar access</b>		
<ul style="list-style-type: none"> <li>• Minimum of three hours of sunlight to living areas and principal open space areas on 21 June</li> <li>• Minimum of three hours of sunlight maintained to living areas and principal open space areas of adjoining properties on 21 June</li> </ul>	No - acceptable	<p>Given the east/west orientation and the narrow allotment of the terrace row, obtaining the minimum 3 hours of sunlight to living areas and principal open space on the winter solstice is challenging. The shadow diagrams submitted with the application indicate that the private open space of the subject site and neighbouring properties receives solar access at 12 noon.</p> <p>The proposal results in minimal additional overshadowing at 12 noon to the adjoining property to the south (30 Ruthven St). However, with the recommended reduction in the first floor balcony and providing an open balustrade and lightweight surrounds, the overshadowing impact will be reduced.</p>
<b>1.12 Landscaping and open space</b>		
<ul style="list-style-type: none"> <li>• Overall open space: 40% of site area</li> <li>• Overall landscaped area: 15% of site area</li> <li>• Minimum area of 25m<sup>2</sup> for private open space</li> </ul>	No – acceptable	<p>The proposed development provides 30.7sqm of open space or 30% of the site area. The non-compliance is considered acceptable given the small allotment.</p> <p>The proposed courtyard is to be paved, which provides little space for landscaped area (other than the two garden beds at the rear measuring 1.6sqm). The non-compliance is acceptable given it is a small site and landscaping may be provided in the rear courtyard in pots and planter boxes in the future.</p> <p>The courtyard at the rear is 20.5sqm, the rear balcony (as conditioned) is 3.6sqm and the front balcony is 3.2sqm, which equates to 27.3sqm of private open space on site, which complies.</p>

## 2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

## 2.3 Suitability of the Site for the Development

The site is considered to be suitable for the proposed development.

## 2.4 Any Submissions

The application was notified for 14 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

2 submissions were received from the neighbours on either side (26 and 30 Ruthven Street, Bondi Junction). The issues raised in the submissions are summarised and discussed below.

### ***Issue: Increased overshadowing to neighbouring property***

***Response:*** The shadow diagrams submitted with the application indicate that on the winter solstice the proposal will have a minor overshadowing impact on the property to the south at 12 noon. However, it is recommended that the rear balcony be reduced to the existing footprint and the balustrade and roof consist of lightweight materials (rather than the proposed masonry balustrade) which will further reduce the overshadowing impact.

### ***Issue: The extension to the first floor rear balcony will have privacy impacts***

***Response:*** Agreed, a condition has been recommended to restrict the balcony to the existing envelope.

***Issue: The demolition of the “convict brick wall” between the boundary of 26 and 28 Ruthven Street and replacement with a rendered brick wall will not be in keeping with other rear and side brick fences at 26 Ruthven Street.***

***Response:*** The applicant has advised that the existing boundary wall is not along the boundary (in accordance with the survey). A site inspection revealed the boundary wall may not be structurally stable. The proposed rendered brick boundary wall is 1.8m in height, which complies with WDCP 2012 Part C1 1.7 and is supported. It is a matter between the adjoining property owners as to the treatment of the boundary wall on their respective elevations.

## 2.5 Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

### **3. REFERRALS**

#### **3.1 Stormwater – Creating Waverley**

The application was referred to Council’s Stormwater Engineers who confirmed that the application is satisfactory with regard to stormwater and On-Site Stormwater Detention is not required.

#### **3.2 Heritage – Shaping Waverley**

The application was referred to Council’s Heritage Advisor who advised that the first floor rear balcony addition is uncharacteristic of the terrace row. It is recommended that the existing balcony envelope be retained with BCA compliant open balustrading and lightweight roof structure. A condition has been recommended. The referral also recommended that the brick boundary wall is limited to a standard fence height not exceeding 1800mm, which is indicated in the proposed drawings.

### **4. SUMMARY**

The application proposes rear alterations and additions to the existing two storey terrace. The site forms part of a heritage listed terrace row at 12-42 Ruthven Street “*Two storey terrace row, Westgate Terrace*”. The site is also located within the Mill Hill Conservation Area – General (C12).

The proposed ground floor addition exceeds the FSR development standard of 1:1 by 17.53sqm or 17.5%. The applicant’s written request is considered to adequately address the requirements of Clause 4.6(3) and (4) as it demonstrates sufficient environmental planning grounds to justify contravening the FSR development standard for this particular proposal.

The proposed extension to the upper level rear balcony is not supported due to overshadowing and privacy impacts. It is recommended that a condition be included restricting the upper level rear balcony to the existing footprint, with a BCA compliant open balustrading and lightweight roof structure (rather than the proposed masonry balustrade).

Two (2) submissions were received from the neighbours on either side of the site. The submission from one neighbour is resolved by way of condition with regard to the upper level rear balcony. The submission from the other neighbour relating to retention of the boundary wall is not considered well-founded as the wall requires replacing and the proposed height of 1.8m complies with WDCP 2012 Part C1 1.7 and does not have amenity impacts.

The proposal is recommended for approval, subject to the recommended conditions.

**5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL**

That the Development Application be **APPROVED** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A:

**Report prepared by:**

**Application reviewed and agreed on behalf of  
the Development and Building Unit by:**

Emma Finnegan  
**Senior Development Assessment Planner**

Lee Kosnetter  
**Manager, Development Assessment (South)**

**Date: 6 April 2018**

**Date: 9 April 2018**

**Reason for referral:**

- 3 Departure from any development standard in an EPI by more than 10%

## **APPENDIX A – CONDITIONS OF CONSENT**

### **A. APPROVED DEVELOPMENT**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Architectural Plan Nos DA01, DA02, DA03 Issue A, tables and documentation prepared by Bailey-Smith Architecture, dated 23 November 2017 and received by Council on 23 November 2017,
- (b) BASIX Certificate No. A298834\_02 dated 22 November 2017, and received by Council on 23 November 2017,
- (c) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012.

Except where amended by the following conditions of consent.

#### **2. GENERAL MODIFICATIONS**

The proposal shall be amended as follows:

- (a) The rear upper level balcony is not to extend any further than the existing balcony footprint and consist of a BCA compliant open/lightweight balustrade and roof structure;

The amendments are to be approved by Council's Heritage Advisor prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.



## **B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **3. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

The building work, or demolition work, 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 appointment in accordance with Section 81(A)(2)(b) of the Environmental Planning & of th 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.

### **4. 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 Waverley DCP 2012 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.

### **5. 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.

### **6. 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 - Part B prior to the issue of a Construction Certificate.

**7. 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.

**8. FENCE NOT TO ENCROACH BEYOND BOUNDARIES**

No portion of the proposed 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.

**9. MATERIALS AND FINISHES FOR HERITAGE BUILDINGS**

Samples of external materials and finishes shall be submitted to Council for approval. In this regard, materials and finishes are to be restricted to the range of heritage colours sympathetic to the historical character of the area with the applicant to confer with Council prior to the preparation of the samples.

**10. 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.

**11. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and can not be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.

**12. 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.

## **C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION**

### **13. 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (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.

### **14. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS**

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

### **15. 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; and
- (b) Sundays and public holidays

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

### **16. BUILDING CODE OF AUSTRALIA**

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

### **17. ROOFING MATERIAL TO MATCH EXISTING**

The roof covering to the proposed ground floor addition is to have a uniform appearance to match the roof covering over the existing dwelling house.

### **18. 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.

**19. ENCROACH BEYOND THE BOUNDARIES**

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

**20. SIDE FENCE HEIGHT**

The proposed fence abutting the side boundary of the site is not to exceed a maximum height of 1.8m above the existing ground level of the neighbouring site.

**21. 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.

**22. CARE TO BE TAKEN DURING CONSTRUCTION**

The proposed works are to be carried out in a manner that minimises demolition, alterations, and new penetrations/fixings to the significant fabric of the existing building, which is listed as a Heritage Item.

**23. 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).

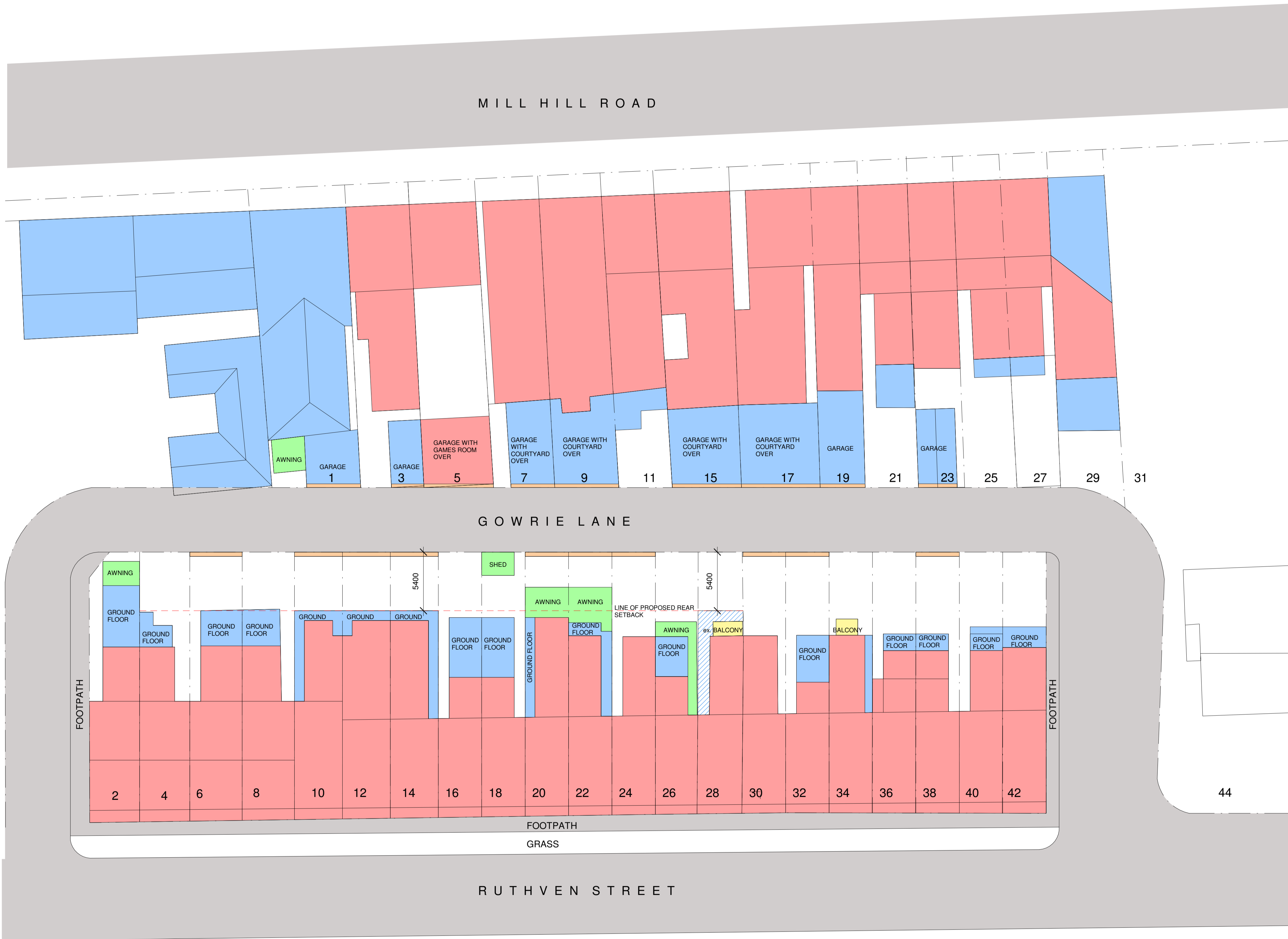
**24. ASBESTOS REMOVAL**

- (a) All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.
- (b) All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.
- (c) No asbestos products are to be reused on site.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.
- (e) No asbestos laden skips or bins are to be left in any public place without the approval of Council.

**D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION**

**25. 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.



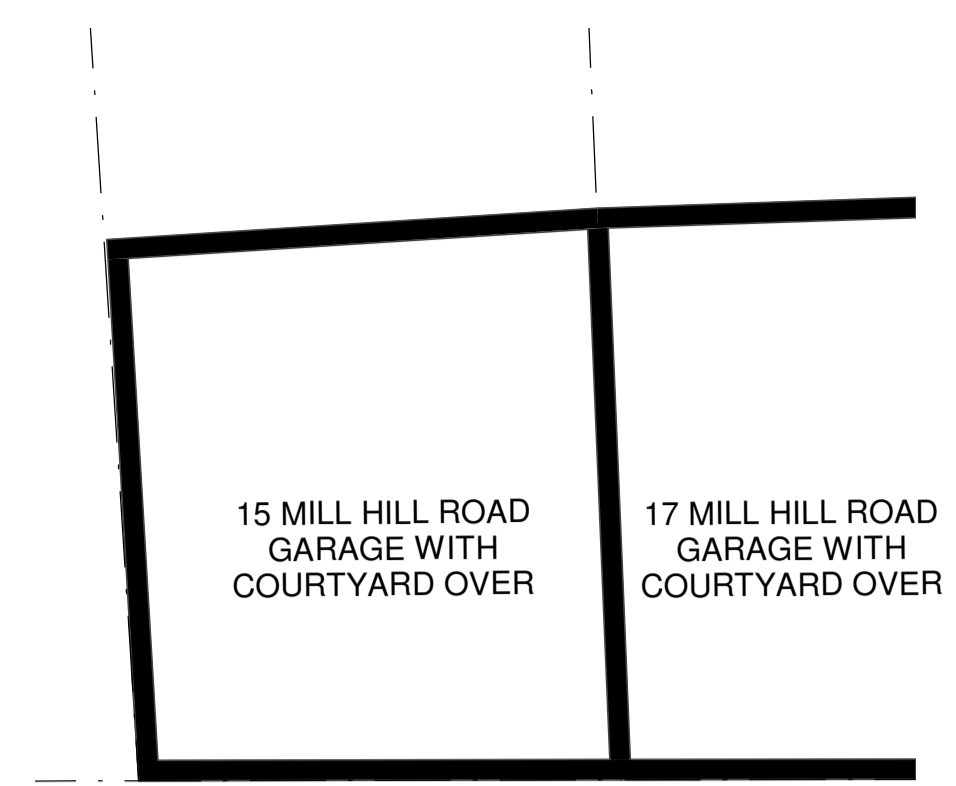
- LEGEND:**
- EXTENT OF EXISTING GROUND FLOOR
  - EXTENT OF EXISTING FIRST FLOOR
  - EXTENT OF PROPOSED GROUND FLOOR
  - EXISTING BALCONIES
  - EXISTING AWNINGS AND SHEDS
  - EXISTING ROLLER SHUTTER DOORS

**LEGEND**  
1 : 200

**1** LOCATION PLAN  
1 : 200

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						<p>Scale: 1 : 200</p>	<p>Date: 22/11/2017 10:32:00 PM</p>	





**BASIX NOTES:**  
SEE CERTIFICATE NUMBER A298834\_02

**LIGHTING:**  
THE APPLICANT MUST ENSURE A MINIMUM OF 40% OF NEW OR ALTERED LIGHT FIXTURES ARE FITTED WITH FLUORESCENT, COMPACT FLUORESCENT, OR LIGHT-EMITTING-DIODE (LED) LAMPS.

**FIXTURES:**  
THE APPLICANT MUST ENSURE NEW OR ALTERED SHOWERHEADS HAVE A FLOW RATE NO GREATER THAN 9 LITRES PER MINUTE OR A 3 STAR WATER RATING.  
THE APPLICANT MUST ENSURE NEW OR ALTERED TOILETS HAVE A FLOW RATE NO GREATER THAN 4 LITRES PER AVERAGE FLUSH OR A MINIMUM 3 STAR WATER RATING.  
THE APPLICANT MUST ENSURE NEW OR ALTERED TAPS HAVE A FLOW RATE NO GREATER THAN 9 LITRES PER MINUTE OR MINIMUM 3 STAR WATER RATING.

**INSULATION REQUIREMENTS:**

CONSTRUCTION	ADDITIONAL INSULATION REQUIRED (R-VALUE)
CONCRETE SLAB ON GROUND FLOOR	NIL
EXTERNAL WALL: BRICK VENEER	R1.16 (OR R1.70 INCLUDING CONSTRUCTION)

**GLAZING REQUIREMENTS:**

**WINDOWS AND GLAZED DOORS GLAZING REQUIREMENTS**

WINDOW NO.	ORIENTATION	AREA	SHADING DEVICE	FRAME AND GLASS TYPE
W1	E	8.78	AWNING (FIXED) >= 900mm	TIMBER OR UPVC, SINGLE CLEAR, (OR U-VALUE: 5.71, SHGC:0.66)

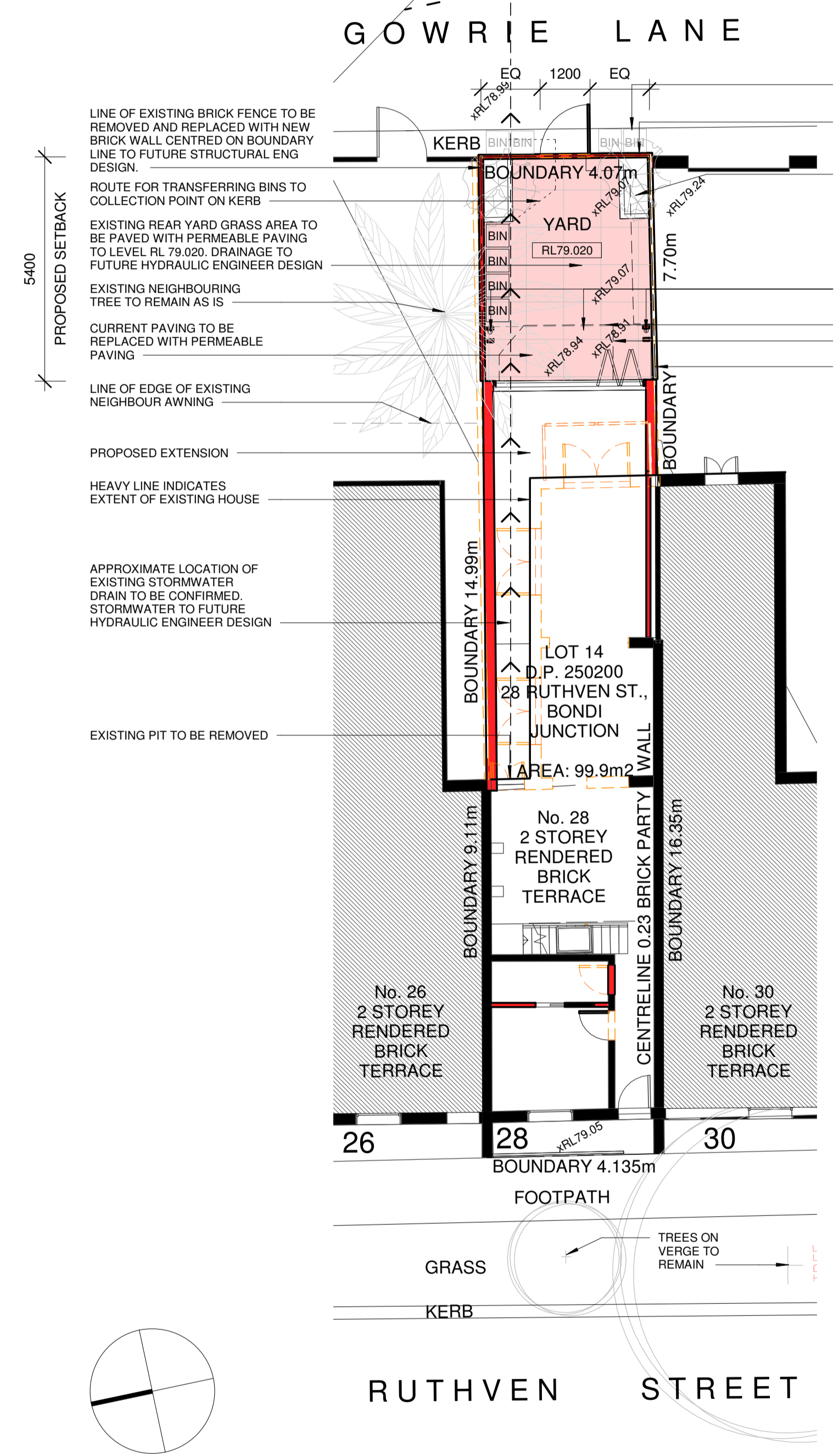
**GLAZED ROOFS GLAZING REQUIREMENTS**

GLAZED ROOF NO.	AREA	SHADING DEVICE	GLASS TYPE
G1	9.195	NO SHADING	STANDARD ALUMINIUM, TONED/AIR GAP/CLEAR, (U-VALUE: 5.31, SHGC:0.48)

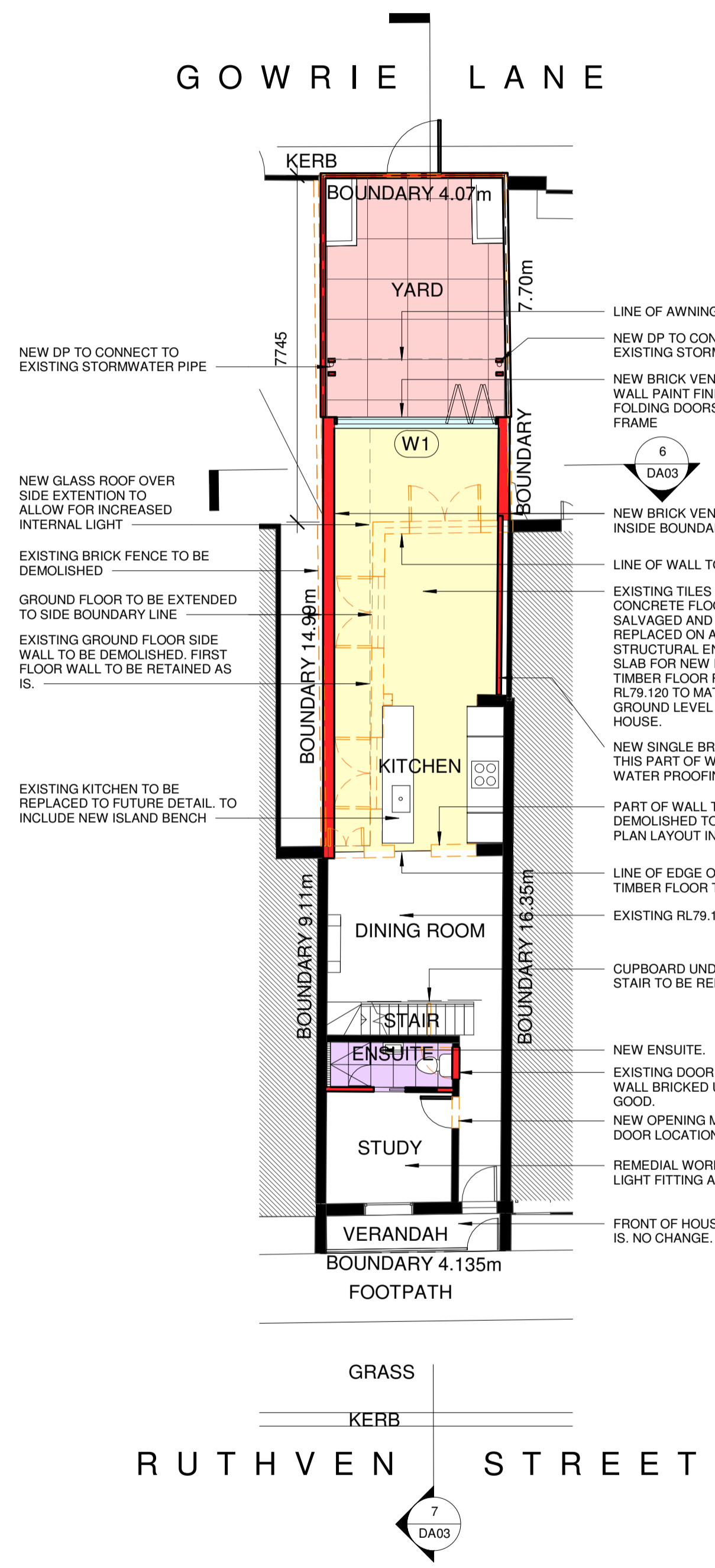
**DEVELOPMENT DETAILS**

LOT 14 IN D.P. 250200

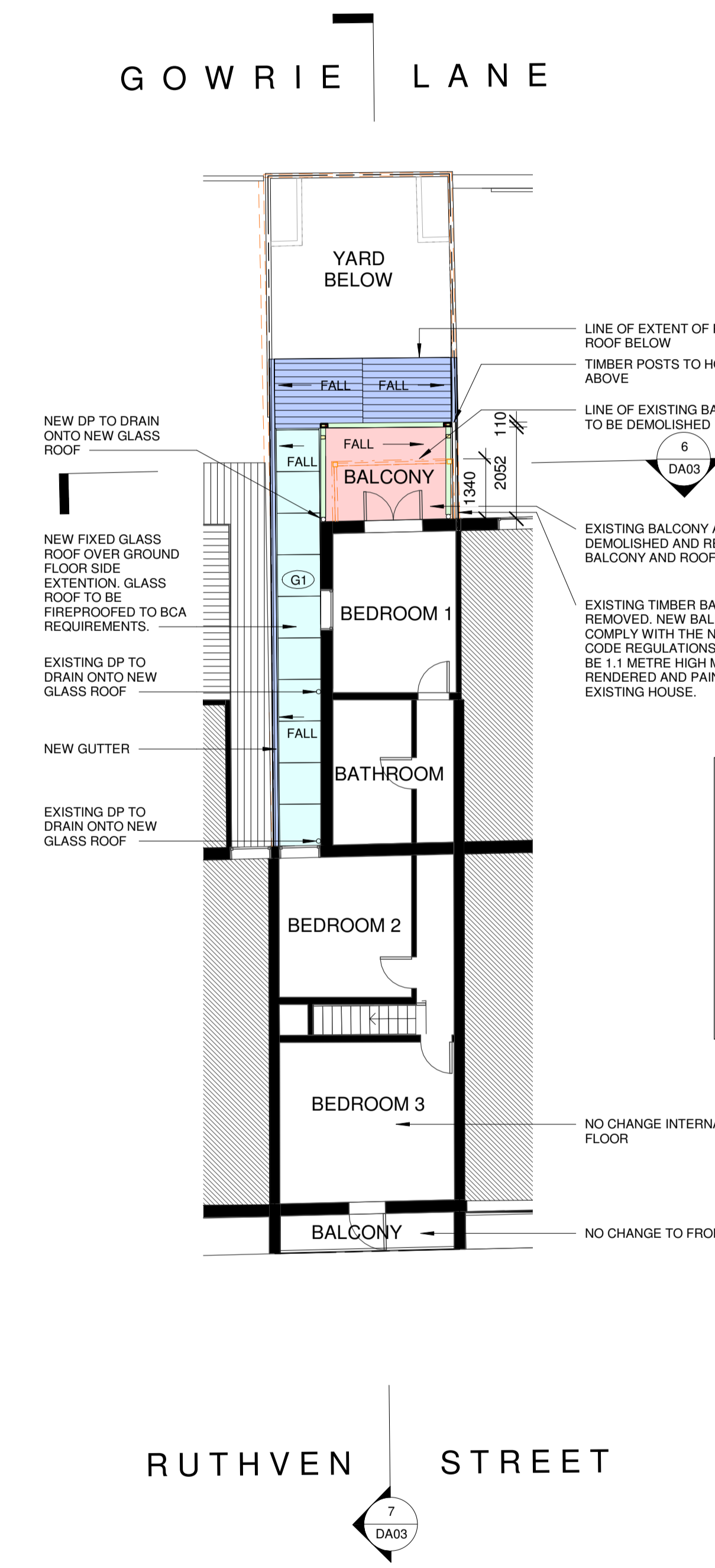
TYPE	AREA
SITE AREA	99.9m <sup>2</sup>
GROSS FLOOR AREA	
ALLOWABLE	
EXISTING GROUND FLOOR	50.5m <sup>2</sup>
EXISTING FIRST FLOOR	49.85m <sup>2</sup>
EXISTING TOTAL	100.35m <sup>2</sup>
PROPOSED GROUND FLOOR	67.58m <sup>2</sup>
PROPOSED FIRST FLOOR	49.85m <sup>2</sup>
PROPOSED TOTAL	117.43m <sup>2</sup>



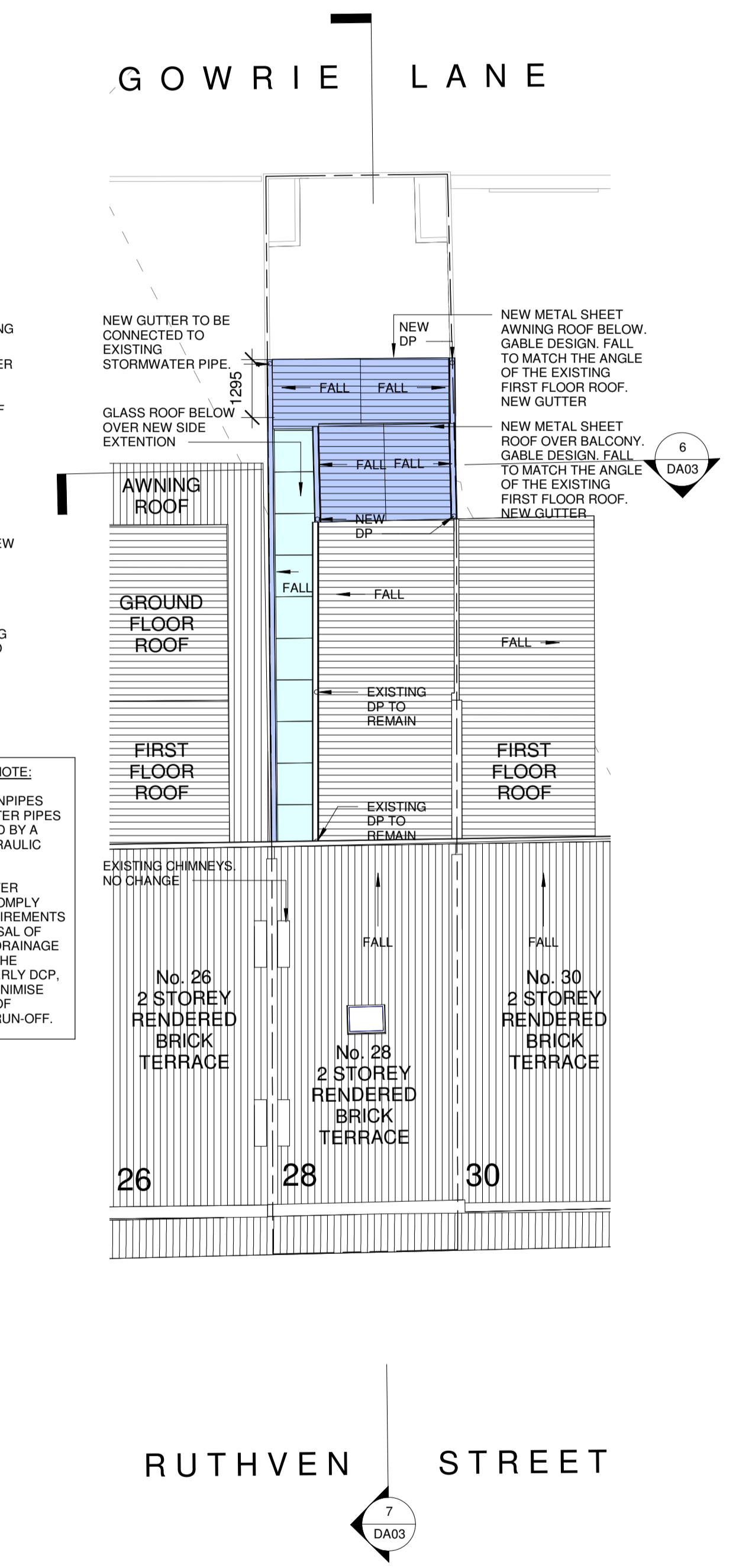
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1 : 100



2 GROUND FLOOR PLAN  
1 : 100



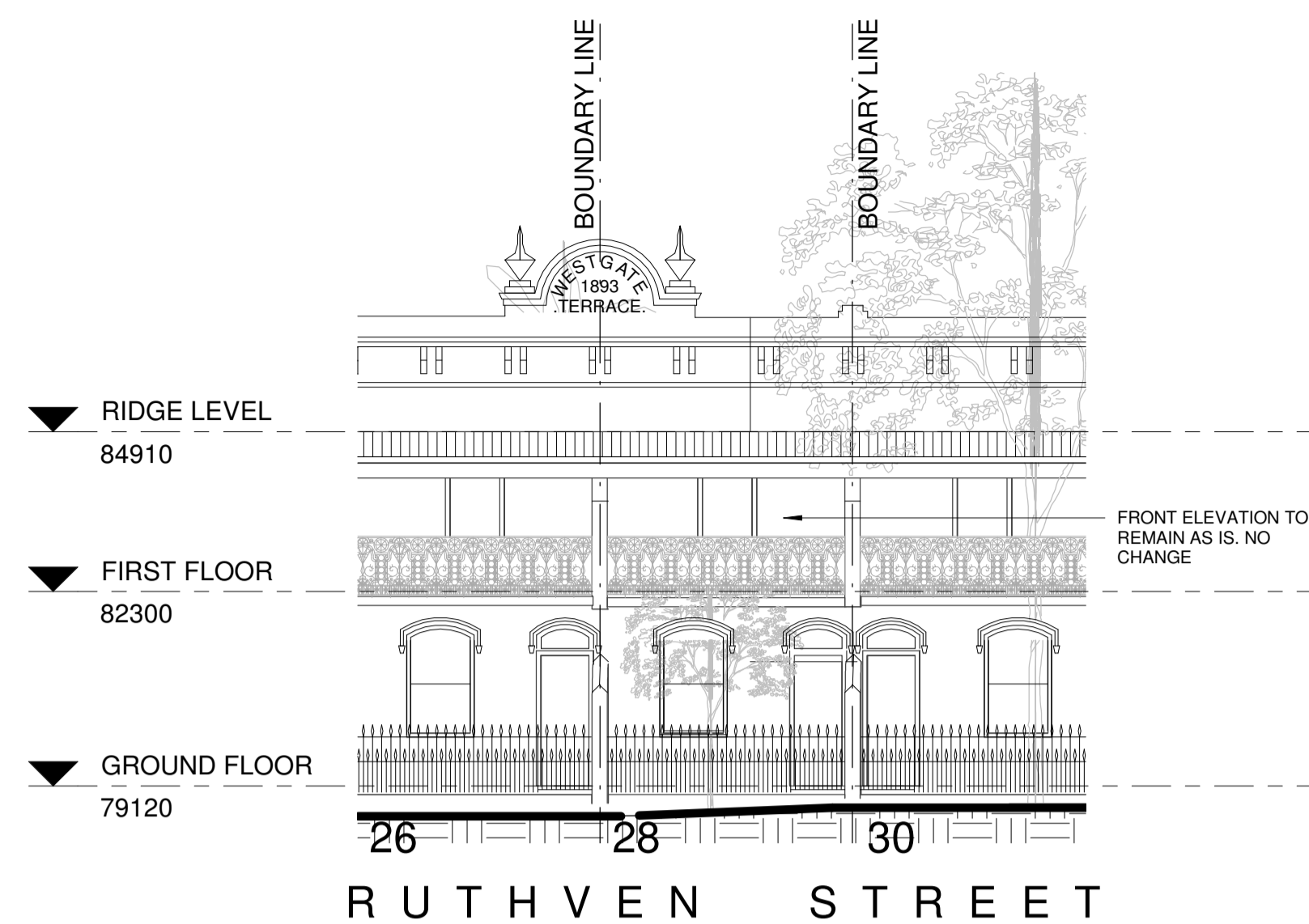
3 FIRST FLOOR PLAN  
1 : 100



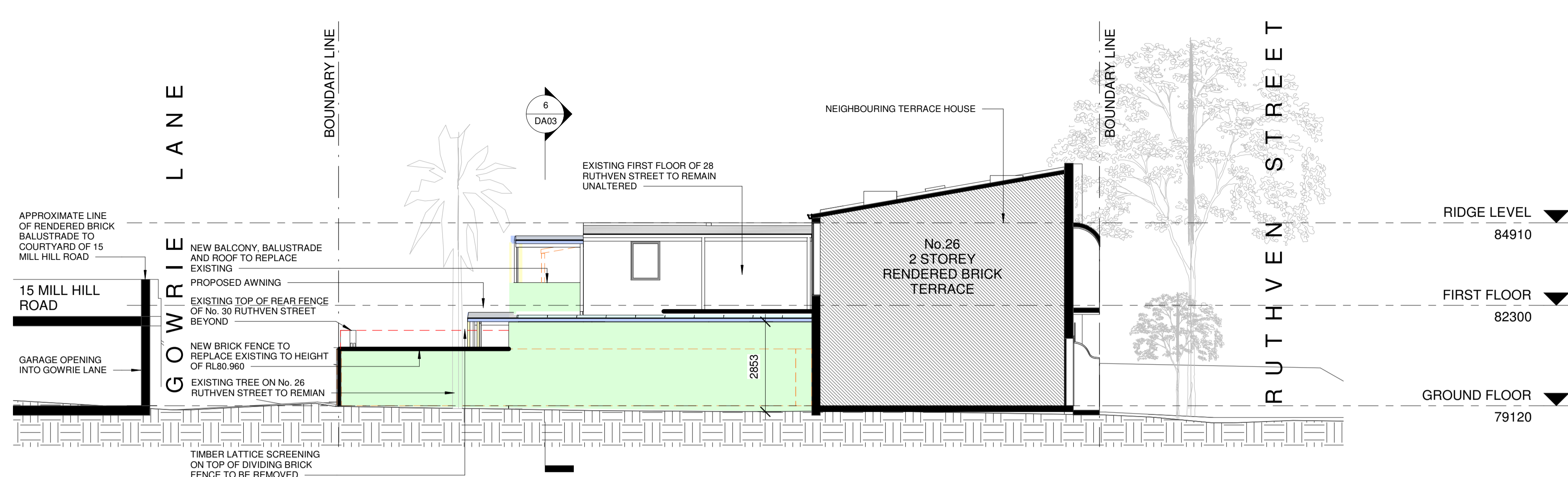
4 ROOF + WATER MANAGEMENT PLAN  
1 : 100

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	Alterations and additions <b>28 Ruthven Street, Bondi Junction</b> Client: Louise Sheaman and Andy Bannister	<b>PLANS</b>	A DA ISSUE	23.11.17	CBS16 Scale: 1 : 100	DA02	Date: 22/11/2017 10:32:13 PM	

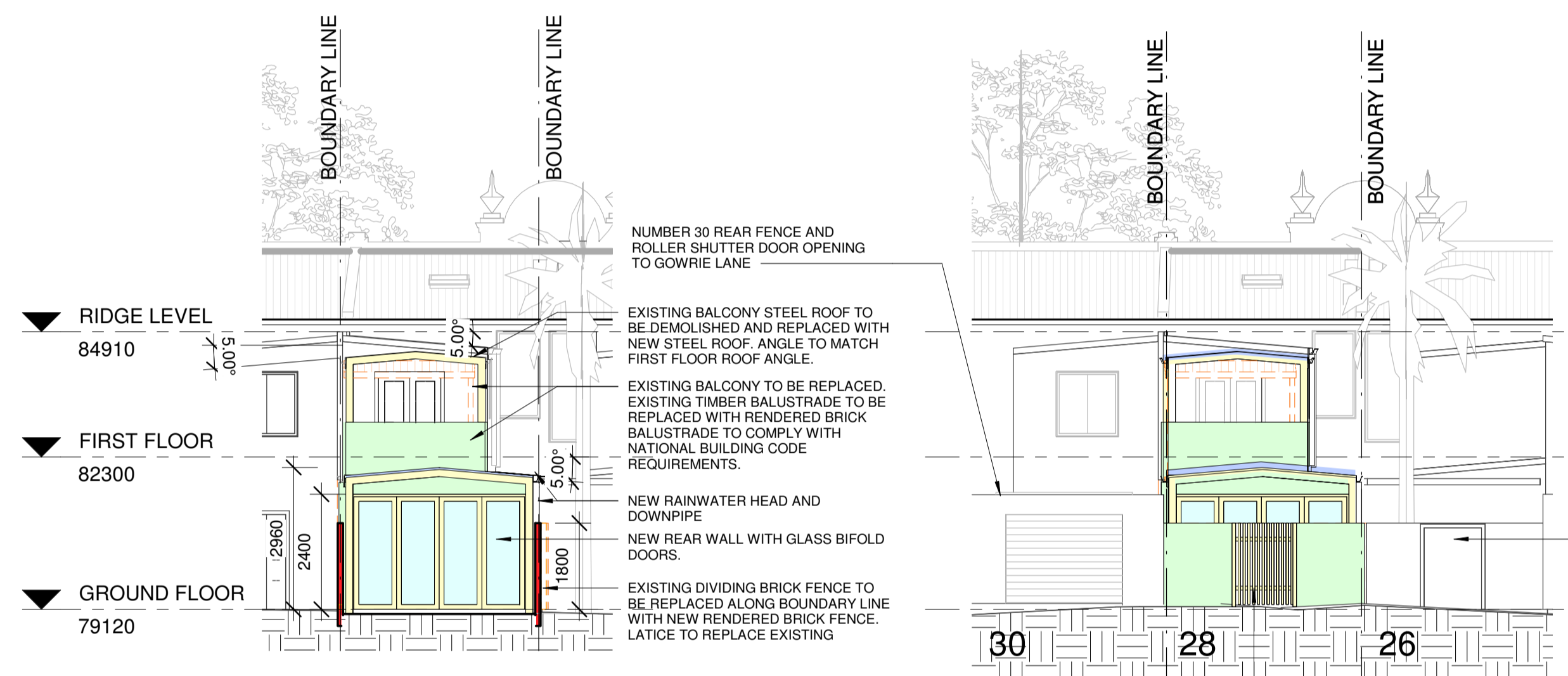




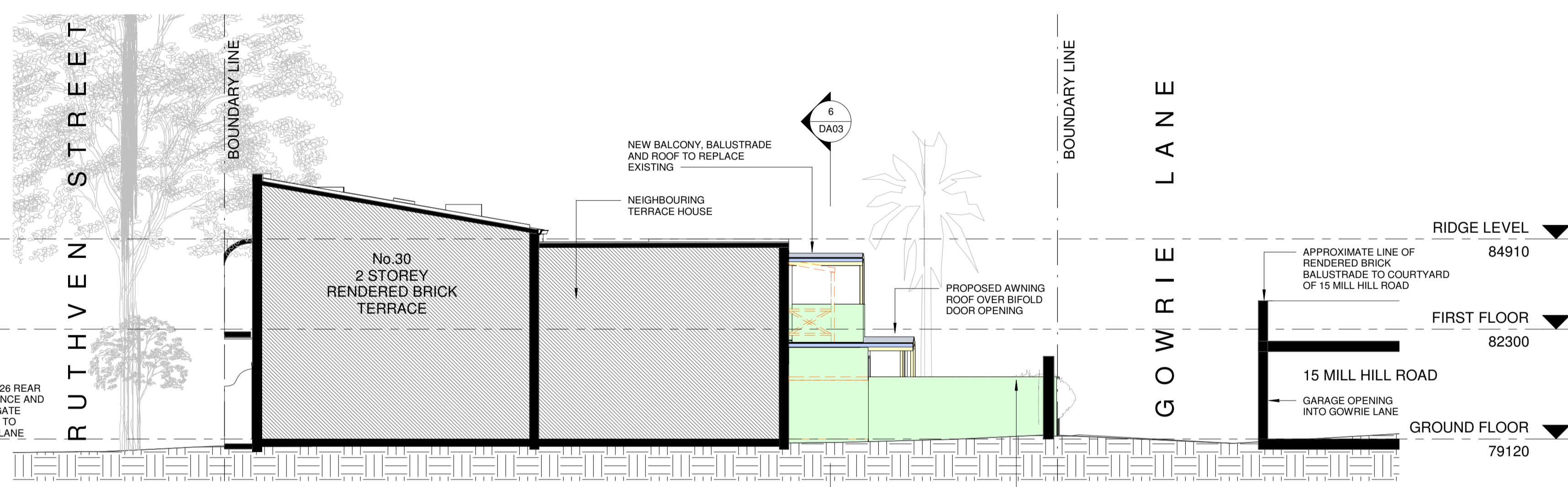
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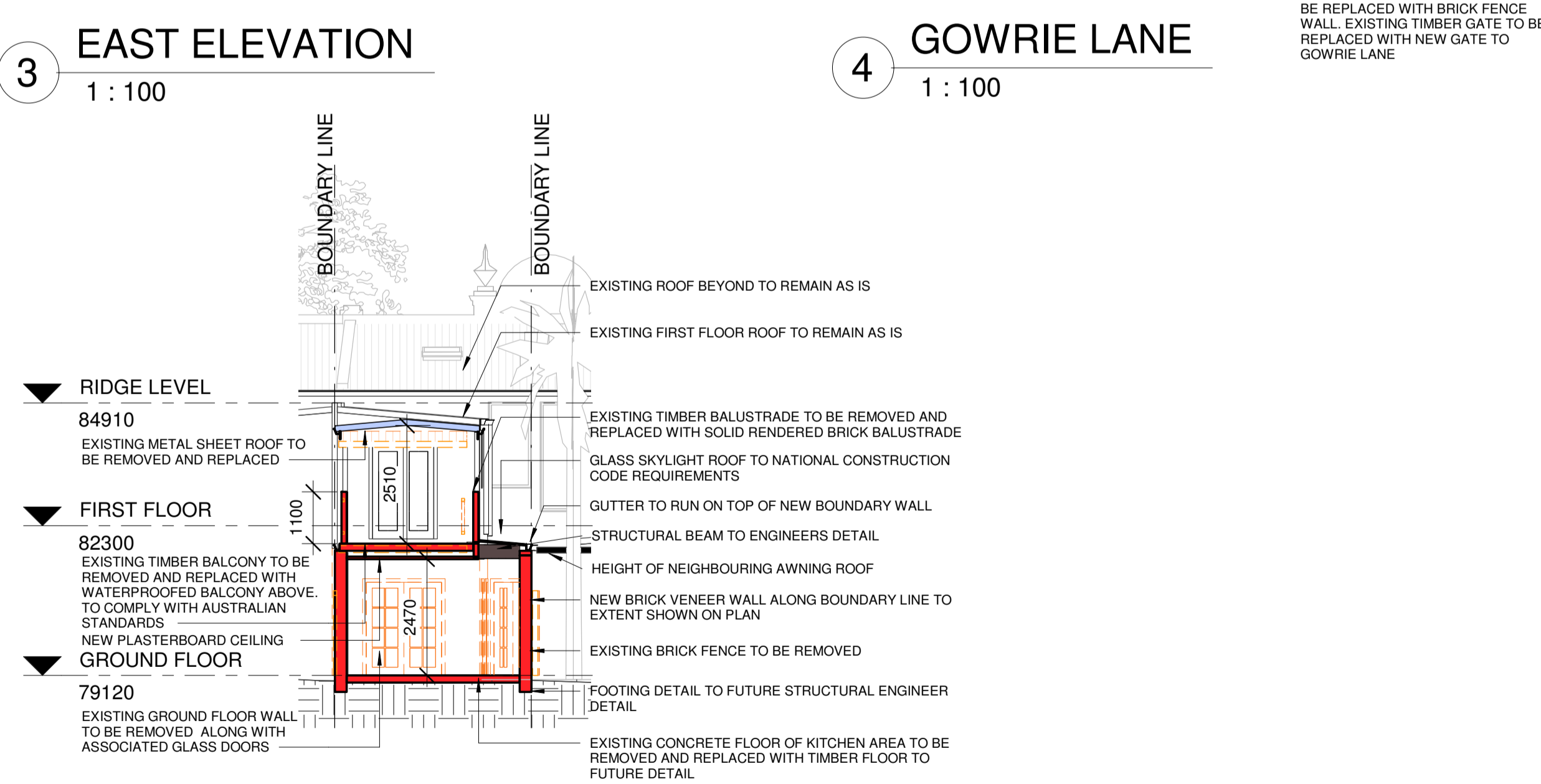
2 NORTH ELEVATION  
1 : 100



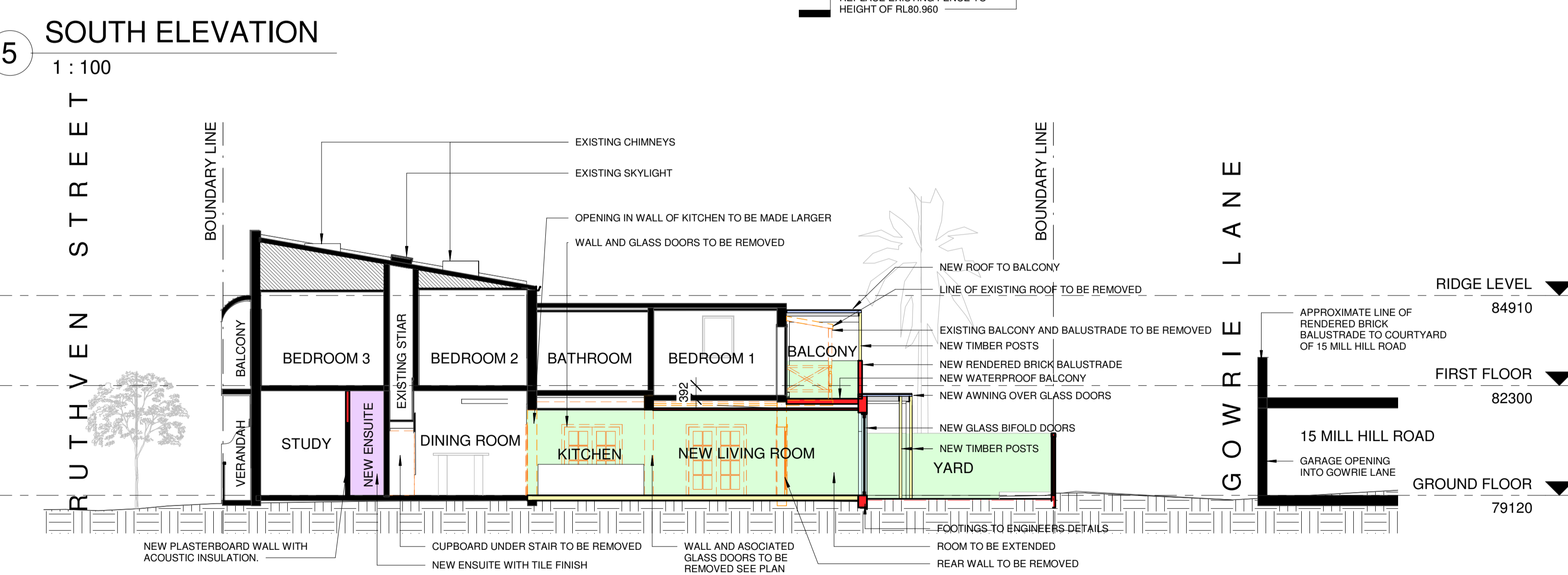
3 EAST ELEVATION  
1 : 100



5 SOUTH ELEVATION  
1 : 100



4 GOWRIE LANE  
1 : 100



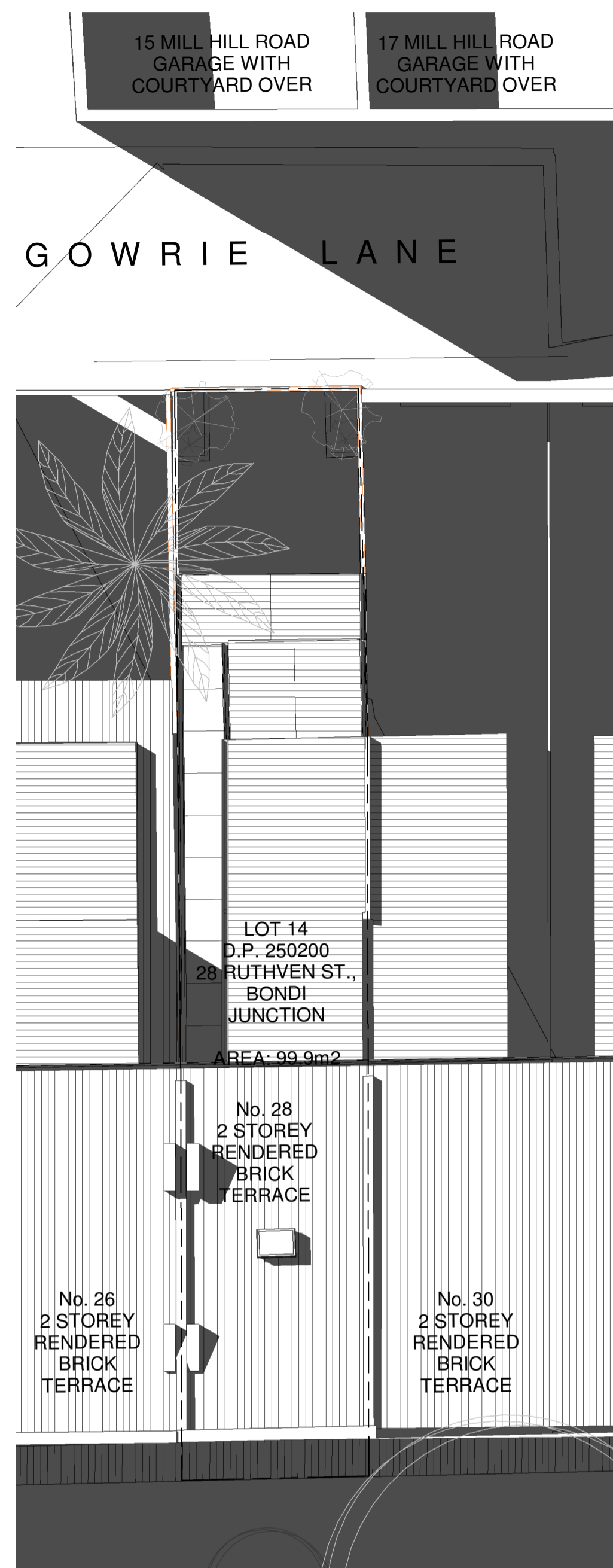
6 SECTION A-A  
1 : 100

7 SECTION B-B  
1 : 100

<p>Project: Alterations and additions</p> <p><b>28 Ruthven Street, Bondi Junction</b></p> <p>client: Louise Sheaman and Andy Bannister</p>	<p>Drawing Title: <b>ELEVATIONS + SECTIONS</b></p>	<p>Issue: A</p> <p>Amendment: DA ISSUE</p>	<p>Date: 23.11.17</p> <p>Job No.: CBS16</p> <p>Dwg No.: DA03</p> <p>Scale: 1 : 100</p>	<p>Rev:</p> <p>Date: 22/11/2017 10:32:28 PM</p>
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ALL DIMENSIONS TO BE VERIFIED ON SITE. DIMENSIONS TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. ANY DISCREPANCIES TO BE REFERRED TO ARCHITECT BEFORE PROCEEDING.





RUTHVEN STREET

1 21ST JUNE 9AM  
1 : 100

NEW SHADOWS CAST:



SHADOW LEGEND  
1 : 100



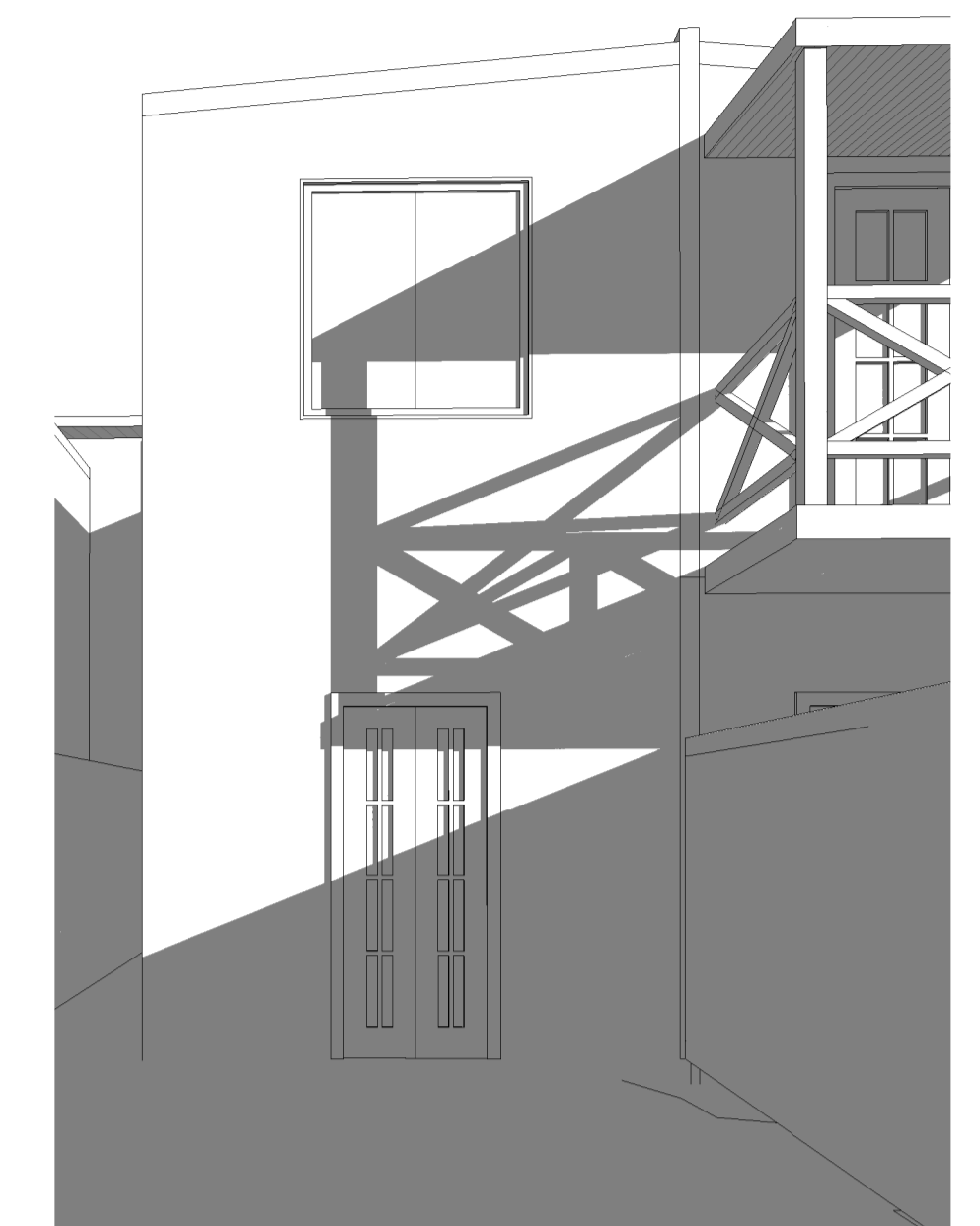
RUTHVEN STREET

2 21ST JUNE 12PM  
1 : 100



RUTHVEN STREET

3 21ST JUNE 3PM  
1 : 100



REAR WALL OF NUMBER 30 RUTHVEN STREET. SHOWING EXISTING SHADOWS CAST FROM NUMBER 28 RUTHVEN STREET AT 9AM MIDWINTER SOLSTICE (21ST JUNE). THIS DIAGRAM DOES NOT INCLUDE ANY SHADOWS CAST BY EXISTING TREES.

4 9AM EXISTING



REAR WALL OF NUMBER 30 RUTHVEN STREET. SHOWING PROPOSED SHADOWS CAST FROM NUMBER 28 RUTHVEN STREET AT 9AM MIDWINTER SOLSTICE (21ST JUNE). THIS DIAGRAM DOES NOT INCLUDE ANY SHADOWS CAST BY EXISTING TREES.

5 9AM PROPOSED

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## Waverley Development Assessment Panel

<b>Application number</b>	DA-513/2016/A
<b>Site address</b>	46 Gardyne Street, Bronte
<b>Proposal</b>	Section 4.55 – Modification of development consent DA-513/2016 relating to rear terrace, increased floor space, reduced side setback, driveway conditions
<b>Approved Development</b>	Demolition and construction of new dwelling-house with integrated double garage and swimming pool
<b>Date of lodgement</b>	1 December 2017
<b>Owner</b>	Sarah Elisabeth Landman
<b>Applicant</b>	Sarah Landman c/- Tribe Studio Architects
<b>Submissions</b>	Two
<b>Issues</b>	Variation to FSR control, visual and acoustic privacy, rear terrace
<b>Recommendation</b>	That the application be <b>APPROVED (in part)</b> subject to conditions



## 1. PREAMBLE

### 1.1 Site and Surrounding Locality

A site visit was carried out on 21 February 2018.

The site comprises three allotments which are identified as Lot 3 DP820396, Lots 3 and 4 Section 4 DP2806, known as 46 Gardyne Street, Bronte. The site is generally regular in shape with a west front boundary length of 12.19m to Gardyne Street, a north side boundary of 35.055m, an east rear boundary of 12.19m and a south side boundary of 35.055m. The site has a total area of 427m<sup>2</sup>. The site falls from the front western boundary to the rear by approximately 5 metres. Stone retaining walls are located within the frontage of the property and along both side boundaries.

The site is occupied by a part one part two storey dwelling house with off street car parking for two vehicles within a single storey garage to Gardyne Street. The height of the existing flat roof dwelling is to RL55.49-RL55.86 to roof above ground floor street level and RL52.06-RL52.55 to roof of lower ground floor level.

The subject site is adjoined to the north by a two storey dwelling at 44 Gardyne Street, to the rear by a three storey dual occupancy development at 146 Macpherson Street and to the south by a three storey residential flat building. The locality is characterised by predominantly residential dwellings and semi-detached dwellings with the occasional residential flat building. Design is of varying sizes and architectural styles. To the north-east of the site and within walking distance is Bronte Park and Beach.



**Figure 1:** Site viewed from Gardyne Street





**Figure 2:** Subject site viewed from the rear neighbouring balcony of No.44 Gardyne Street



**Figure 3:** View of subject site looking north east over subject site



**Figure 4:** Site viewed from Bronte Park

## 1.2 Relevant History

A search of Council's building and development records found the following applications for the subject site:

- Building application 856/1995 to construct alterations and additions including additional storey to the existing premises approved on 1 March 1996. This application was the subject of a Land and Environment Court appeal by the applicant appealing a condition that required the building's setback of the eastern wall of bedroom 1 to be in alignment with the external wall of the family room at first floor level. The Court dismissed the appeal.
- Building application 225/1996 for alterations and additions including the construction of decking, stairway and roofing to the dwelling, refused on 7 June 1996. An appeal was lodged against Council's decision. This appeal was upheld in respect of one aspect of the issues and approval granted subject to, and not limited to but of relevance to the subject application, the deletion of a timber deck at first floor level eastern elevation.
- Local Development 200/1998 – construct garage, alterations and additions and retaining wall refused on 6 March 1999.
- Local Development 335/1999 – construct addition at rear ground level and retaining wall approved on 20 July 1999.
- Local Development 623/1999 – construct garage and driveway refused on 26 October 1999.
- Construction Certificate 623/1999 – Alterations and additions to the existing dwelling, garage and driveway approved on 27 September 2001; and
- DA-513/2016 – Demolition of existing dwelling and construction of part two part three storey dwelling, garage and swimming pool approved by deferred commencement on 23 August 2017.

### 1.3 Proposal

The Section 4.55 application seeks approval to modify conditions of the development consent and increase the gross floor area on site. Details of the proposal are as follows:

Condition modifications:

#### **Schedule A Deferred Commencement Matter 1 – Driveway Grading Plan - Amended Design**

This deferred commencement Matter no.1 requires that the stormwater pit within the Council's road reserve on the northern side of the driveway be deleted, and the driveway redesigned and relocated further to the north in order for stormwater runoff from the driveway to be drained directly into Gardyne Street gutter. It is proposed to delete this requirement. The stormwater pit removal has been included in the drawings submitted as part of this Section 4.55 application.

#### **Schedule A Deferred Commencement Matter 2 – Swept Wheel Path Drawings**

Matter no.2 of Schedule A, requires the submission and approval of swept wheel path drawings, prepared by a suitably qualified and experienced traffic engineering consultant, showing the swept wheel path of a vehicle entering and exiting each side of the garage. The applicant requests to delete this requirement as it is unnecessary in light of the relocated driveway as shown in the submitted drawings.

#### **Schedule A Deferred Commencement Matter 4 – Public Utility Authority Services**

Matter no.3 requires written evidence to be submitted to Council that the relevant public utility services have been consulted regarding changes to the road reserve and any other adjustments to public utility services. The applicant has requested that further information be provided as to the specific public utility authorities that need to be consulted.

#### **Schedule B Condition 1(a) – Approved Plans and Supporting Documentation**

Condition 1(a) details the approved architectural drawings and supporting consultant reports. It is requested that this condition be amended to reflect the modified architectural drawings which seeks to amend the design of the proposed dwelling, which includes the following design changes:

- Extension of the southern side building line by 0.6m at all floors providing a setback of 900mm from the southern side boundary;
- Increase in the overall GFA as a result of the reduced southern side setback, resulting in a change in the FSR from 0.68:1 to 0.74:1.
- Realignment of the eastern roof overhang at first floor level;
- Internal modifications;
- Deletion of skylight, fireplace and flue.

#### **Schedule B Condition 2(a) – General Modifications (First Floor Terrace and Roof)**

Condition 2(a) relates to the size of the first floor terrace and the detailing of the roof area. The existing condition reads as follows:

*The proposed terrace at first floor level eastern elevation to be reduced in size. The trafficable/ useable area of the rear terrace at first floor level is to be in accordance with plans tabled to the WDAP on 23 August 2017, notated as First Floor Plan Revision G. The proposed roof over this terrace is to be reduced to a maximum overhang of 300mm from the eastern wall of the dwelling at first floor level. The remainder of the roof area located above the ground floor level and adjoining the first floor terrace to be non-trafficable and provided as a roof garden with plant species to a maximum growth maturity*



*height of 200mm above finished roof level. No balustrading is to be provided to this roof garden area to ensure it cannot be used for active purposes.*

It is proposed to amend this condition to provide balustrading to the edge of the roof garden area. It is also proposed to amend the alignment of the roof overhang and enlarge the size of the approved trafficable area of the roof terrace.

#### **Schedule B, Condition 2(i) – General Modifications (Balustrade)**

Condition 2(i) relates to the material of balustrades. The existing condition is as follows:

*To mitigate view impacts, balustrading to the first floor rear terrace is to be structural frameless glass with no top rail.*

It is proposed to amend this condition to enable a metal balustrade in place of the structural frameless glass with no top rail balustrade.

#### **Pruning of Lilly Pilly Hedge at southern side boundary**

The application includes a request for a condition to be imposed regarding the pruning of the existing Lilly Pilly hedge located at the southern side boundary to be maintained to a height of RL53.08. The applicant supports that a condition be imposed to reflect an agreement between the owners and the adjoining neighbour at 1/144 Macpherson Street (as outlined in the supporting documentation).

It is also noted that numbering on the previous development consent was incorrect (duplicate number 4) and this is to be rectified as part of this Section 4.55 application.

## **2. ASSESSMENT**

The following matters are to be considered in the assessment of this development application under section 4.15 and 4.55 of the *Environmental Planning and Assessment Act 1979* (the Act).

### **2.1 Planning Instruments and Development Control Plans**

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning policies (SEPPs), and development control plans.

#### **2.1.1 SEPP (Building Sustainability Index – BASIX) 2004**

A BASIX Certificate has been submitted with the application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are implemented.

#### **2.1.2 SEPP 55 Remediation of Land**

There is no known history of contamination applicable to the site. The subject site has historically been used for residential purposes. Accordingly, site land contamination is considered unlikely and no further investigation is necessary.

### 2.1.3 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

**Table 1: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal is considered to be consistent with the aims of the plan.
<b>Part 2 Permitted or prohibited development</b>		
Land Use Table R2 Low Density Residential Zone	Yes	The proposal is defined as a dwelling house, which is permitted with consent in the R2 zone.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>8.5m</li> </ul>	Yes	The proposal has an approved height of 7.5m from existing ground level. There is no change proposed to the overall approved height.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> <li>0.635:1 (271m<sup>2</sup>)</li> <li>Site: 427m<sup>2</sup></li> </ul>	No, see discussion	Lower ground: 58m <sup>2</sup> (approved 55m <sup>2</sup> ) Ground: 91m <sup>2</sup> (approved 85m <sup>2</sup> ) First: 166 m <sup>2</sup> (approved 152m <sup>2</sup> ) Total: 315m <sup>2</sup> (approved 292m <sup>2</sup> )  FSR 0.74:1 This is a maximum variation of 44m <sup>2</sup> or 16%

The following is a discussion of the issues identified in the Waverley LEP 2012 compliance table.

#### **Clause 4.4 Floor space ratio (FSR) and Clause 4.4A Exceptions to Floor Space Ratio**

The relevant objectives of the FSR development standard under Waverley LEP 2012 is to provide an appropriate correlation between maximum building heights and density controls, to ensure that buildings are compatible with the bulk, scale, streetscape and existing character of the locality, to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.

The proposed dwelling has a gross floor area of 315m<sup>2</sup> equating to an FSR of 0.74:1 which exceeds the maximum FSR 0.635:1 development standard by approximately 44m<sup>2</sup> or 16%. To support the increase in FSR, the applicant has provided the following justification:

*“The numerically minor increase in FSR does not involve the increase of the height of the building, which is compliant with LEP controls, and therefore does not result in any impact on visual privacy, overlooking or view sharing. This also means the proposal remains appropriate in terms of scale and bulk in relation to surrounding dwellings and the wider local context. The location of the increase, the southern building line, is within the DCP’s 900mm setback control. There is therefore no impact in terms of building separation, potential view corridors, or privacy. The building envelope remains similar to the existing dwelling. While there is some minor additional overshadowing as a result of the increase,*

*this is negligible in its impact. Overall, the minor increase in FSR has no impact on building height, bulk, scale, view sharing, overlooking, aural privacy and neighbour amenity/privacy, and a negligible impact on solar access”.*

The proposed additional GFA being sought under this s4.55 application is 23m<sup>2</sup>. The additional FSR is as a result of the extension of the dwelling to within 900mm of the side setback, which is compliant with the side setback control of Waverley DCP 2012 and also consistent with the alignment of the existing dwelling on site. The additional FSR will result in an increase in overshadowing, however, this is not unreasonable having regard to the orientation of the allotments. The proposed development’s FSR is appropriate within the locality providing a building which fits within the context of surrounding building forms and residential uses and can be supported.

#### 2.1.4 Waverley Development Control Plan 2012 - Amendment No.5 (Waverley DCP 2012)

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

**Table 2: Waverley DCP 2012 – Part B General Provisions Compliance Table**

Development Control	Compliance	Comment
2. Energy and water conservation	Yes	A BASIX Certificate was submitted with the application, which satisfies this section of the DCP.

**Table 3: Waverley DCP 2012 – Part C1 Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development Compliance Table**

Development Control	Compliance	Comment
<b>1.1 Height</b>		
1.1.1 Flat roof dwelling house <ul style="list-style-type: none"> <li>Maximum overall building height of 7.5m</li> </ul>	Yes	No change to the approved height of 7.5m
<b>1.2 Setbacks</b>		
1.2.2 Side setbacks <ul style="list-style-type: none"> <li>Minimum of 900mm for height up to 8.5m</li> </ul>	Yes	Minimum 900mm setback proposed
<b>1.4 Streetscape and visual impact</b>		
<ul style="list-style-type: none"> <li>To enhance the built form by encouraging quality design that corresponds harmoniously with the surrounding environment</li> </ul>	Yes	The proposed dwelling incorporates a high quality architectural design and materials/finishes that will complement the existing and emerging streetscape character.

1.8 Visual and acoustic privacy		
Location of habitable room windows not to face directly into adjoining habitable rooms or open space or screening required Elevated balconies to have screening	Yes	No change to the approved window locations
Elevated/ visually prominent balcony	No	See discussion below
Maximum size of balconies: <ul style="list-style-type: none"> <li>• 10m<sup>2</sup> in area</li> <li>• 1.5m deep</li> </ul>	No	
1.9 Solar access		
<ul style="list-style-type: none"> <li>• Minimum of three hours of sunlight maintained to minimum of 50% of living areas and principal open space areas of adjoining properties on 21 June</li> </ul>	Yes	Minor increase in overshadowing as a result of the reduced side setback. The site is east-west oriented and the shadow diagrams indicate that surrounding residential buildings and open space will not result in unreasonable shadow impacts.

## Visual and acoustic privacy

### *Rear Terrace and roof*

Under the original development application, it was proposed to provide a first floor rear terrace located over the ground level at the sites eastern elevation with dimensions of 4.5 metres deep and an overall area of 31m<sup>2</sup>. The proposed terrace is at RL53.08 and was to include a concrete bench seat around its perimeter and privacy planting over the remainder of the non-trafficable roof area. The non-trafficable area extends around to the north elevation at first floor level where a balustrade and planting was also proposed.

At its meeting of 23 August 2017, the WDAP approved a reduced trafficable terrace area with dimensions of 4m in depth and an area of approximately 18m<sup>2</sup>. A plan was tabled at the meeting by the applicant showing the alignment of the reduced terrace area which was contained on the inside of the concrete bench (it is unclear whether it was the intention of the WDAP to allow the applicant to retain the concrete bench seat when this determination was made). The remainder of the roof terrace area is to be non-trafficable with no balustrading provided.

The submitted plans as part of this Section 4.55 application show the trafficable area of the terrace to include the concrete bench seat with the applicant seeking to enable balustrading to the edge of the non-trafficable area of the roof terrace (amendment to Condition 2(a)). The applicant also seeks to change the balustrading from structural frameless glass with no top rail to open metal balustrade (amendment to Condition 2(i)).

In the applicant's justification for metal balustrading they state that the *required structural frameless glass with no top rail does not comply with the Building Code of Australia (BCA) and it ensures that it better blends into its surroundings. It also does not require constant cleaning and enables more effective circulation.*

In assessing the proposed terrace under the original development application, consideration was given to the impact of the proposed size and location of the terrace on the adjoining properties. Of particular concern was the impacts of the proposed terrace on the neighbouring property to the south at Unit 1/144 Macpherson Street (photos provided below).



**Figure 5:** View from adjoining deck of Unit 1/144 Macpherson Street showing existing rear building line and location of proposed terrace



**Figure 6:** View from adjoining living room of Unit 1/144 Macpherson Street.

There is historical precedent set down by Land and Environment Court judgement relating to the location of a balcony/ terrace area in this location which was proposed under BA225/1996. This building application related to alterations and additions including the construction of decking, stairway and roofing. The size of the proposed deck was 3.7m in depth and 5.9m wide. The application was recommended for approval by Council Officers subject to a number of conditions including the following:

*'The proposed decking to the eastern elevation at first floor level is to be reduced so as to extend a maximum of 1.8m from the eastern wall of the building and a permanent fixed balustrade is to be provided to prevent access over the remainder of the structure which forms part of the roof over the ground floor kitchen.'*

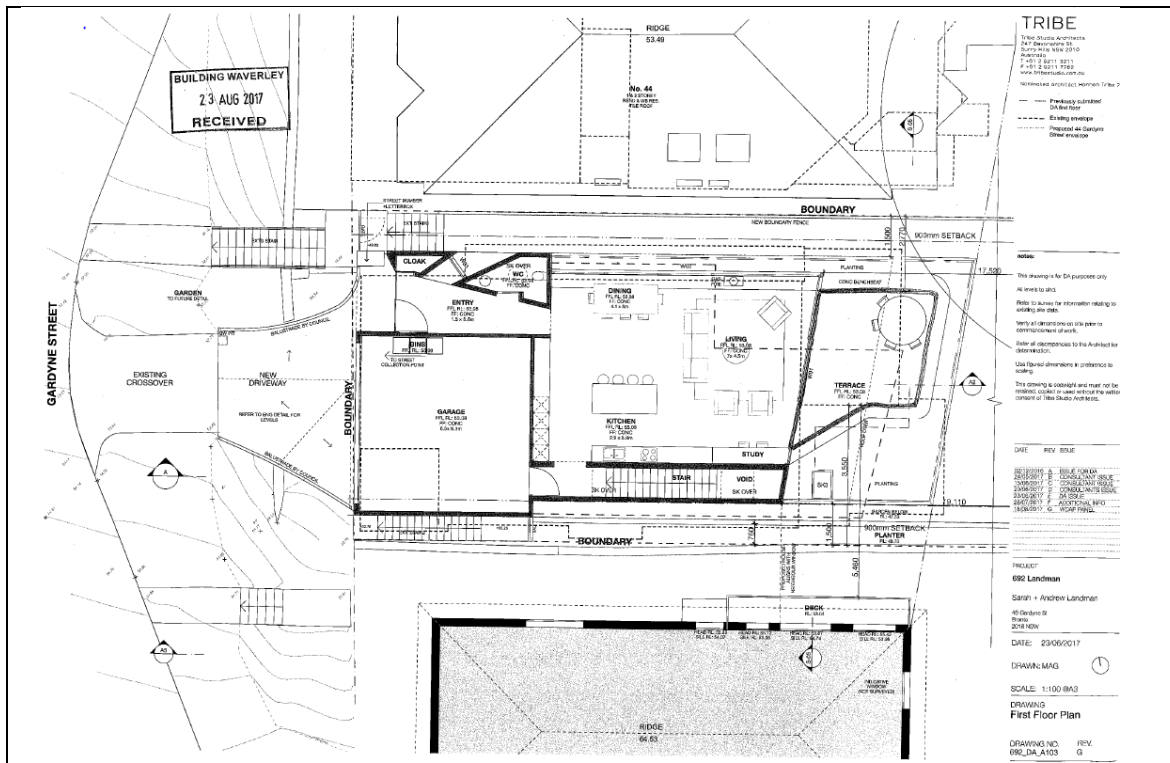
This application was subsequently refused by Council and the applicant lodged an appeal with the Land and Environment Court (the Court).

On 9 September 1996, the Court upheld the appeal subject to the deletion of a number of items including the *'timber deck on the first floor, extending east of the alignment of the eastern elevation'*. In its judgement, the Court stated as follows:

*'As to the use of the upper area deck, firstly, the Court has concluded that there is a range of interest between the residents of both the neighbouring properties concerning the overlooking of each other, that is, residents of No.144 McPherson Street overlook the subject premises and the subject premises would overlook No.46. It is therefore necessary to determine a reasonable balance in that process'. The judgment goes on to state '....the Court has concluded that, as a matter of public interest and circumstances of the case, notwithstanding the advice of Mr Reid and Mr Sanders in this regard, that it would be unreasonable to intrude further beyond the structure that exists at its eastern end.'*



In assessing the amended terrace as part of this Section 4.55 application, consideration has been given to the previous determination by the WDAP, the size and location of the proposed terrace and its impacts particularly on the adjoining property to the south at Unit 1/ 144 Macpherson Street. The proposed terrace sits at relatively the same level as the main living areas of this Unit.



**Figure 7:** Proposed first floor plan showing approved rear terrace area based on plan submitted and tabled at WDAP meeting of 23 August 2017

The WDAP at its meeting of 23 August 2017 required that no balustrading be provided to the non-trafficable roof garden area and the balustrading to the trafficable terrace area be of structural frameless glass with no top rail to mitigate view impacts.

Enabling the balustrading to extend out to the edge of the non-trafficable area will render this area useable. Providing balustrading to the edge of the roof garden area is unnecessary unless it is to be used for active purposes. It is considered that Condition 2(a) be amended so that it includes reference to the concrete bench seat to enable balustrading to this edge (in compliance with Building Code of Australia (BCA) barrier height requirements), however, it is recommended that extending the balustrade to the roof edge not be supported.

In their submission the applicant advises that the materiality of the balustrade needs to change due to non-compliance with the Building Code of Australia (BCA). Part 3.9.2 of the BCA contains the requirements for barriers and handrails (including glass) in Class 1 dwellings. A glass barrier must also comply with Australian Standard 1288 (AS1288). Under the BCA, a glass balustrade can still be used provided that a handrail is incorporated. It is recommended that in order to mitigate view impacts, that structural frameless glass with handrail be provided, rather than the applicant’s requested alternative of a metal balustrade. Accordingly, it is recommended that Condition 2(i) be amended to reflect this and also amended to state its location to abut the concrete bench seat.

The proposed amendment to the alignment of the roof over the terrace area as shown in the submitted Roof Site Plan drawing no.692\_S96\_A101 Revision F dated 9 November 2017 and stamp date received by Council on 1 December 2017 will not result in unreasonable impact on adjoining properties and is supported on merit.

### **Driveway Design**

The application was referred to Council's Traffic Engineers in regards to the deletion of deferred commencement Matters 1 and 2 and clarification of Matter 4. Council's Traffic Engineer advises as follows:

*Given the proposed removal of the stormwater pit, Condition 1 is to be amended as follows - Note: Council still needs to ensure that all stormwater runoff is to drain to the kerb and gutter (design consultation with Council's Traffic Engineers prior to determination was not 'extensively negotiated with Council' (applicant) in regards to this matter and requires the submission of an amended design to resolve stormwater runoff).*

#### **1. DRIVEWAY GRADING PLAN – AMENDED DESIGN**

*The stormwater pit proposed within Council's road reserve on the northern side of the driveway shall be deleted and **The** driveway is to be redesigned and relocated further to the north in order for stormwater runoff from the driveway to be drained directly to the Gardyne Street gutter.*

*Condition 2 is to remain in its current wording. The changes in driveway design from condition 1 will require new swept path drawings to be submitted for approval.*

*Condition 4 is to remain. Council's Traffic Engineer advises that this can be moved from the deferred commencement matters to under Part C of the consent notice and amended as follows:*

#### **26A. PUBLIC UTILITY AUTHORITY SERVICES**

*~~Written evidence being submitted to Council;~~ Prior to works commencing within the public domain area, written evidence is to be submitted to Council;*

- a) Confirming the drawings of works proposed works in Council's road reserve have been submitted to all public utility authorities having services that are located within the footprint of the proposed driveway.*
- b) Confirming the service authorities raise no objections to the works proposed within the road reserve.*
- c) Showing any adjustments required to the public utility services.*

Further consultation can be undertaken with Council in regards to Matter 4 prior to commencement of work within the public domain area.

## 2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

## 2.3 Suitability of the Site for the Development

The site is considered to be suitable for the proposed development.

## 2.4 Any Submissions

The application was notified for 14 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*. Two submissions were received during notification of the plans.

The issues raised in the submissions are summarised and discussed below.

**Table 4: Summary of property addresses that lodged a submission**

Property
1/144 Macpherson Street
44 Gardyne Street

***Issue: Bulk and scale***

***Response:*** This issue has been discussed above under Part 2.1.3 and 2.1.4

***Issue: FSR non-compliance***

***Response:*** This issue has been discussed above under Part 2.1.3

***Issue: Visual and acoustic privacy***

***Response:*** This issue has been discussed above under Part 2.1.4

***Issue: Size of rear terrace and changes to location and materiality of balustrading***

***Response:*** This issue has been discussed above under Part 2.1.4.

***Issue: Pruning of the Lilly Pilly hedge at the southern side boundary to RL53.08***

***Response:*** The submission from the adjoining neighbour to the south referenced an agreement being reached with the owners of No.46 Gardyne Street ensuring the existing Lilly Pilly hedge located at the southern side boundary be maintained to a height of RL53.08. The applicant supports that a condition be imposed to reflect this agreement (as outlined in the supporting documentation).

## 2.5 Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed and reinforced.

## 3. REFERRALS

### 3.1 Traffic and Development – Creating Waverley

The application has been reviewed by Council’s Traffic and Development Engineer. See comments under Part 2.1.4 above.

## 4. SUMMARY

The applicant proposes modification to the approved development consent DA-513/2016/A. The proposed modifications include amendments to conditions, reduced southern side setback, increased FSR, changes to roof alignment and rear terrace.

Two submissions were received during notification of the Section 4.55 application. The issues raised have been addressed throughout this assessment report.

It is considered that the reduced setback, FSR increase, changes to the roof alignment, internal modifications, deletion of skylights and fireplace/flue are reasonable and can be supported on merit. The proposed request for balustrading to the edge of the non-trafficable part of the roof will enable this part of the terrace to be used for active purposes and is not supported. The materiality of the balustrade is to also remain as glass to mitigate against view impacts.

## 5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL

That the Section 4.55 Application be **APPROVED in part** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A.

### Report prepared by:

Jo Zancanaro  
Senior Development Assessment Planner

Date: 2 April 2018

### Reason for referral:

5. Review and modification of a determination

### Application determined by:

Lee Kosnetter  
Manager, Development Assessment (South)  
  
(Reviewed and agreed on behalf of the  
Development and Building Unit)

Date: 9 April 2018

## **APPENDIX A – MODIFIED CONDITIONS OF CONSENT**

### **SCHEDULE A: DEFERRED COMMENCEMENT CONSENT**

Pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, deferred commencement consent is granted. The consent is not to operate until the applicant has satisfied Council to the following matters:

#### **1. DRIVEWAY GRADING PLAN – AMENDED DESIGN**

~~The stormwater pit proposed within Council's road reserve on the northern side of the driveway shall be deleted and~~ The driveway is to be redesigned and relocated further to the north in order for stormwater runoff from the driveway to be drained directly to the Gardyne Street gutter.

*(AMENDED DA-513/2016/A)*

**Upon satisfying the consent authority as to the matters contained in Schedule A, the following conditions will apply:**

### **SCHEDULE B:**

#### **A. APPROVED DEVELOPMENT**

##### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Amended architectural plans prepared by 'Tribe Studio Architects' and stamp date received by Council on 23 June 2017 and 28 July 2017 and including as follows:

<b>Drawing No.</b>	<b>Stamp Date Received</b>
Roof Site Plan Drawing No.692_DA_A102 Revision B	23 June 2017
First Floor Plan Drawing No.692_DA_A103 Revision B	23 June 2017 and 28 July 2017
Ground Floor Plan Drawing No.692_DA_A104 Revision B	23 June 2017 and 28 July 2017
Lower Ground Floor Plan Drawing No.692_DA_A105 Revision B	23 June 2017 and 28 July 2017
Street/ West Elevation Drawing No.692_DA_A106 Revision E	23 June 2017
East Elevation Drawing No.692_DA_A107 Revision E	23 June 2017
North Elevation Drawing No.692_DA_A108 Revision E	23 June 2017
South Elevation Drawing No.692_DA_A109 Revision E	23 June 2017
Section Drawing No.692_DA_A110 Revision E	23 June 2017
Material Schedule Drawing No.692_DA_A111 Revision E	23 June 2017

- (i) **As amended by architectural plans prepared by 'Tribe Studio Architects' and stamp date received by Council on 1 December 2017 and including as follows:**

Drawing No.	Stamp Date Received
Roof Site Plan Drawing No.692_DA_A101 Revision F	1 December 2017
First Floor Plan Drawing No.692_DA_A102 Revision F	1 December 2017
Ground Floor Plan Drawing No.692_DA_A103 Revision F	1 December 2017
Lower Ground Floor Plan Drawing No.692_DA_A104 Revision F	1 December 2017
East Elevation Drawing No.692_DA_A105 Revision F	1 December 2017
South Elevation Drawing No.692_DA_A106 Revision F	1 December 2017
North Elevation Drawing No.692_DA_A107 Revision F	1 December 2017
Section Drawing No.692_DA_A108 Revision F	1 December 2017

(b) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012

(c) BASIX Certificate no.0001041292-02, dated 23 June 2017 as amended by BASIX Certificate no.779524S\_03 dated 2 November 2017;

Except where amended by the following conditions of consent

**(AMENDED DA-513/2016/A)**

## 2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

(a) The proposed terrace at first floor level eastern elevation to be reduced in size. The trafficable/ useable area of the rear terrace at first floor level is to be in accordance with ~~plans tabled to the WDAP on 23 August 2017, notated as First Floor Plan Revision G~~ **First Floor Plan Drawing No.692\_S96\_A102 Revision F dated 9 November 2017 and prepared by Tribe Studio Architects stamp date received by Council on 1 December 2017.** The proposed roof over this terrace is to be reduced to a maximum overhang of 300mm from the eastern wall of the dwelling at first floor level in accordance with the submitted **Roof Site Plan Drawing No.692\_S96\_A101 Revision F dated 9 November 2017 and prepared by Tribe Studio Architects stamp date received by Council on 1 December 2017.**

The remainder of the roof area located above the ground floor level and adjoining the first floor terrace **concrete bench seat** to be non-trafficable and provided as a roof garden with plant species to a maximum growth maturity height of 200mm above finished roof level. No balustrading is to be provided to this roof garden area to ensure it cannot be used for active purposes.

**(AMENDED DA-513/2016/A)**

(b) Submission of a revised Landscape plan identifying all species types, heights and location. A minimum of 50% of the proposed plantings (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2 – 1 of the Waverley DCP. Maximum growth maturity height of the proposed new plantings to rear gardens and side setbacks are limited to 4 metres above finished ground level;

(c) Proposed plantings to roof garden limited in species maximum growth maturity height of 200mm above finished roof level with details shown on the amended Landscape Plan;



- (d) Deletion of the Bambusa Textillis Gracillis located along the southern and eastern boundary of the subject site, from the Landscape Plan;
- (e) Vertical fixed timber louvres at a 45 degree north-easterly angle to be provided to the north elevation of Bedroom 1 at Ground floor level;
- (f) Deletion of all structures proposed within the road reserve, with the exception of the proposed crossover. Any proposal for structures within the road reserve require a separate approval under the Roads Act 1993 with details being submitted and approved by Council prior to issue of the Construction Certificate;
- (g) Details of all works to the retaining walls or where there is construction of new retaining walls, details to be submitted and approved by Council prior to issue of the Construction Certificate. Works to existing retaining walls and new retaining walls are to be designed and construction overseen by a suitably qualified Structural Engineer;
- (h) Details of all side boundary fencing to be submitted;
- (i) To mitigate view impacts, balustrading to the first floor rear terrace **abutting the concrete bench seat** is to be structural frameless glass ~~with no top rail~~ **with handrail in accordance with the requirements of the Building Code of Australia.**

**(AMENDED DA-513/2016/A)**

The amendments are to be approved by **Council** prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

## **26A. PUBLIC UTILITY AUTHORITY SERVICES**

~~Written evidence being submitted to Council~~ **Prior to works commencing within the public domain area, written evidence is to be submitted to Council:**

- a) Confirming the drawings of works proposed works in Council's road reserve have been submitted to all public utility authorities having services that are located within the footprint of the proposed driveway.
- b) Confirming the service authorities raise no objections to the works proposed within the road reserve.
- c) Showing any adjustments required to the public utility services.

**(RELOCATED AND AMENDED DA-513/2016/A)**

**51A. EXISTING LILLY PILLY HEDGE**

The existing Syzygium (Lilly Pilly) Hedge located at the southern property boundary is to be pruned and maintained to a height of RL53.08.

***(ADDED DA-513/2016/A)***

## **APPENDIX B – FULL SET OF CONDITIONS OF CONSENT (AS MODIFIED)**

### **SCHEDULE A: DEFERRED COMMENCEMENT CONSENT**

Pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, deferred commencement consent is granted. The consent is not to operate until the applicant has satisfied Council to the following matters:

#### **1. DRIVEWAY GRADING PLAN – AMENDED DESIGN**

The driveway is to be redesigned and relocated further to the north in order for stormwater runoff from the driveway to be drained directly to the Gardyne Street gutter.

*(AMENDED DA-513/2016/A)*

#### **2. SWEPT WHEEL PATH DRAWINGS**

Having regard to the redesign required for the driveway, swept wheel path drawings, prepared by a suitably qualified and experienced traffic engineering consultant, showing the swept wheel path of a vehicle entering and exiting each side of the garage shall be submitted to Council for the approval of the Executive Manager, Creating Waverley.

The swept wheel path drawings shall:

- a) Be drawn for the B85, standard design vehicle as described in AS/NZS 2890.1: 2004 Part 1 Off Street Car Parking.
- b) Show the minimum length of driveway layback considered necessary to gain satisfactory access to and from the proposed garage.

#### **3. ENGINEERING DRAWINGS – PUBLIC DOMAIN WORKS**

Detailed engineering drawings of the works to be undertaken in the Council's road reserve to provide vehicular access shall be submitted to Council for the approval of the Executive Manager, Creating Waverley.

The detailed engineering drawings shall:

- a) Be prepared by a suitably qualified and experienced structural or civil engineering consultant.
- b) Show details of but not be limited to the following;
  - (i) Any modifications being carried out on the existing stone retaining wall.
  - (ii) The location and line of all public utility authority services in the vicinity of the proposed works.
  - (iii) Any proposed retaining walls, including footings and materials of construction.
  - (iv) Any proposed piers.

- c) Show the location of all handrailing. Note, handrailing on Council's footpath area shall be the standard Arris type timber railing.
- d) Show the required amendments required to the driveway design on its northern side
- e) Show the extent of that part of the driveway that is to be slab on ground construction and that proposed to be suspended slab.
- f) Show all construction and expansion joints.
- g) Show the proposed driveway slab being discontinuous at the property boundary and not cast integrally with the garage floor slab.
- h) Include a separate drawing showing long sections along both edges of the driveway. The long sections shall:
  - (i) Be drawn at a scale of 1:25.
  - (ii) Include reduced levels (RLs) of the road centreline, kerb and gutter, and garage floor.
  - (iii) Include existing and design levels.
  - (iv) Include ground clearances of the B85 standard design vehicle using the ground clearance template contained in Appendix C of AS 2890.1: 2004 Off Street Car Parking.

**Upon satisfying the consent authority as to the matters contained in Schedule A, the following conditions will apply:**

**SCHEDULE B:**

**A. APPROVED DEVELOPMENT**

**1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Amended architectural plans prepared by ‘Tribe Studio Architects’ and stamp date received by Council on 23 June 2017 and 28 July 2017 and including as follows:

<b>Drawing No.</b>	<b>Stamp Date Received</b>
Roof Site Plan Drawing No.692_DA_A102 Revision B	23 June 2017
First Floor Plan Drawing No.692_DA_A103 Revision B	23 June 2017 and 28 July 2017
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Lower Ground Floor Plan Drawing No.692_DA_A105 Revision B	23 June 2017 and 28 July 2017
Street/ West Elevation Drawing No.692_DA_A106 Revision E	23 June 2017
East Elevation Drawing No.692_DA_A107 Revision E	23 June 2017
North Elevation Drawing No.692_DA_A108 Revision E	23 June 2017
South Elevation Drawing No.692_DA_A109 Revision E	23 June 2017
Section Drawing No.692_DA_A110 Revision E	23 June 2017
Material Schedule Drawing No.692_DA_A111 Revision E	23 June 2017

- (i) As amended by architectural plans prepared by ‘Tribe Studio Architects’ and stamp date received by Council on 1 December 2017 and including as follows:

<b>Drawing No.</b>	<b>Stamp Date Received</b>
Roof Site Plan Drawing No.692_DA_A101 Revision F	1 December 2017
First Floor Plan Drawing No.692_DA_A102 Revision F	1 December 2017
Ground Floor Plan Drawing No.692_DA_A103 Revision F	1 December 2017
Lower Ground Floor Plan Drawing No.692_DA_A104 Revision F	1 December 2017
East Elevation Drawing No.692_DA_A105 Revision F	1 December 2017
South Elevation Drawing No.692_DA_A106 Revision F	1 December 2017
North Elevation Drawing No.692_DA_A107 Revision F	1 December 2017
Section Drawing No.692_DA_A108 Revision F	1 December 2017

- (b) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012

- (c) BASIX Certificate no.0001041292-02, dated 23 June 2017 as amended by BASIX Certificate no.779524S\_03 dated 2 November 2017;



Except where amended by the following conditions of consent

***(AMENDED DA-513/2016/A)***

## **2. GENERAL MODIFICATIONS**

The proposal shall be amended as follows:

- (a) The proposed terrace at first floor level eastern elevation to be reduced in size. The trafficable/ useable area of the rear terrace at first floor level is to be in accordance with First Floor Plan Drawing No.692\_S96\_A102 Revision F dated 9 November 2017 and prepared by Tribe Studio Architects stamp date received by Council on 1 December 2017. The proposed roof over this terrace is to be reduced in accordance with the submitted Roof Site Plan Drawing No.692\_S96\_A101 Revision F dated 9 November 2017 and prepared by Tribe Studio Architects stamp date received by Council on 1 December 2017.

The remainder of the roof area located above the ground floor level and adjoining the first floor terrace concrete bench seat to be non-trafficable and provided as a roof garden with plant species to a maximum growth maturity height of 200mm above finished roof level. No balustrading is to be provided to this roof garden area to ensure it cannot be used for active purposes.

***(AMENDED DA-513/2016/A)***

- (b) Submission of a revised Landscape plan identifying all species types, heights and location. A minimum of 50% of the proposed plantings (not including turfed areas) are to be indigenous or local native plants listed in Annexure B2 – 1 of the Waverley DCP. Maximum growth maturity height of the proposed new plantings to rear gardens and side setbacks are limited to 4 metres above finished ground level;
- (c) Proposed plantings to roof garden limited in species maximum growth maturity height of 200mm above finished roof level with details shown on the amended Landscape Plan;
- (d) Deletion of the Bambusa Textillis Gracillis located along the southern and eastern boundary of the subject site, from the Landscape Plan;
- (e) Vertical fixed timber louvres at a 45 degree north-easterly angle to be provided to the north elevation of Bedroom 1 at Ground floor level;
- (f) Deletion of all structures proposed within the road reserve, with the exception of the proposed crossover. Any proposal for structures within the road reserve require a separate approval under the Roads Act 1993 with details being submitted and approved by Council prior to issue of the Construction Certificate;
- (g) Details of all works to the retaining walls or where there is construction of new retaining walls, details to be submitted and approved by Council prior to issue of the Construction Certificate. Works to existing retaining walls and new retaining walls are to be designed and construction overseen by a suitably qualified Structural Engineer;
- (h) Details of all side boundary fencing to be submitted;

- (i) To mitigate view impacts, balustrading to the first floor rear terrace abutting the concrete bench seat is to be structural frameless glass with handrail in accordance with the requirements of the Building Code of Australia.

**(AMENDED DA-513/2016/A)**

The amendments are to be approved by **Council** prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

### **3. HEIGHT OF PROPOSED BUILDING**

The proposed height of the dwelling and garage limited to RL56.33 to top of parapet. Proposed solar panels are not to extend above the parapet. In this regard solar panels are to be flush with the roof. Proposed skylights are also to not extend above upper most parapet height of RL56.33.

Heights are to be certified by a Registered Surveyor certifying lower ground, ground, upper floors and finished roof levels and submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

### **4. LANDSCAPING WORKS AND BOUNDARY WALL CHANGES BETWEEN ADJOINING PROPERTIES**

The proposed construction and landscaping works adjacent to the north and south side boundaries of the site are likely to impact on the retaining walls. Additional plans and documentation are to be submitted indicating the full extent of the impacts on the retaining walls and the levels of boundary walls/fences relative to levels of the adjoining properties. No trees to be pruned or removed from the neighbouring properties without all relevant landowner consents and approval/s (if required).

The additional plans and documentation are to be approved by Council prior to the issue of a Construction Certificate. In the event adjoining land owners cannot reach agreement Council reserves the right to approve the detail of landscaping and boundary walls within the boundary of the subject site.

### **5. USE OF DWELLING**

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

### **6. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES**

Where there is a strong community reaction to noise associated with demolition, excavation and/or construction, Council may require respite periods by restricting the hours that the specific noisy activity can occur.

Notes: If this is imposed, Council will take into account:

1. Times identified by the community when they are less sensitive to noise
2. If the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.

### **7. DOMESTIC HEATERS**

The provision of solid fuel heating/cooking appliances is prohibited.

**8. 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.

**9. SWIMMING POOLS**

The following requirements apply to the use and operation of the approved pool:

- (a) The pool water being treated by an approved water treatment and filtration unit.
- (b) The pool is to be fitted with a cover that shall be fitted when the pool is not in use to minimise evaporation and conserve water.
- (c) To prevent noise nuisance to surrounding properties, the pool filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.

## **B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **10. 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/](http://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.

### **11. SECURITY DEPOSIT**

A deposit or guarantee satisfactory to Council for the amount of **\$25,000** 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.

## **12. 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.

## **13. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

The building work, or demolition work, 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 & 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.

## **14. 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 Waverley DCP 2012 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.

## **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. 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.

**17. 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.

**18. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION**

A report shall be prepared by a suitably qualified and practising Structural Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.

**19. 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.

**20. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and cannot be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.



## 21. USE OF RENEWABLE TIMBERS

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the issue of the Construction Certificate. Where the applicant is to use timbers not recommended in Council's Policy, reasons are to be given why the alternative timbers recommended cannot be used.

## 22. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT

Prior to the issue of a Construction Certificate, the applicant is to submit a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) for the approval of the Executive Manager, Creating Waverley

The CVPPM shall:

- a. Show the size and number of trucks to be used during the various stages of the development.
- b. Show the route to be taken by trucks in (a) above within the Waverley Council area when gaining access to and from the site. Note, 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 in the vicinity of the site, the trucks may not be approved for use.
- c. Show the location and length of any proposed Works/Construction Zones.  
Note:
  - (i) Such zones require the approval of the Waverley Traffic Committee and Council prior to installation.
  - (ii) It is illegal to park a truck exceeding 4.5tonnes on a roadway for more than one (1) hour unless signs are installed allowing such and illegal to barricade/ reserve a section of roadway without the prior approval of Council.
- d. Include swept wheel drawings, prepared by a suitably qualified and experienced traffic engineering consultant showing movements into and out of the Gardyne Street using the largest design vehicle proposed at the site during all stages of development.
- e. Indicate the number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.

## 23. NEW VEHICLE CROSSING/DRIVEWAY

The existing vehicle crossing shall be demolished and a new crossing constructed to access the proposed **garage**. A separate application is required for the vehicle crossing with all work to be carried out with the approval of and in accordance with the requirements of Council.

## 24. VEHICULAR ACCESS TO AND FROM GARDYNE STREET

Having regard to the narrow carriageway in Gardyne Street, any application to Council seeking approval for the installation of parking restrictions in the vicinity of the proposed driveway on either side of Gardyne Street to improve vehicular access will not be approved.

## 25. STORMWATER MANAGEMENT

The plans prepared by SPP Group, Job No. SY160052, Drawing No. SW-000 to SW-103 (Rev E), Dated 23/06/17, have been checked and considered **satisfactory** with respect to stormwater details.

- To limit stormwater discharge from site to PSD, under the current design, the maximum combined capacity of duty and standby pumps to be 14 l/s.
- Prior to issuance of occupation certificate, certification is to be provided from a suitably qualified hydraulics engineer, that the stormwater system has been **constructed** in accordance with the approved stormwater management plans and to best engineering practice.

Note: Since a sewer main runs through the property, plans must also be presented to a Sydney Water Quick Check Agent for their approval.

## **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.

### **26A. PUBLIC UTILITY AUTHORITY SERVICES**

Prior to works commencing within the public domain area, written evidence is to be submitted to Council:

- a) Confirming the drawings of works proposed works in Council's road reserve have been submitted to all public utility authorities having services that are located within the footprint of the proposed driveway.
- b) Confirming the service authorities raise no objections to the works proposed within the road reserve.
- c) Showing any adjustments required to the public utility services.

***(RELOCATED AND AMENDED DA-513/2016/A)***

### **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. 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.

### **30. HOARDING REQUIRED**

If standard A or B Class hoarding is required, it is to be 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.

### **31. 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.

### **32. 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (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.

### **33. DEMOLITION & SITE PREPARATION**

Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements NSW WorkCover Authority and the NSW Environment Protection Authority (EPA), and with the provisions of:

- (a) Work Health & Safety Act 2011;
- (b) Work Health & Safety Regulation 2011;
- (c) Protection of the Environment Operations Act 1997 (NSW) and
- (d) NSW EPA Waste Classification Guidelines 2009.

### **34. ASBESTOS REMOVAL**

All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.

No asbestos products are to be reused on site.

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.

### **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, roadway or neighbouring property 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. TEMPORARY DIVERSION OF ROOF WATERS**

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame will not occur until this is completed.

**40. 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.

**41. 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;

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

**42. 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.

**43. BUILDING CODE OF AUSTRALIA**

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



**44. BUILDING LEGISLATION AMENDMENT (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) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and
- (g) 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.

**45. CERTIFICATE OF SURVEY - LEVELS**

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

**46. TOILET FACILITIES**

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

**47. DILAPIDATION REPORTS**

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 any properties 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.

**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. 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.

**51. TREE PROTECTION**

- Existing Syzygium (lilly pilly) hedge to be retained and protected as per the tree protection plan below.
- Angophora costata (Sydney red gum). The tree is in good health, the tree to be retained and protected as per the tree protection plan below.
- Situated on the north side of 144 Macpherson St are several species of trees, growing as a hedge the trees are in good health. Retain and protected as per the tree protection plan below.

It is recommended these trees be protected for the duration of the works, as per the tree protection plan below.

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

**Trunk protection** as per AS 4970 – 2009, Section 4.5.3 is to be installed.

Padding to be used shall be non-absorbing or free draining to prevent moisture build up around the part being protected. The trunk protection shall consist of a layer of carpet underfelt (or similar) wrapped around the trunk, followed by 1.8 metre lengths of softwood timbers (90 x 45mm in section) aligned vertically and spaced evenly around the trunk at 150mm centres (i.e. with a 50mm gap) and secured together with 2mm galvanised wire or galvanised hoop strap. The timbers shall be wrapped around the trunk (over the carpet underfelt), but not fixed to the tree to avoid mechanical injury or damage to the trunk. Trunk protection must be installed prior to any site works including demolition and maintained in good condition for the duration of the construction period.

**51A. EXISTING LILLY PILLY HEDGE**

The existing Syzygium (Lilly Pilly) Hedge located at the southern property boundary is to be pruned and maintained to a height of RL53.08.

*(ADDED DA-513/2016/A)*

**52. TREE PRUNING ON ADJOINING PROPERTIES**

Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building will require consent under a separate Tree Preservation Order (TPO) application for works to the trees. No works can occur to these trees without a valid TPO.

**53. IN-SINK WASTE DISPOSAL SYSTEMS**

The installation of in-sink waste disposal systems is prohibited.

**54. 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.

**55. 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.

**56. EXCAVATION TO BE MANAGED BY STRUCTURAL ENGINEER**

Bulk excavation is to be managed by a practising structural engineer, in accordance with the specification for shoring and support, as detailed in the approved Construction Certificate.

**57. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS**

That prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act, 1997 and the NSW EPA Waste classification guidelines 2009. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the NSW EPA.

**58. MANAGEMENT OF ACIDIC SOIL**

Should the subject site show evidence of acid sulphate soils, the following shall apply:

- (a) To address issues arising from the natural acidity of the soil on-site, any concrete that is in contact with this soil is to be designed to restrict acid and sulphate attack. The Cement and Concrete Association of Australia Technical Note TN57 is to be adhered to for precautionary measures.
- (b) Prior to the commencement of any works, the applicant shall nominate an appropriately qualified Environmental Scientist to supervise the management of acid sulphate soils. The Scientist shall:
  - i. Provide an acceptance in writing to supervise the aforementioned works to ensure compliance with the relevant conditions of Development Consent.
  - ii. On completion of the works certify that the aforementioned works have been constructed in compliance with the approved plans, specifications and conditions of consent.

- (c) The nominated supervising Environmental Scientist shall certify that the management of acid sulphate soil was undertaken in accordance with the Development Consent. Prior to the use or occupation of the building (or Occupation Certificate being issued), the Principal Contractor / Developer shall submit to Waverley Council a copy of the aforementioned Certificate.

**59. 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) 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 AS 1926.1-2012 Swimming pool safety - Safety barriers for swimming pools. This fencing is to be erected and inspected by the Principal Certifying Authority prior to the pool being filled with water; and
- (d) 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.

**60. 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.

## **D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION**

### **61. 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.

### **62. CONSOLIDATION OF ALLOTMENTS**

The subject allotments are to be consolidated prior to the issue of an occupation certificate for the dwelling.

### **63. STORMWATER MANAGEMENT**

Prior to issuance of occupation certificate, certification is to be provided from a suitably qualified hydraulics engineer, that the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

### **64. LANDSCAPE PLAN**

The site is to be landscaped and turfed in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

### **65. 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.

### **66. 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.

### **67. PUBLIC DOMAIN WORKS COMPLETED**

All footpath upgrades and public domain works are to be completed to the agreed design and standard for the satisfaction of the Executive Manager, Creating Waverley prior to the issue of an Occupation Certificate.

### **68. 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.

**69. 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.

**70. 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.

**71. SWIMMING/SPA POOL PUMP - RESTRICTIONS**

Swimming/spa pool pumps are restricted from being used and operated between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2008. On the spot fines may be imposed should breaches occur.

**72. SWIMMING POOL REGISTRATION**

The swimming pool is to be registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>) and a Certificate of Compliance obtained for the pool barrier is required to be submitted to Council prior to the issue of an Occupation Certificate.



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DWG No:	DWG Title:	Scale
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S96_A130	Shadow Study Elevation 9am	
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S96_A132	Shadow Study Elevation 3pm	
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Certificate no.: 0001041292-03  
 Assessor Name: Paula Zaia  
 Accreditation no: 20733  
 Certificate date: 02 Nov 2017

Dwelling Address:  
 46 Gardyne Street  
 Bronte, NSW  
 2016



www.nathers.gov.au



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**BASIX commitments**

**Water savings:**

- 290m2 overall landscaping, including 145m2 low water/indigenous plants
- 15,000L minimum rainwater tank capacity, with minimum of 183m2 roof catchment
- Collected rainwater for reuse in gardens only
- 3 Star rated, mid flow showerheads throughout (flow rate >6L/min & <=7.5L/min)
- 4 Star rated toilets,
- 5 star rated kitchen taps
- 5 star rated basin taps throughout.
- Hot water recirculation system (on demand system) installed.
- 42kL capacity to pool, pool cover installed.

**Thermal Comfort:**

- R1.2 insulation to external cavity brick wall construction (eg, 25mm Kooltherm K8 cavity board ).
- No insulation to insitu walls
- R1.2 insulation plus sarking to weatherboard walls (garage only)
- Concrete floor structures throughout
- Concrete roof, with nominated 300mm soil/plantings. No additional insulation required on top of roof.
- R1.4 insulation under all floor slabs on ground/fill.
- R1.4 insulation (ie, soffit board) under suspended floor slab of new entry pod.
- R3.0 insulation to ceilings with roof or balcony above to first and ground floors.
- Standard clear in timber frames to glazed areas throughout. Units installed must have Uw value lower than 5.4, and SHGCw: within 10% of 0.63 (fixed, sliding, double hung), Uw: 5.4, SHGCw: (casement/hinge)
- Double glazing to skylights.
- Draft seals to all external doors and windows
- Exhaust fans to be sealed units (ie, have self closing dampers installed)
- Surface or pendant mounted lighting only.
- Damper to chimney flue in living
- Floor coverings as per plan details.

**Energy Savings:**

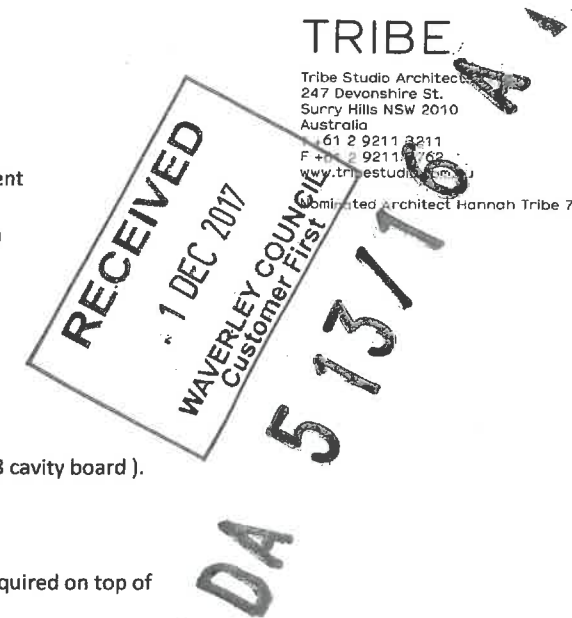
- Gas instantaneous hot water system, 5 star minimum
- Single phased AC to dwelling (living and bedrooms), Min EER/COP (energy rating) 3.0 , zoned.
- Ceiling fans to bedrooms
- Gas hydronic in slab heating to first and lower ground floors
- Mechanical exhausts to kitchen rangehood exhaust, laundry and bathrooms, ducted to façade/roof, with manual on/off controls
- Gas cooktop & electric oven
- Energy efficient lighting throughout (LED or compact fluoro/fluoro lighting – non dedicated light fixtures)
- External clothesline installed.
- Solar gas boosted heating to swimming pool.
- Timer to pool pump.
- Minimum peak output of proposed photovoltaic power cell system to be 1kW.

**ABBREVIATIONS**

BTH	Bath	S	Skylights
BW	Brickwork	SB	Structural beam.
CL	Centre line		Refer to Structural engineer's specification
CONC	Concrete	SC	Structural column.
CPD	Cupboard		Refer to Structural engineer's specification SH Shower head
CPT	Carpet	SNK	Sink
CT	Ceramic tile	SOP	Set-out point
D	Door	SP	Steel Plate
DP	Down pipe	SPT	Hydraulic Spitter.
DW	Dishwasher		Refer to Hydraulic engineer's specification
EX	Existing	ST	Stone
EXT	External	TIM	Timber dressed.
FFL	Finished floor level	TD	Timber decking
HWS	Hot water system	TSF	Timber strip flooring
GU	Gutter	TV	Timber veneer
MB	Mail box.	W	Window
PF	Paint finish	WB	Weatherboards
PT	Porcelain Tile	WC	Water closet
PFB	Painted Face Brick	WM	Washing machine
R	Render		
RL	Relative level		
RM	Rendered Masonry		
RW	Retaining Wall		
RWT	Rainwater tank		

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25.10.2017	E	CONSULTANT ISSUE
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PROJECT  
**692 Landman**  
 Sarah + Andrew Landman  
 46 Gardyne St  
 Bronte  
 2016 NSW

DATE: 23/06/2017

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DRAWING  
**Cover Page**

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  3. MODIFY ROOF OVERHANG
  4. METAL BALUSTRADE
  5. DELETE SKYLIGHT
  6. DELETE FIREPLACE & FLUE
  7. INTERNAL WALL CONFIGURATION

**DA 513/16 A1**

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PROJECT  
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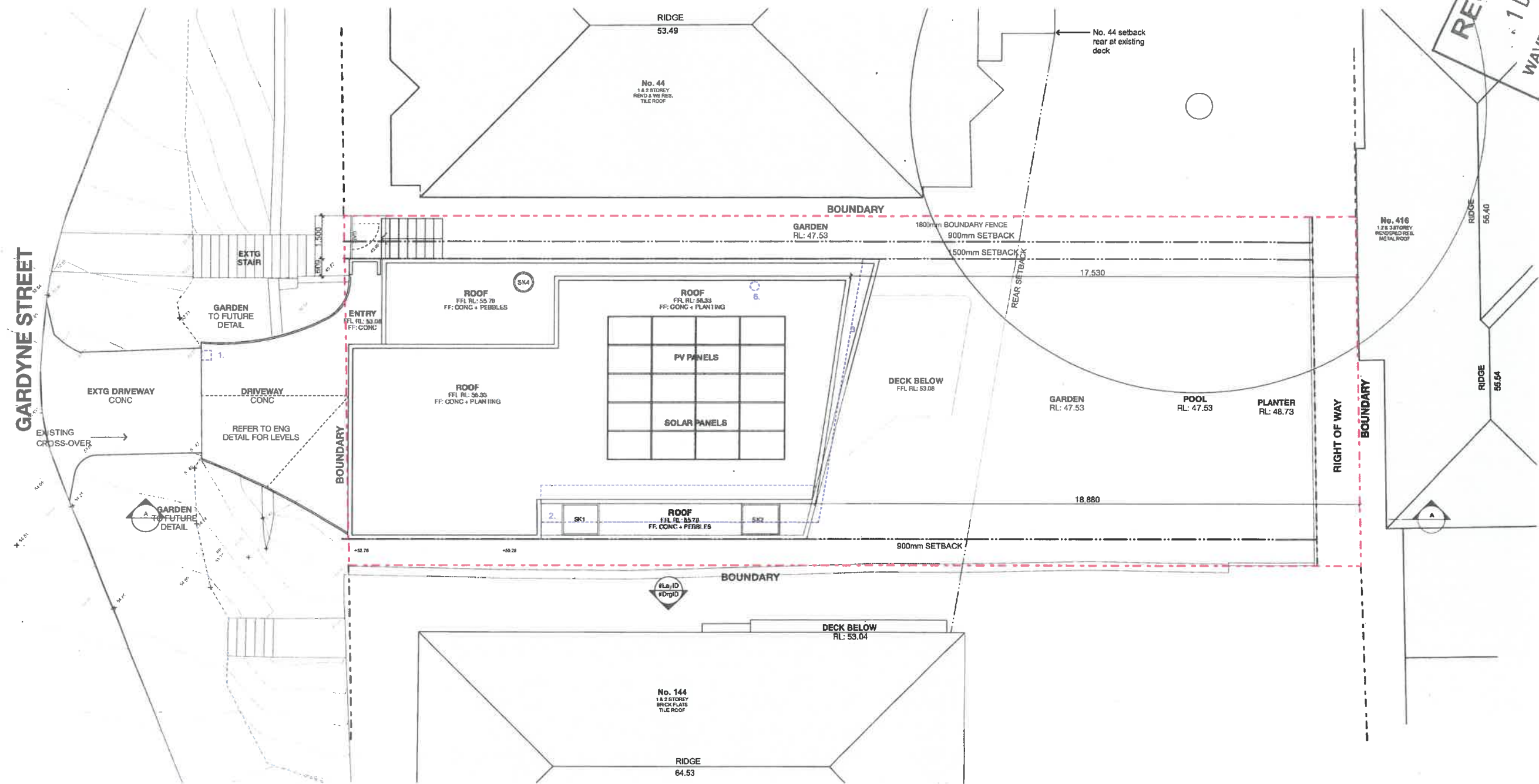
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DRAWING  
**Roof Site Plan**

DRAWING NO. 692\_S96\_A101  
REV. F



**SITE CONTROLS**

SITE AREA	427m2
FSR ALLOWED	0.6:1
PERMISSABLE GFA	213.5m2

EXISTING		APPROVED		PROPOSED	
GFA		GFA		GFA	
FIRST FLOOR	91.3m2	FIRST FLOOR	85m2	FIRST FLOOR	91m2
GROUND FLOOR	163.7m2	GROUND FLOOR	152m2	GROUND FLOOR	166m2
TOTAL:	255m2	LOWER GROUND FLOOR	55m2	LOWER GROUND FLOOR	58m2
		TOTAL:	292m2	TOTAL:	315m2
FSR	0.59:1	FSR	0.68:1	FSR	0.73:1
LANDSCAPED AREA	125.6m2	LANDSCAPED AREA	260.9m2	LANDSCAPED AREA	260.9m2
OPEN SPACE AREA	223.5m2	OPEN SPACE AREA	220.1m2	OPEN SPACE AREA	220.1m2

Certificate no 0001041292-03  
Assessor Name Paula Zaia  
Accreditation no 20733  
Certificate date 02 Nov 2017  
Dwelling Address  
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Bronte, NSW  
2016

**4.8**  
NATIONWIDE HOUSE ENERGY RATING SCHEME  
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Assessor Number: 20733



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1. DELETE STORMWATER PIT
2. STRAIGHTEN SOUTHERN BUILDING LINE
3. MODIFY ROOF OVERHANG
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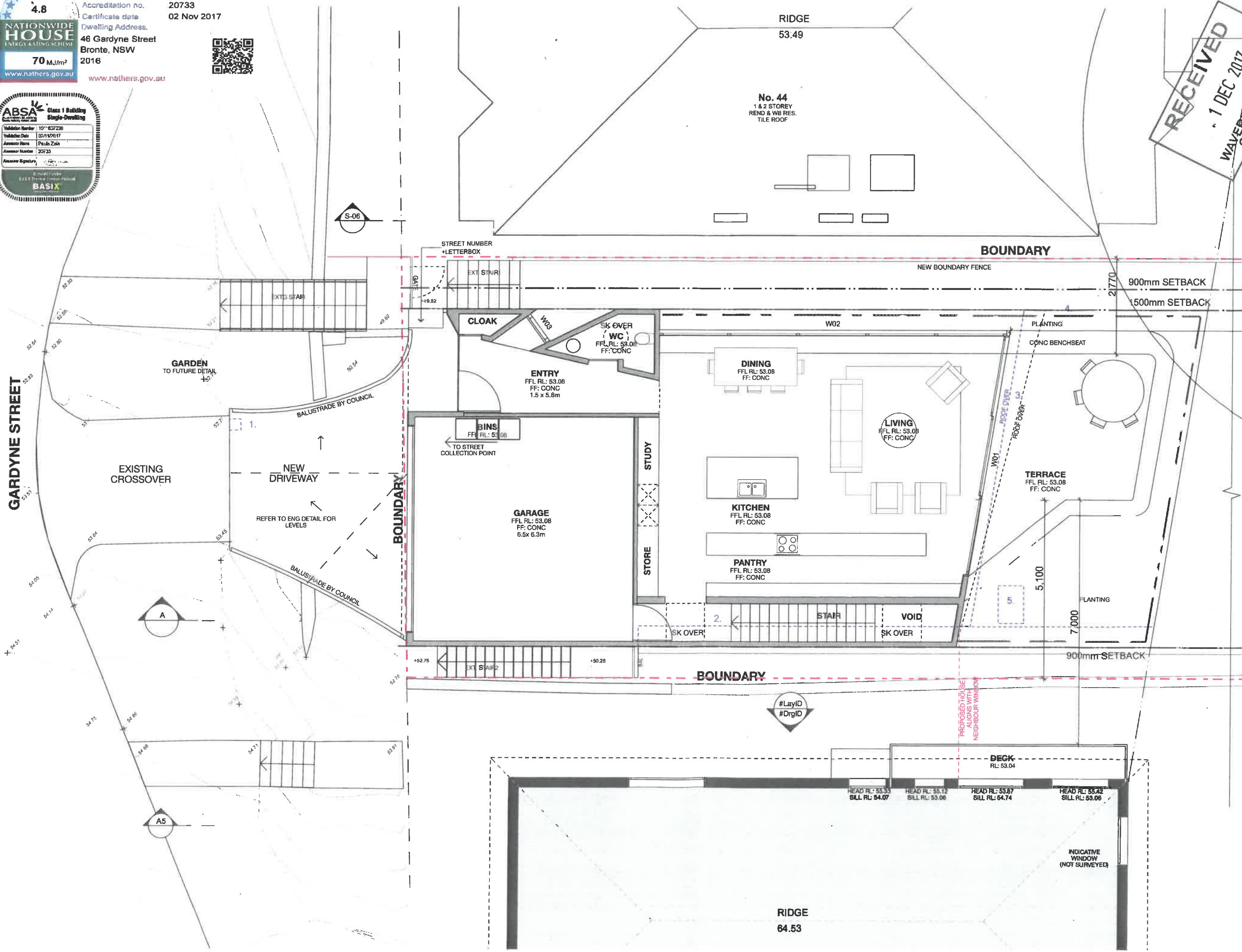
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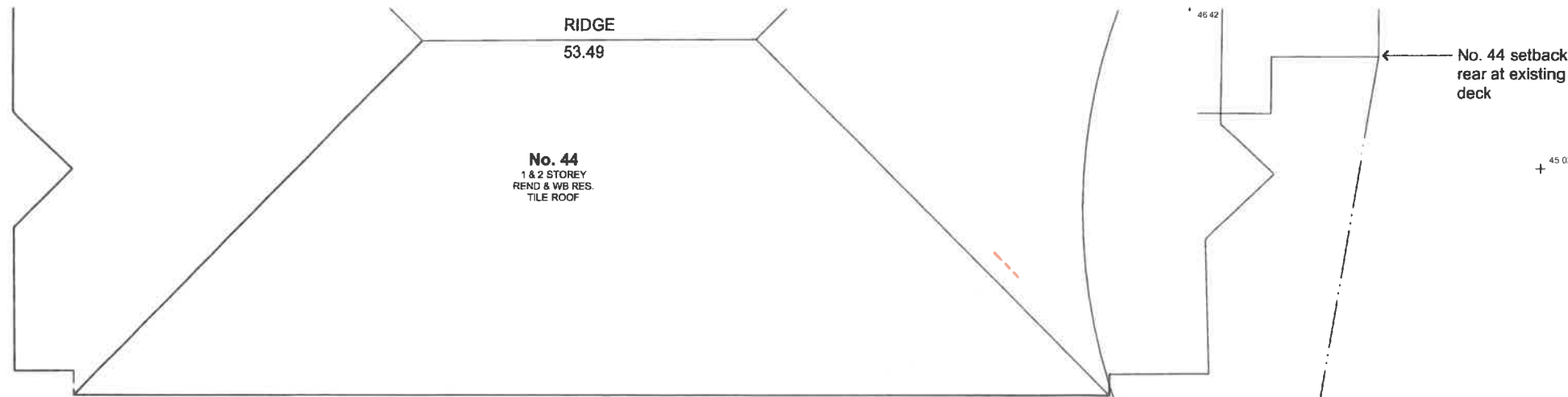
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DRAWING  
**First Floor Plan**

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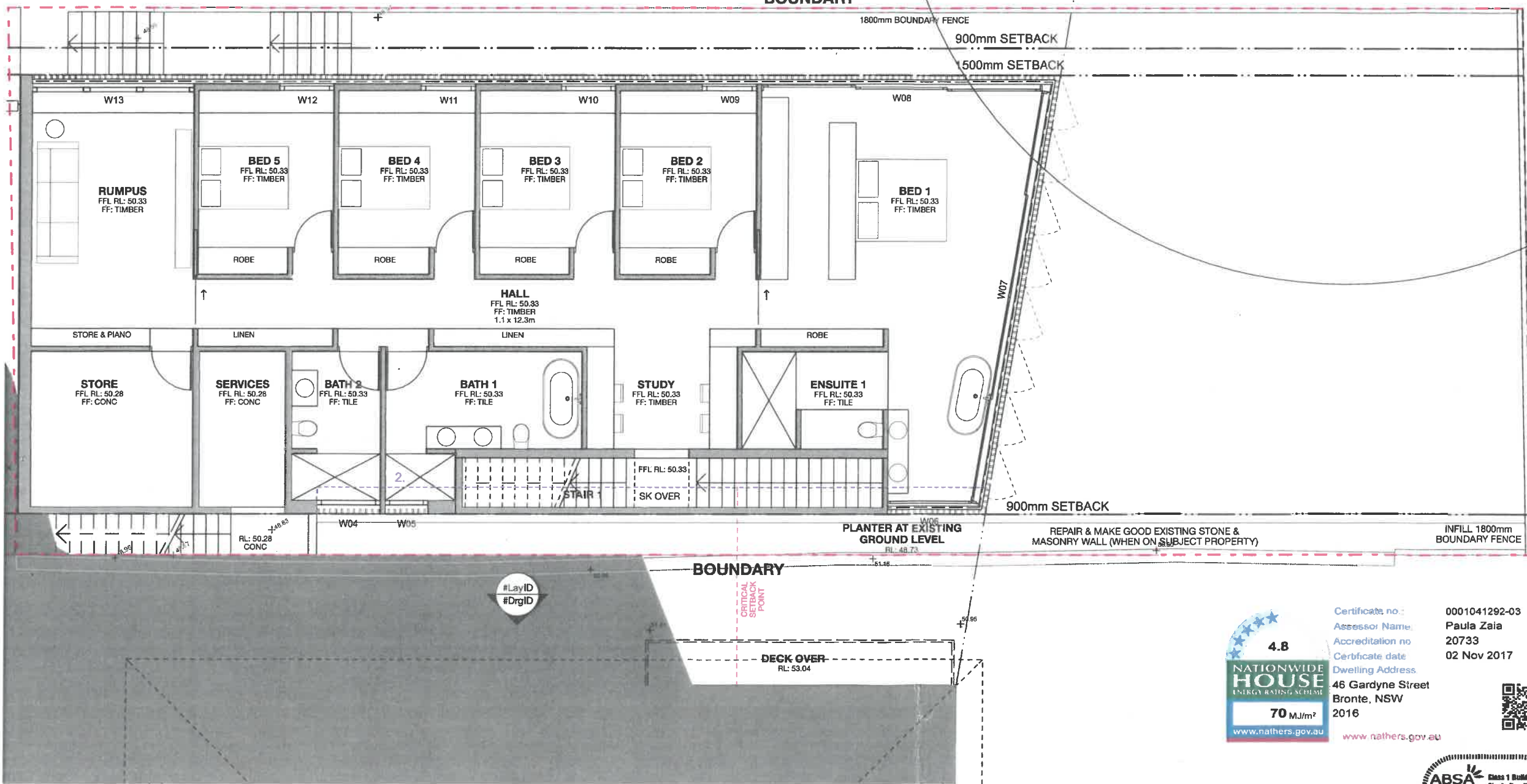
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**DRAWING**  
**Ground Floor Plan**

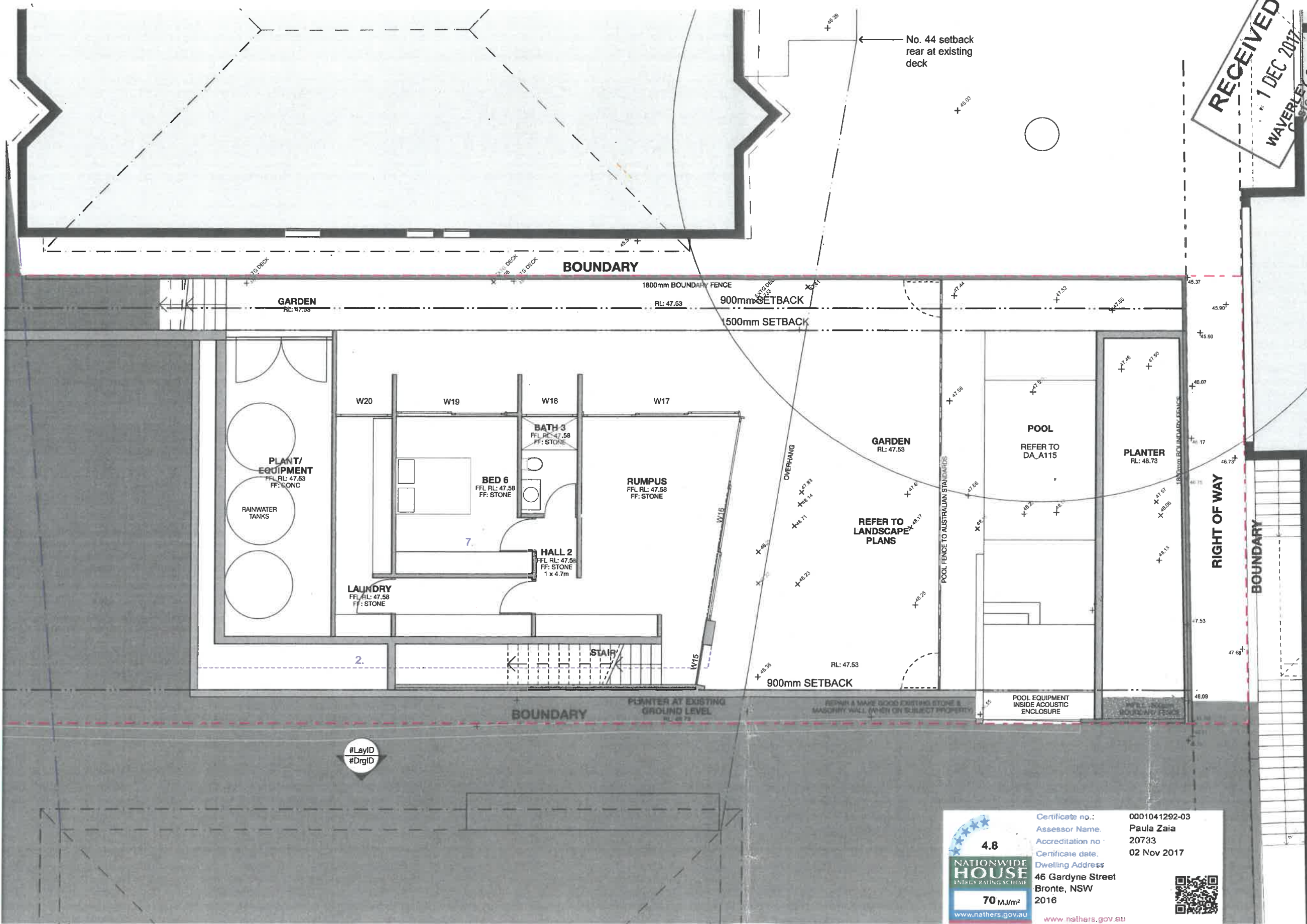
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 Accreditation no: 20733  
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 NATIONWIDE HOUSE ENERGY RATING SCHEME  
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 Assessor Number: 20733  
 Assessor Signature: [Signature]

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DRAWING  
**Lower Ground Floor Plan**  
 DRAWING NO. 692\_S96\_A104  
 REV. F

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 Certificate date: 02 Nov 2017  
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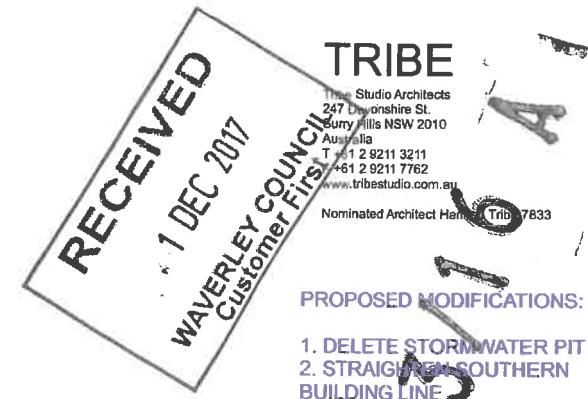


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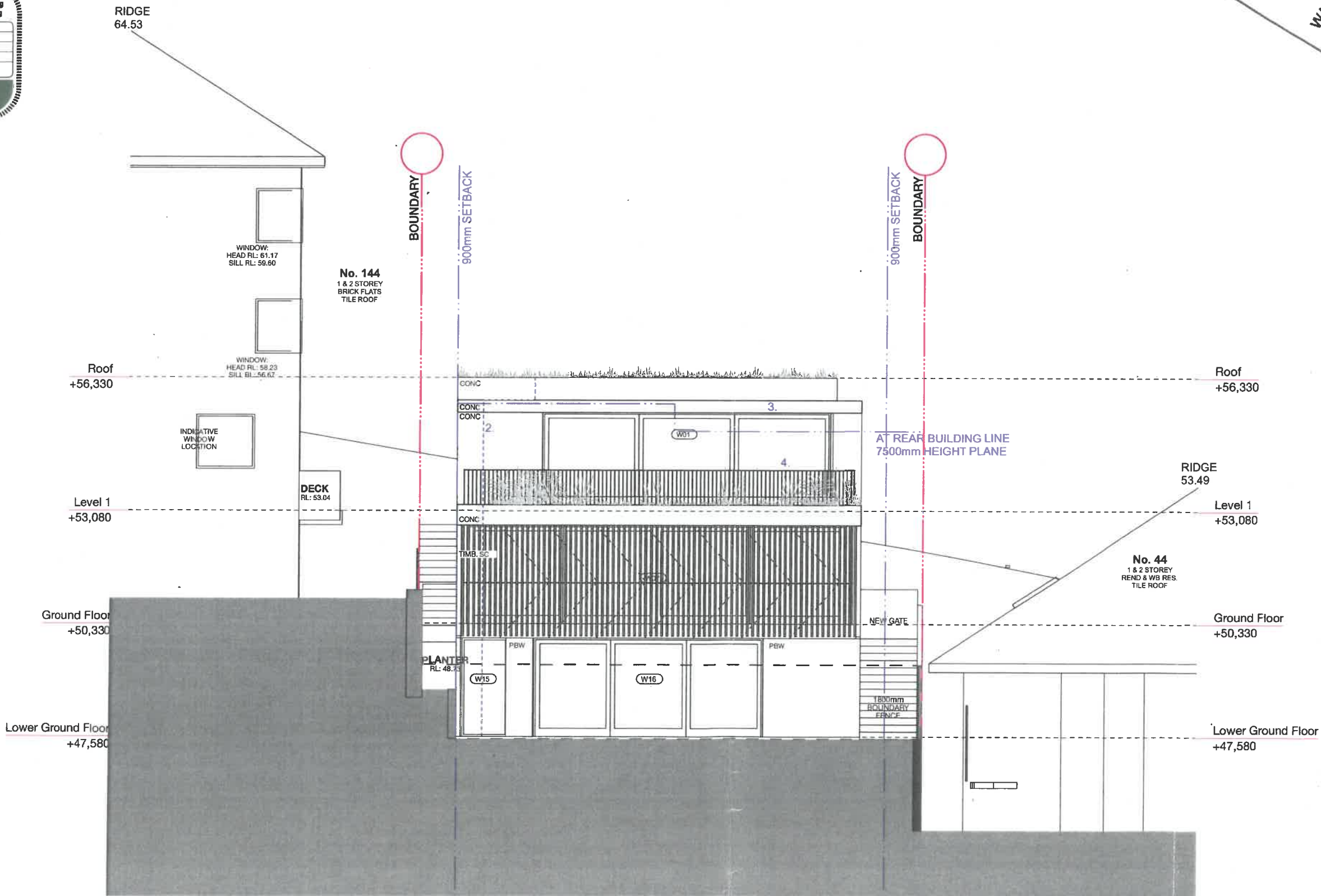
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**East Elevation**

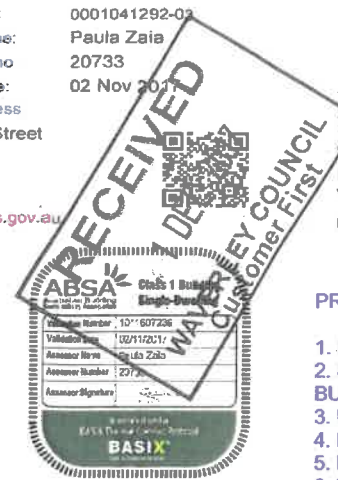
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 Nominated Architect Homwah Tribe 7833

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536

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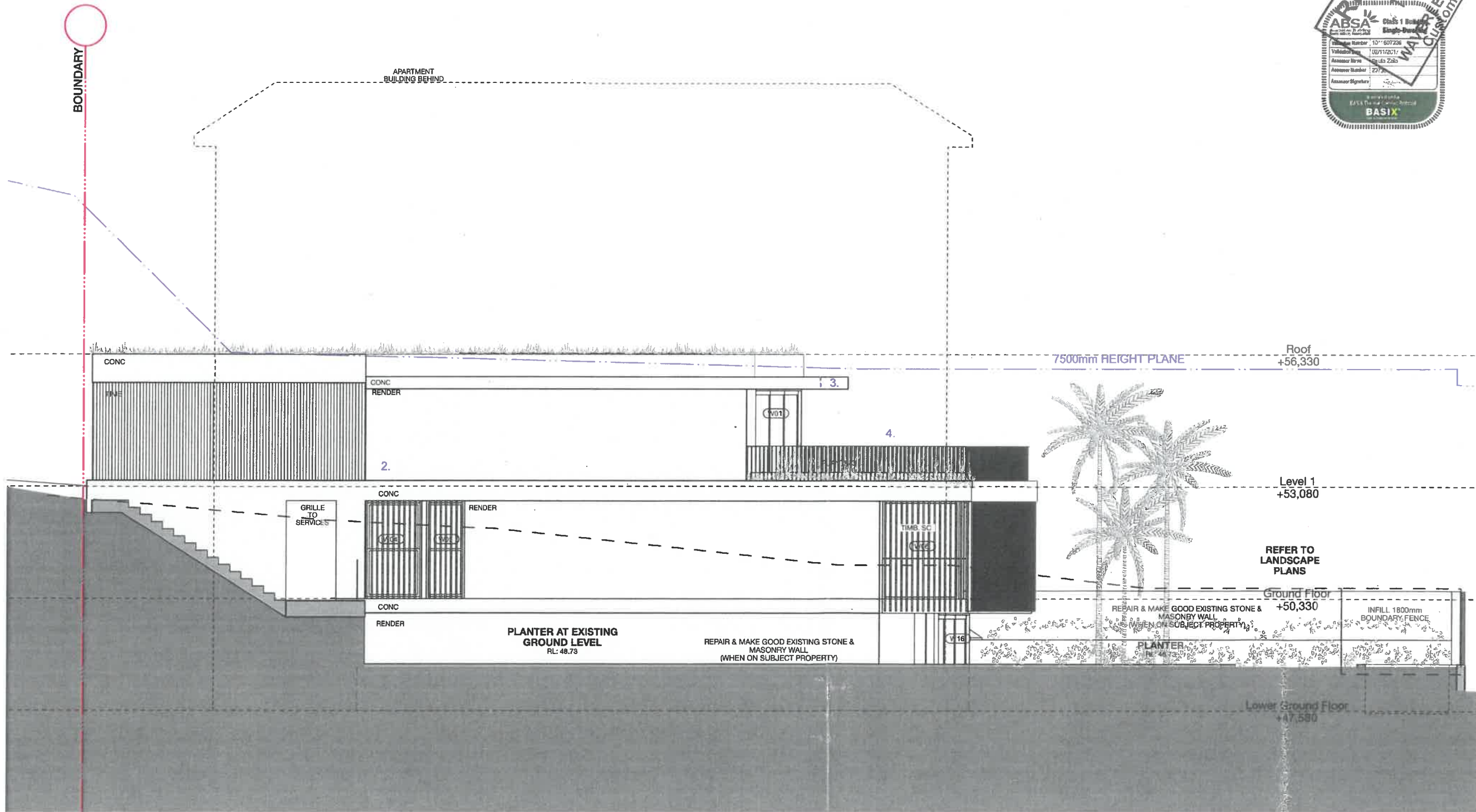
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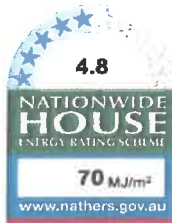
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106







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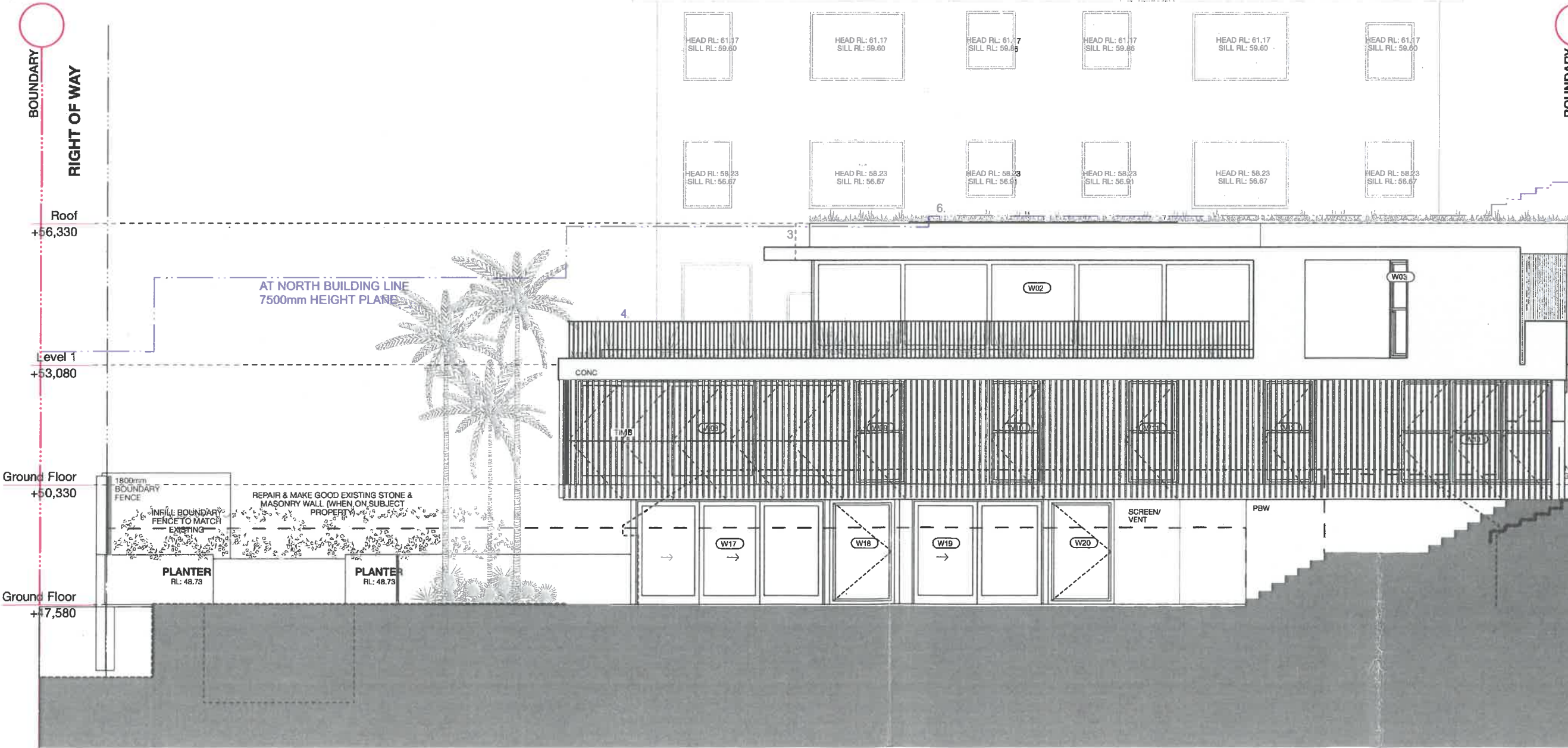
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3. MODIFY ROOF OVERHANG
4. METAL BALUSTRADE
5. DELETE SKYLIGHT
6. DELETE FIREPLACE & FLUE
7. INTERNAL WALL CONFIGURATION

**RIDGE**  
64.53

**No. 144**  
1 & 2 STOREY  
BRICK FLATS  
TILE ROOF



**notes:**

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25.10.2017	E	CONSULTANT ISSUE
09.11.2017	F	S96 SUBMISSION

**PROJECT**  
**692 Landman**  
 Sarah + Andrew Landman  
 46 Gardyne St  
 Bronte  
 2016 NSW

DATE: 23/06/2017

DRAWN: MG

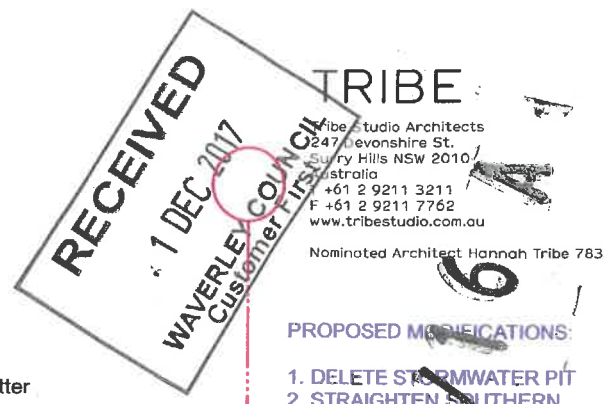
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DRAWING  
**North Elevation**

DRAWING NO. 692\_S96\_A107  
 REV. F



Certificate no: 0001041282-03  
 Assessor Name: Paula Zaia  
 Accreditation no: 20733  
 Certificate date: 02 Nov 2017  
 Dwelling Address: 46 Gardyne Street  
 Bronte, NSW  
 2018  
 www.nathers.gov.au



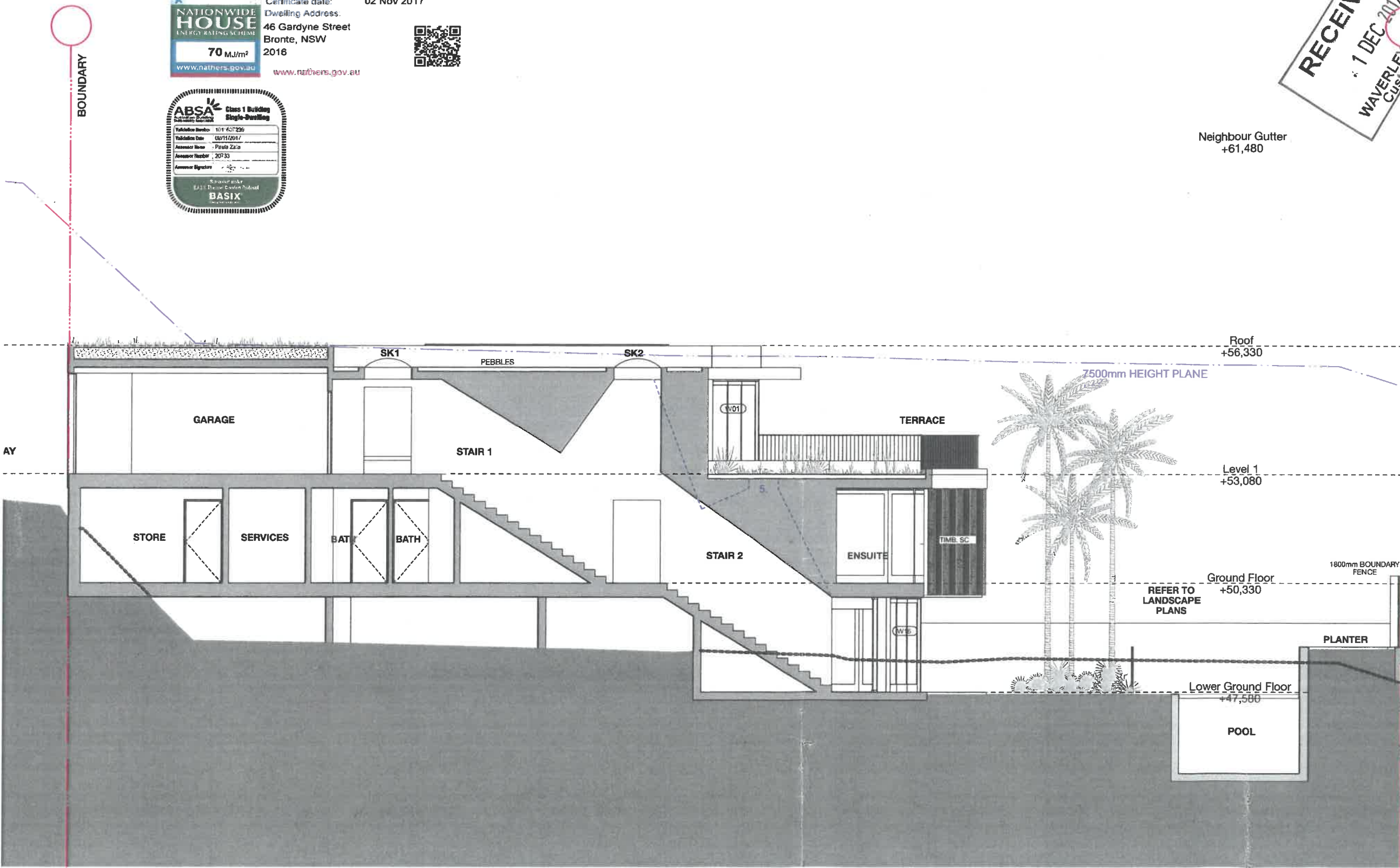
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 www.tribestudio.com.au  
 Nominated Architect Hannah Tribe 7833

**PROPOSED MODIFICATIONS:**

1. DELETE STORMWATER PIT
2. STRAIGHTEN SOUTHERN BUILDING LINE
3. MODIFY ROOF OVERHANG
4. METAL BALUSTRADE
5. DELETE SKYLIGHT
6. DELETE FIREPLACE & FLUE
7. INTERNAL WALL CONFIGURATION

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 2018 NSW

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DRAWING  
**Section**

DRAWING NO. 692\_S96\_A108  
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**DA 513/16A**



**REFINED METAL BALUSTRADE TO BCA/NCC REGULATIONS.  
 PERMITS INTER-LOT VIEW SHARING & COMPLIANCE**

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DRAWING  
**Balustrade Precedents**

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Nominated Architect Hannah Tribe 7833

S96 Shadow  
 DA Shadow

DA 513/16 A

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20.10.2017 D CONSULTANT ISSUE  
 25.10.2017 E CONSULTANT ISSUE  
 09.11.2017 F S96 SUBMISSION

PROJECT  
**692 Landman**

Sarah + Andrew Landman  
 46 Gardyne St  
 Bronte  
 2016 NSW

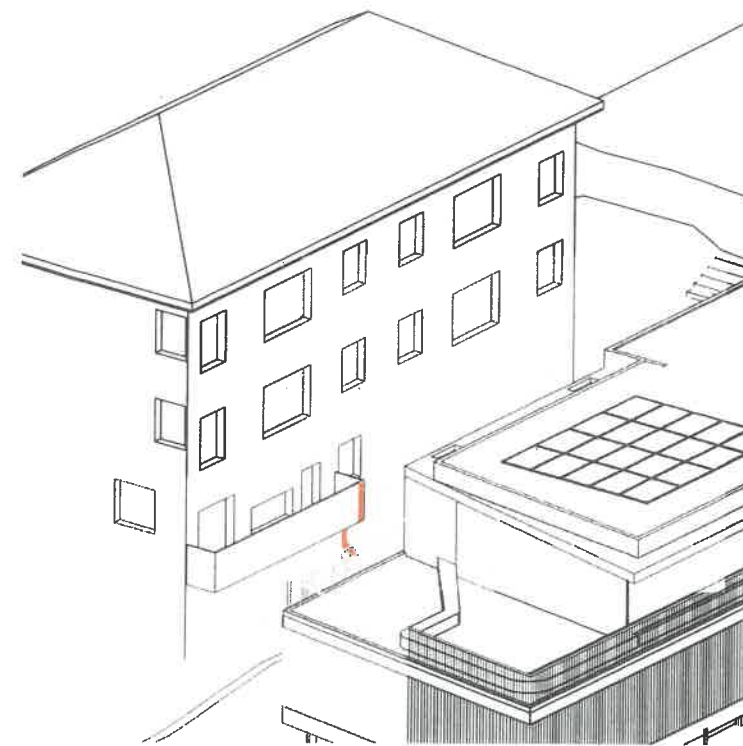
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DRAWN: MG

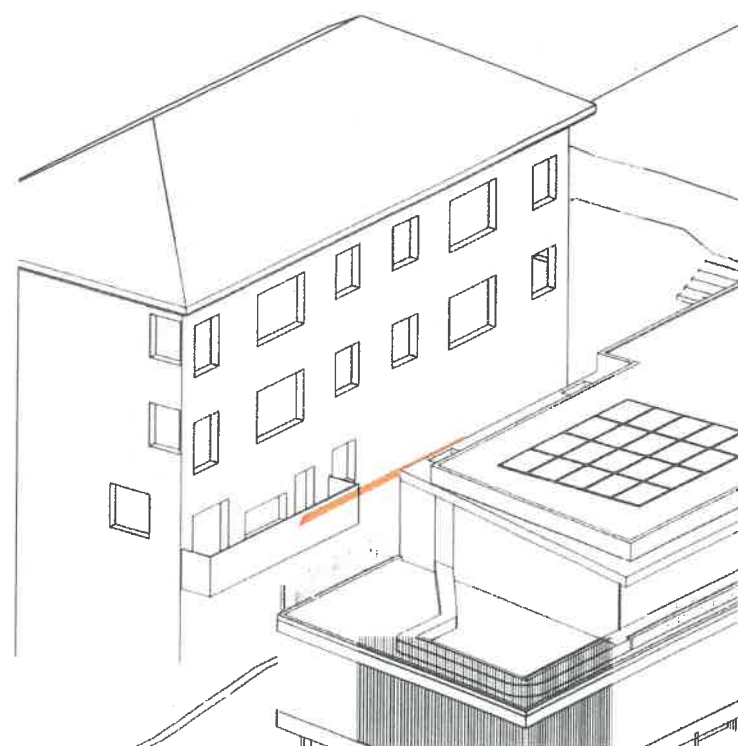
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DRAWING  
**Shadow Elevations to  
 144 McPherson St**

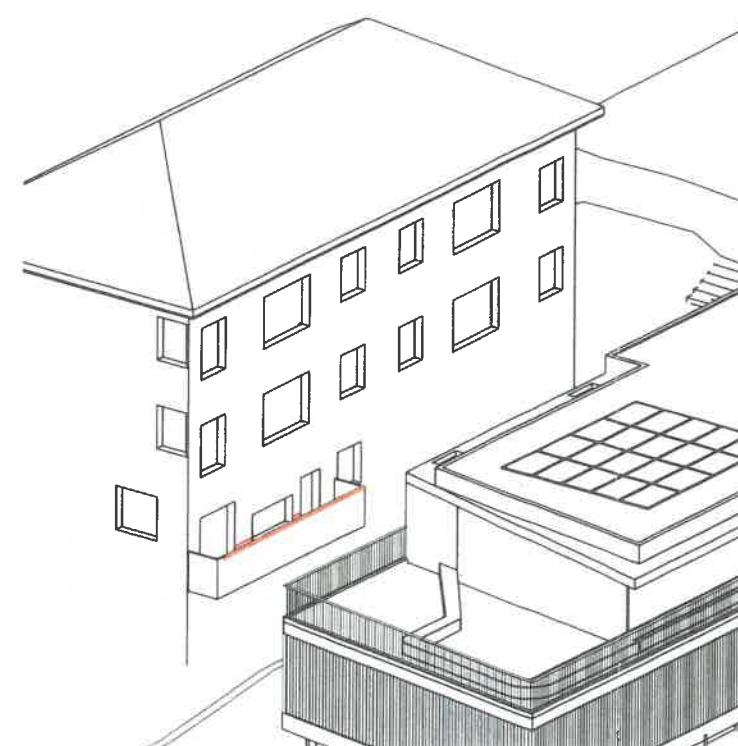
DRAWING NO. REV.  
 692\_S96\_A130 F



JUNE 9AM

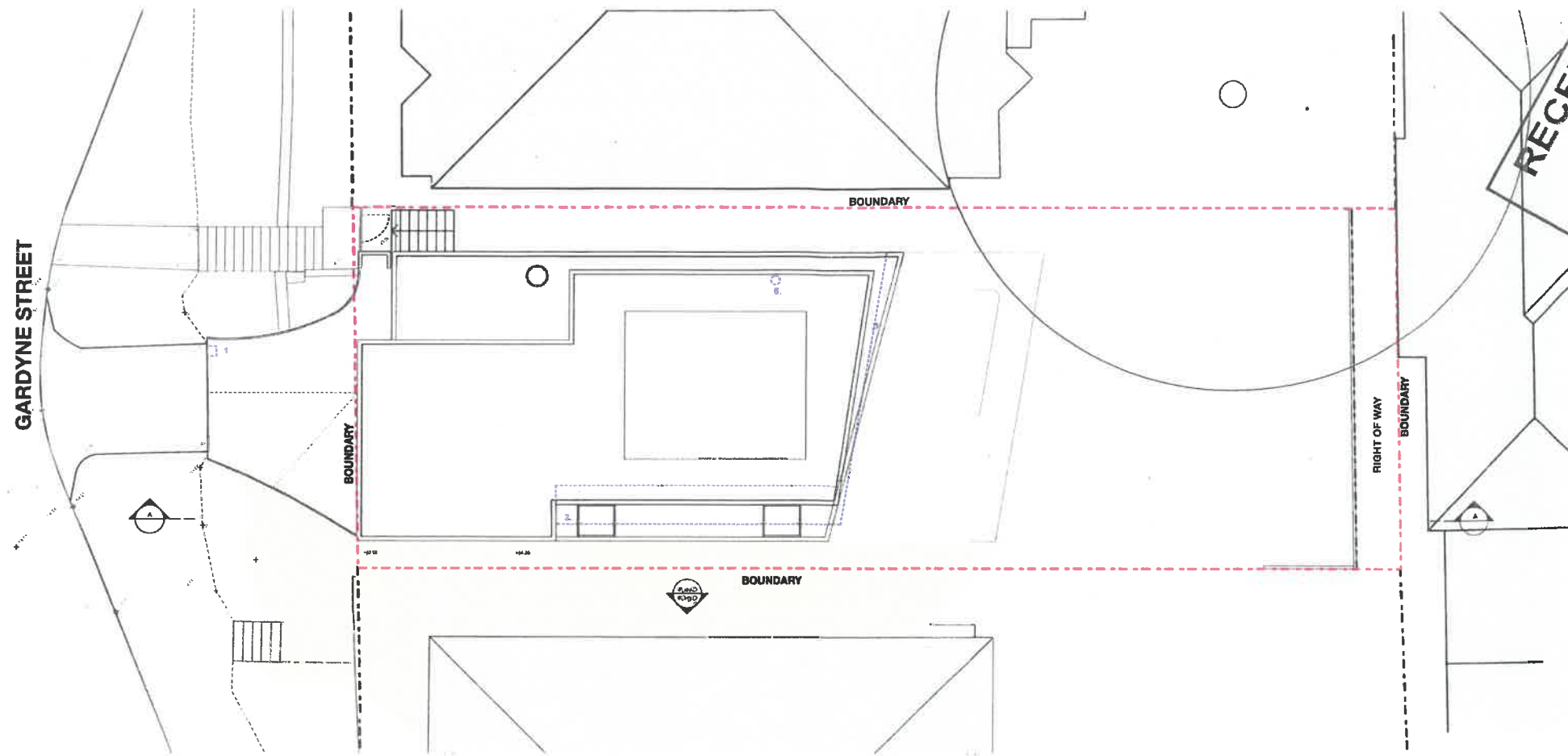


JUNE 12PM

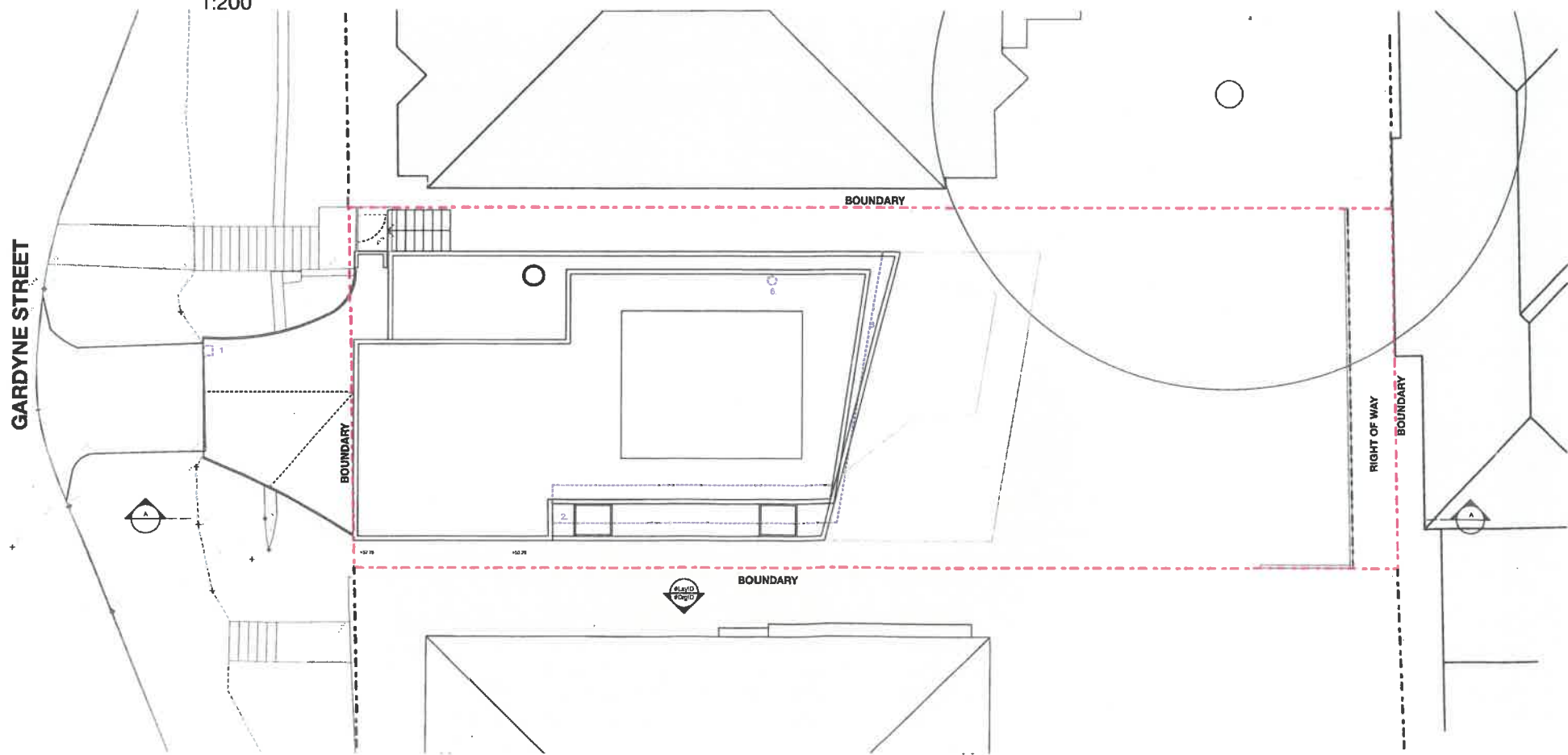


JUNE 3PM

MINOR INCREASE IN SHADOWS ARE BELOW WINDOWS TO THE NEIGHBOURING BUILDING



01 Shadow 21st June 9:00am  
1:200



01 Shadow 21st June 12:00pm  
1:200

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1 DEC 2017  
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Nominated Architect Hannah Tribe 7833

- S96 Shadow
- DA Shadow

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**PROJECT**

**692 Landman**

Sarah + Andrew Landman

46 Gardyne St  
Bronte  
2016 NSW

DATE: 23/06/2017

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SCALE: 1:200 @A3

DRAWING  
**Shadow Plans 9am & 12pm**

DRAWING NO. REV.  
692\_S96\_A133 F

DA 513/16 A



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 1 DEC 2017  
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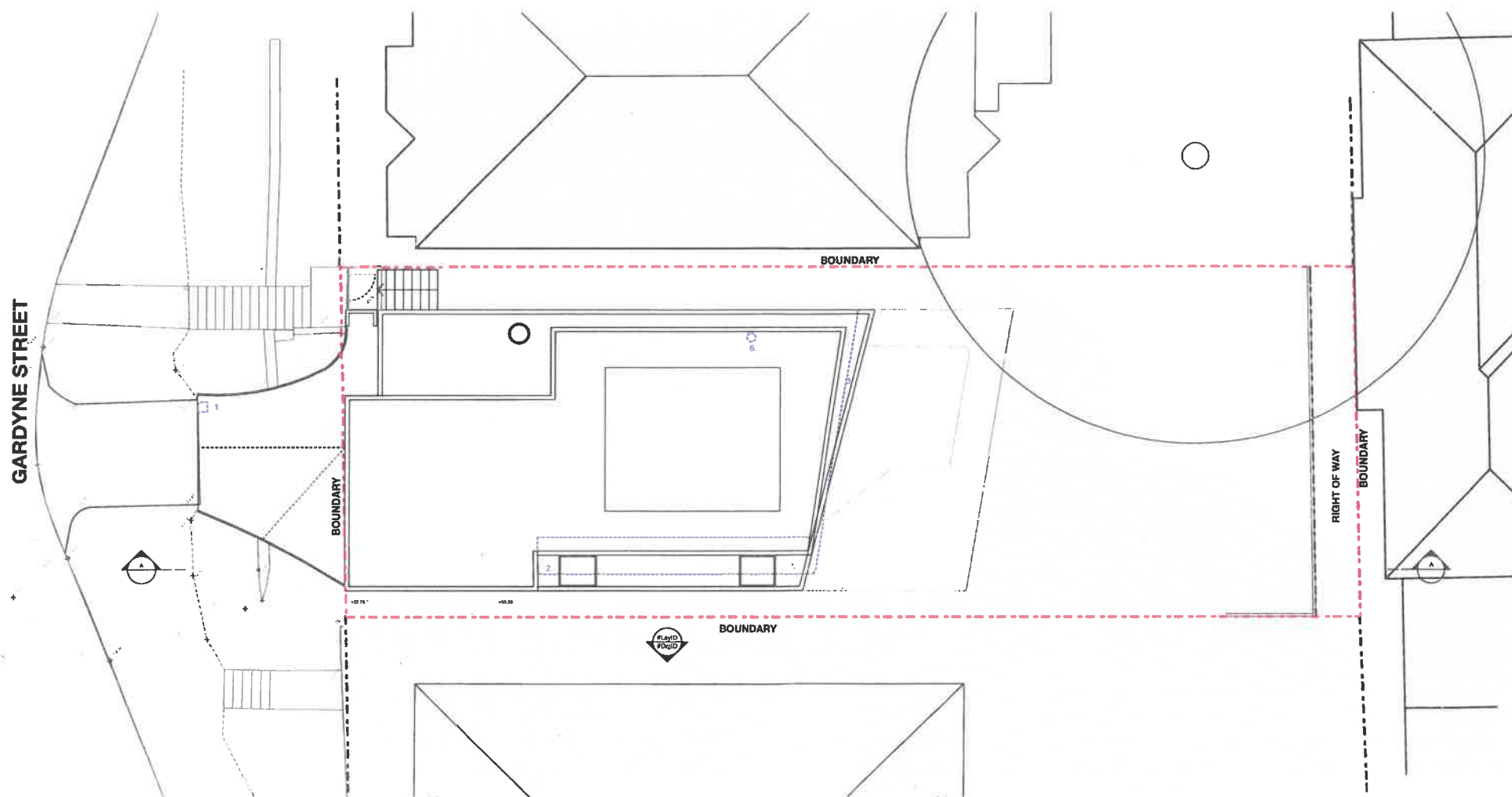
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Nominated Architect Hannah Tribe 7833

S96 Shadow  
 DA Shadow

DA 513/16 A



01 Shadow 21st June 3:00pm  
 1:200

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PROJECT  
**692 Landman**  
 Sarah + Andrew Landman  
 48 Gardyne St  
 Bronte  
 2016 NSW

DATE: 23/06/2017

DRAWN: MG

SCALE: 1:200 @A3

DRAWING  
**Shadow Diagram 3pm**

DRAWING NO. REV.  
 692\_S96\_A134 F





## Report to the Waverley Development Assessment Panel

<b>Application number</b>	DA-142/2017/1
<b>Site address</b>	8 Jackaman Street, BONDI
<b>Proposal</b>	Review of refusal for demolition, construction of a dual occupancy development (attached), Torrens title subdivision and a swimming pool.
<b>Date of lodgement</b>	22 December 2017
<b>Owner</b>	Fine Point Developments Pty Ltd
<b>Applicant</b>	Fine Point Developments Pty Ltd
<b>Submissions</b>	Seven submissions and one signed petition (containing 32 signatures) received
<b>Cost of works</b>	\$1.3 million
<b>Issues</b>	Non-compliance with the minimum subdivision lot size and FSR development standards; building setbacks; streetscape impacts; car parking; overshadowing; and privacy.
<b>Recommendation</b>	That the review application be APPROVED, subject to conditions of consent



## 1. PREAMBLE

### 1.1 Site and Surrounding Locality

A site visit was carried out on 28 February 2018.

The site is identified as Lot 35 in DP 4339, known as 8 Jackaman Street, Bondi. The site is rectangular in shape with a front (east) boundary measuring 12.19m and side boundary length of 41.695m. The site has an area of 508.3m<sup>2</sup> and the site falls from the rear towards the front by approximately 2.9m.

The site is occupied by a single storey dwelling house with no vehicular access.

The subject site is adjoined to the north by a single storey attached dwelling and to the south a two storey brick dwelling house. Jackaman Street is characterised by predominantly single storey freestanding and attached Federation dwellings with a few contemporary dwellings. The locality is characterised by predominantly residential development, including free standing dwellings, semi-detached dwellings and terraces. In particular the nearby Philip and Avoca Street have a similar cohesive streetscape to Jackaman Street.



**Figure 1:** Subject site frontage





**Figure 2:** The site in its street context (looking west)



**Figure 3:** Existing rear patio, looking south-west

## 1.2 Relevant History

The site benefits from a complying development certificate, known as CD-125/2017 for the demolition of existing structures only, which was issued by a private certifier and registered with Council on 23 June 2017.

The original application, known as DA-142/2017 for construction of two-three storey attached dual occupancy with integrated garages, pool and Torrens title land subdivision, was refused by the Waverley Development Assessment Panel on **25 October 2017**.

The reasons for refusal are extracted as follows:

*Having regard to section 79C (1) of the Environmental Planning and Assessment Act 1979 the development application is refused for the following reasons:*

1. *The proposal does not satisfy section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979, as the proposal does not satisfy the Waverley Local Environmental Plan (WLEP) 2012, in particular, the following provisions:*
  - a. *Clause 4.1 (1)(a), (b) and (3) as the proposal creates two lots that are less than the minimum size shown on the lot size map which do not reflect the predominant subdivision pattern of the area and do not minimise impacts on the amenity of neighbouring properties.*
  - b. *Clause 4.4 (1)(b) to (d) and (2) as the proposal will exceed the maximum FSR permitted for the site resulting in a building that is not compatible with the bulk, scale, streetscape and existing character of the locality, does not preserve the environmental amenity of neighbouring properties and has adverse impacts on the amenity of the locality.*
  - c. *Clause 4.6 (4)(a)(i) and (ii) as the proposal is inconsistent with the objectives of the minimum subdivision lot size and floor space ratio development standards and the objectives of the R2 low density residential zone, and the variation is not well founded.*
  - d. *Clause 6.2 (1) and (3)(d) as the proposal will have a detrimental effect on the existing and likely amenity of adjoining properties.*
2. *The proposal does not satisfy section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, as the proposed development is contrary to Waverley Development Control Plan 2012, in respect to the following provisions:*
  - a. *Part B8 – Transport;*
    - i. *Clause 8.4.1 Urban Design, specifically objective (a) and control (f), as the design of the garages is dominating in the streetscape and inadequate landscaping is provided.*
  - b. *Part C1 – Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-detached Dwelling and Terrace Development;*
    - i. *Clause 1.1 Height, specifically objectives (a), (b), (d) and (f) and controls 1.1.1 (a), as the proposal exceeds the maximum building height for a building with a flat roof and does not relate to the topography or street character.*
    - ii. *Clause 1.2 Setbacks specifically objectives (a), (b), (d) and controls 1.2.1(a), (b) and (d) and controls 1.2.2 (a), as the proposal is inconsistent with the predominant front and rear setbacks and required side setbacks for three storey forms, resulting in*

*unacceptable bulk and scale which visually detracts from the streetscape.*

- iii. Clause 1.3 Excavation specifically objective (b) and control (d) as the excavation for the garages and basement storage adds to the visual bulk and scale of the building.*
  - iv. Clause 1.4 Streetscape and visual impact specifically objective (a) and controls (a), (c) and (d) as the proposed architectural style does not acknowledge or respond to the style, scale, materials and character of the existing environment and will dominate the streetscape.*
  - v. Clause 1.5 Dual occupancy development, specifically objective (a) and (b) as proposal is out of character with surrounding development in terms of bulk and scale and results in unreasonable impacts on neighbouring properties.*
  - vi. Clause 1.8 Visual and acoustic privacy specifically objective (a) and control (a) to (c) as the proposed habitable windows will provide opportunity for unreasonable overlooking to habitable windows and private open space of neighbouring dwellings.*
  - vii. Clause 1.9 solar access specifically objectives (a) and (c) and controls (b), (c) and (d) as the proposal seeks to vary building height, FSR and setbacks resulting in a reduction of sunlight to habitable windows and private open space of 6 Jackaman Street.*
  - viii. Clause 1.11 Car parking specifically objectives (b) and (c) and controls 1.11.3 Design (a) and (b) as the proposed garages add to the bulk and scale of the proposal and dominate the ground floor appearance of the building in the streetscape.*
  - ix. Clause 1.12 Landscaping and open space specifically objective (a) and control (f) as less than 50% of the open space at the front of the site is landscaped.*
- 3. The proposed development does not satisfy section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as the proposal will have an adverse environmental impact in the locality as it represents an overdevelopment of the subject site, is excessive in terms of bulk and scale, undesirable and unacceptable impact on the streetscape and would adversely impact upon the amenity of the locality and surrounding built environment.*
  - 4. The proposal is contrary to 79C(1)(c) of the Environmental Planning and Assessment Act 1979, as the development does not respond or acknowledge the architectural style, scale, materials and character of the existing built environment and is therefore considered unsuitable for the site.*
  - 5. The proposal is not considered to be in the public interest for the reasons outlined in public submissions, non-compliance with the LEP development standards and DCP controls and*



*the proposal is contrary to Section 79C(1)(e) of the Environmental Planning and Assessment Act, 1979.*

### 1.3 Proposal

The subject application (DA-142/2017/1) was lodged on 22 December 2017 and seeks to review the determination of the original application, known as DA-142/2017, under the provisions of section 8.3 (formerly s82A) of the *Environmental Planning and Assessment Act 1979*. The application can be reviewed as it has been made within the six month period from the date of its determination, being 25 October 2017.

The original application (DA-142/2017) sought development consent for the following:

- Construction of a two and three storey attached dual occupancy with integrated garages, pool and Torrens title land subdivision. Details of the proposal include the following:
  - Lower ground floor contains a single garage for each dwelling and hardstand car space in front for tandem parking, laundry, two storage areas excavated into the site forming a basement.
  - Ground floor containing front living room with porch, foyer, with a step down to the rest of the floor containing a bathroom, scullery, kitchen and open living/ dining room (same layout for each dwelling).
  - First floor containing a bedroom with ensuite, two bedrooms and a bathroom (same layout for each dwelling), with green roof to the front and rear of the building.
  - Landscaping to the front and rear yards. Both lots have a paved area accessed from the ground floor living area. Lot 1 contains an in ground swimming pool in the rear yard. Lot 2 has a granite courtyard in the rear yard.
  - Removal of 10 trees within the site, retention of 8 trees. Removal of 1 street tree.
  - Torrens title subdivision into two lots, with Lot 1 having an area of 254.1m<sup>2</sup> and Lot 2 having an area of 254.2m<sup>2</sup>, both with frontages of 6.095m.
  - Provision of stormwater management to both lots incorporating OSD systems.

The subject application (DA-142/2017/1) seeks similar proposal, however has made the following amendments to the original form of the proposal:

- reduction of extent of excavation by downsizing the lower ground level of the development
- increase of rear building setbacks of the upper ground and first floor levels
- extension to the front of the upper ground level of the development to align with the front setback of the row of dwelling to the north of the site
- increase side setbacks of the front (eastern) portion of the development
- provision of wheel strips in lieu of concrete driveway
- lowering of the overall building height
- change of materiality to incorporate face brick, painted brick and timber, and rendered masonry
- change of profile of front fence from palisade to rendered masonry.

A comparison of the key development statistics between the original (i.e. refused) and the amended development schemes is outlined in **Table 1** below.

**Table 1: Comparison of development statistics between the original and amended development schemes**

Element	Original (DA-142/2017)	Proposed (DA-142/2017/1)
Subdivision	<ul style="list-style-type: none"> <li>Lot 1: 254.1m<sup>2</sup></li> <li>Lot 2: 254.2m<sup>2</sup></li> </ul>	Unchanged
Overall building height	8.1m	7.44m
Floor space ratio	0.72:1 367m <sup>2</sup> of GFA	0.678:1 333.4m <sup>2</sup> of GFA

**Figures 4 and 5** below contain photomontages that compare the streetscape presentation of the original form of the development that was refused development consent and the proposed amended form of the development that is subject of this review application.



**Figure 4:** Photomontage of the original form of development that was refused (Source: panovscott)



**Figure 5:** Photomontage of the amended form of the development that is the subject of this application (Source: panovscott)

## **2. ASSESSMENT**

The following matters are to be considered in the assessment of this development application under sections 4.15 and 8.3 of the *Environmental Planning and Assessment Act 1979* (the Act).

### **2.1 Section 8.3 Considerations**

Section 8.3 of the Act (formerly known as section 82A) enables Council to review a previous determination of a development application subject to the following provisions:

- (2) A determination or decision cannot be reviewed under this Division:*
  - (a) after the period within which any appeal may be made to the Court has expired if no appeal was made, or*
  - (b) after the Court has disposed of an appeal against the determination or decision.*
  
- (3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.*

The determination of the original development application was made on 25 October 2017. The period of the right of appeal for the applicant to exercise (referenced in section 8.3(2)(a) of the Act), is six months after the date of determination. The application is scheduled to be determined by the Waverley Development Assessment Panel on 18 April 2018, which satisfies the statutory timeframe to determine this review application.

Council is satisfied that the essential elements of the development, the subject of the original development application, are substantially the same as the amended development, the subject of this review application. The overall scope and description of the development between the two applications remain unchanged.

### **2.2 Planning Instruments and Development Control Plans**

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning policies (SEPPs), and development control plans.

#### **2.2.1 SEPP (Building Sustainability Index – BASIX) 2004**

A BASIX Certificate has been submitted with the development application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are implemented.

#### **2.2.2 SEPP 55 Remediation of Land**

There is no known history of contamination applicable to the site. The subject site has historically been used for residential purposes. Accordingly, site land contamination is considered unlikely and no further investigation is necessary.

#### **2.2.3 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)**

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

**Table 2: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the plan.
<b>Part 2 Permitted or prohibited development</b>		
2.6 Subdivision – consent requirements	Yes	The application seeks Torrens title subdivision and consent is sought as part of this application.
Land Use Table R2 Low Density Residential Zone	Yes	The proposal is defined as ‘dual occupancy (attached), which is permitted with consent in the R2 zone. The proposal is considered to satisfy the relevant objectives of the zone.
<b>Part 4 Principal development standards</b>		
4.1 Minimum subdivision lot size <ul style="list-style-type: none"> <li>325m<sup>2</sup></li> </ul>	No	The proposed Torrens title subdivision creates two lots with the following areas: <ul style="list-style-type: none"> <li>Lot 1: 254.1m<sup>2</sup></li> <li>Lot 2: 254.2m<sup>2</sup></li> </ul> The proposed lots are 70.8m <sup>2</sup> and 70.9m <sup>2</sup> under the control, or a variation of 21%. A request to vary the development standard has been submitted. Refer to discussion below this table.
4.3 Height of buildings <ul style="list-style-type: none"> <li>8.5m</li> </ul>	Yes	The overall building height of the proposed development is 7.44m, measured to RL74.100 (which is the roof level of the rear portion of the development) above existing ground level of RL66.660.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> <li>Site area: 508.3m<sup>2</sup></li> <li>0.545:1 (277m<sup>2</sup>)</li> </ul>	No	The overall gross floor area of the proposed development is 333.4m <sup>2</sup> , which achieves a floor space ratio of 0.678:1. The proposal exceeds the development standard by 56.4m <sup>2</sup> of gross floor area or 20%.
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the minimum subdivision lot size and FSR development standards. A detailed discussion of the variation to the development standards is presented below this table.
<b>Part 5 Miscellaneous provisions</b>		
5.10 Heritage conservation	N/A	The site is not a heritage item or located in a conservation area. The streetscape consists of predominantly single storey freestanding and attached Federation style dwellings. The proposal against the streetscape controls is discussed in detail within <b>Table 4</b> of this report.

Provision	Compliance	Comment
<b>Part 6 Additional local provisions</b>		
6.2 Earthworks	Yes	The proposal involves earthworks, specifically excavation and fill. The extent of excavation in the amended form of the proposal has substantially decreased compared with the original form of the proposal. A geotechnical investigation report accompanies the application and the contents of the report addresses the matters for consideration under clause 6.2 of Waverley LEP 2012. Standard conditions of consent are recommended to protect improvements of adjoining properties during site works.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

### Exceptions to Development Standards

Council is able to grant consent to a development that contravenes any development standard in Waverley LEP 2012 having regard to the provisions of clause 4.6 of Waverley LEP 2012 and considering a written request by an applicant to vary such development standard. The heads of consideration under clause 4.6 of Waverley LEP 2012 for a development varying a development standard are as follows:

- *Clause 4.6(3) (a) - that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*
- *Clause 4.6(3)(b) - that there are sufficient environmental planning grounds to justify contravening the development standard*
- *Clause 4.6(4)(a)(iii) - the proposed development will be in the public interest because it is consistent with objectives of the particular development standard and the objectives for development within the zone in which the development is proposed to be carried out.*
- *Clause 4.6(5)(a) - whether contravention of the development standard raises any matter of significance for State or regional environmental planning*
- *Clause 4.6(5)(b) - the public benefit of maintaining the development standard*
- *Clause 4.6(5)(c) – other relevant matters.*

#### *Clause 4.1 Minimum subdivision lot size*

The size of the lots resulting from the proposed subdivision of the site are 254.1m<sup>2</sup> and 254.2m<sup>2</sup>, which is less than the minimum subdivision lot size development standard of 325m<sup>2</sup> prescribed under clause 4.1 of Waverley LEP 2012 by 70.8m<sup>2</sup> and 70.9m<sup>2</sup> or a variation of 21%.

A written request pursuant to clause 4.6 of Waverley LEP 2012 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- *Objective (a) will be met, as the proposal will provide a development that is keeping with the low-density character of the locality and will reinforce and reflect the predominant subdivision pattern of the area, having regard to the size of adjoining allotments. It is noted that*



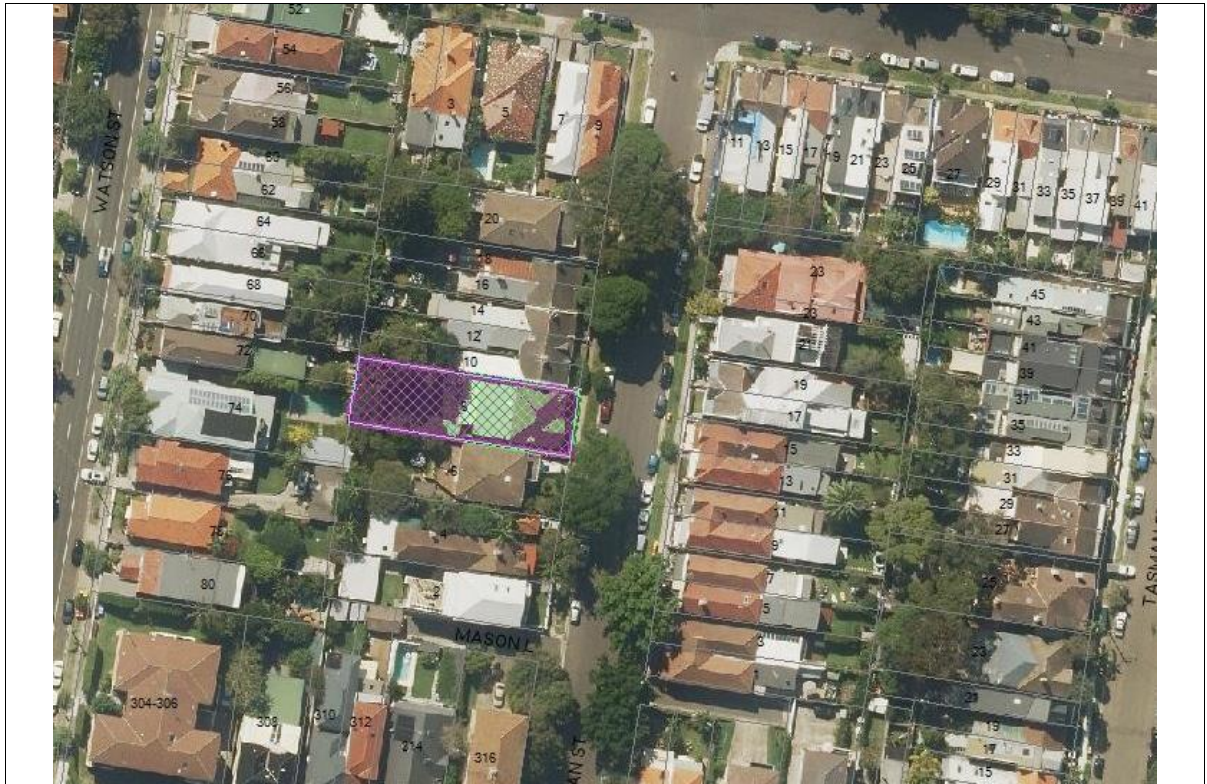
10,12,14,16 and 18 Jackaman Street, to the north of the site, all have lots which are approximately 200m<sup>2</sup> in size.

- Objective (b) will be met, as it has been demonstrated in s82A report that the amended dual occupancy and Torrens title subdivision will not result in any adverse amenity impacts on adjoining properties. The proposal would be no adverse overshadowing of adjoining properties and acoustic and visual privacy, having regard to Council's DCP requirements. The proposal will also have no adverse impact on views from any adjoining properties.
- The siting, bulk and scale of the proposed development is compatible with the neighbouring and nearby residential dwellings in the vicinity of the site and the proposed bulk and scale of the dwellings are compatible with the size and shape of the proposed allotments.

The applicant's written request to vary the minimum subdivision lot size development standard is generally well-founded. The objectives of the minimum subdivision lot size development standard aid the assessment of the merits of the variation. The objectives are expressed under clause 4.1(3) of Waverley LEP 2012 are as follows:

- (a) to ensure that subdivisions reflect and reinforce the predominant subdivision pattern of the area,
- (b) to minimise the likely impact of subdivision and development on the amenity of neighbouring properties.

**Figure 6** is an aerial photo overlaid with a cadastre outlining boundaries of allotments within the immediate surrounds of the site. The cadastre map (without aerial overview) is shown on page 1 of the report. Each of these images demonstrate the typical and prevailing subdivision pattern of properties containing non-freestanding dwellings, such as semi-detached dwellings and attached dwellings, within Jackaman Street and surrounding streets.



**Figure 6:** Aerial photo and cadastre of the subdivision pattern of allotments within the immediate surrounds of the site (NB: site shown hatched)

The proposed subdivision of the site into two lots responds to the typical area and boundary dimensions of surrounding narrow lots within Jackaman Street. The lots immediately north of the site and on the western side of Jackaman Street that comprise attached dwellings and semi-detached dwellings. These lots, specifically 10-18 Jackaman Street, have street frontages ranging from approximately 4.8m to 5.2m and site areas ranging from approximately 200m<sup>2</sup> to 214m<sup>2</sup>. Lots opposite the site and on the eastern side of Jackaman Street that comprise semi-detached dwellings, specifically 1 - 19 Jackaman Street, have street frontages to Jackaman Street ranging from approximately 6m to 6.3m and site areas ranging from 248m<sup>2</sup> to 270m<sup>2</sup>. The proposed subdivision will create two lots, each with street frontages measuring approximately 6.1m and site areas of approximately 254m<sup>2</sup>. The proposal is therefore commensurate with typical widths and site areas of lots in Jackaman Street, specifically those that comprise semi-detached dwellings.

The proposed development presents as a cohesive and symmetrical pair of semi-detached dwellings with a predominantly two storey presentation that responds satisfactorily to the prevailing built form and typology of buildings evident in the street. The amended design of the proposed development will result in lesser physical impact on the amenity of adjoining properties (i.e. streetscape, visual impact, loss of privacy and overshadowing) as elaborated in succeeding sections of this report. In this regard, the subdivision of the site is appropriate and acceptable with regard to the objectives of the minimum subdivision lot size development standard expressed by clause 4.1(3) of Waverley LEP 2012. The proposal is also consistent with the zone objectives in that it encourages and reinforces the intent of the zoning of the site to permit low density residential development, such as dual occupancy and semi-detached dwellings, in order to provide for the housing needs of the community. The variation to the development standard is deemed reasonable with regard to the terms of clause 4.6 of Waverley LEP 2012.

#### *Clause 4.4 Floor space ratio*

The proposal has an overall floor space ratio of 0.678:1, which exceeds the floor space ratio development standard of 0.545:1 prescribed under clause 4.4A of Waverley LEP 2012 by 56.4m<sup>2</sup> in gross floor area or 20%.

A written request pursuant to clause 4.6 of Waverley LEP 2012 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- The applicant states that considering the lot as a whole results in a floor space ratio (FSR) that is non-compliant; however if the FSR of the development were calculated based on each of the proposed subdivided lots, each dwelling would comply with the applicable FSR in accordance with the formula set out in clause 4.4A of Waverley LEP 2012. Therefore, compliance with the FSR development standard is unreasonable and unnecessary.
- The building envelope and height of the proposal complies with applicable controls and have been designed to align with adjoining development along Jackaman Street.
- The proposal is of a density, scale and bulk appropriate to its context and will not appear out of character when viewed in its context of other buildings in the vicinity.
- It has been demonstrated that there would be no adverse overshadowing of adjoining properties and acoustic and visual privacy, having regard to Council's DCP requirements.

The applicant's written request to vary the floor space ratio (FSR) development standard is generally well founded. The overall gross floor area and FSR of the amended form of the proposal have been reduced compared to the original form of the proposal. This is principally due to the increase of the rear building setbacks of the amended form of the development, which consequently reduces the visual bulk and overshadowing impacts upon adjoining properties to the north and south of the site.

The revisions to the building footprint and the siting of the front portion of the development reflected in the amended form of the proposal have been successful enough for the development to read predominantly as a two storey street building, where the uppermost floor level presenting subservient and not overly conspicuous when the overall development is viewed from the street. In this regard, the amended proposal addresses the visual impact and streetscape impact of the original form of the proposal that were deemed unreasonable and unacceptable in the assessment of the original application with regard to the breach of the FSR development standard. Further, the changes to the materiality of the development compared to the original form of the development incorporate face brick, timber, render and painted brick finishes, which respond to and are sympathetic with the prevalent built form character of the street.

The applicant has adequately argued that the non-compliance with the applicable floor space ratio development standard is technical in nature and will result in the proposed development being compatible with the height, bulk and scale of the existing and desired future character of the locality. Therefore, the applicant has demonstrated that:

- compliance with the development standard is unreasonable or unnecessary in the circumstances of the case
- there are sufficient environmental planning grounds to justify contravening the development standard
- the proposal will be in the public interest because it is consistent with objectives of the development standard and the R2 zone.

#### 2.2.4 Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

**Table 3: Waverley DCP 2012 – Part B General Provisions Compliance Table**

Development Control	Compliance	Comment
1. Waste	Yes	A SWRMP has been submitted. Standard waste management conditions are recommended.
2. Energy and water conservation	Yes	A BASIX Certificate has been submitted.
5. Tree preservation	Yes	The application seeks consent for the removal of nine trees within the site, the retention of eight trees and the removal of one street tree. An Arborist report has been submitted to support the proposed tree removal. The application has been reviewed by Council's Tree Management Officer who has raised no objection to the proposed tree removal subject to recommended conditions and a replacement street tree being planted.
6. Stormwater	Yes	The stormwater plan has been reviewed by Council's Stormwater Engineer who has raised no objection, subject to standard conditions.
8. Transport	Yes	<ul style="list-style-type: none"> <li>• While off-street car parking is not a strong and obvious characteristic of Jackaman Street, the street comprises some modern style dwellings that have off-street car</li> </ul>

Development Control	Compliance	Comment
		<p>parking either integrated within the building envelope or forward of the front building line of these dwellings.</p> <ul style="list-style-type: none"> <li>• The proposal sites the garages behind the front building line and integrates them into the design and building envelope of the proposed development within a quasi basement level. The floor level above the garage slightly overhangs the front building line of the basement level of the development to create a recess. In this regard, the garages will not overly dominate the street façade of the development and will appear secondary in appearance.</li> <li>• Wheel strips are proposed in lieu of a conventional concrete driveway to soften the appearance of the vehicular access point of the site when viewed from the street.</li> <li>• The amended proposal is considered to perform satisfactorily against the objectives and controls under section 8.4 of Part B8 of Waverley DCP 2012.</li> </ul>
10. Safety	Yes	Satisfactory.

**Table 4: Waverley DCP 2012 – Part C1 Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development Compliance Table**

Development Control	Compliance	Comment
<b>1.1 Height</b>		
1.1.1 Flat roof dwelling house <ul style="list-style-type: none"> <li>• Maximum overall building height of 7.5m</li> </ul>	Yes	The proposal utilises a flat roof form, and is therefore subject to the maximum overall building height control of 7.5m. The overall building height of the proposed development is 7.44m, measured to RL74.100 (which is the roof level of the rear portion of the development) above existing ground level of RL66.660.
<b>1.2 Setbacks</b>		
1.2.1 Front and rear building lines <ul style="list-style-type: none"> <li>• Predominant front building line</li> <li>• Predominant rear building line at each floor level</li> </ul>	Yes	<ul style="list-style-type: none"> <li>• The front setback of the proposed development aligns with the uniform front building line of the adjoining attached dwellings to the north of the site (between 10 and 18 Jackaman Street). These attached dwellings establish the predominant front building line for the proposed development to follow and their front building line is an appropriate cue to inform the front building line of the development given that the development will have a similar building form and typology as these attached</li> </ul>

Development Control	Compliance	Comment
		<p>dwellings. The front building setback of the development is deemed acceptable.</p> <ul style="list-style-type: none"> <li>• The original form of the development had the following rear building setbacks: <ul style="list-style-type: none"> <li>○ 12.9m on upper ground floor level</li> <li>○ 14.9m on first floor level.</li> </ul> </li> <li>• The amended form of the development has the following rear building setbacks: <ul style="list-style-type: none"> <li>○ 14.3m on upper ground floor level</li> <li>○ 16.8m on first floor level.</li> </ul> </li> <li>• The increase of the rear setbacks of the amended form of the development satisfactorily addresses the concerns and issues with the original form of the development with regard to rear building setbacks. The upper ground floor level of the amended development aligns with the rear building line of the ground floor level of the adjoining dwelling to the north of the site at 10 Jackaman Street.</li> <li>• There is no clear predominant rear building line for the first floor level of the development to follow other than the adjoining two storey dwelling house to the south of the site. The proposal extends past the rear building setback of the first floor level of that adjoining dwelling house, and therefore, the appropriateness of this encroachment is considered on merit. The rear building line of the first floor level of the development is recessed approximately 2.6m from the rear setback of the ground floor level of the development, which provides an appropriate building recess to modulate the rear portion of the building in order to minimise building bulk and scale related impacts on adjoining properties. The development as a whole complies with the height of buildings development standard of 8.5m and the flat roof dwelling maximum height control of 7.5m. Therefore, the overshadowing, visual impact and privacy impacts of the development upon adjoining properties, particularly on the adjoining property to the south of the site, are deemed reasonable. The rear building setback of the first floor level of the development is deemed acceptable on merit.</li> </ul>



Development Control	Compliance	Comment
1.2.2 Side setbacks <ul style="list-style-type: none"> <li>Minimum of 1.5m (for a new three storey dwelling)</li> </ul>	No (acceptable on merit)	The proposed development is set back between 0.9m and 2m from the northern and southern side boundaries. While the development is strictly classified as a three storey building (basement included), the side profiles of the dwelling that are set back 0.9m predominantly present as two storeys and are under the maximum flat roof dwelling height control of 7.5m. Therefore, the side setbacks of 0.9m is acceptable.
<b>1.3 Excavation</b>		
<ul style="list-style-type: none"> <li>Minimum setback of 0.9m from side boundaries</li> <li>Excavation should not add to the visual bulk and scale of the building</li> </ul>	Yes  Yes	The proposed lower ground floor and basement excavation are set back 0.9m from the side boundaries. The amended proposal has halved the extent and area of the basement level of the development. The basement does not discernibly accentuate the bulk and scale of the development as the development has been redesigned to be perceived as a two storey dwelling from the street.
<b>1.4 Streetscape and visual impact</b>		
<u>Objectives</u> (a) to encourage and facilitate lower density residential accommodation of a high architectural and aesthetic standard that acknowledges and responds to the architectural style, scale, materials and character of the existing building environment	Yes	The streetscape presentation of the amended form of the development has improved compared to the original form of the development. The amended development will be perceived as a two storey building from the street as its uppermost floor level is sited such that it will appear as a subservient floor level compared to the remainder of the building. While the proposal maintains a contemporary design and architectural style, the materiality of the development has been revised to incorporate face brick, timber, render and painted brick finishes, which all respond well to the prevalent built form character of the street. The streetscape appearance and aesthetics of the development are deemed acceptable.
<b>1.5 Dual occupancy development</b>		
<i>Minimum lot size:</i> <ul style="list-style-type: none"> <li>450m<sup>2</sup> for attached</li> <li>600m<sup>2</sup> for detached</li> </ul>	Yes	The proposed dual occupancy is attached and the site has an area of 508.3m <sup>2</sup> .
<b>1.7 Fences</b>		
<i>Front:</i> <ul style="list-style-type: none"> <li>Maximum height of 1.2m</li> <li>Solid section no more than 0.6m high</li> </ul>	Yes	<ul style="list-style-type: none"> <li>The streetscape elevation of the architectural plans shows a low front fence, comprised of rendered masonry, across the front of the site with a height less than 1.2m above existing ground level. The height and appearance of the front fence are</li> </ul>

Development Control	Compliance	Comment
<p><i>Side and Rear:</i></p> <ul style="list-style-type: none"> <li>Maximum height of 1.8m</li> </ul>	Yes	<p>complementary to front fences within the street.</p> <ul style="list-style-type: none"> <li>The elevations of the architectural plans show side and rear boundary fencing to be of a height no greater than 1.8m above ground level.</li> </ul>
<b>1.8 Visual and acoustic privacy</b>		
<ul style="list-style-type: none"> <li>Windows to habitable rooms are not to directly face windows to habitable rooms and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design.</li> </ul>	Yes	<ul style="list-style-type: none"> <li>The side elevations of the building comprise minimal window openings. There are window openings serving kitchens on ground floor level on either side elevation. The kitchen windows on the northern side will face the blank southern wall of the adjoining dwelling to the north of the site. The kitchen windows on the southern side will partially face a highlight window serving a bathroom of the ground floor level of the adjoining dwelling house to the south of the site, and for the most part, face a blank wall of the northern elevation of the adjoining dwelling house. These kitchen windows will not cause any privacy impacts upon the adjoining property to the south of the site.</li> <li>The first floor level side windows serve part of an ensuite bathroom and bedroom, which are rooms of low use and therefore will not cause unreasonable privacy impacts upon the adjoining properties.</li> <li>The first floor level rear windows serve bedrooms. The glass panes of the windows are angled to orientate sightlines upwards to the sky and have a sill height of 1.5m above finished first floor level. These windows are unlikely to affect the visual privacy of adjoining properties.</li> <li>A condition of consent is recommended to prohibit access to the roof gardens for use other than for necessary maintenance.</li> </ul>
<b>1.9 Solar access</b>		
<ul style="list-style-type: none"> <li>Minimum of three hours of sunlight to living areas and principal open space areas on 21 June</li> <li>Minimum of three hours of sunlight maintained to</li> </ul>	Yes	<ul style="list-style-type: none"> <li>The site has an east-west orientation, with the primary living areas and private open space for each dwelling located within the western (rear) part of the site. The shadow diagrams provided indicate that in mid-winter the rear yards of each dwelling can receive solar access for a period of three hours in accordance with the control.</li> <li>As the lots within Jackaman Street have an east-west orientation, the adjoining property</li> </ul>

Development Control	Compliance	Comment
<p>living areas and principal open space areas of adjoining properties on 21 June</p>		<p>to the south of the site at 6 Jackaman Street is impacted by the proposal. 6 Jackaman Street contains a two storey dwelling with a short length and a large front and rear setback. The shadow diagrams show that the proposal will overshadow a substantial portion of the rear yard at 9am, however the extent of overshadowing reduces from 10am onwards. The applicant has provided north, east and west elevation diagrams of 6 Jackaman Street. The diagrams indicate that all north facing windows will be shaded by the proposed development. These windows serve bedrooms, ensuite bathroom and garage of the adjoining dwelling house at 6 Jackaman Street. The proposal will result in moderate additional overshadowing of west facing window openings of the adjoining dwelling house between 12pm and 2pm.</p> <ul style="list-style-type: none"> <li>It is expected that any two storey development on the subject site that complies with principal built form controls (i.e. height, FSR and setbacks) would result in a loss of current solar access to 6 Jackaman Street, due to the alignment of the lots. The amended form of the development has increased the rear building setbacks of the development and lowered the overall building height of the development, which has consequently reduced the amount of overshadowing. Given that the development now complies with the height of buildings development standard and DCP maximum height control and the rear and side building setbacks are deemed satisfactory, the additional overshadowing caused by the amended development is deemed acceptable.</li> </ul>
<p><b>1.11 Car parking</b></p>		
<p>1.11.1 Parking rates <i>Maximum rates:</i></p> <ul style="list-style-type: none"> <li>1 space for 2 or less bedrooms</li> <li>2 spaces for 3 or more bedrooms</li> </ul>	<p>Yes</p>	<p>The proposal provides one formal off-street car parking space per dwelling in the form of a garage. The wheel strips that form the driveway has a length less than 5m and cannot be counted as a car space. A condition of consent is recommend to ensure that cars parked within the driveway do not overhang Council's footpath.</p>
<p>1.11.2 Location</p>	<p>Yes</p>	<p>The proposed garages are sited behind the front building line of the development.</p>

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <li>Behind front building line for new dwellings</li> <li>Consistent with hierarchy of preferred car parking locations</li> </ul>		
1.11.3 Design	Yes	<ul style="list-style-type: none"> <li>The proposed car parking complements and is sympathetically integrated into the design of the development. It will not appear dominant when viewed from the street.</li> <li>The driveway crossover width is 3m, providing shared vehicular access to the site.</li> </ul>
1.11.4 Dimensions <ul style="list-style-type: none"> <li>5.4m x 2.4m per vehicle</li> </ul>	Yes	The proposed car space in each garage complies with the minimum dimensions.
1.11.5 Driveways <ul style="list-style-type: none"> <li>Maximum of one per property</li> <li>Maximum width of 3m at the gutter (excluding splay)</li> <li>Driveway crossover not to result in loss of two or more on street parking spaces.</li> </ul>	Yes	<p>The proposed driveway has a width of a single driveway with shared access.</p> <p>The driveway crossover is 3m wide and provides access to 4 off street car spaces. The proposal is consistent with this control.</p>
<b>1.12 Landscaping and open space</b>		
<ul style="list-style-type: none"> <li>Overall open space: 40% of site area = 203.32sqm</li> <li>Overall landscaped area: 15% of site area = 76.24sqm</li> <li>Minimum area of 25m<sup>2</sup> for private open space</li> <li>Front open space: 50% of front building setback area</li> <li>Front landscaped area: 50% of front open space provided</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Overall open space of 289.1m<sup>2</sup> (57% of site area).</li> <li>Overall landscaped area of 174.3m<sup>2</sup> (34% of site area).</li> </ul>
	Yes	<ul style="list-style-type: none"> <li>Each dwelling has more than 25m<sup>2</sup> of private open space.</li> <li>The front setback area is all open space (i.e. 52m<sup>2</sup>).</li> </ul>
	Yes	<ul style="list-style-type: none"> <li>The front setback area comprises 32m<sup>2</sup> of landscaped area (62% of front setback area).</li> </ul>
<b>1.13 Swimming pools and spa pools</b>		
<ul style="list-style-type: none"> <li>Located in the rear of property</li> </ul>	Yes	A swimming pool is proposed within Lot 1 (southern lot) in the rear yard. The pool is set back from the rear and side boundaries with landscaping provided for screening between properties.

## 2.3 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

#### **2.4 Suitability of the Site for the Development**

The site is considered to be suitable for the proposed development.

#### **2.5 Any Submissions**

The application was notified for 14 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

A total of seven submissions were received from the following properties in the suburb of Bondi:

- 318 Birrell Street
- 74 Watson Street
- 4 Jackaman Street
- 7 Jackman Street
- 9 Jackaman Street
- 10 Jackaman Street
- 11 Jackaman Street.

A signed petition with 32 signatures was also received relaying objection to the application.

The following issues raised in the submissions and petition received have been addressed in detail in the body of the report:

- non-compliance with the minimum subdivision lot size and floor space ratio development standards
- front, rear and side building setbacks
- tree removal
- overshadowing
- visual and acoustic privacy
- car parking
- streetscape and visual impact
- landscaped area.

All other issues raised in the submissions are summarised and discussed below.

***Issue:*** *The existing dwelling house on the site should be heritage listed*

***Response:*** Noted. Approval for the demolition of the dwelling house has been granted by a complying development certificate as the building is not listed as a heritage item and is not within a heritage conservation area under Waverley LEP 2012. Nomination of buildings for heritage items is a process separate to the assessment of a development application.

#### **2.6 Public Interest**

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

### **3. REFERRALS**



### 3.1 Creating Waverley – Stormwater

Council's Manager, Design in the Creating Waverley department did not object to the stormwater plans submitted with the application, subject to conditions of consent.

### 3.2 Creating Waverley – Traffic and Development

Council's Professional Engineer – Traffic and Development did not object to the proposal, subject to conditions of consent.

### 3.3 Clean and Attractive Waverley – Tree Management

Council's Tree Management Officer considered the proposed tree removal inside and outside of the site and does not object to the proposed removal, subject to the adoption of the recommendations made in the Arborist's Report submitted with the application and the street tree being appropriately replaced. Conditions of consent are recommended to this effect.

### 3.4 Digital Waverley – Land Information

Council's GIS Officer did not object to the proposal, subject to conditions of consent specifying the land information (i.e. street numbering) of the new lots created by the proposed subdivision of the site.

### 3.5 Shaping Waverley – Heritage and Urban Design

Council's Heritage Architect and Urban Planning Advisor made the following comment and recommendation regarding the application:

#### **Comments**

- *The current scheme follows previous advice as to means of reducing bulk and introduction of articulation serving to better integrate the proposed development with residences to the north.*
- *The amended application has rationalised previous internal planning providing more efficient use of internal space and deleting previous substantial basement areas seemingly unrelated to the core functions of the residence.*
- *External massing has also been revised reducing the apparent width of the dual occupancy, particularly to the forward street frontage.*
- *The applicant's photomontage indicates the resulting reduction in impact upon the setting provided by increased side setbacks and compression of the street elevations.*
- *Further reduction of impact upon the adjoining attached residence to the north would be achieved by*
  - *Deletion of the metal outriggers to the side elevations supporting sliding screens. The screens could be designed to fold into the interior of the front verandas.*
  - *Setback or reduction in the rooftop planter beds over the front section of the building. These add substantially to the perceived height of the forward areas view from the street.*
  - *Further reduction in the overall height of the street frontage achieved by lowering of the verandah roof and side blade walls or amendment to an open slatted pergola in lieu of the 'kick up' roof.*

*The overall objective of these recommended changes would be to provide a massing that steps down to the street frontage as is characteristic of the sloping fronts of Federation residences in the immediate context.*

### **Recommendations**

*To improve cohesion with the established streetscape setting and the adjacent Federation residences it is recommended that the forward area of the dual residences is amended. Amendments are recommended as follows.*

- *Deletion of the metal outriggers to the side elevations supporting sliding screens. The screens could be designed to fold into the interior of the front verandahs.*
- *Setback or reduction in the rooftop planter beds over the front section of the building. These add substantially to the perceived height of the forward areas viewed from the street.*
- *Further reduction in the overall height of the street frontage achieved by lowering of the verandah roof and side blade walls or amendment to an open slatted pergola in lieu of the 'kick up' roof.*

### **Planning comment:**

The first recommendation point will be adopted as a design change condition of consent. However, the two remaining recommendation points will not be adopted as the front portion of the development across its street elevation is not higher than the overall building height of the street elevation of surrounding buildings. It would be considered onerous and difficult, in terms of section 4.15(2) of the Act, to impose a condition of consent to reduce the height of the front of the building as suggested by Council's Heritage Architect and Urban Design Advisor when the building itself complies with both the maximum building height control under Waverley DCP 2012 and height of buildings development standard under Waverley LEP 2012. The street presentation of the development is considered satisfactory.

## **4. SUMMARY**

The application (DA-142/2017/1) seeks to review the refusal determination of the original application, known as DA-142/2017, for demolition, construction of a dual occupancy development (attached), Torrens title subdivision and a swimming pool at the site known as 8 Jackaman Street, Bondi.

The main issues in the assessment of this application centres on the reasons why the original form of the development was refused and are summarised as follows:

- non-compliance with the minimum subdivision lot size and FSR development standards
- building setbacks
- streetscape impacts
- car parking
- overshadowing
- privacy.

The assessment finds that the amended development satisfactorily addresses the reasons for refusal of the original development application, and therefore, will result in lesser and reasonable impacts than the original form of the development. The assessment finds the non-compliances with development standards and controls encountered by the amended form of the development acceptable on planning merit.

The application attracted seven public submissions and a petition objecting to the application containing 32 signatures. The issues raised in the submissions have been considered in the assessment of this application.

The application has been assessed against the relevant matters for consideration under sections 4.15 and 8.3 of the Act. The report recommends that the Waverley Development Assessment Panel changes the determination from refusal to **approval**, subject to conditions of consent.

## 5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL

That the Development Application be **APPROVED** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A:

**Report prepared by:**

**Application reviewed and agreed on behalf of  
the Development and Building Unit by:**

Ben Magistrale  
**Senior Development Assessment Planner**

Angela Rossi  
**Manager, Development Assessment (Central)**

**Date:** 29 March 2018

**Date:** 6 April 2018

### **Reason for referral:**

3 Departure from any development standard in an EPI by more than 10%

A review of decision

## **APPENDIX A – CONDITIONS OF CONSENT**

### **A. APPROVED DEVELOPMENT**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Architectural Plan Nos. DD-1010, DD-1020, DD-1040, DD-1070, DD-1100, DD-1101, DD-1102, DD-1200, DD-1201, DD-1202, DD-1203, DD-1204, DD-1205, DD-1300 and DD-1301 (all Issue C), tables and documentation prepared by panovscott, dated 13 December 2017, and received by Council on 22 December 2017;
- (b) BASIX Certificate;
- (c) Landscape Plan Nos. LDA-01, LDA-02, LDA-03 and LDA-04 and documentation prepared by Christopher Owen Landscape Design, dated 11 December 2017, and received by Council on 22 December 2017;
- (d) Stormwater Details and documentation, including Stormwater Drawing Plan Nos. SW01, SW02 and SW03 (all Issue C) and dated 14 December 2017, prepared by Hyten Engineering and received by Council on 22 December 2017;
- (e) Geotechnical Investigation Report (Reference No. 30295Zrpt Rev 1) prepared by JK Geotechnics Geotechnical and Environmental Engineers, dated 10 April 2017 and received by Council on 22 December 2017;
- (f) Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees, dated 12 April 2017 and received by Council on 22 December 2017;
- (g) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012.

Except where amended by the following conditions of consent.

#### **2. GENERAL MODIFICATIONS**

The proposal shall be amended as follows:

- (a) The metal outriggers supporting the screens to the northern and southern sides of the development shall be deleted. The screens can be designed to fold into the interior of the front verandahs.
- (b) The landscape plan referred to in condition 1(a) of this consent shall be amended to change the replacement street tree to a Brushbox (*Lophostemon confertus*) and must be a minimum pot size of 100 litres. The tree is to be planted on the naturestrip midway between the northern edge of the driveway and the boundary with 10 Jackaman Street.

(c) The storm water plans referred to in condition 1(d) of this consent shall be amended to revise the orifice diameter to be 60mm and to indicate that 3.000L rainwater tanks are to be installed for each dwelling of the development.

The amendments are to be approved by the appointed **Principal Certifying Authority** prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

### **3. DOMESTIC HEATERS**

The provision of solid fuel heating/cooking appliances is prohibited.



## B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

### 4. SECTION 7.12 CONTRIBUTION

A cash contribution is payable to Waverley Council pursuant to section 7.12 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/](http://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 4.55 modification result in any change to the total cost of the work, the Section 7.12 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.

### 5. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of **\$25,000** 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.

**6. 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.

**7. STREET TREE**

- (a) The street tree may be removed by the applicant on the condition that a replacement tree is planted. The tree is to be a Brushbox (*Lophostemon confertus*) and must be a minimum pot size of 100 litres. The tree is to be planted by a qualified horticulturist/arborist (minimum AQF Level 3). The tree is to be planted on the naturestrip midway between the northern edge of the driveway and the boundary with 10 Jackaman Street.
- (b) A bond of **\$5,000** is to be lodged with Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of the newly planted Brushbox tree (*Lophostemon confertus*) on the naturestrip of the property. The bond is to be lodged prior to the issue of a Construction Certificate. The bond shall also apply for the protection of the adjacent Ficus tree outside 6 Jackaman Street.

The sum will be forfeited to the Council at its discretion for a breach of these requirements, and will be refunded twelve (12) months from the issue of the Occupation Certificate subject to the satisfaction of Council.

**8. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

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

- (a) a Construction Certificate has been obtained from Council or an Accredited Certifier in accordance with the Environmental Planning & Assessment Act, 1979; and
- (b) a Principal Certifying Authority has been appointed and Council has been notified of the appointment in accordance with the Environmental Planning & 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 Principal Certifying Authority.

**9. HOARDING REQUIRED**

If required, a standard A-Class or 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.

**10. 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 Waverley DCP 2012 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.

**11. 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.

**12. SYDNEY WATER QUICK CHECK**

Since a sewer main runs through the property, plans must be presented to a Sydney Water Quick Check Agent for their approval.

**13. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION**

A report shall be prepared by a suitably qualified and practising Structural Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.

**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. 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.

#### **16. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT**

Prior to the issue of a Construction Certificate, the applicant is to submit a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) for the approval of the Executive Manager, Creating Waverley

The CVPPM shall:

- (a) Show the size and number of trucks to be used during the various stages of the development.
- (b) Show the route to be taken by trucks in (a) above within the Waverley Council area when gaining access to and from the site. Note, 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 in the vicinity of the site, the trucks may not be approved for use.
- (c) Show the location and length of any proposed Works/Construction Zones.  
Note:
  - (i) Such zones require the approval of the Waverley Traffic Committee and Council prior to installation.
  - (ii) It is illegal to park a truck exceeding 4.5tonnes on a roadway for more than one (1) hour unless signs are installed allowing such and illegal to barricade/ reserve a section of roadway without the prior approval of Council.
- (d) Indicate the number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.

#### **17. SWEPT WHEEL PATH DRAWINGS**

Prior to issue of the Construction Certificate, swept wheel path drawings, prepared by a suitably qualified and experienced traffic engineering consultant, showing the swept wheel paths of vehicles entering and exiting each of the garages from Jackaman Street shall be submitted to Council for the approval of the Executive Manager, Creating Waverley.

The swept wheel path drawings shall:

- (a) Be drawn for the B85, standard design vehicle as described in AS/NZS 2890.1: 2004 Part 1 Off Street Car Parking.
- (b) Accurately show the kerb and gutter, driveways and vehicles parked kerbside on Jackaman Street to the immediate north and south of the proposed driveway.
- (c) Show the minimum length of driveway layback considered necessary to gain satisfactory access to and from the proposed garages.
- (d) Show the minimum length of opening and clearances required at the property boundary to cater for the design vehicle swept wheel paths.
- (e) Accurately show the length of the Council's kerb and gutter remaining between the northern side wing of the existing driveway at No.6 and the southern side wing of the proposed driveway at No.8

#### **18. NEW VEHICLE CROSSING**

A new vehicle crossing is to be provided to access the proposed **garages**. A separate application is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council.

**19. FENCE NOT TO ENCROACH BEYOND BOUNDARIES**

No portion of the proposed 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 the Principal Certifying Authority prior to the issue of a Construction Certificate.

**20. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and cannot be modified under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

**21. GREEN ROOF**

The green roof shall comprise plants selected from the 'Grasses/Sedges' and 'Climbers/Groundcovers' tables in the Planting List in Annexure B2-1 of Part B of Waverley Development Control Plan 2012. The plants shall have a maximum maturity height of 200mm above the roof level.

The green roof is a non-trafficable area and must be irrigated and generally maintainable without requiring frequent access. The irrigation system/process is to be nominated on a landscape plan as part of the Construction Certificate documentation. A balustrade at the perimeter is not, and will not be, permitted to address any safety or other implications from accessing the area for infrequent maintenance purposes.

Direct access to the area (eg a gate or door from the same level, or a fixed stair from the level below) must not be incorporated into the design in order to discourage frequent use.



## **C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION**

### **22. 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.

### **23. 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.

### **24. 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.

### **25. 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 4.55 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.

### **26. 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.

### **27. 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.

## **28. EXCAVATION TO BE MANAGED BY STRUCTURAL ENGINEER**

Bulk excavation is to be managed by a practising structural engineer, in accordance with the specification for shoring and support, as detailed in the approved Construction Certificate.

## **29. TOILET FACILITIES**

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

## **25. OBSTRUCTION TO PUBLIC AREAS**

- (a) 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:
- (b) 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;
- (c) 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
- (d) a hoarding, fence or awning is to be removed when it is no longer required for the purpose it was provided.

## **30. DILAPIDATION REPORTS**

A Dilapidation report should be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. This action is designed to assist all parties should damage occur and is not a preventative action. The dilapidation reports should be completed and submitted to the relevant owner of the affected property, Council and the Principal Certifying Authority prior to undertaking any works that may cause damage

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 is not a condition of consent and cannot be used to prevent the commencement of works or prevent neighbouring buildings being damaged by the carrying out of the development.
- (c) Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that 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 builder, owner, developer, its contractors and the owners of neighbouring buildings.

**31. 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (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.

**32. DEMOLITION & SITE PREPARATION**

Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements NSW WorkCover Authority and the NSW Environment Protection Authority (EPA), and with the provisions of:

- (a) Work Health & Safety Act 2011;
- (b) Work Health & Safety Regulation 2011;
- (c) Protection of the Environment Operations Act 1997 (NSW) and
- (d) NSW EPA Waste Classification Guidelines 2009.

**33. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS**

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

**34. 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.

**35. 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.

**36. 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.

**37. 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.

**38. POTENTIAL DEWATERING OF THE SITE**

Should dewatering of the site be required, the onus is on the developer to:

- (a) Undertake the necessary site investigations prior to construction;
- (b) Prove that a water table is present or absent;
- (c) Assess the feasibility of alternative construction methods;
- (d) Assess the potential contaminated site, acid sulphate soil and saline intrusion issues;
- (e) Design an appropriate and safe dewatering system;
- (f) Apply for a dewatering licence,
- (g) Provide a detailed geotechnical and hydrogeological report regarding construction dewatering and monitoring;
- (h) Design and implement a monitoring program;
- (i) Monitor, analyse, interpret and report on dewatering to Council. DWE and possibly DECC throughout construction;
- (j) Inform Council of unexpected site conditions (such as water tables or high seepage rates) and subsidence issues.

**39. 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; and
- (b) Sundays and public holidays

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

**40. 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.

**41. BUILDING CODE OF AUSTRALIA**

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

**42. BUILDING LEGISLATION AMENDMENT (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; and
- (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.

**43. CERTIFICATE OF SURVEY - LEVELS**



All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

**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. 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.

**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. 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.

**48. ASBESTOS REMOVAL**

- (a) All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.
- (b) All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.
- (c) No asbestos products are to be reused on site.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.

(e) No asbestos laden skips or bins are to be left in any public place without the approval of Council.

#### 49. TREE REMOVAL

This consent authorises the removal of the trees listed in the table below and identified in the Arboricultural Impact Assessment specified in condition 1 of this consent. The trees to be removed shall be replaced as per the Arboricultural Impact Assessment.

Tree No.	Species	Location
T 1	<i>Callistemon</i>	On-site
T 3	<i>Podocarpus elatus</i>	On-site
T 7	<i>Syzygium</i>	On-site
T 8	<i>Erythrina crista-galli</i>	On-site
T 9	<i>Corymbia citriodora</i>	On-site
T 10	<i>Persea Americana</i>	On-site
T11	<i>Plumeria</i>	On-site
T12	<i>Plumeria</i>	On-site
T15	<i>Callistemon</i>	On-site
T16	<i>Eriobotrya japonica</i>	On-site

#### 50. TREES TO BE RETAINED

All trees, identified in the table below, are to be retained in accordance with the tree protection measures, including tree protection fences, recommended in the Arboricultural Impact Assessment specified in condition 1 of this consent.

Tree No.	Species	Location
T 2	<i>Tristaniopsis laurina</i>	On-site
T 4	<i>Yucca sp</i>	On-site
T 5	<i>Persea Americana</i>	On-site
T 6	<i>Corymbia citriodora</i>	On-site
T 13	<i>Robinia pseudoacacia</i>	On-site
T 14	<i>Cotoneaster sp</i>	On-site
T 17	<i>Callistemon</i>	On-site
T 18	<i>Ficus microcarpa var hilli</i>	Street Tree

#### 51. TREE PROTECTION

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

**52. TREE PRUNING ON ADJOINING PROPERTIES**

Any pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building will require consent under a separate Tree Preservation Order (TPO) application for works to the trees. No works can occur to these trees without a valid TPO.

The TPO application shall be supported by an Arborist report prepared by an Arborist with AQF level 5 qualification or above, certifying that the affected trees will be maintained in a healthy manner after the pruning works, to the satisfaction of Council's Tree Management Officer.

A valid TPO for the works to the above listed trees is to be presented to the Certifying Authority prior to the issue of the relevant Construction Certificate and prior to any pruning of trees.

**53. VEHICULAR ACCESS - FINISHED LEVEL**

The finished level at the property boundary on **both** sides of the vehicle crossing is to match the level of the existing concrete footpath.

**54. SWIMMING POOLS**

The following requirements apply to the use and operation of the approved pool:

- (a) The pool water being treated by an approved water treatment and filtration unit.
- (b) The pool is to be fitted with a cover, that shall be fitted when the pool is not in use to minimise evaporation and conserve water.
- (c) To prevent noise nuisance to surrounding properties, the pool filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.

**55. 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) 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 AS 1926.1-2012 Swimming pool safety - Safety barriers for swimming pools. This fencing is to be erected and inspected by the Principal Certifying Authority prior to the pool being filled with water; and
- (d) 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.

## **D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION**

### **56. SUBDIVISION**

A Subdivision Certificate must be obtained from Council in accordance with section 6.4(c) of the Environmental Planning and Assessment Act, 1979 prior to the registration of the subdivision plans.

### **57. SYDNEY WATER**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website [www.sydneywater.com.au/customer/urban/index](http://www.sydneywater.com.au/customer/urban/index) or telephone 13 20 92.**

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the subdivision plan/occupation of the development.

### **58. 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 the Environmental Planning and Assessment Act, 1979 have been satisfied.

### **59. STORMWATER MANAGEMENT**

Prior to issuance of occupation certificate, certification is to be provided from a suitably qualified hydraulics engineer, that the stormwater system has been constructed in accordance with the approved stormwater management plans and to best engineering practice.

### **60. 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.

### **61. 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.

### **62. SWIMMING/SPA POOL PUMP - RESTRICTIONS**

Swimming/spa pool pumps are restricted from being used and operated between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2008. On the spot fines may be imposed should breaches occur.

**63. SWIMMING POOL REGISTRATION**

The swimming pool is to be registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>) and a Certificate of Compliance obtained for the pool barrier is required to be submitted to Council prior to the issue of an Occupation Certificate.

**64. LANDSCAPE PLAN**

The site is to be landscaped and turfed in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

**65. 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.

**66. ALLOCATION OF STREET NUMBER - TORRENS TITLE SUBDIVISION DUAL OCCUPANCY**

The subdivision of the property has led to the following allocation of primary address numbers:

- No. 8 for the south allotment (proposed lot 1);
- No. 8A for the north allotment (proposed Lot 2).

The primary premises numbers for the properties shall be a minimum of 75mm high, shall be positioned 600mm-1500mm above ground level on the site boundaries, located near the entry points and clearly visible from Jackaman Street. The primary premises numbers are to be positioned on the sites prior to the issue of the Occupation Certificate.

Any variation to the above premises numbering requires a new application to be lodged with Council.

**67. USE OF BASEMENT LEVEL**

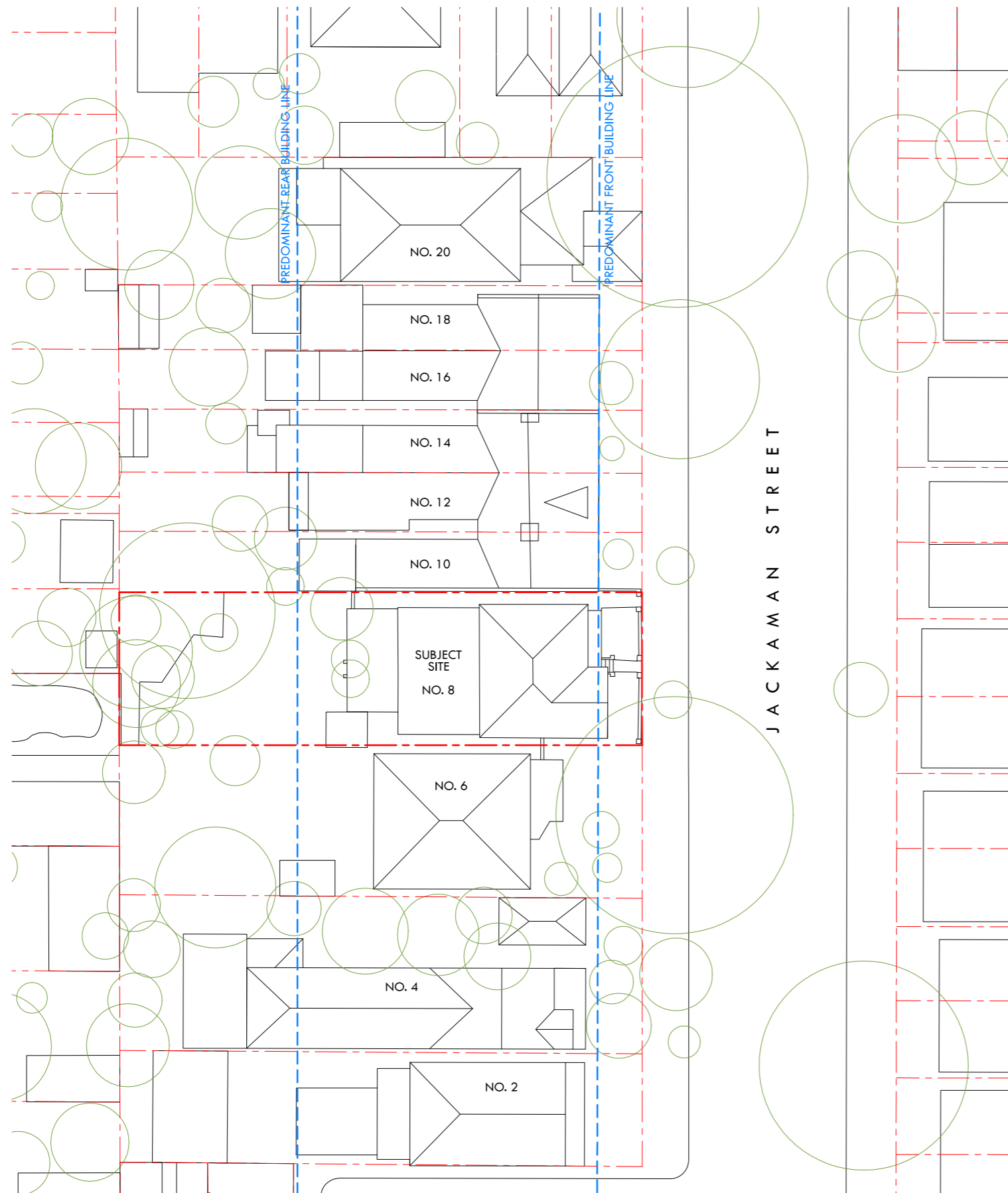
The basement level shall be used for non-habitable purposes only (i.e. storage, laundry and car parking).

**68. VEHICLE TO BE PARKED WITHIN THE SITE**

Any vehicle utilising the car space is to be parked fully within the confines of the site and is not to park over the public footway at any time.

**69. GREEN ROOF**

The green roof shall be non trafficable and accessed for maintenance purposes only.



PROJECT:  
**8 JACKAMAN STREET, BONDI**

CLIENT:  
**FINE POINT DEVELOPMENT**

PROJECT NUMBER:  
**5595**

DATE:  
**DECEMBER 2017**

NUMBER:	DRAWING NAME:
DD-1000	COVERSHEET & CONTEXT PLAN
DD-1010	BASIX SUMMARY & WINDOW & DOOR SCHEDULE
DD-1020	EXISTING SITE PLAN & STREETScape ELEVATION
DD-1030	EXISTING STREETScape & ENVIRONS ANALYSIS
DD-1040	SITE PLAN, DRAINAGE & CALCULATIONS
DD-1050	PROPOSED RESPONSE TO STREETScape & ENVIRONS
DD-1060	SOLAR ACCESS PLAN DIAGRAMS
DD-1061	SOLAR ACCESS ELEVATION DIAGRAMS
DD-1070	SUBDIVISION PLAN
DD-1100	LOWER GROUND FLOOR PLAN
DD-1101	UPPER GROUND FLOOR PLAN
DD-1102	FIRST FLOOR PLAN
DD-1200	STREETScape ELEVATION
DD-1201	ELEVATIONS
DD-1202	ELEVATION
DD-1203	ELEVATION
DD-1204	ELEVATION
DD-1205	ELEVATION
DD-1300	SECTION
DD-1301	SECTION

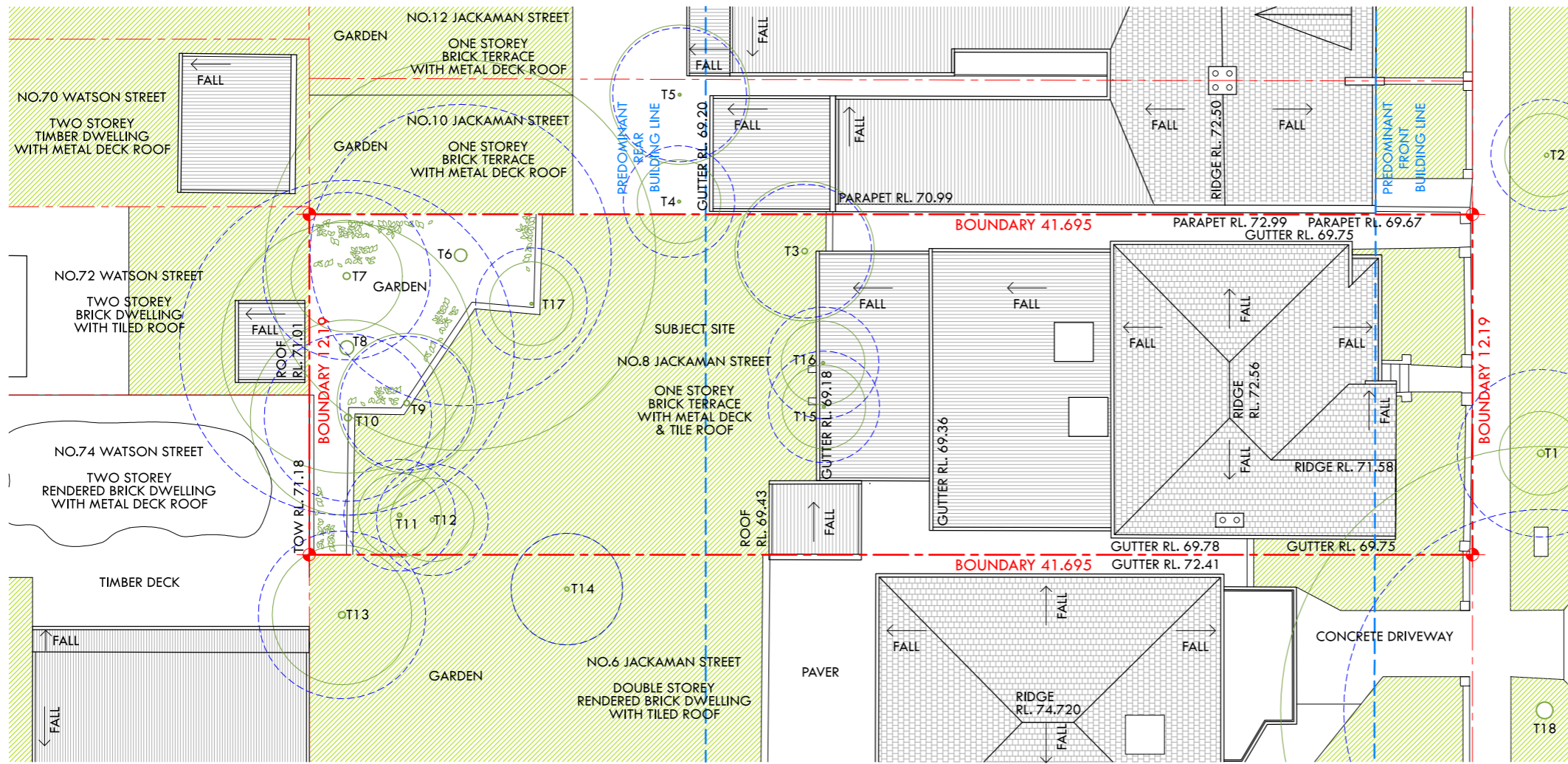
**01** CONTEXT PLAN  
 1:400





View 01 - Proposed streetscape view from Jackaman Street looking west towards new dwelling at No. 8  
Image prepared by Virtual Ideas

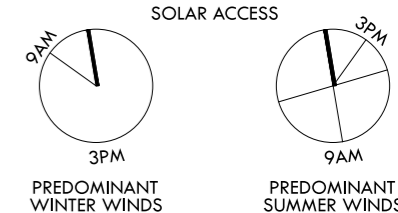
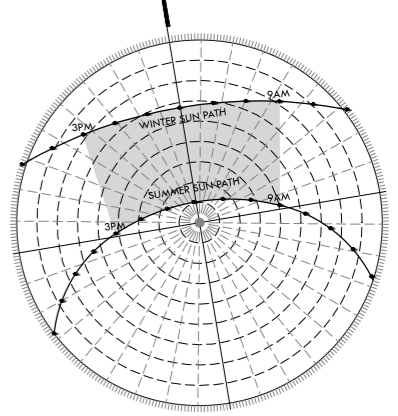




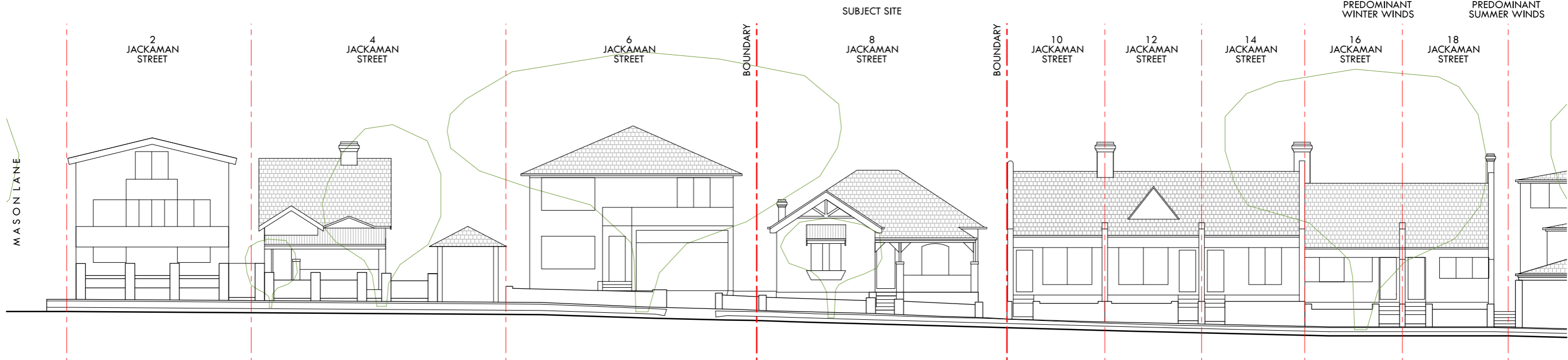
### TREE SCHEDULE

NO.	NAME	TPZ
T1	CALLISTEMON SP.	3.0
T2	TRISTANIOPSIS LAURINA	2.0
T3	PODOCARPUS ELATUS	2.4
T4	YUCCA SP.	2.0
T5	PERSEA AMERICANA	2.4
T6	CORYMBIA CITRIODORA	5.4
T7	SYZIGIUM SP.	3.0
T8	ERYTHRINA CRISTA-GALLI	6.0
T9	CORYMBIA CITRIODORA	2.4
T10	PERSEA AMERICANA	3.0
T11	PLUMERIA RUBRA	2.0
T12	PLUMERIA RUBRA	2.0
T13	ROBINIA PSEUDOACACIA	3.0
T14	COTONEASTER SP.	2.0
T15	COTONEASTER SP.	2.0
T16	ERIOBOTRYA JAPONICA	2.0
T17	CALLISTEMON SP.	2.0
T18	FICUS MICROCARPA (HILLII)	7.2

--- BLUE DASHED LINE INDICATES TPZ PER ARBORIST REPORT



**01 SITE ANALYSIS**  
1:200



**02 EXISTING JACKAMAN STREET ELEVATION**  
1:200



C	SECTION 82A REVIEW	13 DECEMBER 2017
B	DEVELOPMENT APPLICATION	14 JULY 2017
A	DEVELOPMENT APPLICATION	20 APRIL 2017

PROJECT:  
5595 - 8 JACKAMAN STREET, BONDI  
FOR:  
FINE POINT DEVELOPMENT

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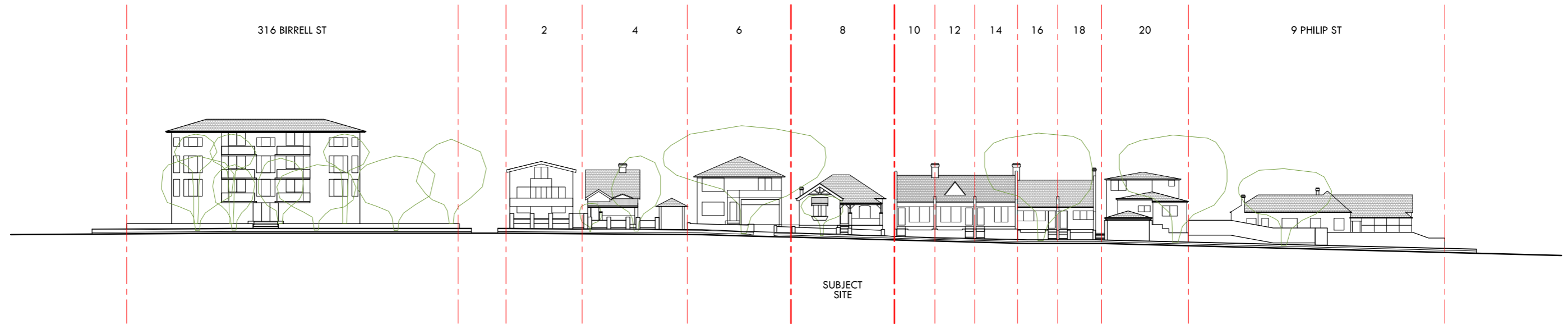
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DRAWING: DD-1020 ISSUE: C

EXISTING SITE PLAN & STREETScape ELEVATION

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### ARCHITECTURAL STYLE - BUILDING TYPES

THE FOLLOWING BUILDING TYPES ARE EVIDENT IN THE JACKAMAN STREETScape AND ENVIRONS:

- MULTI STOREY UNIT BLOCK WITH OFF STREET PARKING (316 BIRRELL)
- MANSION DWELLING WITH OFF STREET PARKING (2 JACKAMAN)
- CHILDCARE CENTRE WITH OFF STREET PARKING (23 JACKAMAN)
- SMALLER 3 UNIT BLOCK (21 JACKAMAN)
- DETACHED DWELLINGS WITH OFF STREET PARKING (4, 6 & 20 JACKAMAN)
- SINGLE STOREY TERRACE DWELLING (10-18 JACKAMAN)
- SINGLE STOREY SEMI-DETACHED DWELLINGS (320 BIRRELL, 1-19 JACKAMAN, 9 & 11 PHILIP)

### ARCHITECTURAL STYLE - HISTORICAL TYPE

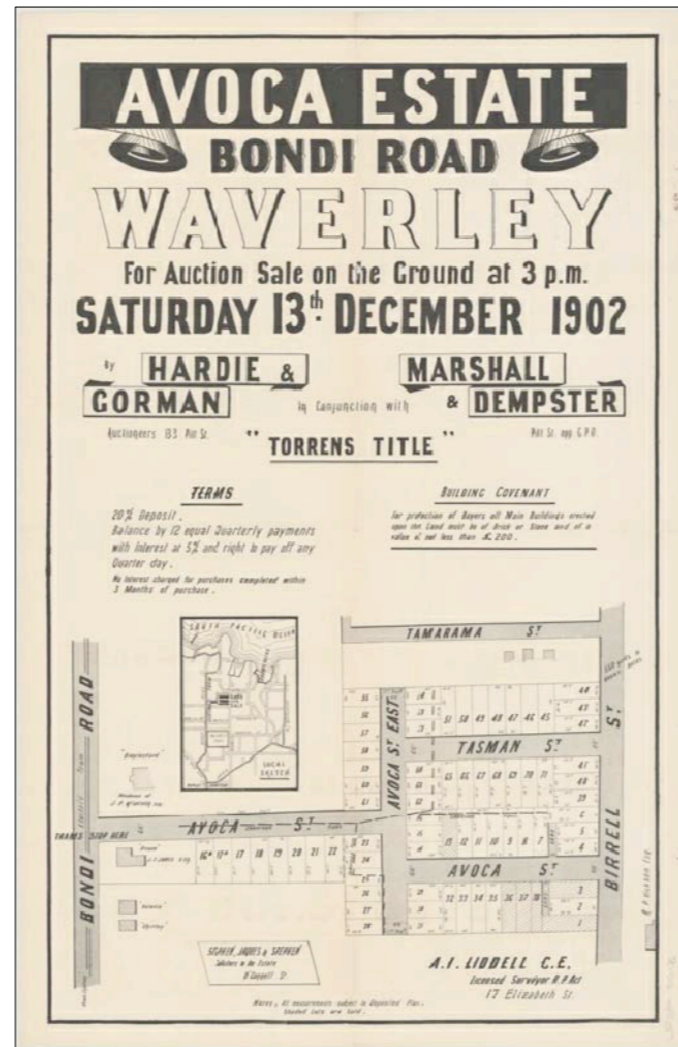
ORIGINALLY KNOWN AS AVOCA STREET, JACKAMAN STREET AND ENVIRONS WAS SUBDIVIDED AFTER 1902, TODAY THE FOLLOWING HISTORIC TYPES ARE EVIDENT:

- FEDERATION ERA DETACHED DWELLING (4, 8 JACKAMAN)
  - FEDERATION ERA TERRACE DWELLING (10-18 JACKAMAN)
  - FEDERATION ERA SEMI-DETACHED DWELLING (320 BIRRELL, 1-19 JACKAMAN, 11 PHILIP)
  - 1960'S UNIT BLOCK WITH OFF STREET PARKING (316 BIRRELL)
  - 1980'S DWELLING WITH OFF STREET PARKING (6 JACKAMAN)
  - 1990'S DWELLING WITH OFF STREET PARKING (20 JACKAMAN)
  - 2000'S DWELLING WITH OFF STREET PARKING (2 JACKAMAN)
  - 2000'S UNIT BLOCK (21 JACKAMAN)
- THE ABOVE DATES HAVE BEEN ESTIMATED VIA VISUAL INSPECTION ONLY.

### SCALE

THE FOLLOWING SCALES ARE EVIDENT IN THE JACKAMAN STREETScape AND ENVIRONS:

- 4 STOREY STREET WALL (316 BIRRELL)
- 3 STOREY STREET WALL (2 JACKAMAN)
- 2 STOREY STREET WALL CHILDCARE CENTRE (6, 21, 23 JACKAMAN)
- 2 STOREY STREET WALL WHICH STEPS UP TO THE REAR (20 JACKAMAN)
- 1 STOREY STREET WALL (4, 10-18 JACKAMAN AND 9 PHILIP)



### MATERIALS

THE FOLLOWING MATERIALS ARE EVIDENT IN THE JACKAMAN STREETScape AND ENVIRONS:

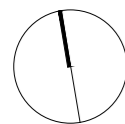
- RENDERED BRICKWORK
- PAINTED BRICKWORK
- FACE BRICKWORK
- PAINTED TIMBER CLADDING
- PAINTED TIMBER BOARD SOFFITS
- PAINTED TIMBER FRAMED WINDOWS
- METAL FRAMED WINDOWS
- TILE ROOFS
- SLATE ROOFS
- METAL ROOFS/SOFFITS
- RENDERED BRICK PARAPET OR FLAT ROOFS
- TIMBER FASCIA GABLE ROOFS
- CONCRETE PAVING AND DRIVEWAYS
- ORNAMENTAL METALWORK
- BRICK FRONT FENCES

### CHARACTER

THE ABOVE TAXONOMY OF ARCHITECTURAL STYLES, SCALES AND MATERIALS DEMONSTRATES THE INHERENT DIVERSITY IN THE JACKAMAN STREETScape. AT EACH PERIOD IN HISTORY NEW TYPES OF CONSTRUCTION HAVE BEEN INTEGRATED WITH THE ENVIRONS.

### A NOTE ON SYMMETRY

THOUGH THERE IS GREAT DIVERSITY WITHIN THE STREETScape EVERY GROUP OF TWO DWELLINGS WERE SYMMETRICAL IN THEIR PLAN AND FACADE ARRANGEMENT AT INCEPTION. JACKAMAN STREET CONTAINS 8 SEMI-DETACHED PAIRS (TOTAL OF 16 DWELLINGS) OF WHICH 5 ARE PERPENDICULAR TO THE FRONTAGE. OVER TIME MODIFICATIONS TO INDIVIDUAL DWELLINGS HAVE ALLOWED ASYMMETRY IN DETAIL TO EVOLVE. (320 BIRRELL, 1-19 JACKAMAN, 11 PHILIP).



C SECTION 82A REVIEW 13 DECEMBER 2017  
 B DEVELOPMENT APPLICATION 14 JULY 2017  
 A DEVELOPMENT APPLICATION 20 APRIL 2017

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**FOR DEVELOPMENT APPLICATION ONLY**

PROJECT:  
 5595 - 8 JACKAMAN STREET, BONDI  
 FOR:  
 FINE POINT DEVELOPMENT

DRAWING: DRAWING NO: ISSUE:  
 DD-1030 C

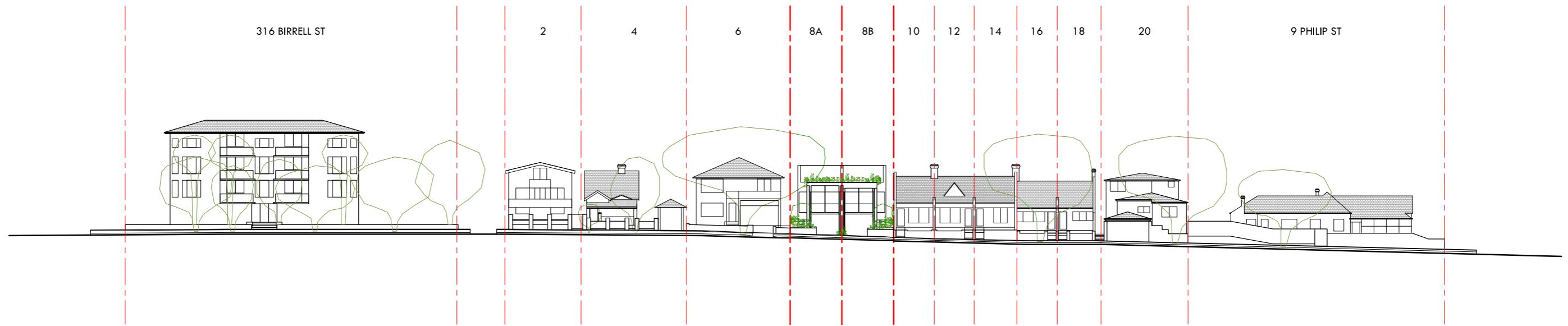
EXISTING STREETScape & ENVIRONS ANALYSIS

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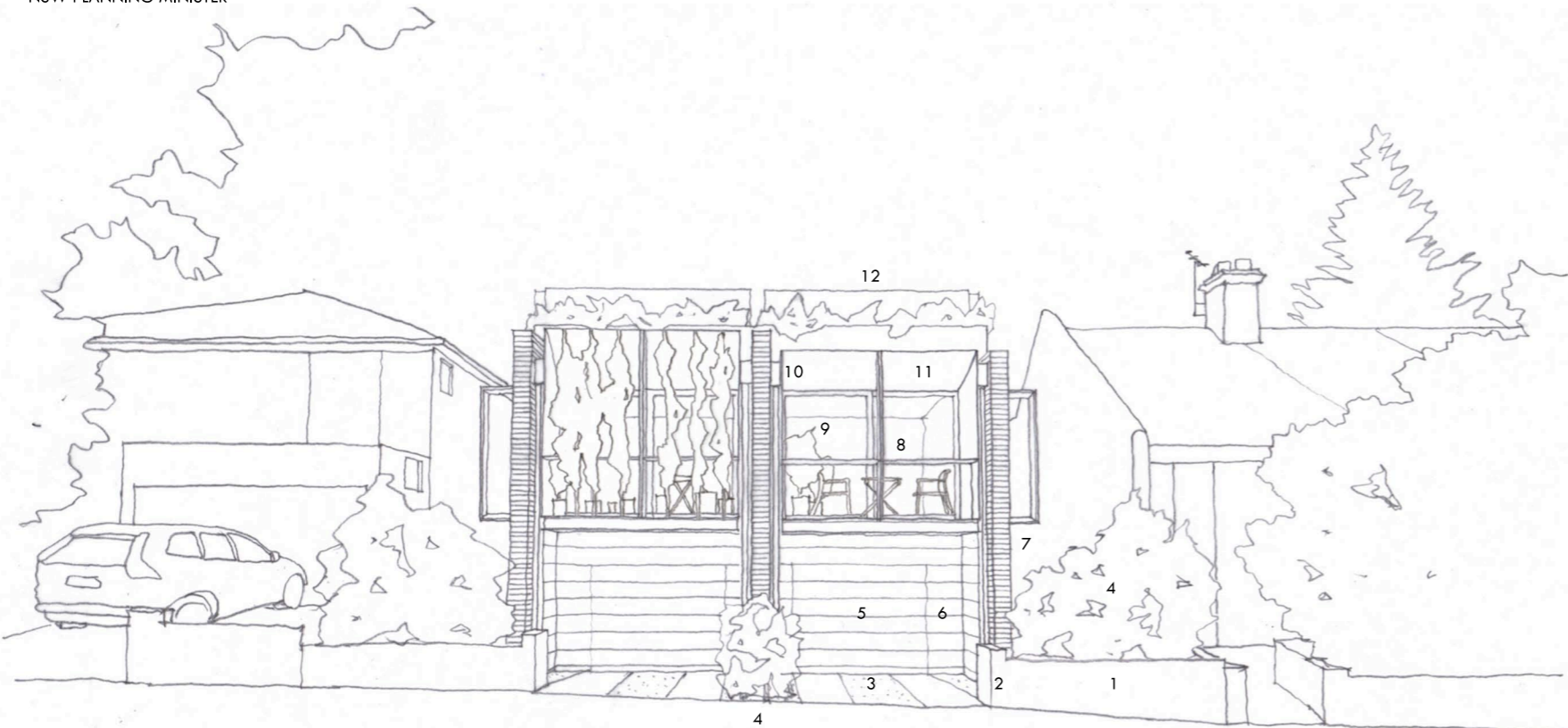




NSW REQUIRES MORE HOUSING TO MEET THE NEEDS OF OUR DIVERSE AND GROWING POPULATION...

CURRENTLY, MOST NEW HOUSING IN NSW FALLS INTO TWO CATEGORIES – TRADITIONAL FREE-STANDING HOMES OR STRATA-TITLED APARTMENTS. WHAT IS MISSING ARE THE LOW-RISE, MEDIUM SIZED HOMES, LIKE TERRACES, DUAL OCCUPANCIES, MANOR HOMES OR TOWNHOUSES. THIS GAP IN OUR HOUSING MARKET HAS BECOME KNOWN AS THE 'MISSING MIDDLE'.

– NSW PLANNING MINISTER



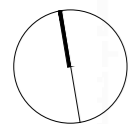
## NOTES

THE FOLLOWING NUMBERS RELATE TO THE STREETScape SKETCH, IN BRACKETS IS AN EXAMPLE OF THAT FEATURE IN THE EXISTING STREETScape, IN SOME INSTANCES THERE ARE MANY MORE THAN ONE EXAMPLE, THOUGH ONLY ONE IS CITED.

1. RENDERED BRICK FENCE (10 JACKAMAN)
2. LETTER BOX AND PATH TO DWELLING ENTRANCE ALONG A SIDE PATH (21 JACKAMAN)
3. RIBBON DRIVEWAY WITH PLANTING BETWEEN VEHICLE WHEEL PATHS (4 JACKAMAN)
4. PLANTING TO COMPRISE GREATER THAN 50% OF THE FRONT SETBACK, RANGING IN HEIGHT AND OPACITY TO ENABLE BOTH PASSIVE SURVEILLANCE AND A PRIVACY THRESHOLD TO THE STREET. (6 JACKAMAN)
5. GARAGE INCORPORATED WITHIN THE DWELLING ENVELOPE (6 JACKAMAN), IN THIS INSTANCE CONCEALED WITHIN WEATHERED TIMBER CLADDING BOARDS
6. SERVICES METERS CONCEALED WITHIN WEATHERED TIMBER CLADDING BOARDS
7. EXPOSED BRICK PARTY/BLADE WALLS (10 JACKAMAN) IN THIS CASE TO BE PAINTED BRICK (5 JACKAMAN)
8. PAINTED METAL FRAMED BALUSTRADE (21 JACKAMAN)
9. UPPER LEVEL VERTICALLY PROPORTIONED SLIDING METAL FRAMED SLIDING GLASS DOORS (6 JACKAMAN)
10. METAL DOWNPIPE EXPRESSED ON THE FACADE (10 JACKAMAN)
11. METAL VERANDAH ROOF/SOFFIT (17 JACKAMAN)
12. SETBACK UPPER LEVEL (20 JACKAMAN)

WHILST IT IS CHARACTERISTIC OF FEDERATION ERA SEMI-DETACHED DWELLINGS TO OCCASIONALLY EXHIBIT SOME FORM OF ASYMMETRY IN THE GROUPING, THIS TRAIT IS NOT IN EVIDENCE IN THIS PARTICULAR ENVIRON. FOR THIS REASON IT IS PROPOSED TO ESTABLISH A SYMMETRICAL PAIR WHICH WILL EVOLVE DIFFERENCE AS A RESULT OF THE PREDILECTIONS OF THE INDEPENDENT OWNERS OR INHABITANTS OVER TIME. THIS IS REPRESENTED IN THE ADJACENT SKETCH IN THE DIFFERING VERANDAH PLANTING AND FURNISHING. NO DOUBT THE DIFFERENCE WILL BECOME MORE PRONOUNCED OVER TIME.

0 5 10 35M



C SECTION 82A REVIEW 13 DECEMBER 2017  
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PROJECT:  
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 FOR:  
 FINE POINT DEVELOPMENT

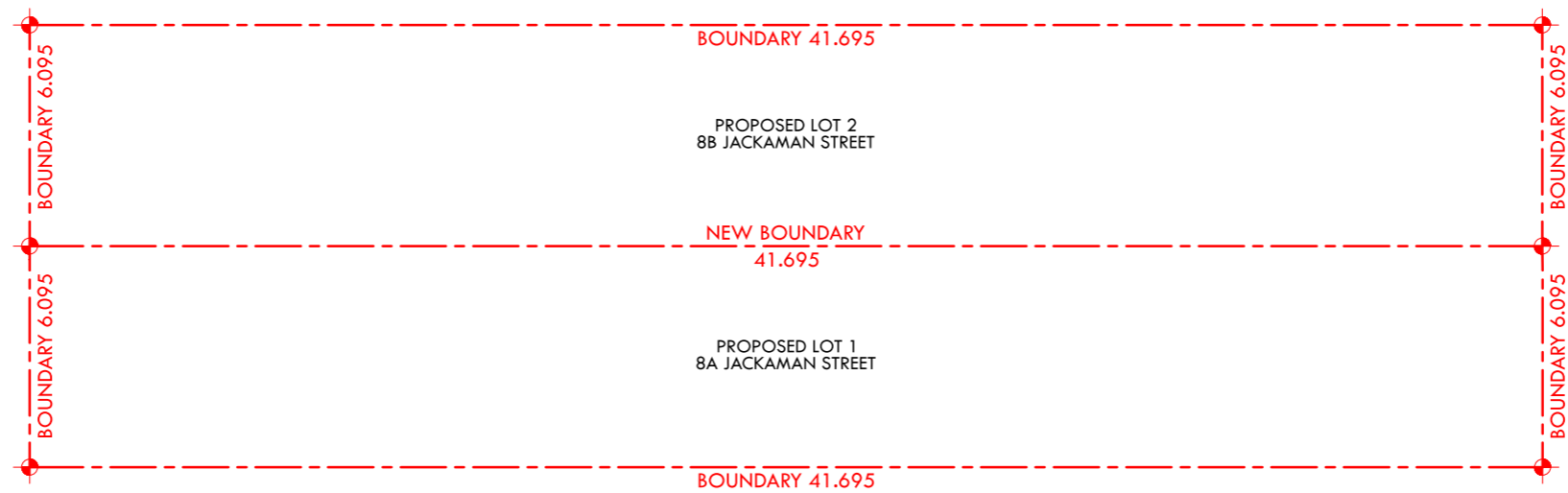
DRAWING: DRAWING NO: ISSUE:

PROPOSED RESPONSE TO THE STREETScape & ENVIRONS DD-1050 C

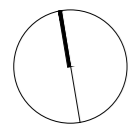
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01 INDICATIVE SUBDIVISION PLAN  
- 1:200



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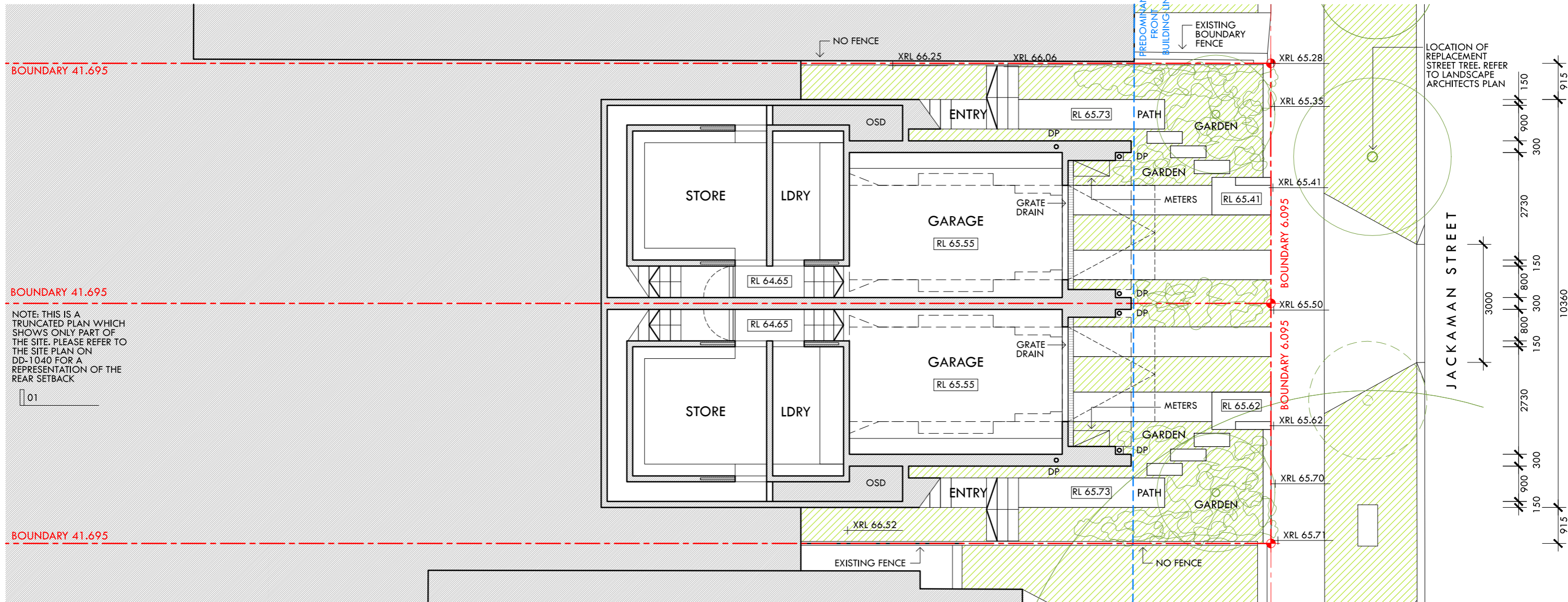
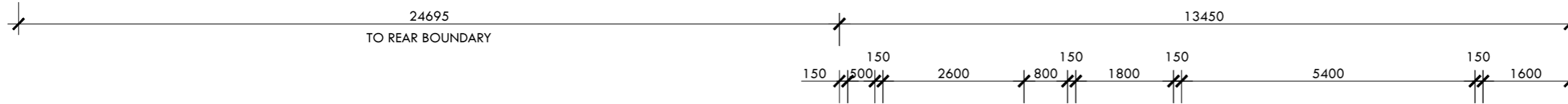
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 5595 - 8 JACKAMAN STREET, BONDI  
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DRAWING: SUBDIVISION PLAN DRAWING NO: DD-1070 ISSUE: C

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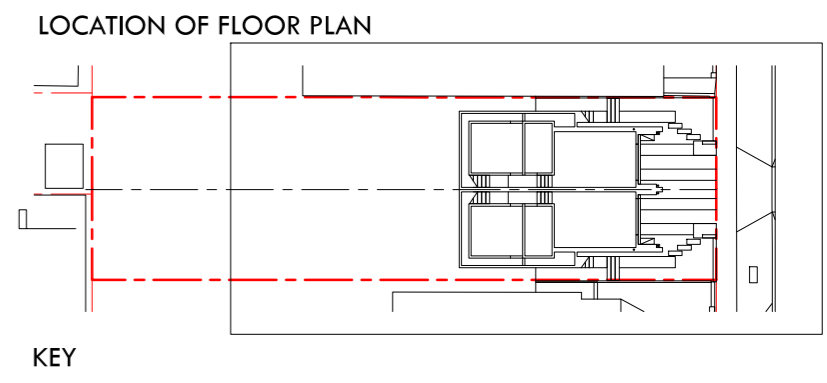
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NOTE: THIS IS A TRUNCATED PLAN WHICH SHOWS ONLY PART OF THE SITE. PLEASE REFER TO THE SITE PLAN ON DD-1040 FOR A REPRESENTATION OF THE REAR SETBACK

01

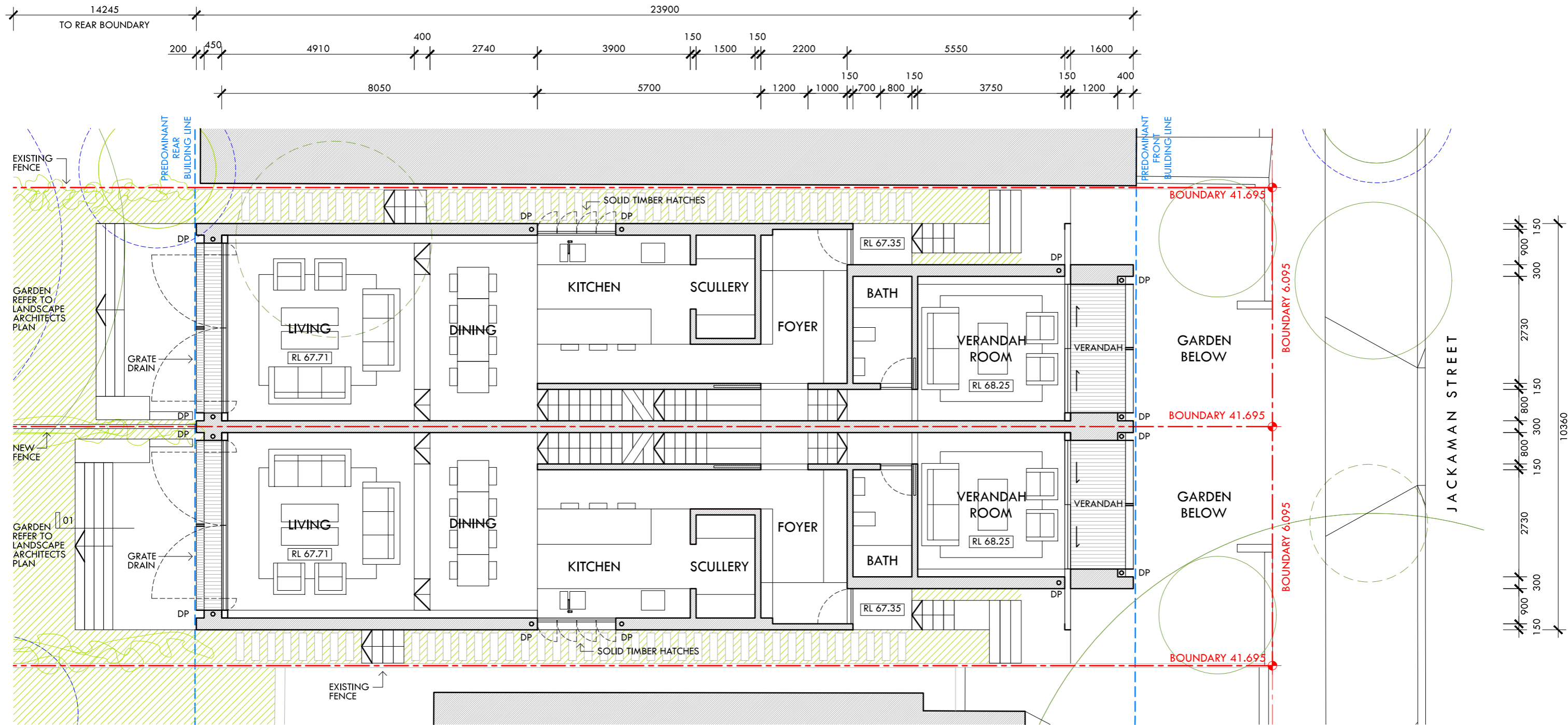
**01 LOWER GROUND FLOOR PLAN**  
1:100



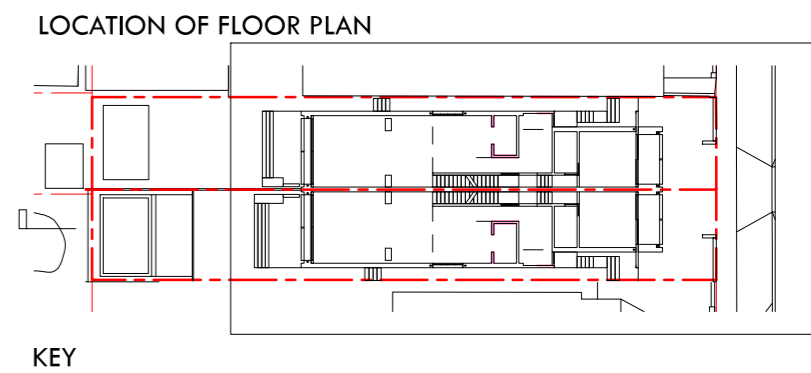
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PROJECT:  
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FOR:  
FINE POINT DEVELOPMENT  
DRAWING: DD-1100 ISSUE: C  
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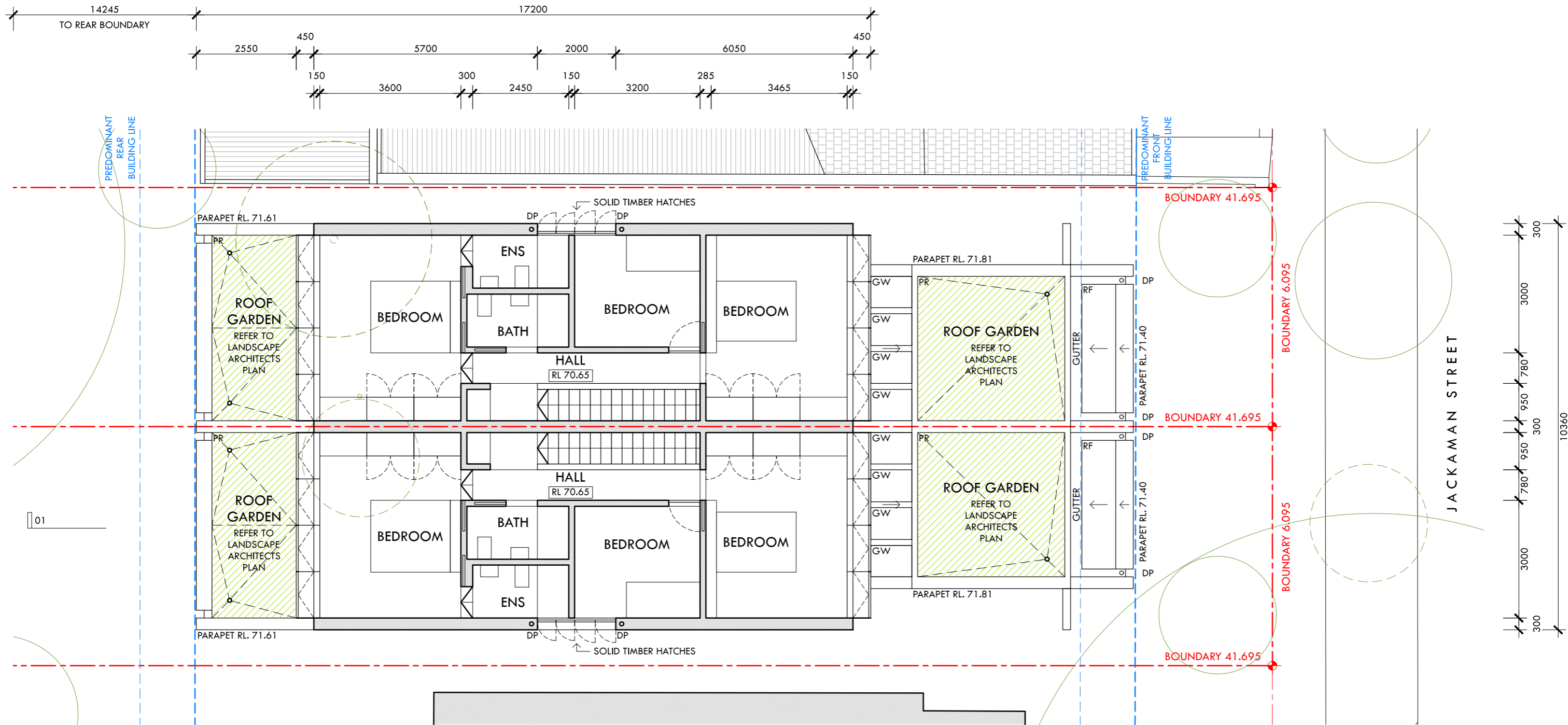


01 UPPER GROUND FLOOR PLAN  
1:100

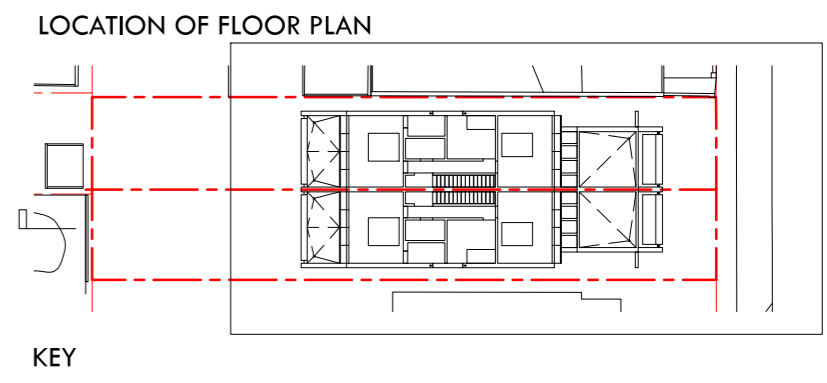


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 UPPER GROUND FLOOR PLAN DD-1101 C  
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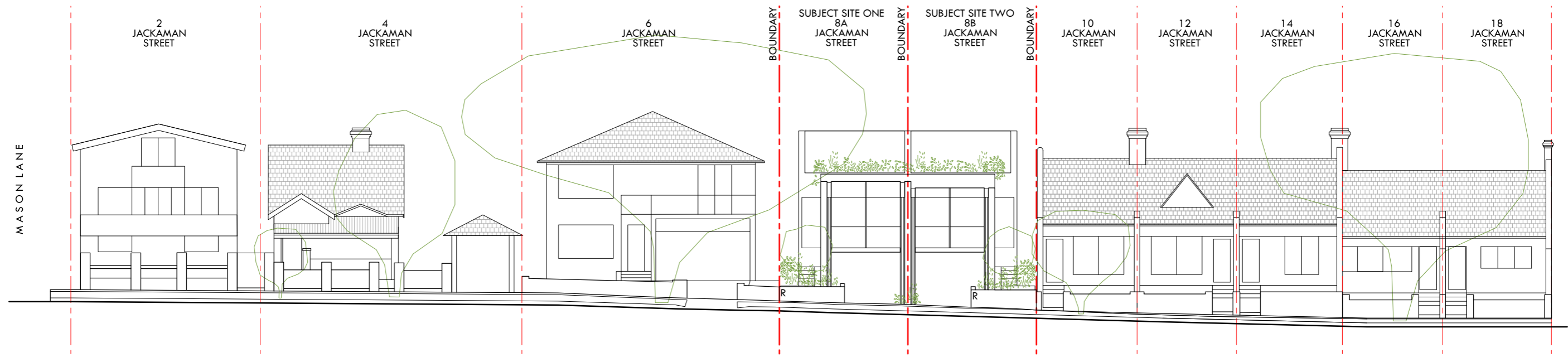


01 FIRST FLOOR PLAN  
1:100



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 FOR:  
 FINE POINT DEVELOPMENT  
 DRAWING: FIRST FLOOR PLAN  
 DRAWING NO: DD-1102  
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01 JACKAMAN STREET ELEVATION  
1:200

REFER TO DD-1201 FOR BUILDING ELEVATION



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 B DEVELOPMENT APPLICATION 14 JULY 2017  
 A DEVELOPMENT APPLICATION 20 APRIL 2017

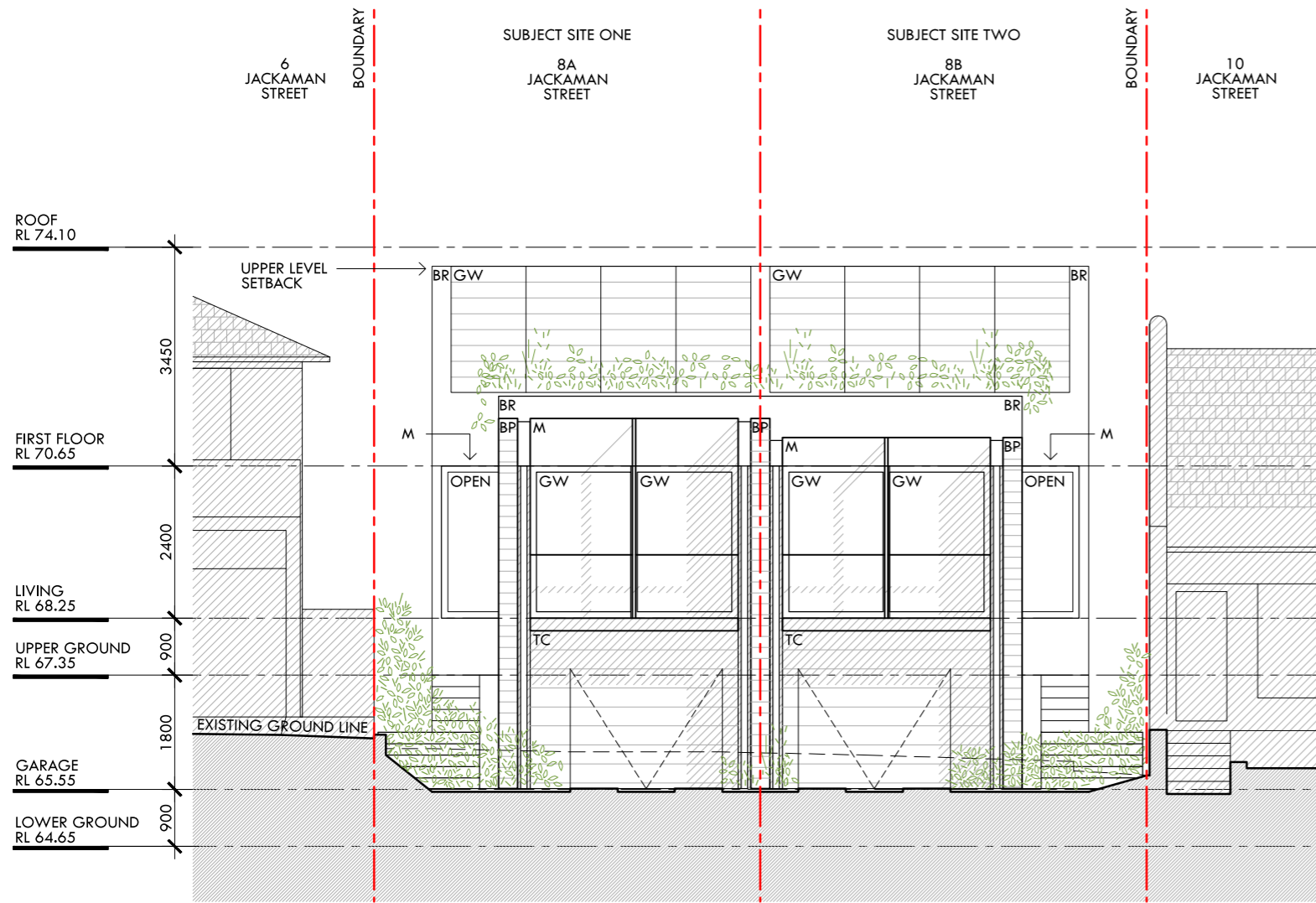
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 FOR:  
 FINE POINT DEVELOPMENT

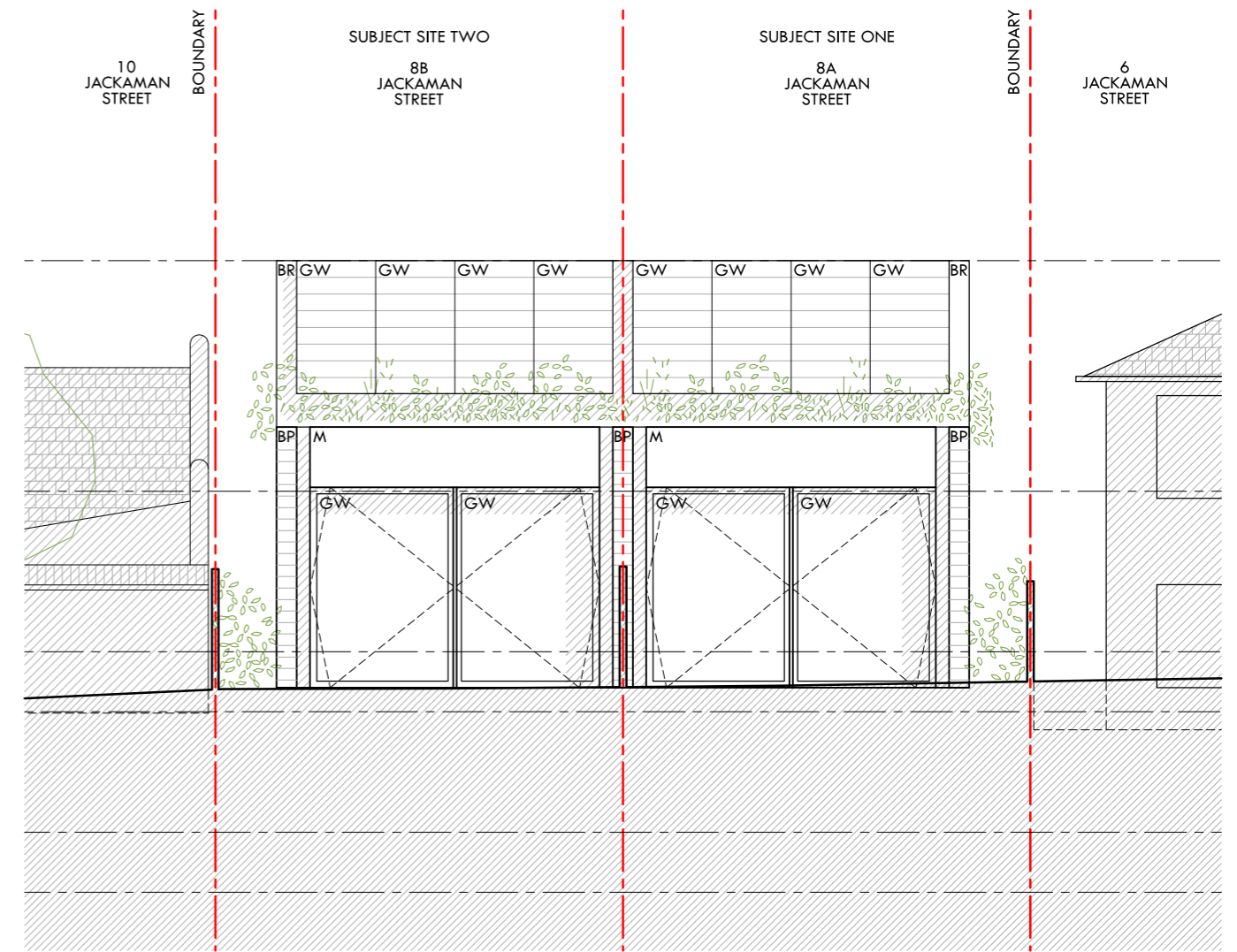
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 DRAWING NO: DD-1200  
 ISSUE: C

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**162**





01 FRONT (EAST) ELEVATION - AT BUILDING LINE  
1:100



02 REAR (WEST) ELEVATION - AT BUILDING LINE  
1:100



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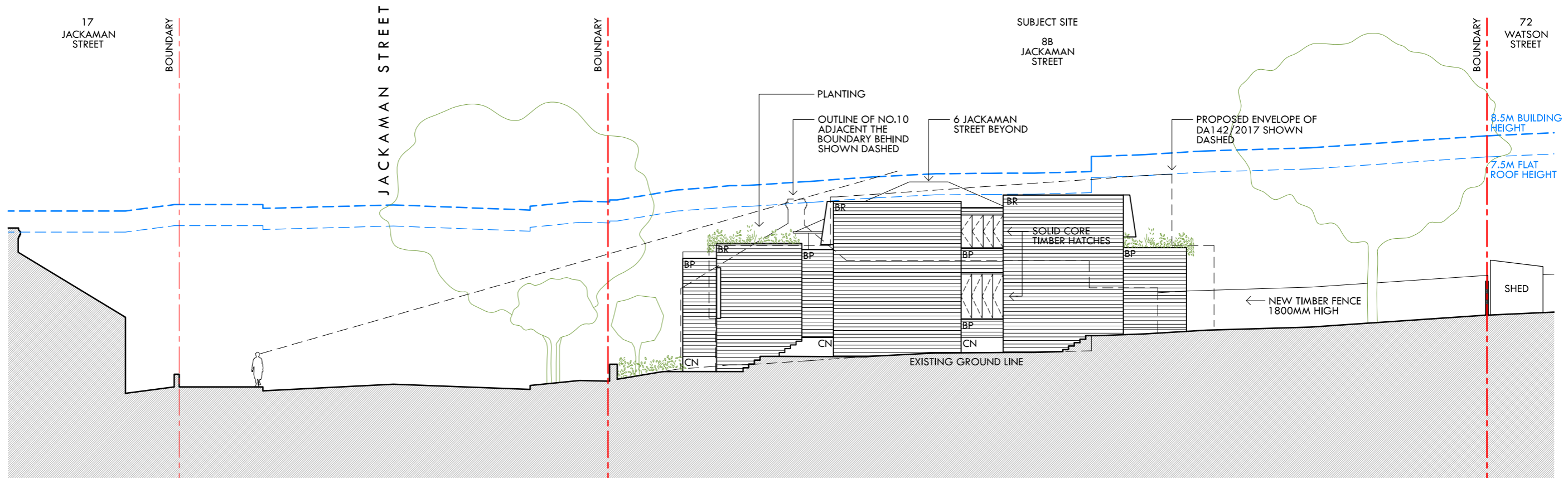
PROJECT:  
5595 - 8 JACKAMAN STREET, BONDI  
FOR:  
FINE POINT DEVELOPMENT

DRAWING: ELEVATIONS DRAWING NO: DD-1201 ISSUE: C

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01 SIDE (NORTH) ELEVATION AT BUILDING LINE  
1:200



C SECTION 82A REVIEW 13 DECEMBER 2017  
B DEVELOPMENT APPLICATION 14 JULY 2017  
A DEVELOPMENT APPLICATION 20 APRIL 2017

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PROJECT:  
5595 - 8 JACKAMAN STREET, BONDI  
FOR:  
FINE POINT DEVELOPMENT

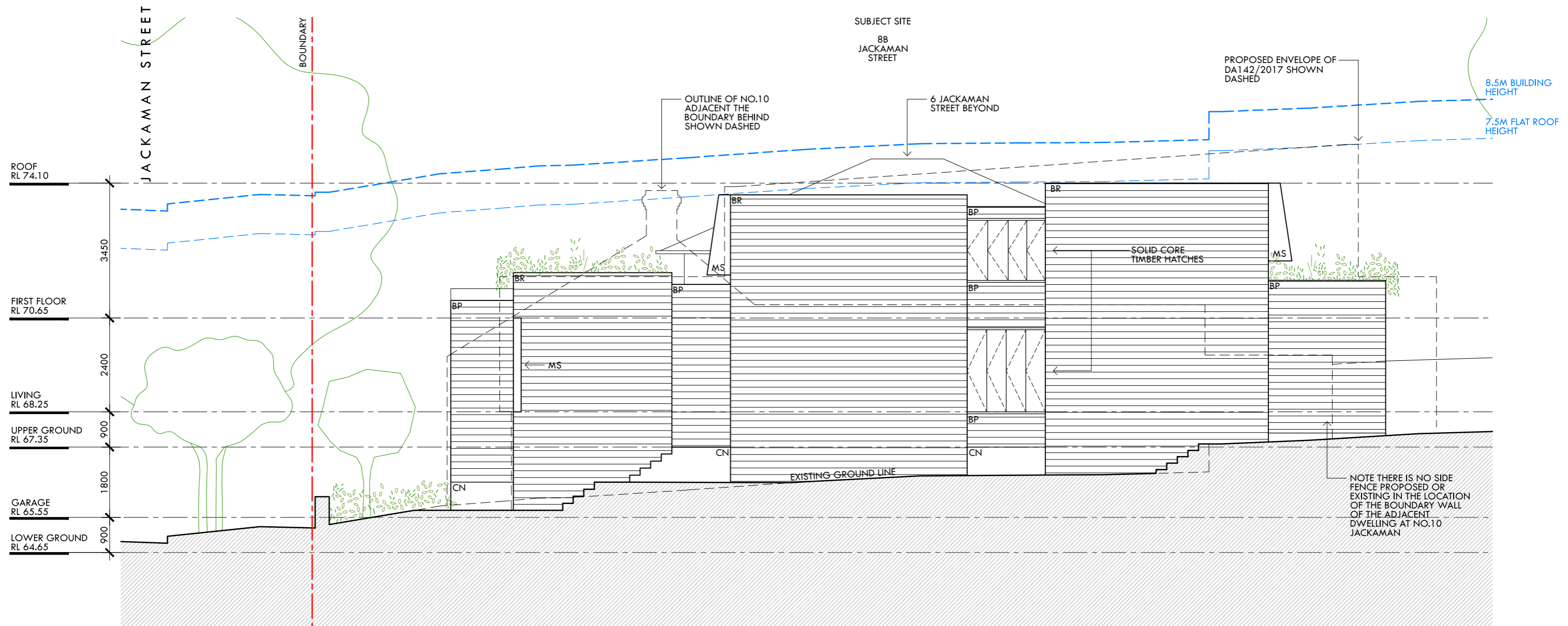
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01 SIDE (NORTH) ELEVATION AT BUILDING LINE  
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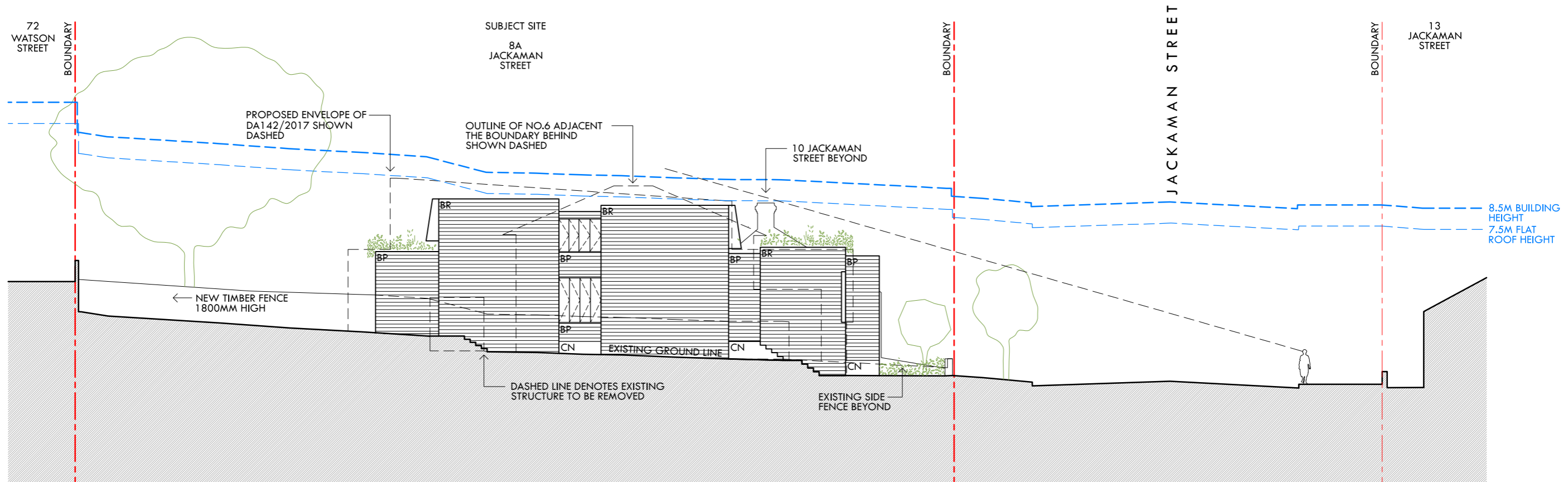
PROJECT:  
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DRAWING: ELEVATION DRAWING NO: DD-1203 ISSUE: C

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01 SIDE (SOUTH) ELEVATION AT BUILDING LINE  
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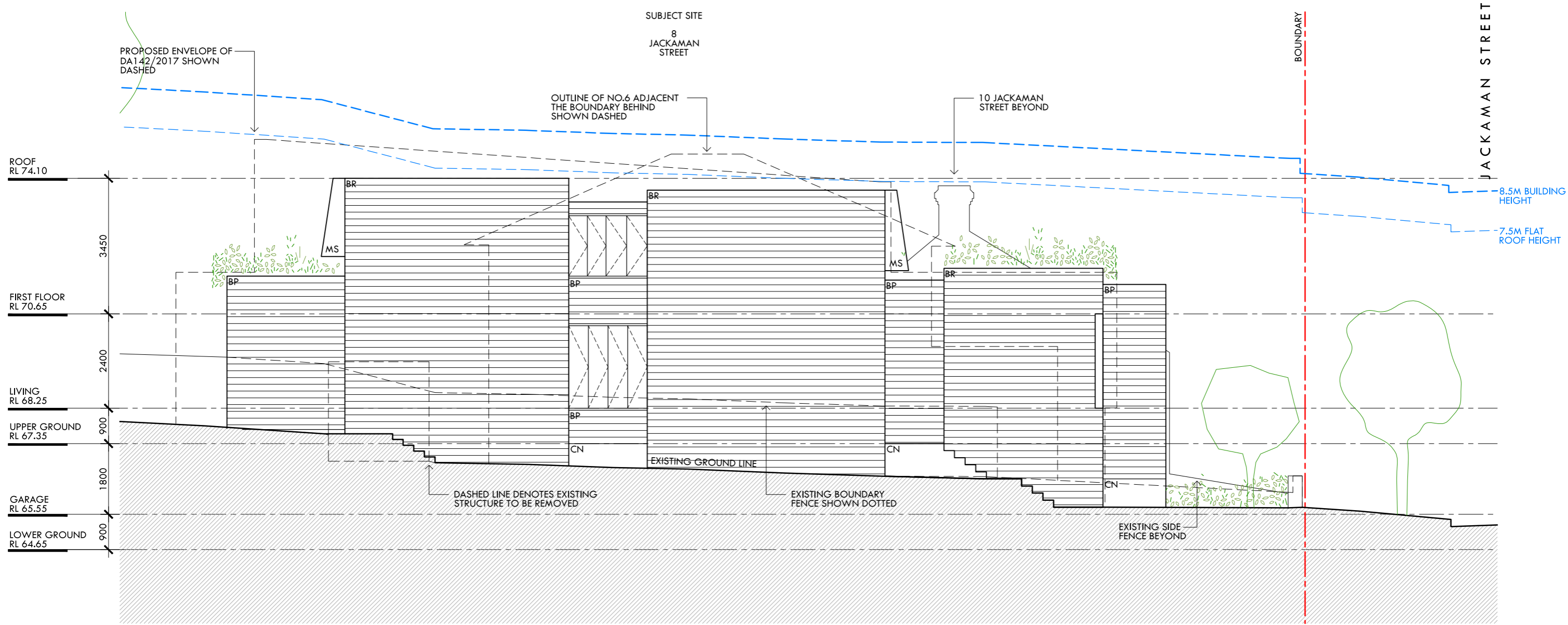
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01 SECTION  
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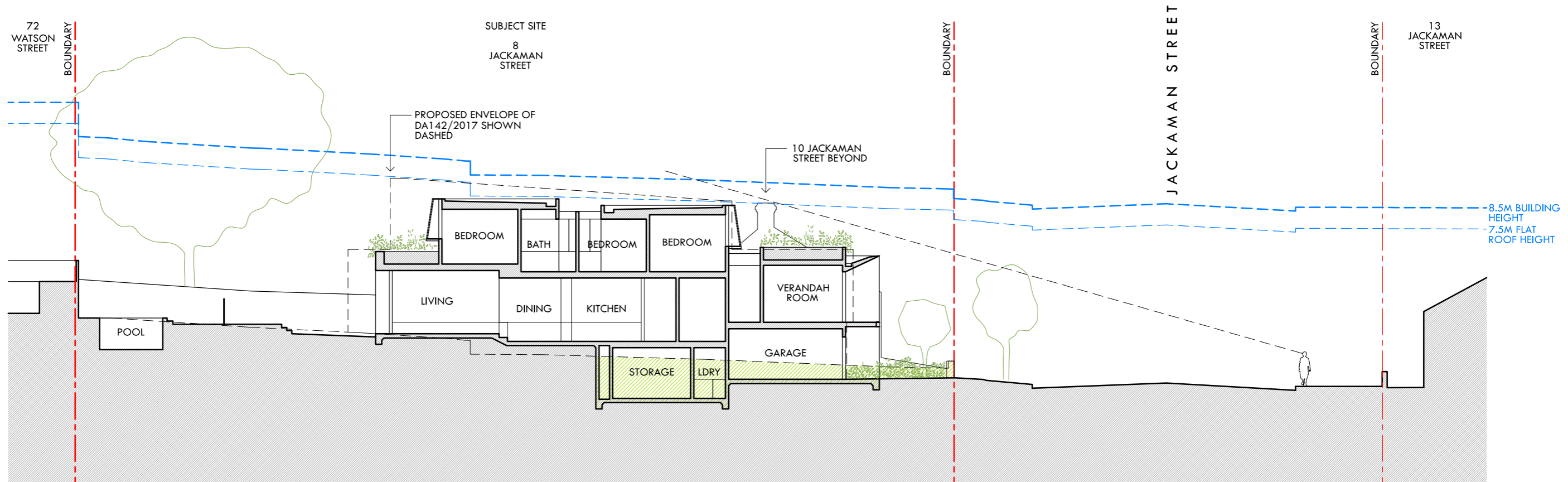
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**167**



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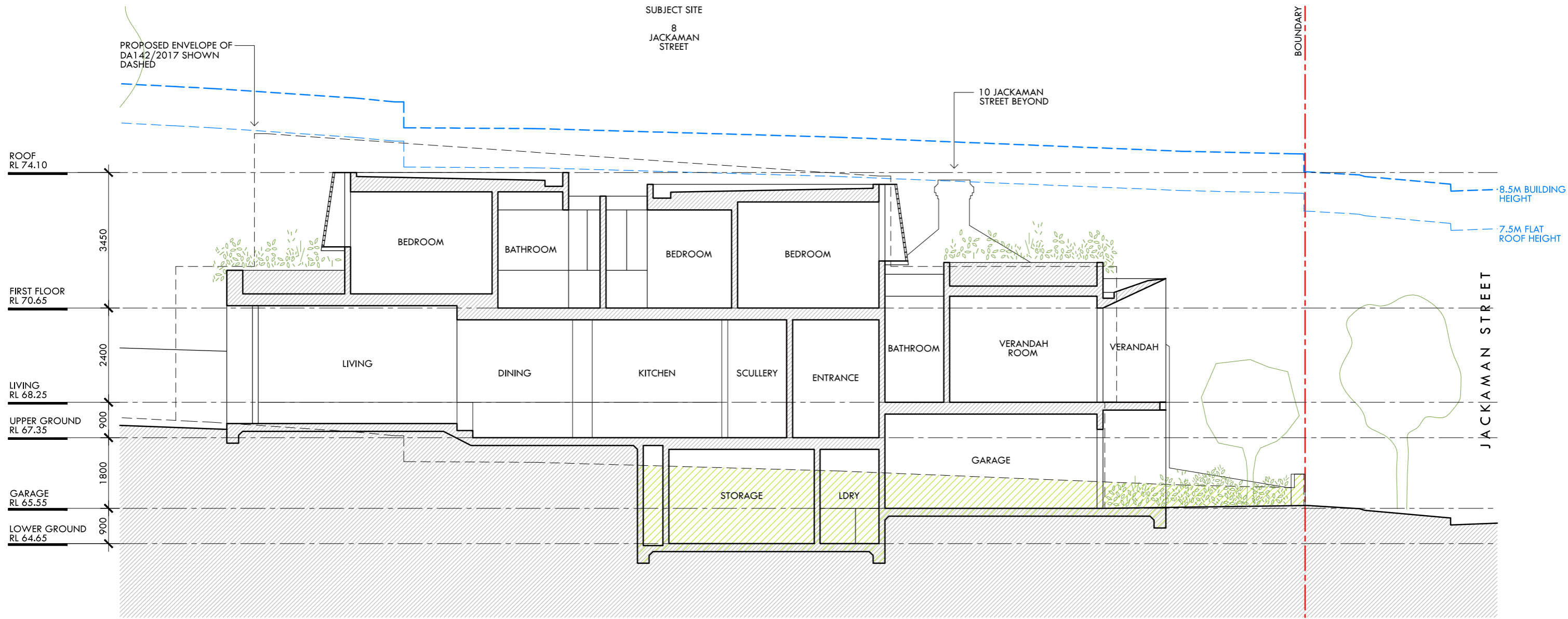
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01 SECTION  
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**169**





Multi Unit and Multi Dwelling Housing



Report to the Waverley Development Assessment Panel

<b>Application number</b>	DA-193/2017
<b>Site address</b>	60 Lamrock Avenue, Bondi Beach
<b>Proposal</b>	Alterations and additions to a dual occupancy to create a residential flat building containing four units, front hardstand parking, swimming pool and strata subdivision
<b>Date of lodgement</b>	19 May 2017
<b>Owner</b>	Mr J Peters
<b>Applicant</b>	MHN Design Union Pty Ltd
<b>Submissions</b>	Original proposal - 14 submissions, and a petition containing 104 signatures Amended proposal – 6 submissions
<b>Cost of works</b>	\$1 921 725
<b>Issues</b>	FSR, Planning Agreement, Parking, Overshadowing, Visual privacy
<b>Recommendation</b>	That the application be APPROVED



## 1. PREAMBLE

### 1.1 Site and Surrounding Locality

A site visit was carried out on 9 August 2017.

The site is identified as Lot 2 DP 10676, known as 60 Lamrock Avenue, Bondi Beach. It is located on the southern side of Lamrock Avenue near the three-way intersection of Lamrock Avenue, Sir Thomas Mitchell Road and Forest Knoll Avenue.

The site is irregular in shape with a northern splayed boundary at the front of the site measuring 17.5m, eastern side boundary measuring 21.37m, southern rear boundary measuring 16.5m and western side boundary measuring 37.81m. The site has an area of 412.4m<sup>2</sup> and is generally flat.

The site is occupied by a two-storey dual occupancy building with vehicular access provided from Lamrock Avenue to a carport located within the front setback of the site.

The subject site is adjoined by a part four and five residential flat building to the east and a three-storey residential flat building to the west. The locality is characterised by a variety of residential development, including semi-detached and detached dwellings and residential flat buildings.



**Figure 1:** Subject site frontage





Figure 2: Rear yard of the site

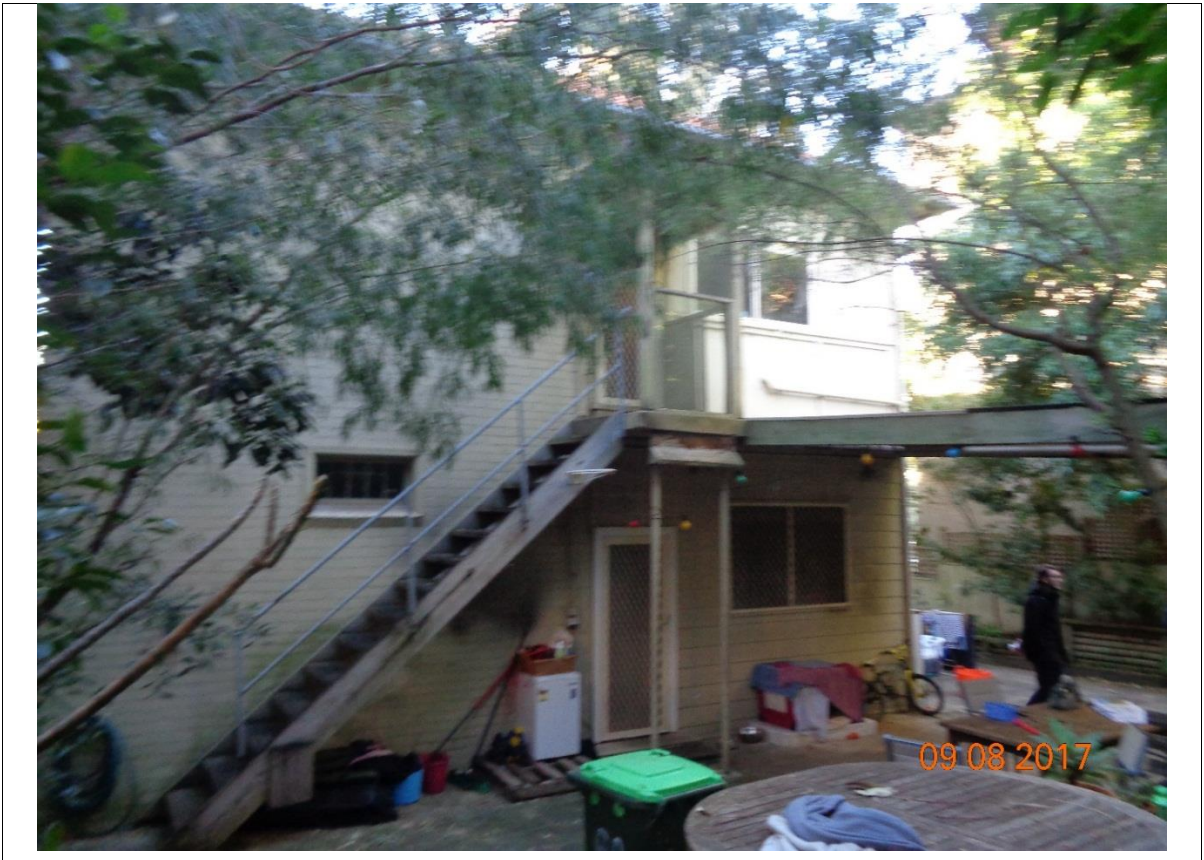


Figure 3: Site viewed from the rear

## 1.2 Relevant History

The following recent applications are of relevance to the subject development application:

- **D-395/1997** to strata subdivide an existing dual occupancy was approved on 20 January 1998. This application was not acted upon and has since expired.
- **L-321/2000** for alterations and additions and conversion to 6 X 1-bedroom dwellings was approved on 24 October 2000. This application was not acted upon and has since expired.

The subject development application, **DA-193/2017**, was submitted on 19 May 2017 for alterations and additions to create a residential flat building containing four units, a front car stacker for four vehicles, a swimming pool and strata subdivision. After initial assessment, the application was deferred on 18 October 2017 for the following reasons:

### **A. Bulk, Scale and Height**

*The proposed floor space must be contained within a compliant building height under the provisions of Waverley Local Environmental Plan 2012 (the LEP). In this regard, the height of the proposal must be reduced to comply with the 12.5m height development standard. This shall be achieved by lowering the wall height to also comply with the 9.5m wall height control of Development Control Plan 2012 (the DCP).*

*Consider a Planning Agreement for the additional floor space given that the proposal continues to be non-compliant with setbacks and separation distances under the Apartment Design Guide (ADG) impacting upon surrounding properties.*

### **B. Car stacker**

*The double car stacker is not supported based on the information provided as a car will not be able to manoeuvre into and out of the space wholly within the site boundaries. A vehicle should not rely on the footpath or public domain to effectively enter and leave a parking space. Consider providing a single sized stacker (2 spaces) and provide swept path diagrams to demonstrate manoeuvring within the site. Also consider design details to clearly separate the stacker from the public domain and ensure safety when the stacker is in use (ie, higher front boundary fence to provide a clear delineation between private and public land).*

### **C. Rear balcony**

*The proposal shall provide a 6m rear setback, including to balconies, and in this regard, the balcony to Unit 03 shall be revised.*

*It is not clear from the submitted plans if the balcony to Unit 03 is roofed and the screening is not indicated in Drawing No. DA 2002. Additionally, the elevations do not clearly indicate the treatment of this balcony. If this balcony is enclosed on all sides and roofed it may be considered part of the gross floor area for the development. Please refer to the definition within the LEP and adjust any relevant figures and/or justifications.*

### **D. Design Excellence Panel**

*The following comments from the Design Excellence Panel (DEP) shall be addressed:*

- *Capture of rainwater for irrigation purposes or passive solar panels should be further pursued.*
- *Large areas of fixed glass are not supported and some rationalisation of the glazing should be undertaken to ensure good cross ventilation to all spaces.*
- *Some rooms (L1 and L3) are ventilated by swing doors only. A window, as well as a door, would provide better ventilation options for the occupants and would also provide better security.*
- *Screen planting between the car parking and Unit 1 Bedroom will be important.*
- *Concerned about the proximity of the principal access to all units located immediately adjacent to bedroom 2 (Unit 01). Given this is a secondary window it would be appropriate to delete this window given the visual and acoustic privacy impacts.*
- *Privacy between Bedroom 1 in Unit 03 and 55 Sir Thomas Mitchell needs to be further addressed.*

### ***Inaccuracies in the plans and further detail***

*There are a number of inaccuracies within the submitted plans, most notably the following:*

- *The finishes schedule on the plans is inaccurate.*
- *The LEP height line is shown as 9.5m rather than 12.5m.*
- *The use of dark colours for the elevations does not enable accurate assessment with many parts of the building being difficult to delineate (ie, the screening to the rear balcony). Please provide elevations which clearly show the different elements of the building and provide section detail of the façade at a scale of 1:50.*
- *The balcony extending beyond the rear setback is not shown on the site plan or roof plan.*

*Please ensure all errors on the plans are corrected when the plans are redesigned to address the matters raised elsewhere in this letter. The following additional information is also required:*

- *A window schedule with window/door opening is to be provided for all openings. Where screening occurs, indicate the type and materials.*
- *Provide detail of the treatment of the roof of the existing building at Level 2 (shown in red on Drawing No. DA 2003). This roof is to be non-trafficable and should not form an extension of the front balcony to Unit 4.*
- *Details of pool plant and fencing is required.*
- *Provide an amended digital 3D model.*

Amended plans were submitted to Council on 24 November 2017 and renotified to surrounding properties. Inaccuracies in some of these plans were noted during assessment and corrected plans were provided to Council on the 9 March and 22 March 2018. These plans form the basis of the assessment within this report.

### **1.3 Proposal**

The amended proposal seeks consent for alterations and additions to the existing dual occupancy building to create a residential flat building containing four units comprised of a 3-bedroom unit on the ground floor level, a 2-bedroom and a 1-bedroom unit on the first floor level and a double level 3-bedroom unit over the second floor and attic level.



The ground floor unit (Unit 01) will have the exclusive use of the rear yard including the swimming pool (included on Title in the draft strata plan). The above ground units each have at least one balcony located either on the front or rear elevation of the building for use as private open space.

The proposal includes a double hardstand car space within the front setback of the site accessed from Lamrock Avenue. The common garbage storage is located within the eastern side setback.

The proposal also includes strata subdivision.

## 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* (the Act).

### 2.1 Section 79C (1)(a) Planning Instruments and Development Control Plans

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning policies (SEPPs), and development control plans.

#### 2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are implemented.

#### 2.1.2 SEPP 55 Remediation of Land

There is no known history of contamination applicable to the site. The subject site has historically been used for residential purposes. Accordingly, site land contamination is considered unlikely and no further investigation is necessary.

#### 2.1.3 SEPP 65 Design Quality of Residential Flat Development

The original application was referred to the Waverley Design Excellence Panel on 19 June 2017. The amended plans were not re-referred to the Panel as the amendments were considered to address the issues raised as discussed in the table below. The Panel's comment of the proposed development with regard to the design quality principles under SEPP 65 and a planning response to each comment are set out in **Table 1** below:

**Table 1: Assessment against the Nine Design Quality Principles under SEPP 65**

Principle	Panel's Comment	Planning Comment
1. Context and Neighbourhood	<i>The Panel acknowledged the diverse mix of detached, generally single storey dwelling houses and residential flat buildings ranging in scale up to 4 storeys that characterise the neighbourhood. Prevailing roof forms are pitched for both residential</i>	Agreed.

Principle	Panel's Comment	Planning Comment
	<p><i>dwelling and residential flat buildings.</i></p> <p><i>The streetscape is dominated by garages and hard standing areas.</i></p> <p><i>The Panel considered that the clarity of the concept and subtle echoing of existing built form elements associated with the proposed development could fit well into the urban context.</i></p>	
2. Built form and Scale	<p><i>The articulated built form cleverly retains the original building's street facade and effectively provides a counterpoint to the adjacent rendered apartment 'square' block forms. Opportunity has been taken to introduce further angular built form and balconies within the proposed complex.</i></p> <p><i>The subject development primarily complies with the 9.5m building height control apart from a minor intrusion by the ridge associated with the level 3 attic roof.</i></p> <p><i>Building setbacks reflect the existing built form and relevant setbacks from the south eastern (rear) boundary. The Panel considers that the proposed rear setback is appropriate however more measures need to be taken to protect the privacy to No. 55 Sir Thomas Mitchell Rd. The impact of the pool in this corner of the site could also cause impacts on that property.</i></p>	<p>Agreed.</p> <p>It is noted that the original plans incorrectly labelled the height control line as being 9.5m however when the plans were scaled the height control line was actually 12.5m in line with the height development standard for this site. The amended plans have rectified this error and indicate the correct height control line of 12.5m.</p> <p>Refer to detailed discussion following this table in regards to visual privacy.</p>
3. Density	<p><i>The Panel acknowledged that the proposed development slightly exceeded the permissible FSR (1.035:1 compared with 0.9:1) but considered the density of the</i></p>	<p>The amended plans have reduced the height of the building to comply with the development standard which has subsequently reduced the FSR to</p>

Principle	Panel's Comment	Planning Comment
	<i>proposed development to be acceptable and that no unreasonable impacts are created.</i>	1.027:1. This issue is discussed further under Section 2.1.4 of this report.
4. Sustainability	<p><i>The proposed development does not incorporate any proposals for the capture of rainwater for irrigation purposes or passive solar panels and the issues should be further pursued.</i></p> <p><i>The design generally provides for good solar accessibility and cross ventilation in accordance with ADG requirements.</i></p> <p><i>The loft could benefit from some ventilation at the roof ridge. The skylights indicated may cause heat buildup and the type indicated generally do not ventilate well.</i></p> <p><i>Large areas of fixed glass are not supported by the Panel and some rationalisation of the glazing should be undertaken to ensure good cross ventilation to all spaces.</i></p> <p><i>Some rooms (L1 and L3) are ventilated by swing doors only. A window as well as a door would provide better ventilation options for the occupants and would also provide better security.</i></p> <p><i>Good weather protection has been provided to many windows however some remain exposed.</i></p>	<p>The amended proposal now includes solar panels on the roof of the building. A BASIX Certificate was also provided stipulating the measures to be undertaken to meet water and energy targets.</p> <p>Agreed.</p> <p>The proposal includes two skylights at the roof level. A condition is included requiring these to be ventilating skylights.</p> <p>The amended proposal includes additional glass louvres to the north facing glass to improve cross-ventilation.</p> <p>All habitable rooms in each unit have a window. Therefore it is assumed that the Panel is referring to the internalised bathrooms in regards to these comments. Under the provisions of the BCA a window is not required for a bathroom provided there is mechanical ventilation. In this regard, the internal bathrooms are considered acceptable.</p> <p>The windows and awnings within the amended scheme are considered acceptable.</p>
5. Landscape	<i>The development incorporates a series of well-designed private landscaped open spaces linked to individual apartments. It also includes a small communal garden directly accessed from Lamrock Avenue.</i>	The front yard (setback) of the site has been substantially amended since the Panel meeting. The car stacker has been replaced with a double hardstand car space due to amenity concerns for the balconies on the front elevation and for safety of

Principle	Panel's Comment	Planning Comment
	<p><i>Areas of deep soil landscape have been identified.</i></p> <p><i>The Panel noted that the top of the proposed four-car car stacker (which replaces the existing carport) is directly accessed from Lamrock Avenue and will effectively be treated as a 'ground' level landscape element with plants in lightweight planters. Screen planting between the car parking and Unit 1 Bedroom will be important.</i></p> <p><i>The high retaining wall and landscape on the side boundaries shown on DA 2402 might be better with a low wall to the pool area and mounded landscape. As above the likely acoustic impacts of the pool will need attention.</i></p>	<p>pedestrians and children within the front communal setback. A similar amount of soft landscaping remains as the hardstand is similarly sized to the car stacker.</p> <p>The front boundary wall has been replaced to a more open design allowing the landscaping within the front setback to contribute to the landscaped setting of the site.</p> <p>As shown in Figure 2 previously in this report, the rear yard of the site already contains high retaining walls with planters particularly along the rear boundary with a height up to 1.5m above the existing paved courtyard. The proposal seeks to predominantly maintain the existing levels of the retaining walls and planters and lower the courtyard area by approximately 1m. The swimming pool will be located on the lower courtyard level and will be screened by the retaining walls and planters. The swimming pool and rear yard will not be common property being allocated to the ground floor unit only. In this regard, it is unlikely to cause unreasonable amenity impacts, including acoustic privacy impacts, upon surrounding properties. Swimming pools are not prohibited or restricted in residential areas and are not considered to be unreasonable developments.</p>
6. Amenity	<p><i>The Panel remains concerned about the proximity of the principal access to all units located immediately adjacent to bedroom 2 (Unit 01). It is arguable that an alternative access pattern should be explored to better screen the principal window to bedroom 2 and direct the line of access slightly away from that shown on the drawings.</i></p>	<p>The original proposal included a window on the eastern (side) elevation with outlook to the communal stairs to the upper level lobby. The amended proposal has deleted these stairs to improve the privacy of this bedroom. The principle window to this bedroom will continue to have outlook to the street and the common pedestrian entry however</p>

Principle	Panel's Comment	Planning Comment
	<p><i>The Panel questioned the relationship between bedroom 1 in Unit 03 and the relationship with 55 Sir Thomas Mitchell apartments. The Panel suggested that an alternative wall form which would potentially capture eastern light might be considered to provide for enhanced privacy in lieu of the window pattern shown at present.</i></p> <p><i>The Panel recommended that screening be provided between the balcony to Unit 03 to safeguard the privacy associated with the open space lawn and pool linked to Unit 01.</i></p>	<p>this is considered to enhance casual surveillance at the front of the site and is acceptable.</p> <p>The window referenced by the Panel is set back 6m from the side elevation of 55 Sir Thomas Street and is a bedroom window which is typically a room of low use with low privacy impacts. Accordingly this window is considered acceptable.</p> <p>An adjustable privacy screen has been incorporated into the balcony on the rear elevation to Unit 03. This balcony will also provide screening for views between the subject unit and the rear yard and balconies to the adjoining building at 55 Sir Thomas Mitchell street at the rear of the site.</p>
7. Safety	<p><i>The Panel noted that effective operation of the proposed car stacker meant that the structural frame of the car stacker needed to move vertically by up to six metres in order to release vehicles at the lower level. The proximity of the car stacker to the communal open space and to the footpath will require effective control mechanisms to ensure that the operation of the car stacker does not result in injury to an occupant of the communal garden or on the adjacent footpath.</i></p> <p><i>The Panel also noted that since the proposed car stacker is effectively replacing an existing car port that all vehicular movement leaving the car stacker would need to reverse out into Lamrock Avenue. Such action carries with it the dangers associated with cars in reverse gear crossing a pedestrian footpath zone and backing into an existing street environment.</i></p>	<p>The car stacker has been removed from the proposal due to potential noise and safety impacts. The stacker was replaced with a double hard stand car space which is discussed in subsequent sections of this report.</p>



Principle	Panel's Comment	Planning Comment
	<p><i>The potential to include a turntable was raised which would have allowed vehicles to travel in a forward direction on leaving the development site. The applicant indicated that there was insufficient area for a turntable but it is an issue that should be further pursued to minimise the obvious dangers associated with vehicles reversing out of the site.</i></p> <p><i>Handrails to the entry stairs will need to extend beyond the last risers and this may cause adjustment to the entry doors for accessibility.</i></p>	<p>A condition regarding compliance with the Building Code of Australia is included in Appendix A.</p>
<p>8. Housing Diversity and Social Interaction</p>	<p><i>The Panel noted the diversity of apartment product which included a 1-bedroom, 2-bedroom and two 3-bedroom apartments. The Panel supported the retention of an existing stair which provided an alternative entry to the first floor as well as addressing fire escape issues.</i></p> <p><i>The proposed apartments vary significantly in terms of their size, aspect and floor level which will contribute to a measure of choice and a level of potential social interaction.</i></p>	<p>Agreed.</p>
<p>9. Aesthetics</p>	<p><i>The Panel supported the aesthetic approach that had been adopted including the retention of elements of the existing dwelling and the way in which the various components of the proposed development retained echoes of the existing structure. The Panel questioned whether there would be a requirement to structurally enhance the existing structures identified for retention given the additional levels and somewhat exposed nature of parts of the existing structure where they abut new development. The cantilevered form over the stair may pose some structural challenges.</i></p>	<p>The proposal is a well-designed contemporary building retaining the character of the existing building on the site. The juxtaposition between the old and the new provides an interesting and well-articulated building that contributes positively to the streetscape.</p>

Principle	Panel's Comment	Planning Comment
	<p><i>The Panel supported the selective use of durable materials and the level of articulation.</i></p> <p><i>The Panel questioned the proposed dark cladding for the upper level elements of the building. On balance, the Panel supported the proposed play of light and dark elements but remained concerned about the use of adjustable metal louvres over the large areas of fixed glazing. While the aesthetic issues were appreciated, concerns were expressed about the need to regularly clean the glass behind the louvres which would inevitably attract spider webs.</i></p>	<p>The glazing on the front elevation gives a lightweight appearance to the new work and is supported regardless of the need for cleaning and maintenance.</p>

#### **Clause 6A Development control plans cannot be inconsistent with Apartment Design Guide**

Clause 6A of SEPP 65 requires that DCP's cannot be inconsistent with the Apartment Design Guide (ADG) in respect of the following:

- (a) visual privacy,
- (b) solar and daylight access,
- (c) common circulation and spaces,
- (d) apartment size and layout,
- (e) ceiling heights,
- (f) private open space and balconies,
- (g) natural ventilation,
- (h) storage.

If a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect. DCP 2012 contains provisions in relation to the above criteria and as such, these provisions of the DCP no longer have effect.

An assessment against the provisions within the ADG is provided in the table below and these controls have been deleted from Table 5 relating to the DCP as they are no longer relevant.

**Table 2: Apartment Design Guide**

Design Criteria	Compliance	Comment
<b>3F Visual privacy</b>		
Min separation distances from buildings to side and rear boundaries:	No	Refer to detailed discussion following this table.

Design Criteria	Compliance	Comment
<ul style="list-style-type: none"> <li>Up to 12m (4 storey) – 6m habitable &amp; 3m non-habitable</li> </ul>		
<b>4A Solar and daylight access</b>		
<ul style="list-style-type: none"> <li>Living rooms and private open spaces of at least 70% of units receive minimum of 2 hours direct sunlight between 9am-3pm mid-winter</li> <li>A maximum of 15% receive no direct sunlight between 9am-3pm mid-winter.</li> </ul>	<p>No</p> <p>Yes</p> <p>No</p> <p>Yes</p>	<p>Unit 01 – This unit has rear facing private open space with limited solar access. The living area window on the eastern side elevation receives 2 hours solar access. The living area will be provided with sufficient solar access however the rear open space will not, simply because it is south facing. The unit has another balcony accessed via a bedroom on the northern elevation which will receive full sun for the majority of the day. The high level of amenity afforded this unit through the exclusive use of the rear yard offsets the lack of winter solar access to this space.</p> <p>Unit 02 – This unit will have a north facing living area and balcony receiving more than the minimum requirement.</p> <p>Unit 03 – This unit will have rear facing (south) living areas and balcony however a pop-out side window with glazing orientated north allows solar access during the day to a small part of the room and possibly the balcony beyond. This is considered acceptable.</p> <p>Unit 04 – This unit will have north facing living areas and balcony which will receive more than the minimum requirement.</p>
<b>4B Natural ventilation</b>		
<ul style="list-style-type: none"> <li>All habitable rooms are naturally ventilated</li> <li>Number of units with natural cross ventilation is maximised: <ul style="list-style-type: none"> <li>At least 60% of units naturally ventilated</li> </ul> </li> </ul>	Yes	<ul style="list-style-type: none"> <li>All habitable rooms are provided with at least one window for natural ventilation.</li> <li>All units have at least two aspects and two of the four units are entire floor units. In this regard, 100% of the units can be naturally cross-ventilated.</li> </ul> <p>The proposal uses a combination of full height openable doors, louvred windows and skylights to achieve appropriate cross ventilation within the building.</p>
<b>4C Ceiling heights</b>		
<ul style="list-style-type: none"> <li>Habitable rooms – 2.7m</li> <li>Non-habitable rooms – 2.4m</li> </ul>	Yes	The ceiling heights within all units comply with the minimum requirements.

Design Criteria	Compliance	Comment
<ul style="list-style-type: none"> <li>• 2 storey units – 2.7m main level (living) &amp; 2.4m upper floor where its area does not exceed 50% of the unit area</li> <li>• Attics – 1.8m at edge of room with a 30<sup>o</sup> min ceiling slope</li> </ul>		The attic level ceiling height varies from 2.4m – 3.5m (at the roof ridge).
<b>4D Apartment size and layout</b>		
<p>The following minimum internal areas apply:</p> <ul style="list-style-type: none"> <li>• 1 Bed = 50 m<sup>2</sup></li> <li>• 2 Bed = 70 m<sup>2</sup></li> <li>• 3 Bed = 90 m<sup>2</sup></li> <li>• Add 5m<sup>2</sup> for each additional bathroom (above 1)</li> <li>• Add 12m<sup>2</sup> for each additional bedroom</li> </ul> <p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.</p>	Yes	<p>All units have internal areas that meet, or are in excess of the minimum ADG requirements. In this regard, the proposed units sizes and layout are acceptable.</p> <p>All habitable rooms have windows with no rooms borrowing daylight from others. There are internalised bathrooms without a window however this is acceptable under the BCA provided these rooms are mechanically ventilated.</p> <p>All bedrooms are appropriately sized and meet the minimum requirements in terms of dimensions and area.</p> <p>All kitchens are separate to the circulation spaces.</p> <p>Robes are provided to all bedrooms with lengths exceeding the minimum of 1.5m.</p> <p>The proposal is consistent with the objectives of this part of the ADG.</p>
<b>4E Private open space and balconies</b>		
<p>All apartments provide primary balcony (ie, accessed from the living area) as follows:</p> <ul style="list-style-type: none"> <li>• 1-bed – 8m<sup>2</sup> &amp; 2m depth</li> <li>• 2-bed - 10m<sup>2</sup> &amp; 2m depth</li> <li>• 3+bed - 12m<sup>2</sup> &amp; 2.4m depth</li> <li>• Ground level, min 15m<sup>2</sup> &amp; 3m depth</li> </ul>	<p>Yes</p> <p>No</p> <p>No</p>	<p>Unit 01 (3-bed) is allocated the rear courtyard and pool area being well in excess of the minimum at 98m<sup>2</sup>.</p> <p>Unit 02 (2-bed) is provided with a front balcony with an area of 8m<sup>2</sup> and depth of 2.3m. Although this balcony is slightly substandard in terms of area, it provides an optimal northerly aspect. The minor variation to the area requirement is considered acceptable given that the existing building is being retained and the balcony is extending from the retained façade.</p> <p>Unit 03 (1-bed) is provided with a rear balcony with an area of 7.3m<sup>2</sup> and depth varying from</p>

Design Criteria	Compliance	Comment
	Yes	<p>800mm – 2m. The balcony has been reduced at the request of Council’s Assessment Officers in order to ensure that a 6m setback from the rear boundary is enforced to minimise privacy impacts upon the property at the rear. The proposed balcony provides sufficient area to meet user needs and is considered acceptable, on balance.</p> <p>Unit 04 (3-bed) is provided with a front balcony with an area of 14m<sup>2</sup> and depth of 2.4m.</p> <p>All primary balconies are oriented north with the exception of the rear balcony to Unit 03.</p> <p>The design of the balconies and courtyards is integrated into, and contributes to, the architectural form and detail of the building. The finishes of the balconies are consistent with the contemporary palette of materials in the building overall. Screens or solid side walls are provided to enhance privacy, where necessary.</p>
<b>4F Common circulation and spaces</b>		
<ul style="list-style-type: none"> <li>Max of 8 units accessed off a circulation core on a single level</li> </ul>	Yes	Maximum of two units accessed from lobby.
<b>4G Storage</b>		
<p>In addition to kitchens, bathrooms and bedrooms, the following is provided:</p> <ul style="list-style-type: none"> <li>1-bed – 6m<sup>3</sup></li> <li>2-bed – 8m<sup>3</sup></li> <li>3+bed – 10m<sup>3</sup></li> </ul>	No	<p>The proposal provides separate storage within each apartment however as there is no basement parking there is limited opportunity to provide storage cages for each unit. Given the small scale of the proposal and the limited number of units proposed, the internal storage provided is considered acceptable.</p> <p>All bedrooms are provided with oversized (ie, greater than the minimum requirements of the ADG) wardrobes.</p>

The following is a detailed discussion of the issues identified in the compliance table above in relation to the SEPP 65 ADG.

#### Visual and acoustic privacy

For a four-storey building, the ADG requires a minimum setback of 6m from habitable room windows and balconies to ensure visual privacy is achieved. It is noted that the separation distances under the ADG apply only where there is a window or balcony. The ADG states that no separation is required between blank walls.



The rear elevation of the site contains new windows and balconies that are to habitable rooms being bedrooms and living areas. The amended plans have increased the rear setback of the building (including rear balconies) to maintain a consistent 6m rear setback complying with the ADG.

The Unit 03 balcony is 6m to the rear boundary and 3.6m from the eastern side boundary. The property located to the south (rear) of the site has frontage to Sir Thomas Mitchell Road and as such, the rear boundary of the subject site is the side boundary of this property (No. 55 Sir Thomas Mitchell). No. 55 Sir Thomas Mitchell is set back from this boundary by approximately 500mm with the side elevation overlooking the subject site. In this regard, the proposed Unit 03 balcony has been provided with full height adjustable metal louvres on part of the rear boundary to reduce the privacy impact upon No. 55. This is considered reasonable in mitigating acoustic and visual privacy impacts to No. 55 from this balcony particularly given that the 6m separation distance required by the ADG has been met.

Unit 04 also provides a balcony at the attic level accessed via the main bedroom. This balcony has an area of 17m<sup>2</sup> and depth of 3m. Although accessed from a bedroom which is a room of low use with limited privacy impacts, there is potential for direct overlooking of the private open space of the ground floor unit. In order to alleviate this issue, a condition has been included in Appendix A to require the provision of a planter 1m wide on the balcony edge with the balustrade to be on the inside of said planter. This will allow outlook whilst limited overlooking.

The remaining windows on the rear elevation are to non-habitable rooms or to rooms of low use such as bedrooms. Given the low use nature of bedrooms and the adequate separation distance provided, the visual and acoustic privacy impacts are considered reasonable.

On the side elevations, separation distances to comply with the ADG are not achieved, being a minimum of 1500mm on the eastern elevation and 800mm (existing building) on the western elevation.

Due to the orientation of the site and the staggered front setback of the subject building and those adjoining, there will be no windows opposite on the adjoining eastern building at No. 56-58 Lamrock Avenue. The windows will be opposite the front setback of this property and as such, the separation distance controls do not apply. Notwithstanding, the windows on this elevation are to non-habitable rooms and those that are habitable are angled windows orientated toward the street. As such, the windows on the eastern elevation are considered acceptable with no unreasonable privacy impacts.

On the western boundary, there are limited new windows proposed with a number of existing windows at the first and second floor level being retained. Additional unreasonable privacy impacts are not anticipated due to the retention of these windows. In terms of the new ground floor windows, no unreasonable privacy impacts will result given that boundary fencing largely inhibits views between the subject site and No. 57 Sir Thomas Mitchell Road (STMR). At the first floor level a new kitchen window is opposite a potential kitchen or living area window at No. 57 STMR and as such a condition is included requiring this window to be frosted/opaque. There is also a new corner window to a bedroom at the rear of the building of which half is frosted to ensure no unreasonable privacy impacts. This is considered acceptable. There are three new windows at the second floor level (third storey) with two being offset from windows on the opposing elevation at No. 57 STMR and the third being to a stairway which is an area of low use with few privacy impacts. Accordingly, subject to the condition above, the windows on the western elevation are also considered acceptable with no unreasonable privacy impacts.

### 2.1.4 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

**Table 3: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal is consistent with the aims of the LEP.
<b>Part 2 Permitted or prohibited development</b>		
2.6 Subdivision – consent requirements	Yes	Consent is sought under this application for the strata subdivision of the proposed building.
Land Use Table R3 Medium Density Residential Zone	Yes	The proposal is defined as residential flat building, which is permitted with consent in the zone.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>12.5m</li> </ul>	Yes	The amended proposal has a maximum height of 12.5m complying with the development standard.
4.4 Floor space ratio <ul style="list-style-type: none"> <li>0.9:1</li> </ul>	No	The FSR of the proposal is 1.03:1 which is an excess of 52.41sqm exceeding the development standard.  (attic level = 41sqm)
4.6 Exceptions to development standards	See discussion	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the FSR development standard. A detailed discussion of the variation to the development standard is presented below this table.

Part 6 Additional local provisions		
6.1 Acid sulfate soils	Yes	<p>The site is designated as Class 5 land on the Acid Sulfate Soils Map.</p> <p>The proposal is unlikely to disturb or expose acid sulphate soils which cause environmental damage.</p>

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

### Exceptions to Development Standards

#### *Clause 4.4 Floor space ratio*

The proposal has an overall floor space ratio (FSR) of 1.03:1, which exceeds the FSR development standard of 0.9:1 prescribed under clause 4.4 or 4.4A of Waverley LEP 2012 by 52.41m<sup>2</sup> in gross floor area or 14%.

A written request pursuant to clause 4.6 of Waverley LEP 2012 has been made, seeking to vary the development standard. The justification presented in the written request is summarised as follows:

- The proposal has been designed as a three-storey residential flat building with an attic that falls within the LEP height limit resulting in an envelope that provides an appropriate contextual fit.
- Although the FSR is greater than the development standard, this is a technical numeric non-compliance rather than inappropriate building envelope.
- The proposal satisfies the relevant objectives of the zone.
- The requirement to comply with the maximum FSR control is unnecessary in this circumstance as the proposal is contextually compatible with the surrounding developments and does not result in significant amenity impacts to neighbouring properties.
- The proposal converts the existing dual occupancy to a four unit residential flat building allowing for a more efficient use of land and additional residential accommodation in the locality, which is in the public interest.
- The proposed FSR is 15% above the standard and this is supported by a Planning Agreement which will provide additional public benefit.

The objectives of the FSR development standard within the LEP are:

#### *Clause 4.4 Floor Space Ratio*

*a) The objectives of this clause are as follows:*

- to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,*
- to provide an appropriate correlation between maximum building heights and density controls,*
- to ensure that buildings are compatible with the bulk, scale, streetscape and existing character of the locality,*

*(d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

Objective (a) is not relevant to this application.

The controls in the LEP indicate the future desired character of the area and the proposed building reflects that character, being compliant with the height control. The proposal is consistent with the built form and scale of the existing streetscape and generally complies with the DCP subject to some minor departures from the controls. The proposal is consistent with the objectives of the development standard and the R3 zone. The applicant's written request is considered to be satisfactory, considering the streetscape and the additional area is designed to minimise adverse amenity impact upon the adjoining properties.

However, it is clear that the objectives of the development standards are to provide limitations. Limitations provide certainty for residents and developers about the type, scale and bulk of development expected for areas. The initial application sought an FSR of 1.04:1 and height exceeding the development standard of 12.5m. Following deferral of the application, the FSR has been amended to 1.03:1, equating to 14% above the FSR control and the height reduced to comply with the development standard. This is therefore in line with the Waverley Planning Agreement Policy 2014 which allows for development 'up to 15%' above the maximum GFA permitted under Clause 4.4 of the WLEP' provided that it is accepted on planning grounds. The proposal is therefore consistent with the limitations set in the Planning Agreement Policy 2014.

Whether these impacts are appropriate and should be accepted on planning grounds is therefore to be considered against the Public Interest.

The relevant amenity impacts that may result from the proposal are privacy, overshadowing and views.

The purpose of development standards are to stipulate the maximum development potential of a site and provide certainty to the public and facilitate economic and orderly use of land. To justify the proposal, the applicant has provided a merit assessment of impacts and proposed a Planning Agreement in accordance with the Waverley Planning Agreement (PA) Policy 2014.

The Planning Agreement Policy states that 'Council may consider ... applications for development up to 15% above the maximum GFA permitted under clause 4.4 of WLEP 2012 ' provided that it is acceptable on planning grounds. The Policy provides a mechanism to address the public benefit offset of additional reasonable impacts from developments exceeding the controls.

The original proposal lodged was considered to undermine the integrity of the controls, leading to a failure in maintaining the integrity of the standard and was not in the public interest. The amended proposal is in keeping with other proposals which have been approved seeking an additional 15% of floor space and/or height in lieu of a public benefit in the form of affordable housing, or a Planning Agreement for public works.

The fundamental principle under this policy is that any benefit that arises from agreement to vary these development standards is shared between developer and the community and must be acceptable on environmental impact grounds. Having regard to this policy, the reasonableness of impacts associated with the additional floor space (52.41m<sup>2</sup>) have been weighted against the likely

public interest (ie. public domain improvements in the area) and it has been concluded that the impacts in this case would be acceptable.

This relates to the merits of this case only - the reasonableness of these impacts (extra FSR) would have a lesser weight in the absence of a clear public benefit. The additional floor space does not increase the perceived bulk and scale of the building given it is largely located within a pitched attic. Additional shadows are not created given the compliance with the height control and other built form controls of the DCP (discussed later). The main non-compliance with built form controls relates to the side setbacks of the proposal which are substandard given the retention of the existing building, and as such, the existing side setbacks. The proposal does not result in loss of significant views from surrounding properties or the public domain.

The modified scheme presents less impacts and given that there will be public benefits proffered from the proposed planning agreement, on balance those impacts are considered to be acceptable.

The amended proposal complies with the 15% cap on floor space specified in the Waverley Planning Agreement Policy and is in accordance with other variations which have been permitted in conjunction with public benefits (affordable housing or the like).

It is considered that the proposal is not against the public interest as it complies with the limitations set in the Planning Agreement Policy and proffers a monetary contribution for public works within the area. If approval is granted, it is recommended that the Planning Agreement be accepted by the Waverley Development Assessment Panel.

The proposed development is considered to be an orderly and efficient use of the site that is within the R3 Medium Density Residential Zone. The built form and density of the development are appropriate in achieving the objectives of the R3 zone, specifically providing a variety of housing types and for the housing needs of the community within a medium density residential environment.

Therefore, the proposed variation is considered to be acceptable and adequate justification is provided for contravention of the development standard. It is recommended that the variation be supported.



### 2.1.5 Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

**Table 4: Waverley DCP 2012 – Part B General Provisions Compliance Table**

Development Control	Compliance	Comment
1. Waste	Yes	<p>A Waste Management Plan was provided which indicates that bins will be stored within an allocated area on the eastern boundary of the site. Access directly to the street for collection is provided along this boundary.</p> <p>Comments from Council’s Sustainable Waste Officer are within the ‘Referrals’ section of this report (full comments on file).</p> <p>The proposal is consistent with the relevant controls and objectives of this part of the DCP.</p>
2. Energy and water conservation	Yes	<p>A BASIX Certificate was provided with the application.</p> <p>Appropriate openings are provided on all elevations for adequate cross ventilation and solar access.</p> <p>The proposal is consistent with the objectives and controls within this part of the DCP.</p>
5. Tree preservation	Yes	<p>There are a number of trees around the perimeter of the rear yard. It is unclear from the landscaping plan if these will be retained. These trees provide privacy between the subject site and the property at the rear and their retention is considered necessary. A condition to this effect is included in Appendix A.</p>
6. Stormwater	Yes	<p>The submitted stormwater plans were assessed by Council’s Stormwater Engineer and found satisfactory. Appropriate conditions are included in Appendix A.</p>
7. Accessibility, adaptable dwellings & Universal Housing Design	Yes	<p>The proposal provides an accessible path of travel from the street to the entry to all units by way of ramped pedestrian paths and lift access to all units.</p> <p>No adaptable units are required given that only 4 units are being provided.</p> <p>The proposal is consistent with the applicable parts of this section of the DCP.</p>

Development Control	Compliance	Comment
8. Transport	No	Refer to detailed discussion following the tables in this report.
10. Safety	Yes	<p>The proposal has been redesigned to provide passive surveillance of the street by providing residential units which address the street. Balconies are provided overlooking the street with two of the units providing living area windows and balconies on the front elevation.</p> <p>Although the entry to the building is from the side setback, this is necessitated by the retention of the existing building on the site which has entry from the side.</p> <p>A maximum of two units are accessed from the lobby.</p> <p>The proposal is consistent with the aims and objectives of this part of the DCP.</p>

**Table 5: Waverley DCP 2012 – Part C2 Multi Unit and Multi Dwelling Housing Compliance Table**

Development Control	Compliance	Comment
<b>2.2 Site, scale and frontage</b>		
<ul style="list-style-type: none"> <li>Minimum frontage: 15m</li> </ul>	Yes	The site has frontage of 17.5m.
<b>2.3 Height</b>		
<ul style="list-style-type: none"> <li>Maximum external wall height: 9.5m</li> </ul>	No	<p>The proposal has a maximum wall height of 10m however the majority of the building complies with, or is less than, the 9.5m wall height control.</p> <p>The overall height of the building has been lowered by the amended plans and consequently the wall height has also been lowered however continues to marginally exceed the wall height control only on the eastern side of the building where the existing building is being retained (ie, toward the front). This part of the proposal which exceeds the wall height control is located adjoining the front setback of No. 56-58 Lamrock Ave and will not cause unreasonable overshadowing or bulk and scale impacts.</p> <p>The amended proposal has been designed with a pitched roof form replicating the degree and pitch of the existing gable-fronted building on the site which is being retained. This results in a</p>

Development Control	Compliance	Comment
		<p>minor exceedance of the wall height control on the front eastern side of the building. The attic level has been designed to provide a higher gable-end toward the front of the site and a hipped roof form at the rear to minimise wall height, and associated impact, upon adjoining residential properties to the rear. The wall along the rear elevation complies with the wall height control.</p> <p>Given the above analysis, the wall height is considered acceptable.</p>
<b>2.4 Excavation</b>		
<ul style="list-style-type: none"> <li>No fill to raise levels</li> <li>Minimum setback of 1.5m from side boundaries</li> <li>Under building footprint except main access ramp</li> </ul>	Yes	<p>The proposal utilises the existing building and footprint so there is minimal excavation. The majority of the excavation is at the rear and is only minor. The retaining walls and planters around the perimeter of the rear yard are essentially being retained.</p>
<b>2.5 Setbacks</b>		
<p>2.5.1 Street setbacks</p> <ul style="list-style-type: none"> <li>Consistent street setback</li> </ul>	Yes	<p>The existing front part of the building is being retained and as such the front setback is consistent with the existing and considered acceptable.</p>
<p>2.5.2 Side and rear setbacks</p> <ul style="list-style-type: none"> <li>Minimum side setback: 4.5m</li> <li>Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback</li> <li>Deep soil along side boundary min 2m wide</li> </ul>	<p>No</p> <p>No</p> <p>Yes</p> <p>Yes</p>	<p>Eastern side:</p> <ul style="list-style-type: none"> <li>1.5m (front) to 3.655m (rear) however 1.9m to pop-out windows.</li> </ul> <p>Western side:</p> <ul style="list-style-type: none"> <li>Existing building is approx. 800mm.</li> <li>New extensions – 2.2m.</li> </ul> <p>The non-compliance with the side setback control is discussed further in the section following this table.</p> <p>There is no consistent rear setback given the orientation of the site and those surrounding. However, the amended proposal is set back 6m from the rear boundary.</p> <p>The proposal provides deep soil along the eastern boundary with a varying width of 1.5m to 3.655m. The proposal also provides deep soil within the rear setback with a width of 6m. On balance, this is acceptable and sufficient deep soil is provided on site.</p>

<b>2.6 Length and depth of buildings</b>		
<ul style="list-style-type: none"> <li>Maximum building length: 24m</li> </ul>	Yes	The building length at the street is 10.8m.
<ul style="list-style-type: none"> <li>Maximum unit depth: 18m</li> </ul>	Yes	The maximum unit depth is 16.8m.
<ul style="list-style-type: none"> <li>Maximum depth of single aspect unit: 8m</li> </ul>	N/A	No single aspect units.
<b>2.8 Building design and streetscape</b>		
<ul style="list-style-type: none"> <li>Respond to streetscape</li> <li>Sympathetic external finishes</li> </ul>	Yes Yes	The proposal provides an appropriate palette of finishes and colours providing a well-considered contemporary addition to the existing building.
<b>2.9 Attic and roof design</b>		
<ul style="list-style-type: none"> <li>Min room width: 3m</li> <li>Minimum floor to ceiling height for at least 2/3 of the floor area: 2.4m</li> <li>Must be connected to unit below</li> </ul>	Yes Yes Yes	<ul style="list-style-type: none"> <li>The attic is 4m wide.</li> <li>The ceiling height in the attic ranges from 2.2m – 3.5m however the majority is in excess of 2.4m.</li> <li>The attic is connected to the unit below.</li> </ul>
<b>2.10 Fences and walls</b>		
<p><i>Front fence:</i></p> <ul style="list-style-type: none"> <li>Maximum height 1.2m</li> <li>Maximum 2/3 solid</li> </ul> <p><i>Side fence:</i></p> <ul style="list-style-type: none"> <li>Maximum height: 1.8m</li> </ul> <p><i>Rear fence:</i></p> <ul style="list-style-type: none"> <li>Maximum height: 1.8m</li> </ul>	No Yes Yes Yes	<p>The front boundary wall exceeds the 1.2m height control however is considered appropriate providing sufficient height with an open design to allow view into and out of the site.</p> <p>The side and rear fencing are 1800mm above retaining walls (necessary due to excavation). This is acceptable.</p>
<b>2.11 Vehicular access and parking</b>		
<ul style="list-style-type: none"> <li>Integrated into the design</li> <li>Secondary to pedestrian entrance</li> <li>Maximum of 1 x 2-way driveway</li> <li>From rear of side where possible</li> <li>Pedestrian safety</li> </ul>	No Yes Yes No Yes	This issue is discussed in detail following this table.
<b>2.12 Pedestrian access and entry</b>		
<ul style="list-style-type: none"> <li>Entry at street level</li> <li>Accessible entry</li> <li>Legible, safe, well-lit</li> </ul>	Yes Yes Yes	The existing external stairs on the eastern side of the building to the first floor level are being retained. There is also a secondary ramped entry to the rear of the stairs which provide a lift to the upper levels.
<b>2.13 Landscaping</b>		
<ul style="list-style-type: none"> <li>Minimum of 30% of site area landscaped: 124m<sup>2</sup></li> <li>50% of the above is to be deep soil: 62m<sup>2</sup></li> </ul>	Yes Yes	<p>The proposal provides 126m<sup>2</sup> or 31% of the site as landscaped area.</p> <p>100% of the landscaped area is deep soil.</p>

<b>2.14 Communal open space</b>		
<ul style="list-style-type: none"> <li>• Minimum 15% communal (R3 zone): 61m<sup>2</sup></li> <li>• Minimum dimensions: 6m x 6m</li> <li>• Minimum of 30% of communal area must receive three hours of sunlight</li> <li>• Accessible</li> </ul>	No	<p>The proposal does not provide communal open space as the rear yard and swimming pool will be allocated to the ground floor unit. Given the dense surrounding built form, the allocation of the rear yard to one unit will minimise acoustic privacy impacts upon adjoining properties.</p> <p>There is common landscaped area within the front setback however it is likely that each unit will utilise the private open space provided to the individual unit. This is considered satisfactory.</p>
<b>2.16 Solar access and overshadowing</b>		
<ul style="list-style-type: none"> <li>• Minimum of three hours of sunlight to a minimum of 70% of units during winter solstice</li> <li>• Adjoining properties to retain minimum of three hours of sunlight during winter solstice</li> </ul>	Refer to Table 2 (ADG)	The DCP controls as they relate to solar access to the development itself are of no effect as the ADG applies.
	Yes	Refer to detailed discussion following this table.
<b>2.18 Visual privacy and security</b>		
<ul style="list-style-type: none"> <li>• Prevent overlooking of more than 50% of private open space of lower level dwellings in same development</li> <li>• Minimise overlooking of adjoining properties</li> </ul>	No	<p>The balconies on the rear elevation to Units 03 and 04 overlook the rear yard which is the private open space of Unit 01. A condition will require that a planter is incorporated into the upper level balcony to reduce overlooking. However, it is not possible to provide complete privacy within the rear setback when it is being allocated to a single unit. This is a constraint of this development and an accepted impact. Unit 03 has screening to reduce this impact.</p>
	Refer to Table 2 (ADG)	No other private open space is overlooked.
<b>2.22 Acoustic privacy</b>		
<ul style="list-style-type: none"> <li>• Internal amenity by locating noisy areas away from quiet areas</li> </ul>	Yes	Given the small size of the development, the units are not designed to have similarly used rooms above and/or below others. However, a standard condition regarding acoustic treatment between floors is provided in Appendix A.

The following is a detailed discussion of the issues identified in the compliance tables above in relation to the Waverley DCP 2012.

### Side setbacks

Visual and acoustic privacy impacts in regards to separation distances (ie, setbacks) have been discussed previously in this report in relation to the ADG control and will not be repeated in this section.



The relevant objectives of the DCP side setback controls are to provide visual privacy (previously discussed), visual relief and perceived bulk, retain and reinforce mature vegetation and to provide sufficient space for new landscaping to contribute to the streetscape.

The subject proposal retains the existing two-storey building on the site maintaining the existing reduced setbacks. These setbacks already exist and contribute to the character of the street, along with the neighbouring properties which also have reduced side boundary setback. The side setbacks of the proposal are not out of character with the surrounding properties, will not cause adverse impacts upon neighbouring properties and are considered acceptable.

### **Car parking**

The DCP states that where a DA involves a change of use, the parking rate for the new use is to be calculated as the difference between the parking rates required for both the present and proposed uses.

The existing building on the site contains 2 x 3-bedroom dwellings therefore the existing building has a parking requirement of 4 spaces. The parking required for the proposal is 6 spaces. The difference between the present use and the proposed use is 2 parking spaces. There is an existing carport on site which provides parking for 2 spaces which is to be demolished and therefore the proposal must provide 4 spaces to comply. The amended proposal provides 2 hardstand car spaces on site with a shortfall of 2 spaces.

The original proposal contained a four car stacker within the front setback of the site providing the amount of car spaces required by the DCP. However concerns were raised regarding manoeuvrability, safety, the acoustic impact, particularly on the bedrooms it was directly in front of and the amenity for those bedrooms when the car stacker was in use. These issues could not be resolved to the satisfaction of Council's Traffic Engineers and the stacker was therefore removed from the proposal and replaced with a double hardstand car space within the front setback of the site.

The DCP allows reduced parking on site where it can be demonstrated that new development either does not generate the need for car parking or that adequate alternate modes of transport are easily available. The proposal is located within relatively level walking distance of the Hall Street and Campbell Parade commercial areas and public transport routes. The site is located within an area accessible to public transport, shops and facilities and in this regard, a reduced number of spaces is considered appropriate for the site. The provision of a double hardstand car space allows increased landscaping, improved streetscape presentation and no loss of on-street parking given that the proposal will largely utilise the existing driveway width. A condition is included in Appendix A restricting the provision of parking permits to residents discouraging car ownership given that the majority of surrounding streets are time-limited parking. Accordingly, the reduced parking provision is considered acceptable.

The requirement for two additional cars on site will not generate excessive traffic within the surrounding area.

### **Solar access and overshadowing**

Solar access diagrams were provided with the amended application which demonstrate the solar access to windows and private open spaces of adjoining properties.

The most affected property in terms of overshadowing is No. 55 Sir Thomas Mitchell Road (STMR) located at the rear (south) of the site. The diagrams indicate that the affected properties within this

building will retain 3 hours solar access to living room windows on the rear elevation, at the least (the majority of side boundary windows will also continue to receive 2-3 hours). Further shadow diagrams in plan form demonstrate that the private courtyards in the rear yard of No. 55 STMR are already heavily overshadowed in mid-winter however, there will be some additional overshadowing due to the proposed development.

The other building that will be affected by overshadowing from the proposal is No. 57 STMR to the south-west of the site. The proposal will result in increased overshadowing of some windows on the side elevation of this building however, the main living area and habitable windows are located on the front, rear and side elevations oriented toward Lamrock Avenue and STMR. However sufficient solar access will be retained to those windows located above ground level on the side elevation (2-3 hours). The existing building on the site already overshadows the ground level windows at mid-winter and as such, the proposal does not result in additional impact upon these windows.

The proposal will result in increased marginal overshadowing of the rear yard of No. 57 STMR. The rear yard of this property is already significantly overshadowed in mid-winter by buildings on the site itself and from surrounding existing buildings.

Overshadowing of the adjoining sites is not unexpected given that these properties are south and south-west of the subject site. Any compliant development would result in overshadowing of the adjoining southern properties so therefore the test becomes whether the development is a reasonable expectation for the site.

The proposal retains sufficient solar access to windows on adjoining properties however will increase overshadowing of private and/or communal open spaces. The proposal complies with the height control of the LEP with predominantly the attic exceeding the FSR control. Even if the additional floor space within the attic were removed from the proposal, the attic roof form could remain, being a design feature of the building and within the height control. This would therefore have no effect in reducing the overshadowing from the building. Additionally, the proposal has been designed with a hipped roof at the rear without the continuation of the gable-ended roof form from the front to minimise bulk at the rear and overshadowing of adjoining properties.

The surrounding sites currently benefit from the underdeveloped nature of this site, by obtaining solar access over a building of much lesser density and height to themselves. The site has an R3 zoning allowing medium density residential flat buildings with a height of 12.5m. It is unrealistic to expect that this site will not be developed to at least the applicable height control. Given the dense nature of the buildings within this group on the corner of Lamrock Avenue and Sir Thomas Mitchell Road, it is unreasonable to expect solar access to be retained at the expense of the reasonable development of this site.

Given the above analysis, it is considered that the overshadowing impacts of the development are considered acceptable.

## **2.2 Section 79C(1)(b) – Other Impacts of the Development**

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

## **2.3 Section 79C(1)(c) – Suitability of the Site for the Development**

The site is considered to be suitable for the proposed development.

## 2.4 Section 79C(1)(d) – Any Submissions

The original application was notified for 14 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*. Fourteen submissions, and a petition containing 104 signatures were received. These submissions raised issues generally relating to height, FSR, overdevelopment of the site, visual and acoustic privacy, rear setback, the car stacker (and associated noise and excavation), traffic and parking, design and overshadowing.

The application was amended to reduce the height, lower the FSR, remove the car stacker and address the non-compliance with the rear setback. These issues have either been resolved with the amended scheme or remain and discussed within the report.

The amended application was notified for 14 days, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*. Six submissions were received.

The issues raised in the submissions to the amended proposal are summarised and discussed below.

**Table 6: Summary of property addresses that lodged a submission to the amended proposal**

Property
1/55 Sir Thomas Mitchell Road, Bondi Beach
4/55 Sir Thomas Mitchell Road, Bondi Beach
9/56-58 Lamrock Avenue, Bondi Beach
12/56-58 Lamrock Avenue, Bondi Beach
2/57 Sir Thomas Mitchell Road, Bondi Beach
5/57 Sir Thomas Mitchell Road, Bondi Beach

**Issue:**

- **Visual privacy.**
- **Overshadowing.**
- **Traffic and parking.**
- **Clause 4.6 variation is not well founded.**
- **Side setbacks.**
- **Lack of communal space and landscaping.**
- **Inadequate private open space and solar access to it.**

**Response:** These matters have been previously been discussed in the report.

**Issue: Overdevelopment of the site given that the subject building is a dual occupancy and will increase to 4 units.**

**Response:** The site is zoned R3 – Medium Density Residential and residential flat buildings are a permissible use within the zone. The FSR has been previously discussed in this report. The proposal is not considered to be an overdevelopment of the site.

**Issue: Acoustic privacy; increased noise levels; noise from the use of the pool and pool equipment.**

**Response:** The swimming pool has been previously discussed in this report. A condition is included in Appendix A requiring that the pool filter/plant be enclosed in a soundproof enclosure.

The generation of noise through the use of units including swimming pools, back yards and balconies is simply household noise of a domestic scale, common to residential areas. It is also noted that a number of objectors have raised the issue of acoustic privacy regarding the swimming pool. The swimming pool is not communal and will be allocated to the ground floor unit. Regardless, swimming pools are not uncommon in residential areas, are not prohibited or restricted by way of controls and are a common source of residential noise. It is not a public pool, it is a private pool and the noise generation from a pool in a residential area is not considered unreasonable.

The site is zoned for medium density residential and surrounding properties are medium density residential. It is not an unreasonable expectation that this site will also be used for the same purpose and generate similar noise as surrounding properties.

**Issue: *The design of the development is not characteristic of the surrounding 1920s style buildings.***

**Response:** The proposal retains the existing building incorporating it into the new building and uses the existing character of the building as the framework for the new design. The Waverley Design Excellence Panel made the following comment in relation to the aesthetics of the proposal:

*The Panel considered that the clarity of the concept and subtle echoing of existing built form elements associated with the proposed development could fit well into the urban context.*

....

*The Panel supported the aesthetic approach that had been adopted including the retention of elements of the existing dwelling and the way in which the various components of the proposed development retained echoes of the existing structure.*

The design of the building is considered to provide an appropriate juxtaposition between the old and new works and will make a positive contribution to the streetscape and urban context of the site.

**Issue: *Plans are misleading as they do not show all windows of surrounding properties.***

**Response:** Sufficient information in relation to windows has been provided to enable assessment including survey plans and shadow diagrams submitted in three forms (views from the sun diagrams and plan and elevational diagrams) which show all impacted windows.

**Issue: *Landscape drawings were not provided. A 2m deep soil set back should be planted with species that grow thick and to a medium height along the rear boundary to increase visual privacy.***

**Response:** Landscape drawings were provided with the application, a hard copy of which was available at Council's Customer Service Centre for viewing during the initial notification period. Not all documents are available online, especially those containing internal floor plans, and this is made clear in Council's notification letter.

This issue was raised by a property owner at the rear of the site who also raised the issue of solar access and overshadowing. It should be noted that a deep, thick and high hedge along the shared boundary will increase overshadowing of the objector's property. Notwithstanding, the landscape plan submitted with the application does show a raised planter around the perimeter of the rear

yard. This is similar to the existing planter currently on the site as shown in Figure 2 of this report. There are existing trees within this planter that provide shade and privacy between the subject site and the building at the rear. It is unclear from the submitted landscaping plan if these trees are to be retained as part of the proposal. Given the clear visual privacy these trees provide a condition requiring their retention is included in Appendix A.

**Issue: Overlooking from swimming pool.**

**Response:** The swimming pool is set down at the lowest level of the rear yard and will be excavated below ground. Surrounding properties are higher than the pool. As such, there will be no overlooking from the pool.

**Issue: The colour of the building (black) is inappropriate.**

**Response:** The existing building that is being retained will be a lighter colour (white) whilst the additions above and to the rear will be dark charcoal. The use of dark colours for the new additions clearly delineates between the old and the new works, providing emphasis to the retained existing building, particularly on the streetscape elevation. The use of the darker colour for the additions will actually give this element a recessive appearance. Additionally, the Design Excellence Panel support the play of the light and dark elements.

**Issue: The Planning Agreement is required to be exhibited to the public for comment.**

**Response:** Planning Agreements are exhibited after development consent when the detail of the agreement is known.

**Issue: Car stacker is inappropriate – excavation, noise, safety, lack of landscaping/deep soil.**

**Response:** The amended plans have removed the car stacker and replaced it with a double hardstand car space.

**Issue: Building hours should be agreed upon with neighbours.**

**Response:** Council's standard condition relating to construction days and hours is included in Appendix A. The standard hours apply to all developments to ensure fairness, timely construction and the protection of neighbourhood amenity.

## 2.5 Section 79C(1)(e) – Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

## 3. REFERRALS

### 3.1 Driveways – Creating Waverley

Council's Engineers did not support the car stacker due to potential safety issues and noise generation. The preference of Engineers was for a double hardstand car space instead of the stacker as the site location and proximity to facilities and public transport would justify the provision of less parking on site. Accordingly the car stacker was deleted and a double hardstand car space introduced to the amended proposal.



Conditions in relation to the amended proposal were provided which are included in Appendix A.

### **3.2 Stormwater – Creating Waverley**

The stormwater plans provided were assessed by Council’s Stormwater Engineers and considered satisfactory. Conditions were provided which are included in Appendix A.

### **3.3 Strategic Planning - Shaping Waverley**

The application was referred to Council’s Strategic Planner in regards to the offer to enter into a planning agreement. A condition is recommended for imposition requiring the entering into an Agreement in accordance with the Council’s Planning Agreement Policy with a monetary contribution amount of \$225,363 to be paid and applied to a public purpose, in accordance with the policy. Refer to Appendix A.

### **3.4 Fire Safety (BCA) – Building Waverley**

Conditions were provided which are included in Appendix A.

### **3.5 Waste – Sustainable Waverley**

The following comments were provided in relation to waste storage:

*The applicant’s Site Waste Recycling Management Plan (SWRMP) is not acceptable. It requires a few clarifications, and one main change: the proposal for screening the external bin storage area with plants is not acceptable. It needs to be screened with proper fencing/enclosure to prevent public access and misuse of bins, along with maintaining the noise, odour and amenity conditions for the property.*

*Additionally, as the development has 4 residential units, it must have rooms or caged areas with a minimum volume 4m<sup>3</sup> available for the storage of discarded residential bulky waste, such as old furniture, awaiting Council pick up. This area needs to be marked on the proposal drawings.*

A condition within Appendix A requires the screening of the waste storage area. Caged areas for bulky goods will compromise the landscaping and open space of the development and is not supported. Given the small number of units (4) being provided a dedicated area for bulky goods is considered unnecessary. The remaining recommended conditions are included in Appendix A.

## **4. SUMMARY**

The amended proposal seeks consent for alterations and additions to a dual occupancy to create a residential flat building containing four units, front hardstand parking, swimming pool and strata subdivision.

The proposal has been amended since it was first submitted and now complies with the height development standard however exceeds the FSR development standard by 52.41m<sup>2</sup> in gross floor area or 14%. The additional floor space does not increase the perceived bulk and scale of the building given it is largely located within a pitched attic which complies with the height development standard. Additional shadows are not created given the compliance with the height control and other built form controls of the DCP. The main non-compliance with built form controls relates to the side setbacks of

the proposal which are substandard given the retention of the existing building on the site, and as such, the existing side setbacks.

The applicant has offered to enter into a Planning Agreement. The amended proposal complies with the 15% cap on floor space specified in the Waverley Planning Agreement Policy and is in accordance with other variations which have been permitted in conjunction with public benefits (affordable housing or the like).

The proposed development is considered to be an orderly and efficient use of the site that is within the R3 Medium Density Residential Zone. The built form and density of the development are appropriate in achieving the objectives of the R3 zone, specifically providing a variety of housing types and for the housing needs of the community within a medium density residential environment. Given the acceptability of the form and density of the development, the variation of the FSR development standard is considered acceptable.

The original application was notified and fourteen submissions, and a petition containing 104 signatures, were received. These submissions raised issues generally relating to height, FSR, overdevelopment of the site, visual and acoustic privacy, rear setback, the car stacker (and associated noise and excavation), traffic and parking, design and overshadowing.

The application was amended to reduce the height, lower the FSR, remove the car stacker and address the non-compliance with the rear setback.

The amended application was notified and six submissions were received raising similar issues to the original notification. These are discussed in detail in this report.

The application is recommended for approval.

## 5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL

That the Development Application be **APPROVED** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A:

**Report prepared by:**

Kylie Lucas  
**Senior Development Assessment Planner**

**Date: 28 March 2018**

**Application reviewed and agreed on behalf of  
the Development and Building Unit by:**

Angela Rossi  
**Manager, Development Assessment (Central)**

**Date: 5 April 2018**

**Reason for referral:**

- 2 Contentious Development  
(b) more than 10 unique submissions
- 3 Departures from development standards  
Development contravenes a development standard >10%
- 4 Sensitive Development  
(b) SEPP 65 applies  
(f) DA for which the developer has offered to enter into a planning agreement.

## **APPENDIX A – CONDITIONS OF CONSENT**

### **A. APPROVED DEVELOPMENT**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

(a) The following Architectural Plans drawn by MHND UNION:

<b>Plan No.</b>	<b>Dated</b>	<b>Received by Council date</b>
DA 1001 B	22/11/2017	24 November 2017
DA 2001 B	22/11/2017	24 November 2017
DA 2002 C	28/02/2018	9 March 2018
DA 2003 B	22/11/2017	24 November 2017
DA 2004 B	22/11/2017	24 November 2017
DA 2005 B	22/11/2017	24 November 2017
DA 2400 C	28/02/2018	9 March 2018
DA 2401 C	28/02/2018	9 March 2018
DA 2402 C	28/02/2018	9 March 2018
DA 2403 D	22/03/2018	22 March 2018
DA 2500 B	22/11/2017	24 November 2017
DA 2501 B	22/11/2017	24 November 2017
DA 2502 A (Revision B)	22/11/2017	24 November 2017
DA 4201 A (Revision B)	22/11/2017	24 November 2017
DA 6000 C	28/02/2018	9 March 2018
DA 9400 B	28/02/2018	9 March 2018
DA 9401 A	22/11/2017	24 November 2017

(b) BASIX Certificate;

(c) Draft Strata plans Sheets 1-3 Issue B drawn by Eric Scerri dated 28-2-18 and received by Council on 20 March 2018;

(d) Stormwater details and documentation by Glen Haig and Partners, Job No. 172935, Drawing No. H0000, H101 and H102, all Revision A, dated 17.05.17, and received by Council on 19 May 2017;

(e) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012.

Except where amended by the following conditions of consent.

#### **2. GENERAL MODIFICATIONS**

The proposal shall be amended as follows:

- (a) The skylights on the roof shall be ventilating skylights.
- (b) A planter with a minimum width of 1000mm (minimum soil depth of 600mm and minimum soil width of 700mm along entire length) shall be provided on the rear boundary of the uppermost balcony to Unit 4 to inhibit overlooking of the rear yard. The planter shall extend for the full length of the rear elevation. The balustrade to the reduced balcony shall be on the inside of said planter (not on the building edge).
- (c) The waste storage area shall be screened by a built enclosure/screen to prevent public access and misuse of bins.
- (d) Window GW11 on the approved plans shall be obscure glazed or appropriately screened to inhibit privacy impacts upon the adjoining property.

The amendments are to be approved by the Principal Certifying Authority prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

### **3. AMENDED LANDSCAPE PLAN**

The Landscape Plan is to be amended as follows:

- a) The trees around the perimeter of the rear yard shall be retained. These trees provide privacy between the subject site and the property at the rear.

The amended landscape plan is to be submitted for the approval of Council's Tree Management Officer for approval prior to the issue of the Construction Certificate.

### **4. APPROVED DESIGN - RESIDENTIAL FLAT DEVELOPMENT**

The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the internal layout or external appearance of the building, without the approval of Council.

### **5. ARCHITECT TO SUPERVISE DESIGN**

The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of a **qualified designer** in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Flats.

### **6. USE OF COMMON PROPERTY**

No exclusive use of common property (other than for approved storage) shall occur without the prior consent of Council.

### **7. NOISE - MECHANICAL PLANT**

Noise associated with mechanical plant shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.

- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.
- (c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.
- (d) A Certificate is to be submitted at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment complies with the terms of approval in relation to noise.

## **8. NOISE EMISSIONS**

The use of the premises shall not give rise to:

- (a) Transmission of "Offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;
- (b) A sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard 1055.

## **9. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES**

Where there is a strong community reaction to noise associated with demolition, excavation and/or construction, Council may require respite periods by restricting the hours that the specific noisy activity can occur.

Notes: If this is imposed, Council will take into account:

1. Times identified by the community when they are less sensitive to noise
2. If the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.

## **10. INSTALLATION OF AIR CONDITIONING**

Any air conditioning unit(s) installed within the building shall:

- (a) Be located within the basement carpark in a suitably ventilated plant area. Should this not be possible, then condenser units shall be located on the roof, in the centre adjacent to lift overrun.
- (b) Not be adjacent to neighbouring bedroom windows.
- (c) Not reduce the structural integrity of the building.
- (d) 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.



(e) 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).

**11. TELECOMMUNICATION FACILITIES ON MULTI-UNIT DWELLINGS**

Telecommunication facilities on new multi-unit dwellings are opposed. The Owners' Corporation is prohibited from entering into leasing agreements with telecommunication companies to erect or install any commercial telecommunication device (other than for the explicit use of the occupants) on the building.

**12. DOMESTIC HEATERS**

The provision of solid fuel heating/cooking appliances is prohibited.

## **B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **13. 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/](http://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.

### **14. SECURITY DEPOSIT**

A deposit or guarantee satisfactory to Council for the amount of **\$25,000** 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.

### **15. 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.

## 16. PLANNING AGREEMENT

- (a) The owner of the land / applicant shall:
- (i) Enter into a Planning Agreement with Waverley Council under Section 7.4 of the *Environmental Planning and Assessment Act 1979* (formerly S93F) in accordance with Waverley Council's *Planning Agreement Policy* prior to the issue of any Construction Certificate, for the development that relates to works contained in DA-193/2017; and
  - (ii) Pay a monetary contribution amount of **\$225,363** prior to the issue of any Occupation Certificate for the Development.
- (b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:
- (i) The Planning Agreement shall be registered upon the title of the land the subject of the Development prior to the issue of any Construction Certificate for the Development; and
  - (ii) The owner/ applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:
    - In a form acceptable to Council and from an institution acceptable to Council
    - Irrevocable
    - Unconditional
    - With no end date
- (c) The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development, and is to be applied towards a public purpose in accordance with the Agreement and Waverley Council's *Planning Agreement Policy*.

## 17. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE

The building work, or demolition work, 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 the appointment in accordance with Section 81(A)(2)(b) of the *Environmental Planning & 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.

#### **18. ESSENTIAL SERVICES - EXISTING BUILDING**

Details of the currently implemented and proposed essential fire safety measures shall be submitted to Council, with the Construction Certificate, in the form of a Fire Safety Schedule. This Schedule shall be prepared by a person competent to do so and shall specify the minimum standard of performance for each essential fire safety measure included in the Schedule.

At the completion of the installation, a Final Fire Safety Certificate shall be attached to the Occupation Certificate, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:

- (a) has been assessed by a properly qualified person; and
- (b) found to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.

#### **19. FIRE SAFETY UPGRADING WORKS**

- a) In addition to all new works fully comply with the Building Code of Australia, pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000, all existing areas of the building must be upgraded to comply with the following provisions of the Building Code of Australia (BCA):
  - (i) Fire resistance and stability – Part C1;
  - (ii) Compartmentation and separation – Part C2;
  - (iii) Protection of openings – Part C3
  - (iv) Provision for escape – Part D1;
  - (v) Construction of exits – Part D2;
  - (vi) Access for people with a disability – Part D3;
  - (vii) Fire fighting equipment – Part E1;
  - (viii) Smoke hazard management – Part E2;
  - (ix) Lift installations – Part E3;
  - (x) Emergency lighting, exit signs and warning systems – Part E4;
  - (xi) Sanitary and other facilities – Part F2;
  - (xii) Room heights – Part F3;
  - (xiii) Light and ventilation – Part F4; and
  - (xiv) Sound transmission and insulation - Part F5.
- b) If compliance with the deemed-to-satisfy provisions of the BCA and the matters listed in condition (a) above cannot be achieved, an alternative building solution in accordance with Part A0 of the BCA must be prepared by a suitably qualified and accredited person and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the BCA are to be satisfied. Prior to a Construction Certificate being issued, the Certifying Authority must ensure that the building complies with the Building Code of Australia.
- c) The BCA matters identified in (a) above are not an exhaustive list of conditions to verify compliance or non-compliance with the BCA. Any design amendments required to achieve compliance with the BCA must be submitted to Council. Significant amendments may require an application under Section 96 of the Act to be lodged with Council to amend this consent.

Note: The provisions of Clause 94 of the Environmental Planning and Assessment Regulation 2000 have been considered in the assessment of the proposed development.

**20. ARCHITECT TO SUPERVISE DESIGN - CONSTRUCTION CERTIFICATE DOCUMENTATION**

The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of a qualified designer in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Flats.

In accordance with clause 143a of the Environmental Planning and Assessment Regulations 2000, the Principal Certifying Authority must not issue a construction certificate unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted.

**21. SERVICE AUTHORITIES**

The applicant is to seek approval from Sydney Water regarding any possible modification to the service authority's infrastructure prior to the issue of a Construction Certificate.

**22. HOARDING REQUIRED**

If required a standard A/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.

**23. 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.

**24. ENGINEERING DETAILS - CERTIFICATE OF ADEQUACY**

A Certificate of Adequacy prepared by a practicing Structural Engineer, certifying the adequacy of the existing building structure to carry the extra load of the proposed additions is to be provided to Council or the Accredited Certifier prior to the issue of a Construction Certificate.

**25. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION**

A report shall be prepared by a suitably qualified and practising Structural Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of a Construction Certificate.



Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.

**26. SITE WASTE AND RECYCLING MANAGEMENT PLAN**

A Site Waste and Recycling Management Plan (SWRMP) shall be submitted to the Principal Certifying Authority for approval in accordance with Waverley DCP 2012 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 at all times during demolition and construction. At least one copy of the SWRMP is to be available on site at all times during demolition and 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.

**27. 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.

**28. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT**

Prior to the issue of a Construction Certificate, the applicant is to submit a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) for the approval of the Executive Manager, Creating Waverley.

The CVPPM shall:

- a. Show the size and number of trucks to be used during the various stages of the development.
- b. Show the route to be taken by trucks in (a) above within the Waverley Council area when gaining access to and from the site. Note, 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 in the vicinity of the site, the trucks may not be approved for use.
- c. Show the location and length of any proposed Works/Construction Zones.  
Note:
  - (i) Such zones require the approval of the Waverley Traffic Committee and Council prior to installation.
  - (ii) It is illegal to park a truck exceeding 4.5tonnes on a roadway for more than one (1) hour unless signs are installed allowing such and illegal to barricade/ reserve a section of roadway without the prior approval of Council.
- d. Indicate the number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.

**29. 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 - Part B prior to the issue of a Construction Certificate.

### **30. NOISE ATTENUATION IN RESIDENTIAL FLAT BUILDINGS**

Noise attenuation is to be achieved in all residential units within the building by a minimum of the following standards:

- (a) A wall shall have a Field Sound Transmission Class (FSTC) of not less than 50 if it separates sole occupancy units or a sole occupancy unit from a stairway, public corridor, hallway or the like;
- (b) A wall separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have a FSTC of not less than 55;
- (c) A wall or floor shall have a FSTC of not less than 55 if it separates a sole occupancy unit from a plant room;
- (d) A floor separating sole occupancy units must not have a FSTC of less than 50; and
- (e) A floor separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have an Impact Isolation Class of not less than 55.

Details are to be provided on the plans to the satisfaction of the Principal Certifying Authority prior to the issue of the Construction Certificate.

### **31. 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.

### **32. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and cannot be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.

### **33. USE OF RENEWABLE TIMBERS**

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed

timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the issue of the Construction Certificate. Where the applicant is to use timbers not recommended in Council's Policy, reasons are to be given why the alternative timbers recommended cannot be used.

**49. VEHICULAR ACCESS**

Vehicular access and gradients of vehicle access driveway(s) within the site are to be in accordance with Australian Standard 2890.1 Parking Facilities - Off Street Car Parking with details provided on the plans prior to the issue of the Construction Certificate.

**34. CAR PARKING ALLOCATIONS**

A total of **2** car vehicle parking spaces are to be provided, allocated in the following manner:

- (a) 2 residential parking spaces;

Details are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

**35. BICYCLE PARKING**

A total of **4** residential bicycle parking spaces are to be provided. Such spaces are to be provided by way of a secure lockable area, individual lockers or suitable bicycle racks and are to be located within the ground floor foyer or adjacent within any forecourt or within the basement car parking area.

Details are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

## **C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION**

### **36. 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.

### **37. 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.

### **38. 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.

### **39. 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.

### **40. TOILET FACILITIES**

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

### **41. NO USE OF ORGANOCHLORIN PESTICIDES**

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

#### **42. DILAPIDATION REPORTS**

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'.

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.

#### **43. DEMOLITION AND CONSTRUCTION WASTE MANAGEMENT**

The applicant must ensure that the waste generated during the demolition and construction phase complies with the following;

- (a) Separate collection bins or areas for the storage of waste is to be provided (giving consideration to slope, drainage, vegetation, access and handling requirements including:
  - (i) Landfill waste;
  - (ii) Recyclable waste;
  - (iii) Materials to be re-used on-site; and / or
  - (iv) Excavation materials.See Annexure B1-1 of the Waverley DCP for common building materials re-use and recycling potential.
- (b) A 100% re-use of sandstone is required.



- (c) All storage areas/ containers are to be located within the property boundary and indicated on the site plans / drawings as part of the SWRMP.
- (d) Where space on a development is limited, approval may be granted by Council to place a skip on a footpath or other public area in line with Part B of Waverley DCP 2012.
- (e) Waste and recycling containers/skips may only be provided by persons/companies holding a current permit granted by Council.
- (f) Asbestos and other hazardous material is to be managed under the Protection of the Environment Operations Act. For further information go to Councils Asbestos Policy 2005 and [www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro) and [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).
- (g) Materials that cannot be reused or recycled should be disposed of at an 'approved' landfill and specified in the SWRMP.
- (h) Records are to be retained on-site demonstrating lawful disposal of waste.
- (i) Easy vehicular access to waste and recycling material storage areas must be provided.
- (j) Construction materials are to be stored away from waste and recycling materials to enable easy access for waste collectors.
- (k) All waste and recycling is to be stored to prevent damage by the elements, odour, health risks and windborne litter.

#### **44. 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (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.

#### **45. DEMOLITION & SITE PREPARATION**

Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements NSW WorkCover Authority and the NSW Environment Protection Authority (EPA), and with the provisions of:

- (a) Work Health & Safety Act 2011;
- (b) Work Health & Safety Regulation 2011;
- (c) Protection of the Environment Operations Act 1997 (NSW) and

(d) NSW EPA Waste Classification Guidelines 2009.

#### **46. CONTAMINATING MATERIAL REQUIRED TO BE REMOVED**

The following requirements apply to demolition and construction works on site:

- (a) Hazardous dust is not to be allowed to escape from the site. The use of fine mesh dust proof screens or other measures are recommended. Any existing accumulations of dust (eg: ceiling voids and wall cavities) must be removed by the use of an industrial vacuum fitted with a high efficiency particle air (HEPA) filter. All dusty surfaces and dust created from work are to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems. Demolition is not to be performed during adverse winds, which may cause dust to spread beyond the site boundaries.
- (b) All contractors and employees directly involved in the removal of hazardous dusts and substances are to wear protective equipment conforming to Australian Standard AS1716 Respiratory Protective Devices. They shall also adopt work practices in accordance with the requirements of Safe Work Australia's National Standard for the Control of Inorganic Lead at Work (NOHSC: 1012 (1994) and NOHSC: 2015(1994).
- (c) All lead-contaminated materials being disposed of in accordance with the NSW Environment Protection Authority (EPA) Waste Classification Guidelines 2009 and the Protection of the Environment Operations Act 1997 (NSW).

#### **47. ASBESTOS REMOVAL**

- (a) All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.
- (b) All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.
- (c) No asbestos products are to be reused on site.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.
- (e) No asbestos laden skips or bins are to be left in any public place without the approval of Council.

#### **48. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS**

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

#### **49. 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.

**50. FOOTPATH PROTECTION**

The footpath and driveway must have a protective cover e.g. duckboards or plates to ensure these are not damaged during the course of demolition and/or construction. The protective measure is to be installed prior to the commencement of any works on the site.

**51. 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.

**52. 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.

**53. SEDIMENT REMOVAL FROM VEHICLE WHEELS**

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed in accordance with the approved Soil and Water Management Plan for the site prior to the commencement of any site works or activities.

**54. 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.

**55. 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; and
- (b) Sundays and public holidays

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

**56. 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.

**57. 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.

**58. 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.

**59. 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.

**60. BUILDING CODE OF AUSTRALIA**

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

**61. BUILDING LEGISLATION AMENDMENT (QUALITY OF CONSTRUCTION) ACT - INSPECTIONS (RESIDENTIAL FLAT DEVELOPMENT AND OTHER RESIDENTIAL CLASS 2, 3 AND 4)**

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 Certification.

**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 2, 3 and 4 building:

- (a) at the commencement of the building work;

- (b) prior to covering of waterproofing in any wet area for a minimum of 10% of rooms with wet area within a building;
- (c) prior to covering any stormwater drainage connections; and
- (d) 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) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and
- (g) 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.

## **62. CERTIFICATE OF SURVEY - LEVELS**

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

## **63. 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.

## **64. IN-SINK WASTE DISPOSAL SYSTEMS**

The installation of in-sink waste disposal systems is prohibited.

## **65. 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.

## **66. 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.

**67. 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.

**98. 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.

**68. NEW VEHICLE CROSSING**

The existing vehicle crossing is to be demolished and a new crossing constructed to provide to access the proposed **hardstands**. A separate application is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council.

**69. VEHICULAR ACCESS - FINISHED LEVEL**

The finished level at the property boundary on **both** sides of the vehicle crossing is to be **100mm above** the existing concrete footpath.

**70. 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.

**71. STREET TREES**

No existing street trees shall be removed without Council approval, (other than those shown for approval in this consent, where relevant). A 1.8m high chain link wire fence or the like shall be erected around the existing street trees to protect them from damage during construction. Where approval is granted for the removal of a street tree the applicant is to pay for its replacement with a super advanced tree of a species nominated by Council.

**72. TREE PROTECTION**

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

### 73. CONSTRUCTION OF SWIMMING POOLS

The following applies to the construction of swimming pools:

- (a) If a concrete pool, 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 **RL19.00**;
- (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 AS 1926.1-2012 Swimming pool safety - Safety barriers for 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.

### 74. 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.

## D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION

### 75. 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.

### 76. SUBDIVISION

A Subdivision Certificate must be obtained from Council in accordance with Section 109C(d) of the Environmental Planning and Assessment Act, 1979 prior to the registration of the subdivision plans.

### 77. SYDNEY WATER

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website [www.sydneywater.com.au/customer/urban/index](http://www.sydneywater.com.au/customer/urban/index) or telephone 13 20 92.**

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the subdivision plan/occupation of the development.

### 78. ARCHITECT TO SUPERVISE DESIGN - OCCUPATION CERTIFICATE DOCUMENTATION

In accordance with clause 154A of the Environmental Planning and Assessment Regulations 2000, the Principal Certifying Authority must not issue an occupation certificate to authorise a person to commence occupation or use of the development unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued.

### 79. STORMWATER

Prior to issuance of an Occupation certificate, certification is to be provided from a suitably qualified hydraulics engineer, that the stormwater system has been **constructed** in accordance with the approved stormwater management plans and to best engineering practice.

### 80. WASTE AND RECYCLING STORAGE AND COLLECTION

(a) The proposal must have a bin storage point for a minimum;

- **Residential**
  - 3 Mobile garbage bins (MGBs) for general waste
  - 1 MGBs for container recycling
  - 1 MGBs for paper and cardboard recycling

- Extra MGBs – 1 MGB for excess waste and 1 MGB for garden organics should this type of waste be generated at the property
- (b) All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B, Section 1.2.1, Section 1.2.3 and Section 1.2.4 of Waverley Council Development Control Plan 2012.
- (c) Waste and recycling receptacles must be stored at all times within the boundary of the site and screened from the public domain.
- (d) Waste and recycling storage areas must be designed and located to avoid adverse impacts on the amenity of adjoining sites including noise and odour.
- (e) Residential units must be insulated from noise if adjacent or above the waste and recycling storage facility, compaction equipment or collection and vehicle access points.
- (f) Composting facilities which meet all design requirements set in Annexure B1-5 of the Waverley Council Development Control Plan must be provided at this development.
- (g) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of waste receptacles, cleaning of storage areas and booking and transporting bulky waste for Council pick up must be outlined in contracts with the building manager, cleaners and tenants.
- (h) Clear and easy signs identifying the different MGB and where the MGBs should be stored in the storage area(s) must be displayed.
- (i) All waste and recycling receptacles are to be presented for collection no earlier than the previous night before collection and must be removed from the kerb-side as soon as possible on the same day as the collection. The storage and/or presentation of bins on the kerbside on public land and kerbside is not permitted at any time.

## **120. FIRE SAFETY WORKS**

The Occupation Certificate shall not be released by Council or an accredited certifier, until all fire safety works are completed and a Final Fire Safety Certificate has been submitted to Council, certifying that each essential fire safety measure specified within the current Fire Safety Schedule:-

- (a) has been assessed by a properly qualified person; and
- (b) has been found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the Certificate is issued.

## **81. FIRE SAFETY - EXITS**

Exits and paths of travel to exits are to be kept clear and at all times to provide clear access to exits and provide a safe passage for occupants to open space in accordance with Section D of the BCA.

## **82. FIRE SAFETY MAINTENANCE**

Access to all essential fire safety measures, such as fire hydrants, fire hose reels, portable fire extinguishers and the like must be maintained at all times and not be blocked or obstructed by furniture, equipment or the like.

## **83. WAVERLEY DIGITAL MODEL**

Prior to the issue of an Occupation Certificate an accurate 'as built' digital model of the building must be submitted to Council's Waverley Futures Department for use in the Waverley Digital Model.

- (a) A digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:
  - (i) a building envelope which includes all elements affecting shadow analysis;
  - (ii) accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features;
  - (iii) a ground level terrain showing accurate RLs extending to site boundaries.
- (b) All models must be generated in accordance with Council's Guidelines: Submitting Digital 3D Models. Further information and technical requirements can be obtained from Council's E-Planning (3D Modelling) Officer, Shaping Waverley.

Notes:

- This model will update previous version/s submitted at Development Application stage.
- Any future modifications (under Section 96 of the Environmental Planning and Assessment Act) that affect the external configuration of the building (from the ground level and up), will require the submitted model to be amended.

## **84. LIGHTING**

- (a) 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.
- (b) All external lighting fixtures should be vandal resistant.
- (c) Lighting should be carefully considered in areas covered by CCTV to allow for optimum viewing.
- (d) Lighting should be free of obstructions, such as tree branches, pipes, etc.
- (a) Transition lighting should also be used throughout the site to reduce vision impairment, i.e. impairment caused by walking from dark to light places and light to dark places.
- (b) All external area lights and carparks to multi-unit dwellings shall be on sensor switches to save energy and reduce light spill to the sky; low voltage solar powered lights to front entry footpaths are acceptable for continuously illuminated lighting.

## **85. ALLOCATION OF STREET NUMBER**

The redevelopment of the property has led to the following allocation of primary and sub-address numbers for a strata subdivision:

- No. 60 - primary address number
- Lamrock Avenue primary address location.

The primary premises 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 Lamrock Avenue.

The following sub-addressing will apply:

- Nos. 1-4 for the sub-addresses within the building correlating with Nos. 1-4 on the floor plans for the building.

The address number for a sub-address site shall consist of the sub-address followed by the number of the primary address site.

The address number for a sub-address site shall not consist of the primary address number on its own.

Sub-address numbers shall be applied in a logical sequence and within a primary address site shall be unique regardless of the type of the address.

The primary and sub-address numbers are to be positioned on the site prior to the issue of the Subdivision/Occupation Certificate and Council notified of the corresponding sub-address numbers to lot number prior to the issue of the Subdivision/Occupation Certificate.

Any variation to the above premises numbering requires a new application to be lodged with Council.

## **125. PARKING**

- (a) Ownership of car park lot spaces shall be limited to parties owning a lot within the building on-site.
- (b) A maximum of one car space shall be allocated to any residential unit/dwelling to ensure equitable allocation overall.
- (c) Car parking spaces shall not be independent lots, but rather part lots attached to units in the Subdivision Plans.

## **86. PARKING PERMITS**

In accordance with Council's Policy, Residents Preferred Parking permits will **not** be issued for this development when completed.

## **87. RESIDENTIAL FLAT BUILDINGS - BALCONIES NOT TO BE ENCLOSED**

The private open balconies attached to the proposed building are not to be enclosed at any future time, in accordance with the provisions of Council's General Policy. In this regard, the door openings within the external walls adjoining the private open balconies to be constructed so as to prevent the penetration of rain or other waters to the inner part of the building.

## **88. NOISE ATTENUATION CERTIFICATE**



On completion of any building containing residential units and prior to the issue of the Occupation Certificate the applicant shall:

- (a) Engage and an Australian Association Acoustic Consultant to conduct a test for noise attenuation to classify the buildings performance on the National Star Rating Table and to confirm compliance with Condition; and
- (b) Lodge with Council for public record, the noise attenuation star rating results.

**89. NOISE – PLANT AND EQUIPMENT**

A Certificate is to be submitted to Council at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment including mechanical supply and exhaust ventilation systems (including the car park) and lift motors comply with the terms of approval in relation to noise.

**90. SLIP TESTS OF COMMON AREAS**

Common area tiles should not have slippery finishes. Slip tests should be undertaken in wet conditions.

**91. TACTILE NUMBER IN LIFT**

The applicant is advised that with regard to the provision of the lift in the building, it will be necessary for tactile numbers to be placed on each level of the building and within the lift to assist visually impaired people.

**92. 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.

**93. 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.

**94. 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.

**95. SWIMMING/SPA POOL PUMP - RESTRICTIONS**

Swimming/spa pool pumps are restricted from being used and operated between 8pm to 7am weekdays and Saturdays, 8pm to 8am on Sundays and public holidays in accordance with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2008. On the spot fines may be imposed should breaches occur.

**96. SWIMMING POOL REGISTRATION**

The swimming pool is to be registered on the State Government Swimming Pool Register (<http://www.swimmingpoolregister.gov.au>) and a Certificate of Compliance obtained for the pool barrier is required to be submitted to Council prior to the issue of an Occupation Certificate.



# PHOTOMONTAGE

NO AMENDMENTS MADE TO THIS DRAWING FOR REVISION B



REVISIONS	PLOTTED: 24/11/2017	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING. MHN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATE/COMMUNICATION REQUIREMENTS ARE ACCESSED TO DISCHARGE FROM EXITS. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

GENERAL NOTES
<p>CLAUSE B 1.4 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>SPEC C 1.1 - FIRE RESISTING CONSTRUCTION</p> <p>SPEC C 1.2 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>SPEC C 1.3 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.1 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.2 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.3 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.4 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.5 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.6 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.7 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.8 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.9 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.10 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.12 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.13 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.14 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.15 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.16 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.17 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.18 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.19 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.20 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p>

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS
<p>CLAUSE B 1.4 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.5 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.6 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.7 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.8 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.9 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.10 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.11 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.12 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.13 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.14 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.15 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.16 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.17 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.18 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.19 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>CLAUSE B 1.20 - MATERIAL &amp; FORMS CONSTRUCTIONS</p>

SPECIFICATIONS (refer to specification attachment)
<p>ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 4.4 &amp; AS 1680</p> <p>BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16</p> <p>DRAINAGE GUTTERS &amp; DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2</p> <p>FIRE SERVICES: TO COMPLY WITH SECTIONS 5.2 OF BCA</p> <p>HOT WATER: TO COMPLY WITH PART 3 OF BCA</p> <p>MASSMURRY: TO COMPLY WITH AS 2601</p> <p>MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 3A OF BCA</p> <p>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4 ASSE 2</p> <p>SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE &amp; SPEC E2.2 &amp; AS 3786</p> <p>PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL/PLUMBING PENETRATIONS TO COMPLY WITH BCA CLAUSE D2.13.1.8 &amp; AS 1530.4</p> <p>SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA</p> <p>STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13</p> <p>WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 4200</p>

BASIN COMMITMENTS (ALL OTHER BASIN COMMITMENTS AS PER BASIN CERTIFICATE AND STAMPED PLANS)
<p>WATER OPTIONS</p> <p>SHOWERHEADS: 3 STAR</p> <p>TOILETS: 4 STAR</p> <p>CLOTHES WASHERS: 3.5 STAR</p> <p>WATER SAVING: 4 STAR</p> <p>BATHROOM TAPS: 4 STAR</p> <p>POOLSPA: 2.5/3.5/4/5/1 only, with</p> <p>LANDSCAPED AREA TO IRRIGATE: 100 sqm (minimum)</p> <p>WATER HEATING: 13.2 sqm (minimum)</p> <p>ENERGY EFFICIENT LIGHTING: 100 sqm (minimum)</p> <p>COOK TOPS: 100 sqm (minimum)</p> <p>REFRIGERATOR SPACE: 100 sqm (minimum)</p> <p>CLOTHES DRYING LINES: 100 sqm (minimum)</p>

THERMAL COMFORT OPTIONS
<p>ROOF: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>CEILING: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>WALLS: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>FLOORS: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>GLAZING TYPE: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>INTERNAL WALLS: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>EXTERNAL WALLS: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>MECHANICAL AIRCONDITIONING: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>MECHANICAL EXHAUST VENTILATION: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>SMOKE ALARMS: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL/PLUMBING PENETRATIONS TO COMPLY WITH BCA CLAUSE D2.13.1.8 &amp; AS 1530.4</p> <p>SOUND TRANSMISSION: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>STAIR CONSTRUCTION: All conditions - single phase 2.5 Star to 3.5 Star</p> <p>WATERPROOFING OF WET AREAS: All conditions - single phase 2.5 Star to 3.5 Star</p>

## MHNDUNION

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MHN Design Urban Pty Ltd. ABN 94 003 717 682

**PROJECT:** 16096  
60 Lamrock Ave  
SURRY HILLS SYDNEY NSW 2010

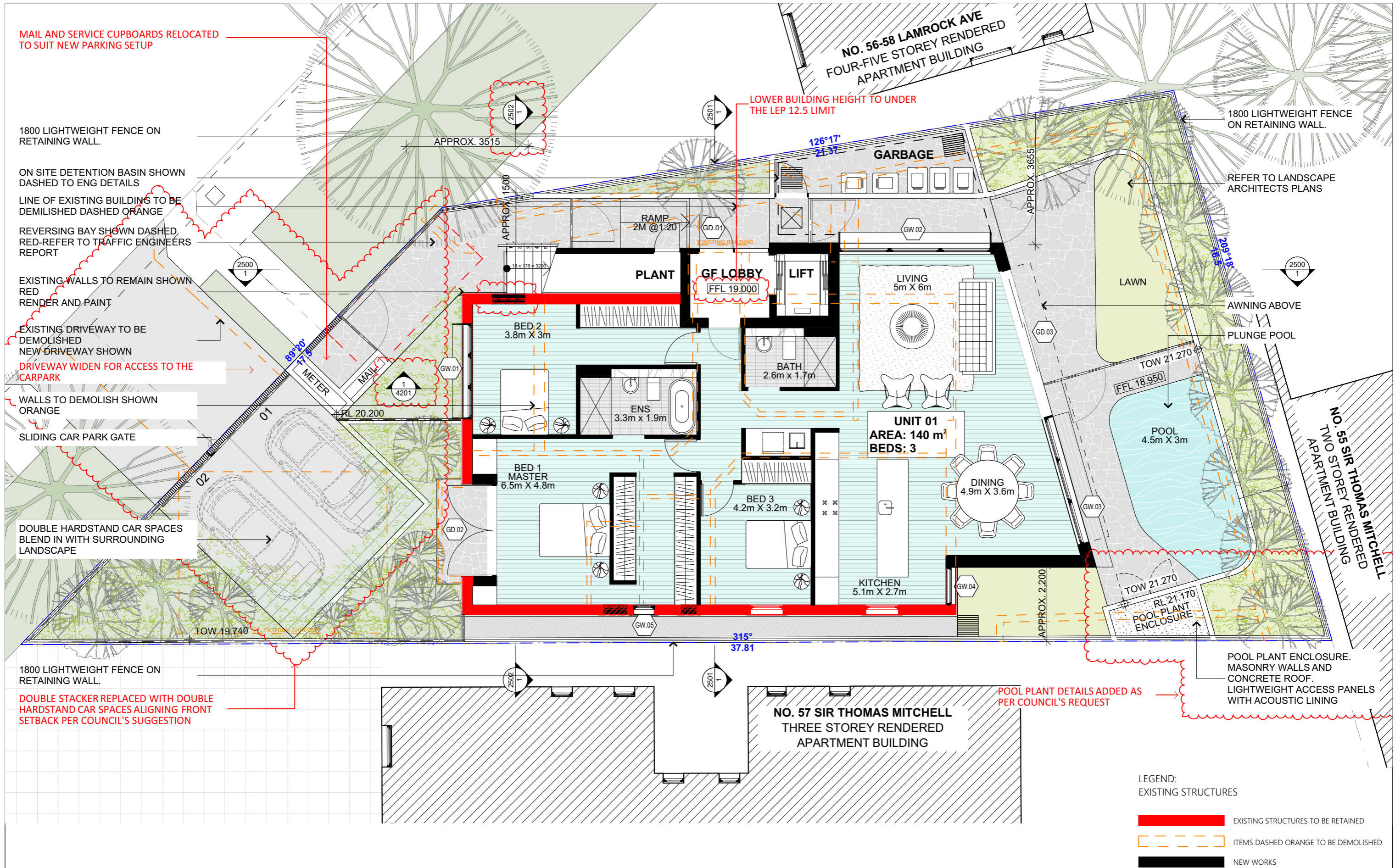
**DRAWN BY:** MHN/DA  
**TO SCALE:** @A3  
**DRAWING NO:** REV: 228

**DRAWING:** PHOTOMONTAGE

Nominated Architect  
Brian Meyerson NSW  
Registration Number 4907







MAIL AND SERVICE CUPBOARDS RELOCATED TO SUIT NEW PARKING SETUP

1800 LIGHTWEIGHT FENCE ON RETAINING WALL.

ON SITE DETENTION BASIN SHOWN DASHED TO ENG DETAILS

LINE OF EXISTING BUILDING TO BE DEMOLISHED DASHED ORANGE

REVERSING BAY SHOWN DASHED RED-REFER TO TRAFFIC ENGINEERS REPORT

EXISTING WALLS TO REMAIN SHOWN RED RENDER AND PAINT

EXISTING DRIVEWAY TO BE DEMOLISHED NEW DRIVEWAY SHOWN DRIVEWAY WIDEN FOR ACCESS TO THE CARPARK

WALLS TO DEMOLISH SHOWN ORANGE

SLIDING CAR PARK GATE

DOUBLE HARDSTAND CAR SPACES BLEND IN WITH SURROUNDING LANDSCAPE

1800 LIGHTWEIGHT FENCE ON RETAINING WALL.

DOUBLE STACKER REPLACED WITH DOUBLE HARDSTAND CAR SPACES ALIGNING FRONT SETBACK PER COUNCIL'S SUGGESTION

LOWER BUILDING HEIGHT TO UNDER THE LEP 12.5 LIMIT

1800 LIGHTWEIGHT FENCE ON RETAINING WALL.

REFER TO LANDSCAPE ARCHITECTS PLANS

AWNING ABOVE PLUNGE POOL

POOL PLANT ENCLOSURE. MASONRY WALLS AND CONCRETE ROOF. LIGHTWEIGHT ACCESS PANELS WITH ACOUSTIC LINING

POOL PLANT DETAILS ADDED AS PER COUNCIL'S REQUEST

LEGEND:  
EXISTING STRUCTURES

- EXISTING STRUCTURES TO BE RETAINED
- ITEMS DASHED ORANGE TO BE DEMOLISHED
- NEW WORKS

REVISIONS	PLOTTED: 24/11/2017	GENERAL NOTES
A DA SUBMISSION	15/05/2017	<p>ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.</p> <p>CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.</p> <p>CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.</p> <p>CONTRACTOR TO CLARIFY ALL DIMENSIONS AND SETTING OUT PRIOR TO CONSTRUCTION.</p> <p>CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.</p> <p>ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE.</p> <p>ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.</p>
B RESPOND TO COUNCIL LETTER	22/11/2017	

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS
<p>CLAUSE B 1.4 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>SPEC C 1.1 - FIRE RESISTING CONSTRUCTION</p> <p>SPEC C 1.10 - FIRE RISKING PROPERTIES</p> <p>SPEC C 1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.1 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL</p> <p>CLAUSE C 3.12 - SEPARATION OF EQUIPMENT</p> <p>CLAUSE C 12 - ELECTRICAL SUPPLY SYSTEM</p> <p>CLAUSE C 3.1 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)</p> <p>CLAUSE C 3.8 - OPENING IN FIRE RESISTING WALLS</p> <p>CLAUSE C 1.15 - OPENING FOR SERVICE INSTALLATIONS</p> <p>CLAUSE C 1.10 - DISCHARGE FROM EXITS</p> <p>CLAUSE D 2.7 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL</p> <p>CLAUSE D 2.10 - SIGNS AND NUMBER</p> <p>CLAUSE D 2.14 - LANDINGS</p> <p>CLAUSE D 2.15 - THRESHOLDS</p> <p>CLAUSE D 2.16 - BALUSTRADES</p>

SPECIFICATIONS (refer to specification attachment)
<p>ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 4.4 &amp; 4.5/1680</p> <p>BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16</p> <p>DRAINAGE GUTTERS &amp; DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2</p> <p>ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.0 OF BCA</p> <p>FIRE SERVICES: TO COMPLY WITH SECTION 5 OF BCA</p> <p>HOT WATER: TO COMPLY WITH PART 3 OF BCA</p> <p>MASONRY: TO COMPLY WITH AS/ISO</p> <p>MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 3.1 OF BCA</p> <p>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4:2005</p> <p>SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE &amp; SPEC E2.2 &amp; AS3786</p> <p>PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR: MECHANICAL/CAVITY PENETRATIONS TO COMPLY WITH BCA CLAUSE C2.13 &amp; AS1530.4:2005</p> <p>SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA</p> <p>STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13</p> <p>WATERPROOFING OF WET AREAS: TO COMPLY WITH AS/NZS</p>

BASIC COMMITMENTS (ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLANS)
<p>WATER OPTIONS</p> <p>SHOWERHEADS: 3 STAR</p> <p>TOILETS: 4 STAR</p> <p>CLOTHES WASHERS: 3.5 STAR</p> <p>WATER SAVING: 4 STAR</p> <p>BATHROOM TAPS: 3.5 STAR</p> <p>POOLSPA: only with</p> <p>pool cover</p> <p>LANDSCAPED AREA TO IRRIGATE: 100mm (minimum)</p>

ENERGY OPTIONS
<p>COOLING: Air conditioner - single phase 2.5 Star to ROOF</p> <p>HEATING: Air conditioner - single phase 2.5 Star to CEILING</p> <p>WATER HEATING: Hot water and tankless</p> <p>ENERGY EFFICIENT LIGHTING: LED lighting</p> <p>COOK TOPS: Cooktop with induction</p> <p>REFRIGERATOR SPACE: Refrigerator with energy efficient lighting</p> <p>CLOTHES DRYING LINES: N/A</p>

THERMAL COMFORT OPTIONS
<p>INTERNAL WALLS: Minimum R 0.5 insulation with metal roof</p> <p>FLOORS: Minimum R 0.5 insulation with metal roof</p> <p>GLAZING TYPE: Not clear with double glazing. Any double glazing must have unobstructed view.</p> <p>INTERNAL WALLS: Minimum R 0.5 insulation with metal roof</p> <p>FLOORS: Minimum R 0.5 insulation with metal roof</p> <p>GLAZING TYPE: Not clear with double glazing. Any double glazing must have unobstructed view.</p>

## MHNDUNION

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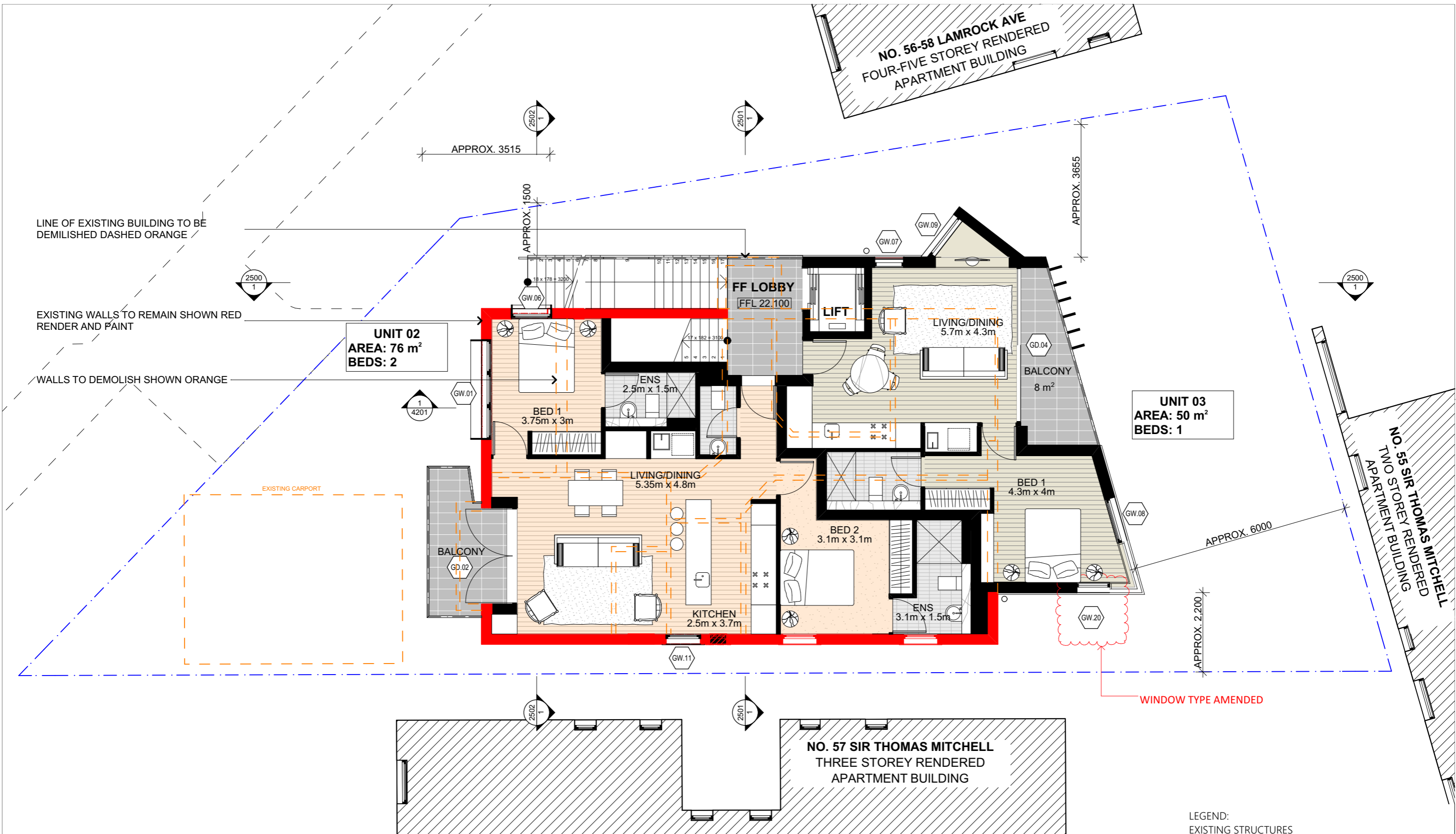
MHN Design Urban Pty Ltd. ABN 94 003 717 682

**PROJECT:**  
60 Lamrock Ave  
60 LAMROCK AVE BONDI  
NSW 2026

**DRAWING:**  
GROUND FLOOR PLAN

**PROJECT NO:** 16096  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:100 @A3  
**DRAWING NO:** REV: 230





WINDOW TYPE AMENDED

LEGEND:  
EXISTING STRUCTURES

- EXISTING STRUCTURES TO BE RETAINED
- ITEMS DASHED ORANGE TO BE DEMOLISHED
- NEW WORKS

REVISIONS	PLOTTED: 9/03/2018	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
C RESPOND TO COUNCIL'S REQUEST	28/02/2018	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING & SETTING OUT PRIOR TO CONSTRUCTION.

CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.

CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING & SETTING OUT PRIOR TO CONSTRUCTION.

CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.

CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING & SETTING OUT PRIOR TO CONSTRUCTION.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS  
 SPEC C 1.1 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.2 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.3 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.4 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.5 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.6 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.7 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.8 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.9 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.10 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.11 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.12 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.13 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.14 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.15 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.16 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.17 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.18 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.19 - FIRE RESISTING CONSTRUCTION  
 SPEC C 1.20 - FIRE RESISTING CONSTRUCTION

**SPECIFICATIONS (refer to specification attachment)**

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 4.4 & AS 1589  
 BALLTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2  
 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.0 OF BCA  
 FIRE RESISTANCE: TO COMPLY WITH SECTION 5.2 OF BCA  
 FLOOR WATER: TO COMPLY WITH PART 2.1 OF BCA  
 MASONRY: TO COMPLY WITH AS 2758  
 MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 2.1 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4500  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4500  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.2 & AS 3738  
 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.2 & AS 3738  
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 4500

**BASIC COMMITMENTS (ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLANS)**

**WATER OPTIONS**  
 SHOWERHEADS: 3 STAR  
 TOILETS: 4 STAR  
 CLOTHES WASHERS: 3.5 STAR  
 KITCHEN TAPS: 4 STAR  
 BATHROOM TAPS: 3.5 STAR  
 POOL/SPA: only with  
 pool cover)  
 LANDSCAPED AREA TO IRRIGATE: 100 sqm (minimum)  
 WATER HEATING: Compact heat exchangers or LED in ALL rooms.  
 WATER EFFICIENT LIGHTING: COOK TOPS: REFRIGERATOR SPACE: CLOTHES DRYING LINES.

**THERMAL COMFORT OPTIONS**

Roof deck with 100mm thermal insulation.  
 External walls: Minimum R 1.0 insulation with metal roof.  
 Internal walls: Minimum R 0.5 insulation with metal roof.  
 Floor slabs: Minimum R 0.5 insulation with metal roof.  
 Windows: Minimum U 0.5 W1 insulation with metal roof.  
 Windows: Minimum U 0.5 W2 insulation with metal roof.  
 Windows: Minimum U 0.5 W3 insulation with metal roof.  
 Windows: Minimum U 0.5 W4 insulation with metal roof.  
 Windows: Minimum U 0.5 W5 insulation with metal roof.  
 Windows: Minimum U 0.5 W6 insulation with metal roof.  
 Windows: Minimum U 0.5 W7 insulation with metal roof.  
 Windows: Minimum U 0.5 W8 insulation with metal roof.  
 Windows: Minimum U 0.5 W9 insulation with metal roof.  
 Windows: Minimum U 0.5 W10 insulation with metal roof.

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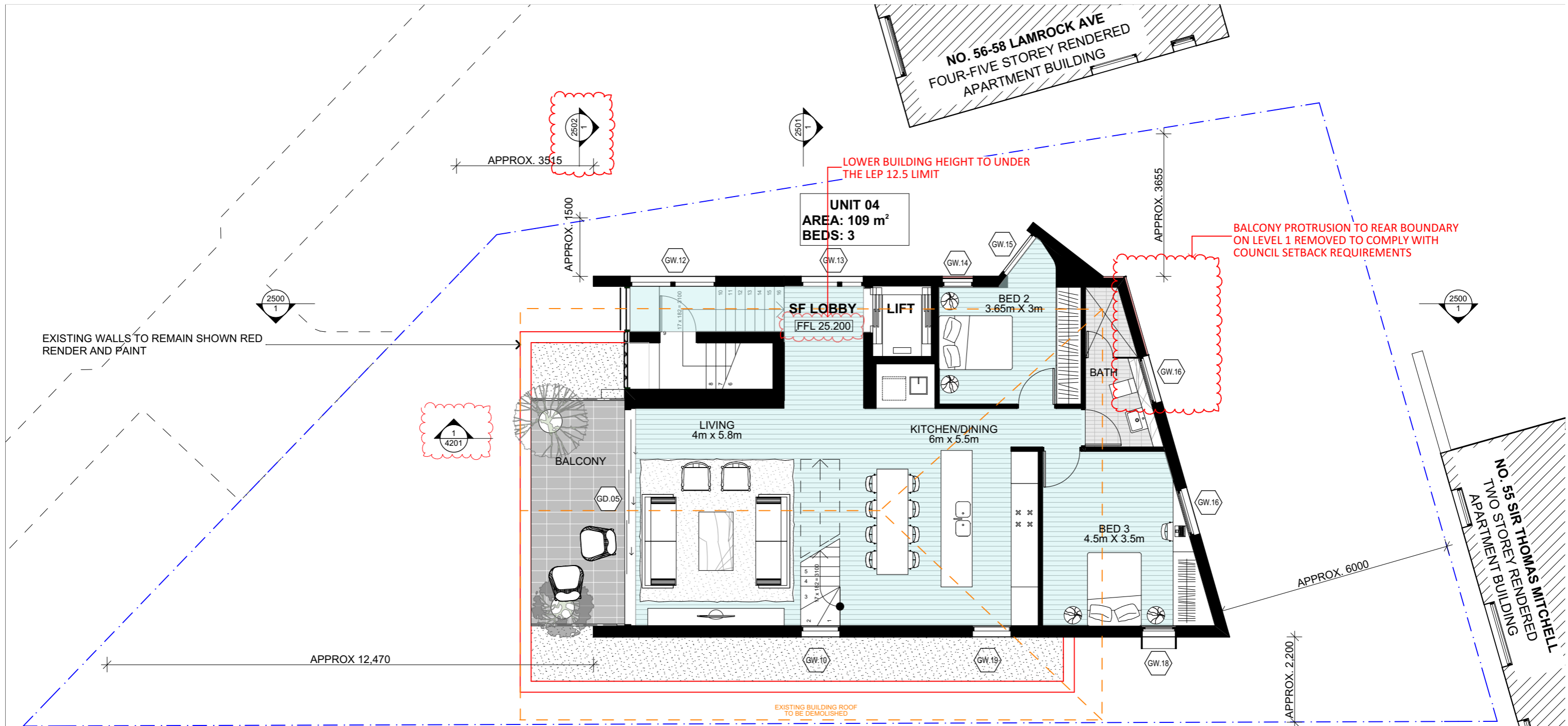
PROJECT:  
60 Lamrock Ave  
60 LAMROCK AVE BONDI  
NSW 2026

PROJECT NO: 16096  
DRAWN BY: MHN  
TO SCALE: 1:100 @A3  
DRAWING NO: REV:  
DA 2018 C  
231

DRAWING:  
LEVEL 1 FLOOR PLAN

Nominated Architect  
Brian Meyerson NSW  
Registration Number 4907





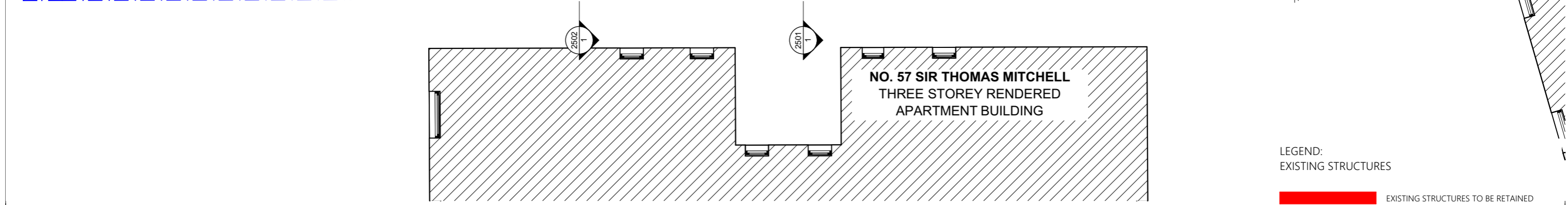
BALCONY PROTRUSION TO REAR BOUNDARY ON LEVEL 1 REMOVED TO COMPLY WITH COUNCIL SETBACK REQUIREMENTS

LOWER BUILDING HEIGHT TO UNDER THE LEP 12.5 LIMIT

UNIT 04  
AREA: 109 m<sup>2</sup>  
BEDS: 3

EXISTING WALLS TO REMAIN SHOWN RED  
RENDER AND PAINT

EXISTING BUILDING ROOF  
TO BE DEMOLISHED



- LEGEND:
- EXISTING STRUCTURES TO BE RETAINED
  - ITEMS DASHED ORANGE TO BE DEMOLISHED
  - NEW WORKS

REVISIONS	PLOTTED: 24/11/2017	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.

CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING & SETTING OUT PRIOR TO CONSTRUCTION.

CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATE/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.

ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE.

ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS	CLAUSE D2 17 - HANDRAILS
SPEC C 1.1 - FIRE RESISTING CONSTRUCTION	CLAUSE D2 21 - OPERATION OF LATCH
SPEC C 1.10 - FIRE RESISTING PROPERTIES	CLAUSE D2 23 - SOUND ON DOORS
SPEC C 1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE	CLAUSE D2 3 - GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE C 1.2 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE	CLAUSE D2 3.1 - PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE C 1.3 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL	CLAUSE D2 3.2 - IDENT. OF ACCESSIBLE FACILITIES/FEATURES
CLAUSE C 1.4 - SEPARATION OF EQUIPMENT	CLAUSE D2 3.3 - TACTILE INDICATORS
CLAUSE C 1.5 - ELECTRICITY SUPPLY SYSTEM	CLAUSE D2 3.4 - WATERPROOFING OF WET AREAS
CLAUSE C 1.6 - OPENING IN FIRE ISOLATED EXITS	CLAUSE D2 3.5 (1) - SANITARY COMPARTMENTS
CLAUSE C 1.7 - OPENING FOR SERVICE INSTALLATIONS	PART 14 - LIGHTING AND VENTILATION
CLAUSE D1 10 - DISCHARGE FROM EXITS	CLAUSE F5 4 - SOUND INSULATION OF FLOORS
CLAUSE D2 14 - LANDINGS	CLAUSE F5 5 - SOUND INSULATION OF WALLS
CLAUSE D2 15 - THRESHOLDS	CLAUSE F5 6 - SOUND INSULATION OF SERVICES
CLAUSE D2 16 - BALUSTRADES	CLAUSE F5 7 - SOUND INSULATION OF PUMPS

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSE F 4 & AS 1580

**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2 16

**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS/NZS 3500 3.2

**FIRE EFFICIENT LIGHTING:** TO COMPLY WITH 2.2 OF BCA

**FIRE SERVICES:** TO COMPLY WITH SECTION 2.5 OF BCA

**HOT WATER:** TO COMPLY WITH PART 21 OF BCA

**MASONRY:** TO COMPLY WITH AS 2510

**MECHANICAL AIRCONDITIONING:** TO COMPLY WITH PART 21 OF BCA

**MECHANICAL EXHAUST VENTILATION:** TO COMPLY WITH AS/NZS 2608 & AS 3786

**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE & SPEC E2 2 & AS 3786

**PENETRATIONS THROUGH FIRE RATED CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2 13

**SOUND TRANSMISSION:** TO COMPLY WITH PARTS OF BCA

**STAIR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2 13

**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS 2510

**BASIS COMMITMENTS (ALL OTHER BASIS COMMITMENTS AS PER BASIS CERTIFICATE AND STAMPED PLANS)**

**WATER OPTIONS**

SHOWERHEADS:	3 STAR
TOILETS:	4 STAR
CLOTHES WASHERS:	3.5 STAR
REF. TYPE:	4 STAR
BATHROOM TAPS:	2.5/3.0/4.0
ONLY WITH:	

**LANDSCAPED AREA TO IRRIGATE:** 100 sqm

**WATER HEATING:** 13.2 sqm

**ENERGY EFFICIENT LIGHTING:** 100 sqm

**COOK TOP:** 100 sqm

**REFRIGERATOR SPACE:** 100 sqm

**CLOTHES DRYING LINES:** 100 sqm

**THERMAL COMFORT OPTIONS**

**ROOF:** Insulation: R 1.5

**CEILING:** Insulation: R 0.5

**WALLS:** Insulation: R 1.0

**FLOORS:** Insulation: R 0.5

**GLAZING TYPE:** Double Glazed

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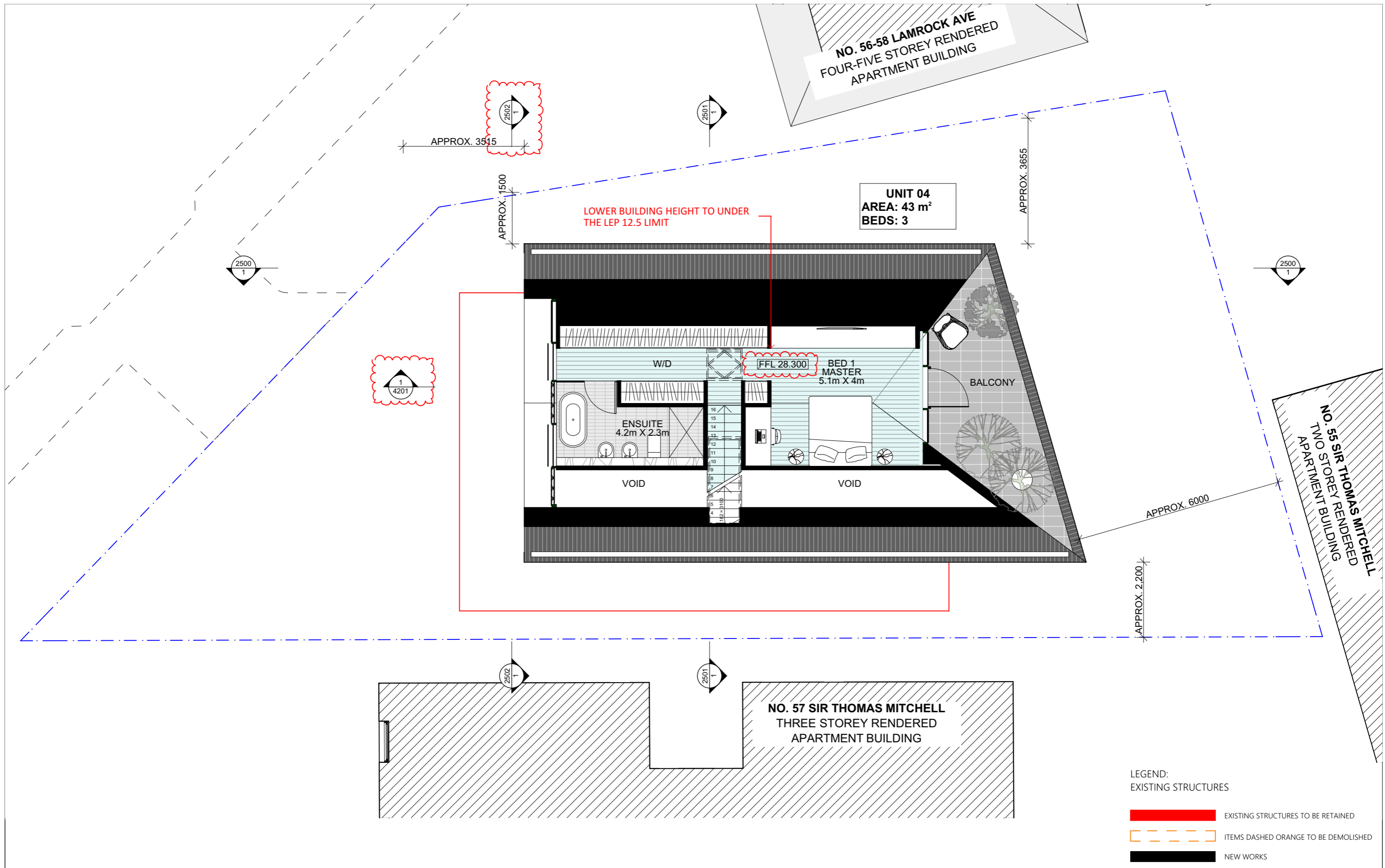
PROJECT: 60 Lamrock Ave  
60 LAMROCK AVE BONDI NSW 2026

DRAWING: LEVEL 2 FLOOR PLAN

PROJECT NO: 16096  
DRAWN BY: MHNDU  
TO SCALE: 1:100 @A3  
DRAWING NO: REV:

DA 2003 B

232



REVISIONS	PLOTTED: 24/11/2017	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING. MHN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATE/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE. ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS
CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS SPEC C 1.1 - FIRE RESISTING CONSTRUCTION SPEC C 1.9 - FIRE HAZARD PROPERTIES SPEC C 1.10 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE CLAUSE C 1.11 - FIRE HAZARD PROPERTIES CLAUSE C 1.12 - SEPARATION OF EQUIPMENT CLAUSE C 1.13 - ELECTRICITY SUPPLY SYSTEM CLAUSE C 3 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS) CLAUSE C 8 - OPENING IN FIRE ISOLATED EXITS CLAUSE C 15 - OPENING FOR SERVICE INSTALLATIONS CLAUSE C 11 - DISCHARGE FROM EXITS CLAUSE C 14 - LANDINGS CLAUSE C 15 - THRESHOLDS CLAUSE D 2.16 - BALUSTRADES

SPECIFICATIONS (refer to specification attachment)
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 4.4 & AS1680 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.0 OF BCA FIRE SERVICES: TO COMPLY WITH SECTION 5.5 OF BCA HOT WATER: TO COMPLY WITH PART 2.0 OF BCA MASONRY: TO COMPLY WITH AS2870 MECHANICAL/REFRIGERATION: TO COMPLY WITH PART 2.0 OF BCA MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 2.0 OF BCA MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4368 & AS3786 SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3786 PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR: MECHANICAL/REFRIGERATION PENETRATIONS TO COMPLY WITH BCA CLAUSE C 11.1 & AS1039 & AS203 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS2519

BASIC COMMITMENTS (ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLANS)
WATER OPTIONS SHOWERHEADS: 3 STAR TOILETS: 4 STAR CLOTHES WASHERS: 3.5 STAR REFRIGERATOR TYPE: 4 STAR REFRIGERATOR CAPACITY: 235L min REFRIGERATOR TYPE: only with LANDSCAPED AREA TO IRRIGATE: 100 sqm (minimum)

THERMAL COMFORT OPTIONS
Head deck with 100mm insulation thermal insulation Light colour Minimum R 1.0 insulation with metal roof roof space above Not over with double glazing. Any double glazing must be double glazed and have minimum insulation of 100mm with no gaps floor covering R 1.0 insulation for external walls External walls Internal walls Floors Glazing type Glazing type

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 MHN Design Union Pty Ltd. ABN 94 003 717 682

PROJECT:  
 60 Lamrock Ave  
 60 LAMROCK AVE BOND  
 NSW 2026

DRAWING:  
 LEVEL 3 ATTIC PLAN

PROJECT NO: 16096  
 DRAWN BY: MHNDU  
 TO SCALE: 1:100 @A3  
 DRAWING NO: REV:  
 DA 2004 B  
 233







**LEGEND:  
EXTERNAL MATERIALS & FINISHES**

- BAL1** Balustrade, Type 1:  
Steel palisade style.  
Colour to match CL1
- CL1** Cladding, Type 1:  
Metal cladding system.  
Colour to match Dark Charcoal
- CONC** Concrete, Type 1:  
Off form concrete.  
Class 1 finish
- EXM** Existing Masonry Type 1:  
Existing Masonry.  
Rendered and painted  
Colour to match White
- GL1** Glass, Clear, Type 1:  
Glazing to suit Basix  
Report requirements.  
Framing colour to match CL1
- GL2** Glass, Clear, Type 2:  
Louvre Window.  
Glazing to suit Basix  
Report requirements.  
Framing colour to match CL1
- M** Masonry render:  
Rendered Masonry.  
Colour to match EXM
- SC1** Screen, Type 1:  
Adjustable Metal  
Louvres.  
Framing colour to match CL1
- SC2** Screen, Type 2:  
300mm deep Steel Hood  
Around window  
Colour to match CL1
- TT1** Timber, Type 1:  
Louvre Window.  
Glazing to suit Basix  
Report requirements.  
Framing colour to match CL1
- FG** Fixed Glass, Clear, :  
Glazing to suit Basix  
Report requirements.  
Framing colour to match CL1

**LEGEND:  
EXISTING STRUCTURES**

- EXISTING STRUCTURES TO BE RETAINED
- ITEMS DASHED ORANGE TO BE DEMOLISHED
- NEW WORKS

WINDOW TAGS ADDED

REVISIONS	PLOTTED: 9/03/2018	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
C RESPOND TO COUNCIL'S REQUEST	28/02/2018	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING & SETTING OUT PRIOR TO CONSTRUCTION.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS
CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS
CLAUSE C 1.1 - FIRE RESISTING CONSTRUCTION
SPEC C 1.1 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C 1.2 - FIRE RADIATION PROPERTIES
CLAUSE C 1.3 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C 1.4 - SEPARATION OF EQUIPMENT
CLAUSE C 1.5 - ELECTRICAL SUPPLY SYSTEM
CLAUSE C 1.6 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C 1.7 - OPENING IN FIRE RESISTANT WALLS
CLAUSE C 1.8 - OPENING FOR SERVICE INSTALLATIONS
CLAUSE C 1.9 - DISCHARGE FROM EXITS
CLAUSE C 1.10 - CORRIDORS AND EXITS
CLAUSE C 1.11 - LANDINGS
CLAUSE C 1.12 - THRESHOLDS
CLAUSE C 1.13 - BALUSTRADES

SPECIFICATIONS (refer to specification attachment)
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 4.4 & AS1680
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2
FIRE SERVICES: TO COMPLY WITH SECTION 5.2 OF BCA
GLAZING: TO COMPLY WITH SECTION 5.2 OF BCA
MASONRY: TO COMPLY WITH AS2870
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 2A OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4588.2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4.5 & SPEC E2.2 & AS3785
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR: TO COMPLY WITH BCA CLAUSE D2.13
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS1654

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	ENERGY OPTIONS	THERMAL COMFORT OPTIONS
SHOWERHEADS: 3 STAR	COOLING: Air conditioner - single phase 2.5 'Star' to '5 Star'	ROOF: R-Value 1.0 insulation blanket
TOILETS: 4 STAR	HEATING: Minimum R-1.0 insulation with metal roof and gable eaves	CEILING: Minimum R-1.0 insulation with metal roof and gable eaves
WATERHEATING: 4 STAR	VENTILATION: Mechanical - single phase 2.5 'Star' to '5 Star'	WALLS: Minimum R-1.0 insulation with metal roof and gable eaves
WATER HEATING: 4 STAR	VENTILATION: Mechanical - single phase 2.5 'Star' to '5 Star'	WALLS: Minimum R-1.0 insulation with metal roof and gable eaves
WATER HEATING: 4 STAR	VENTILATION: Mechanical - single phase 2.5 'Star' to '5 Star'	WALLS: Minimum R-1.0 insulation with metal roof and gable eaves

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**PROJECT:**  
60 Lamrock Ave  
60 LAMROCK AVE BONDI NSW 2026

**DRAWING:**  
ELEVATION NORTH

**PROJECT NO:** 16096  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:100 @A3  
**DRAWING NO:** REV:





LEGEND:  
EXTERNAL MATERIALS & FINISHES

- |  |   |  |  |  |  |
|--|---|--|--|--|--|
| <b>BAL1</b> Balustrade, Type 1:<br>Steel palisade style.<br>Colour to match CL1            | <b>CONC</b> Concrete, Type 1:<br>Off form concrete.<br>Class 1 finish                   | <b>GL1</b> Glass, Clear, Type 1:<br>Glazing to suit Basix<br>Report requirements.<br>Framing colour to match<br>CL1                    | <b>M</b> Masonry render:<br>Rendered Masonry.<br>Colour to match EXM                         | <b>SC2</b> Screen, Type 2:<br>300mm deep Steel Hood<br>Around window<br>Colour to match CL1                                      | <b>FG</b> Fixed Glass, Clear, :<br>Glazing to suit Basix<br>Report requirements.<br>Framing colour to match<br>CL1 |
| <b>CL1</b> Cladding, Type 1:<br>Metal cladding system.<br>Colour to match<br>Dark Charcoal | <b>EXM</b> Existing Masonry Type 1:<br>Rendered and painted<br>Colour to match<br>White | <b>GL2</b> Glass, Clear, Type 2:<br>Louvred Window.<br>Glazing to suit Basix<br>Report requirements.<br>Framing colour to match<br>CL1 | <b>SC1</b> Screen, Type 1:<br>Adjustable Metal<br>Louvres.<br>Framing colour to match<br>CL1 | <b>TT1</b> Timber, Type 1:<br>Louvred Window.<br>Glazing to suit Basix<br>Report requirements.<br>Framing colour to match<br>CL1 |  |

LEGEND:  
EXISTING STRUCTURES

- EXISTING STRUCTURES TO BE RETAINED
- ITEMS DASHED ORANGE TO BE DEMOLISHED
- NEW WORKS



WINDOW TAGS ADDED

REVISIONS	PLOTTED: 9/03/2018	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
C RESPOND TO COUNCIL'S REQUEST	28/02/2018	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS  
SPEC C 1.1 - FIRE EXISTING CONSTRUCTION  
SPEC C 1.10 - FIRE RADIANT PROPERTIES  
SPEC C 1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC C 1.12 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALLS  
SPEC C 1.13 - SEPARATION OF EQUIPMENT  
SPEC C 1.14 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)  
SPEC C 1.15 - OPENING IN FIRE ISOLATED EXITS  
SPEC C 1.16 - OPENING FOR SERVICE INSTALLATIONS  
SPEC C 1.17 - OPENING FROM EXITS  
SPEC C 1.18 - SOUNDS AND NOISES  
SPEC C 1.19 - LANDINGS  
SPEC C 1.20 - BALUSTRADES

**SPECIFICATIONS (refer to specification attachment)**

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA CLAUSE F 4.4 & AS1680  
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500.3.2  
ENERGY EFFICIENCY: TO COMPLY WITH 2/2 OF BCA  
FIRE SERVICES: TO COMPLY WITH SECTIONS 2.5 OF BCA  
HOT WATER SYSTEMS: TO COMPLY WITH PART 3 OF BCA  
MASONRY: TO COMPLY WITH AS3700  
MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 3A OF BCA  
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 1538 & AS3785  
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC E2.2 & AS3785  
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR:  
MECHANICAL CENTRAL VENTILATION: TO COMPLY WITH BCA CLAUSE C2.13 & AS1538  
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS2540

**WATER OPTIONS** (ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLANS)

SHOWERHEADS: 3 STAR  
TOILETS: 4 STAR  
CLOTHES WASHERS: 3.5 STAR  
KITCHEN TAPS: 4 STAR  
BATHROOM TAPS: 4 STAR  
POULDRY: only, with

**ENERGY OPTIONS**

COOLING: Air conditioner - single phase 2.5 'Star' to '5 Star'  
HEATING: Air conditioner - single phase 2.5 'Star' to '5 Star'  
VENTILATION: Not over with ducting. Any ducting must be well insulated. Insulation to be installed in light of insulation with no gaps.  
MECHANICAL AIR CONDITIONING: Compact fluorescent or LED in ALL rooms.  
COOK TOPS: Gas cook top, gas oven  
REFRIGERATOR SPACE: Nil  
CLOTHES DRYING LINES: Nil

**THERMAL COMFORT OPTIONS**

Roof deck: 100mm insulation blanket.  
External walls: 200mm insulation blanket.  
Internal walls: 100mm insulation blanket.  
Floors: 100mm insulation blanket.  
Glazing type: Nil

**INTERNAL WALLS**

INTERNAL WALLS: 200mm insulation blanket.  
FLOORS: 100mm insulation blanket.  
GLAZING TYPE: Nil

**EXTERNAL WALLS**

EXTERNAL WALLS: 200mm insulation blanket.  
FLOORS: 100mm insulation blanket.  
GLAZING TYPE: Nil

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MHN Design Urban Pty Ltd. ABN 94 003 717 682

**PROJECT:**  
60 Lamrock Ave  
60 LAMROCK AVE BOND J  
NSW 2026

**DRAWING:**  
ELEVATION EAST

**PROJECT NO:** 16096  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:100 @A3  
**DRAWING NO:** REV:  
**237**

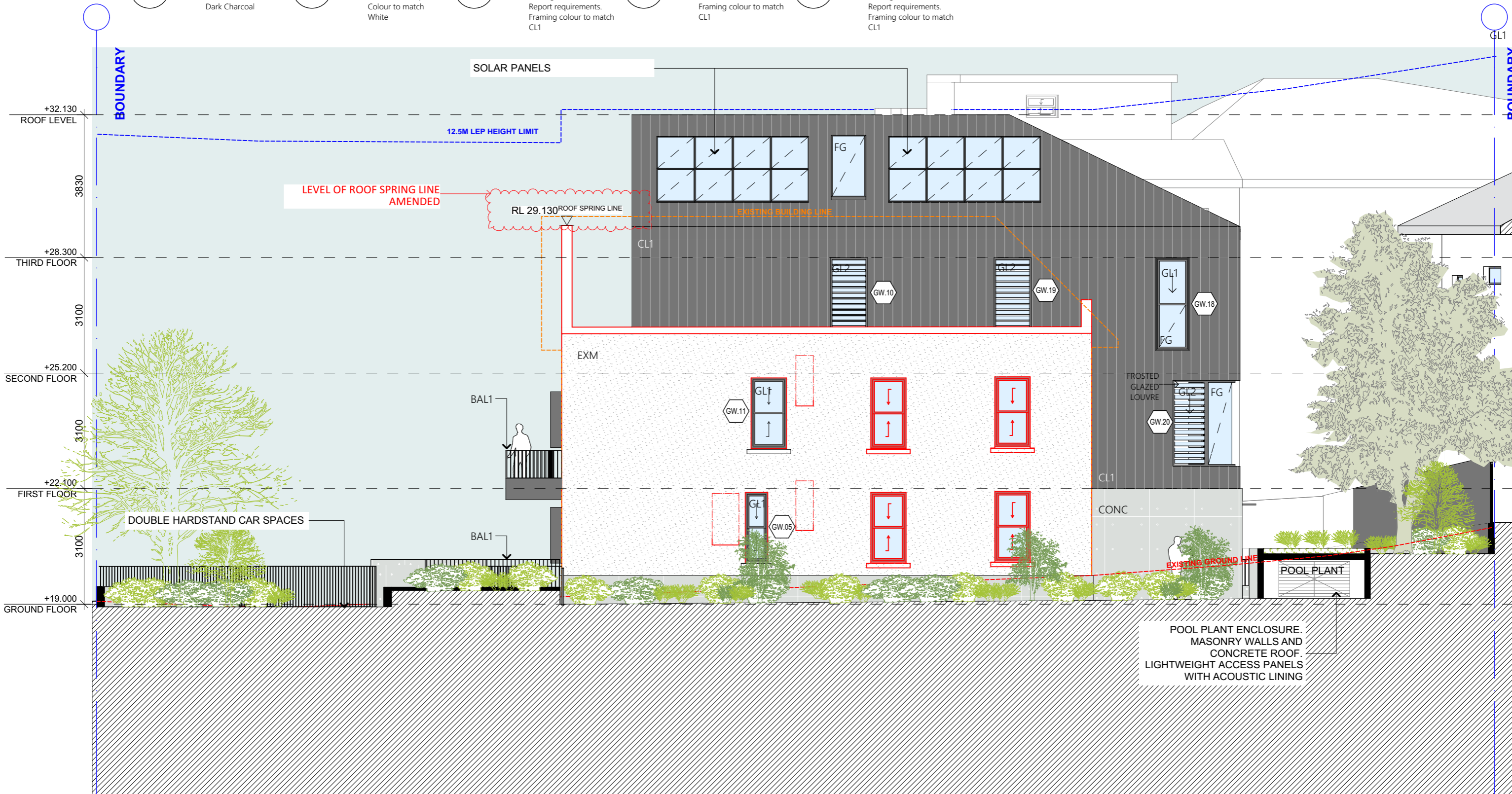


LEGEND:  
EXTERNAL MATERIALS & FINISHES

- BAL1** Balustrade, Type 1:  
Steel palisade style.  
Colour to match CL1
- CONC** Concrete, Type 1:  
Off form concrete.  
Class 1 finish
- GL1** Glass, Clear, Type 1:  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1
- M** Masonry render:  
Rendered Masonry.  
Colour to match EXM
- SC2** Screen, Type 2:  
300mm deep Steel Hood  
Around window  
Colour to match CL1
- FG** Fixed Glass, Clear, :  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1
- CL1** Cladding, Type 1:  
Metal cladding system.  
Colour to match  
Dark Charcoal
- EXM** Existing Masonry Type 1:  
Existing Masonry.  
Rendered and painted  
Colour to match  
White
- GL2** Glass, Clear, Type 2:  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1
- SC1** Screen, Type 1:  
Adjustable Metal  
Louvres.  
Framing colour to match  
CL1
- TT1** Timber, Type 1:  
Louvre Window.  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1

LEGEND:  
EXISTING STRUCTURES

- EXISTING STRUCTURES TO BE RETAINED
- ITEMS DASHED ORANGE TO BE DEMOLISHED
- NEW WORKS



REVISIONS	PLOTTED: 22/03/2018	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.
B RESPOND TO COUNCIL LETTER	22/11/2017	CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IN DRAWINGS.
C RESPOND TO COUNCIL'S REQUEST	28/02/2018	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
D RESPOND TO COUNCIL'S REQUEST	22/03/2018	CONTRACTOR TO CLARIFY WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATE/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.

**GENERAL NOTES**

ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.

CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IN DRAWINGS.

CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.

CONTRACTOR TO CLARIFY WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATE/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.

ALL DIMENSIONS TO BE VERIFIED ON SITE. DO NOT SCALE.

ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS  
SPEC C 1.1 - FIRE RESISTING CONSTRUCTION  
SPEC C 1.10 - FIRE RADIANT PROPERTIES  
SPEC C 1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC C 1.12 - PERFORMANCE OF EXTERNAL WALLS TO BE ACCESSIBLE  
CLAUSE C 1.2 - SEPARATION OF EQUIPMENT  
CLAUSE C 1.3 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)  
CLAUSE C 1.4 - OPENING IN FIRE GLAZED EXITS  
CLAUSE C 1.5 - OPENING FOR SERVICE INSTALLATIONS  
CLAUSE C 1.6 - DISCHARGE FROM EXITS  
CLAUSE C 1.7 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
CLAUSE C 1.8 - SOUNDS AND VIBRATIONS  
CLAUSE C 1.9 - LANDINGS  
CLAUSE C 2.1 - THRESHOLDS  
CLAUSE C 2.16 - BALUSTRADES

CLAUSE D 2.1 - HANDRAILS  
CLAUSE D 2.2 - OPERATION OF LATCH  
CLAUSE D 2.3 - SIGNAGE ON DOORS  
CLAUSE D 2.4 - GENERAL BUILDING ACCESS REQUIREMENTS  
CLAUSE D 2.5 - PARTS OF BUILDING TO BE ACCESSIBLE  
CLAUSE D 2.6 - IDENT. OF ACCESSIBLE FACILITIES/FEATURES  
CLAUSE D 2.7 - TACTILE INDICATORS  
CLAUSE D 2.8 - WATERPROOFING OF WET AREAS  
CLAUSE D 2.9 - PART 19 - SOUNDING  
CLAUSE D 2.10 - SANITARY COMPARTMENTS  
PART 19 - LIGHTING AND VENTILATION  
CLAUSE D 2.11 - SOUND INSULATION OF FLOORS  
CLAUSE D 2.12 - SOUND INSULATION OF WALLS  
CLAUSE D 2.13 - SOUND INSULATION OF SERVICES  
CLAUSE D 2.14 - SOUND INSULATION OF PUMPS

**SPECIFICATIONS (refer to specification attachment)**

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 4.4 & AS1680

BALUSTRADES: TO COMPLY WITH BCA CLAUSE D 2.16

DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2

ENERGY EFFICIENT LIGHTING: TO COMPLY WITH 2.0 OF BCA

FIRE SERVICES: TO COMPLY WITH SECTIONS 5.5 OF BCA

HOT WATER: TO COMPLY WITH PART 6 OF BCA

MASONRY: TO COMPLY WITH AS2870

MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 11 OF BCA

MECHANICAL AIRCONDITIONING: TO COMPLY WITH PART 11 OF BCA

MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 3500 3.2

SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4.8 SPEC E2.2 & AS3786

PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR MICHELLE/CAPRILLIC PENETRATIONS TO COMPLY WITH BCA CLAUSE 4.2.13 & AS1530 2.000

SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA

STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D 2.13

WATERPROOFING OF WET AREAS: TO COMPLY WITH AS2519

**BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)**

WATER OPTIONS  
SHOWERHEADS: 3 STAR  
TOILETS: 4 STAR  
CLOTHES WASHERS: 3.5 STAR  
REFRIGERATORS: 4 STAR  
BEDROOM TAPS: 2.5L/min @ 10°C only, with

ENERGY OPTIONS  
COOLING: Air conditioner - single phase 2.5 Star to 3.5 Star  
HEATING: Air conditioner - single phase 2.5 Star to 3.5 Star  
VENTILATION: Mechanical 4.0 Star (without ducted), Mechanical 4.0 Star (with ducted), Mechanical 4.0 Star (with ducted, manual switch)

WATER HEATING: Compact heat exchanger, manual switch  
ENERGY EFFICIENT LIGHTING: Compact fluorescent or LED in ALL rooms  
COOK TOPS: Gas cook top, gas oven  
REFRIGERATOR SPACE: Gas cook top, gas oven  
CLOTHES DRYING LINES: N/A

**THERMAL COMFORT OPTIONS**

Roof: Heat soak > 10°C insulation blanket, 100mm EPS  
Ceiling: Minimum R 1.0 insulation with metal roof, metal ceiling  
Walls: Heat soak with double glazing, Any glazing, unglazed and have appropriate insulation of insulation with no gaps  
Floor: Heat soak with 100mm EPS insulation blanket, 100mm EPS  
Light: Light colour floor, ceiling or wall panels  
Glazing: Double glazing with low-e glass, Energy Star  
Solar: Solar shading (e.g. louvers, awnings, external blinds)  
Internal: Light colour floor, ceiling or wall panels  
External: Light colour floor, ceiling or wall panels  
Glazing Type: Energy Star  
Glazing Type: Energy Star

# MHNDUNION

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MHN Design Urban Pty Ltd. ABN 94 003 717 692

**PROJECT:**  
60 Lamrock Ave  
60 LAMROCK AVE BONDI  
NSW 2026

**DRAWING:**  
ELEVATION WEST

**PROJECT NO:** 16096  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:100 @A3  
**DRAWING NO:** REV:  
**238**

Nominated Architect  
Brian Meyerson NSW  
Registration Number 49007





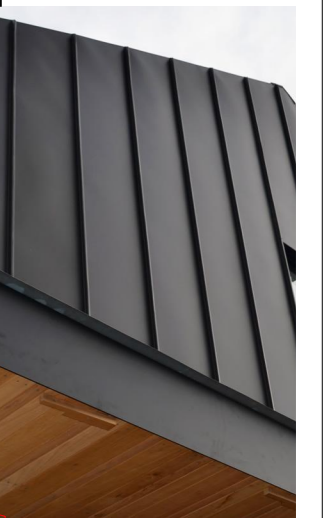
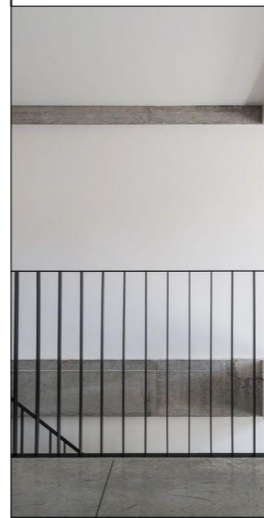
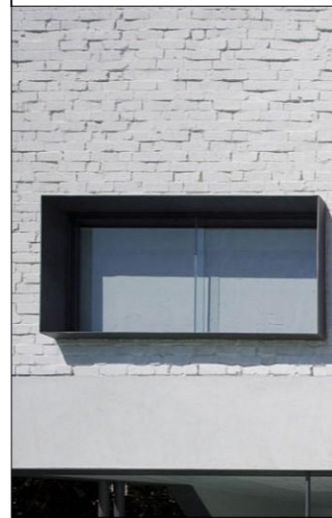
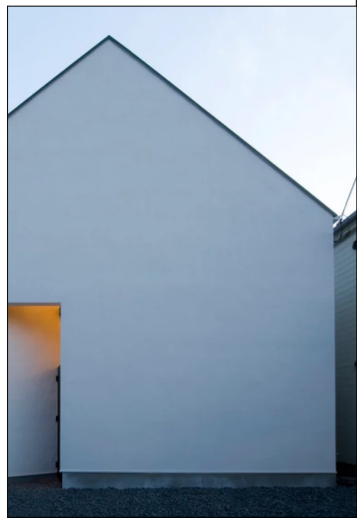
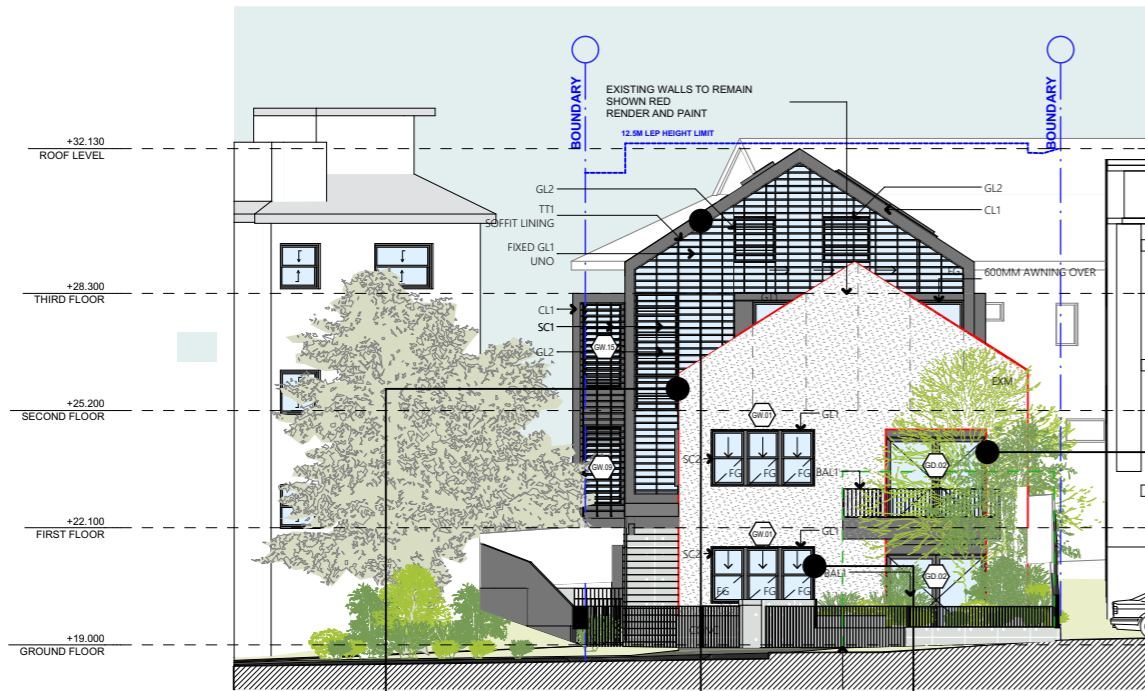








# EXTERNAL FINISHES



**EXM** Existing Masonry Type 1:  
Existing Masonry.  
Rendered and painted  
Colour to match  
White

**M** Masonry render:  
Rendered Masonry.  
Colour to match EXM

**SC1** Screen, Type 1:  
Adjustable Metal  
Louvres.  
Framing colour to match  
CL1

**SC2** Screen, Type 2:  
300mm deep Steel Hood  
Around window  
Colour to match CL1

**BAL1** Balustrade, Type 1:  
Steel palisade style.  
Colour to match CL1

**CONC** Concrete, Type 1:  
Off form concrete.  
Class 1 finish

**GL2** Glass, Clear, Type 2:  
Louvred Window.  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1

**GL1** Glass, Clear, Type 1:  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1

**FG** Fixed Glass, Clear, :  
Glazing to suit Basix  
Report requirements.  
Framing colour to match  
CL1

**CL1** Cladding, Type 1:  
Metal cladding system.  
Colour to match  
Dark Charcoal

FINISHES TAGS AMENDED TO COUNCIL'S REQUEST

REVISIONS	PLOTTED: 9/03/2018	GENERAL NOTES
A DA SUBMISSION	15/05/2017	ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQS.
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C RESPOND TO COUNCIL EMAIL	28/02/2018	CONTRACTOR TO NOTIFY MHN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING. A MHN TO REVIEW ALL CONTRACTORS DETAIL DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION. B CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.

20180228.mh  
CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. MHN/NDU IS TO BE NOTIFIED OF ANY DISCREPANCIES IN THE DIMENSION AND SETTING OUT OF THE WORK. COPYRIGHT OF DESIGNS SHOWN HEREON IS RETAINED BY MHN/NDU. AUTHORITY IS REQUIRED FOR ANY REPRODUCTION.

ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS
CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS
SPEC C 1.1 - FIRE RESISTING CONSTRUCTION
SPEC C 1.9 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C 2.1 - FIRE RATING PROPERTIES
CLAUSE C 2.2 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C 3 - SEPARATION OF EQUIPMENT
CLAUSE C 3.1 - ELECTRICITY SUPPLY SYSTEM
CLAUSE C 3.2 - OPENING IN FIRE ISOLATED EXITS
CLAUSE C 3.3 - OPENING FOR SERVICE INSTALLATIONS
CLAUSE C 3.4 - DISCHARGE FROM EXITS
CLAUSE C 3.5 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE C 3.6 - SOUNDS AND VIBRATIONS
CLAUSE C 3.7 - LANDINGS
CLAUSE C 3.8 - THRESHOLDS
CLAUSE C 3.9 - BALUSTRADES

SPECIFICATIONS (refer to specification attachment)
ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 4.4 & AS 1580
BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2 16
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2
FIRE EFF EFFICIENCY: TO COMPLY WITH 2.1 OF BCA
FIRE SERVICES: TO COMPLY WITH SECTIONS 2.1 OF BCA
FIRE WATER: TO COMPLY WITH PART 2.1 OF BCA
MASONRY: TO COMPLY WITH AS 2510
MECHANICAL/VENTILATION: TO COMPLY WITH PART 2.1 OF BCA
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4 ASSE 2
SMOKE ALARMS: TO COMPLY WITH BCA PART CLAUSE 4 & SPEC E2.2 & AS 3776
PENETRATIONS THROUGH FIRE RATED CONSTRUCTION FOR: MICHELLE/CENTRAL/CLIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C 2.1 & AS 1530.5 2.2.2
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA
STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2 13
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 2510

ENERGY OPTIONS
CLAUSE D2 17 - HANDRAILS
CLAUSE D2 21 - OPERATION OF LATCH
CLAUSE D2 23 - SOUND ON DOORS
CLAUSE D3.2 - GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE D3.3 - PARTS OF BUILDINGS TO BE ACCESSIBLE
CLAUSE D3.6 - IDENT. OF ACCESSIBLE FACILITIES/FEATURES
CLAUSE D3.8 - TACTILE INDICATORS
CLAUSE P1 7 - WATERPROOFING OF WET AREAS
CLAUSE P1 8 (1) - DAMPROOFING
CLAUSE P1 9 - CONSTRUCTION OF SANITARY COMPARTMENTS
PART 14 - LIGHTING AND VENTILATION
CLAUSE P5 4 - SOUND INSULATION OF FLOORS
CLAUSE P5 5 - SOUND INSULATION OF WALLS
CLAUSE P5 6 - SOUND INSULATION OF SERVICES
CLAUSE P5 7 - SOUND INSULATION OF PUMPS

BASIX COMMITMENTS (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)	
WATER OPTIONS	3 STAR
COOLING	4 STAR
HEATING	3.5 STAR
VENTILATION:	4 STAR
WATER HEATING:	2.5/3.5/4.5/5
ENERGY EFFICIENT LIGHTING:	10.2 gwh (domestic)
COOK TOP:	100 gwh (domestic)
REFRIGERATOR SPACE:	100 gwh (domestic)
CLOTHES DRYING LINES:	only, with pool cover)
LANDSCAPED AREA TO IRRIGATE:	15.2 gwh (domestic)

THERMAL COMFORT OPTIONS	
ROOF:	Minimum R 1.0 insulation with metal roof
CEILING:	Minimum R 0.5 insulation with metal roof
FLOORING:	Minimum R 0.5 insulation with metal roof
WALLS:	Minimum R 0.5 insulation with metal roof
GLAZING TYPE:	Minimum R 0.5 insulation with metal roof

WATER HEATING	
COMBUSTION:	Gas cook top, gas oven
WATER HEATING:	Gas cook top, gas oven
ENERGY EFFICIENT LIGHTING:	Gas cook top, gas oven
COOK TOP:	Gas cook top, gas oven
REFRIGERATOR SPACE:	Gas cook top, gas oven
CLOTHES DRYING LINES:	Gas cook top, gas oven

INTERNAL WALLS	
INTERNAL WALLS:	Minimum R 0.5 insulation with metal roof
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PROJECT:  
60 Lamrock Ave  
60 LAMROCK AVE BONDI  
NSW 2026

DRAWING:  
EXTERNAL FINISHES

PROJECT NO: 16096  
DRAWN BY: MHNDU  
TO SCALE: @A3  
DRAWING NO: REV:  
DA 6003  
243



## Report to Waverley Development Assessment Panel

<b>Application number</b>	DA-442/2017
<b>Site address</b>	93 Hardy Street, DOVER HEIGHTS
<b>Proposal</b>	Demolition of existing building and construction of a part two part three storey dwelling with roof terrace and swimming pool
<b>Date of lodgement</b>	17 October 2016
<b>Owner</b>	Suwei Wu
<b>Applicant</b>	Suwie Wu
<b>Submissions</b>	Two submissions
<b>Cost of works</b>	\$1,364,000
<b>Issues</b>	FSR, height, setbacks and roof top terrace and privacy
<b>Recommendation</b>	That the application be Approved subject to conditions





## 1. PREAMBLE

### 1.1 Site And Surrounding Locality

A site visit was carried out on 19 and 27 February 2018.

The site is identified as 93 Hardy Street, Dover Heights and is located on the eastern side of Hardy Street. The site is rectangular in shape with a frontage to Hardy Street of 12.8m and a length of 41.94m, therefore having a total area of approximately 536.60sq.m. The site also falls from the rear to the front boundary by approximately 4m.

Presently existing on the site is an elevated (due to slope of land) single storey dwelling with a single garage below integrated within the building at the front. Adjoining the subject site on either side are two-storey detached dwellings with double garages at street level parking. To the north at no. 95 Hardy Street, the dwelling has an integrated double garage, whilst to the south at no. 91 Hardy Street the double garage is set on the front boundary.

The locality is characterised by a variety of residential developments including semi-detached and detached dwellings.

The site is not listed as a heritage item and is not within a heritage conservation area.



**Figure 1:** Site as viewed from Hardy Street (an elevated single storey red brick dwelling with garage below at centre)





**Figure 2:** Site viewed from rear yard and adjoining two storey dwellings at Nos. 91 & 95 Hardy Street



**Figure 1:** Adjoining properties immediately to the south at nos. 89 and 91 Hardy Street

## 1.2 Relevant History

Development application DA 241/2007 for alterations and additions to existing dwelling including reconfiguration of ground floor, new first floor and basement was approved for the subject site on 11 June 2008.

## 1.3 Proposal

The development application seeks consent for demolition of existing building and construction of a part two part three storey dwelling with roof terrace and swimming pool. The specifics of the proposal are as follows:

### Demolition

- Demolition of all existing structures on the site including the dwelling and rear covered deck.
- Removal of all existing trees on the subject site.

### Lower / Basement level of new dwelling

- The basement level comprises of a double garage, storage, laundry, study and bathroom.
- Pedestrian access staircase at the front yard connect to the front porch at ground floor.

### Ground Floor

- To the ground floor of the new dwelling is proposed living areas, study rooms, guest bedrooms, home theatre, bathrooms, rear terrace and front porch.
- New swimming pool with decking area.

### First Floor

- The first floor of the new dwelling comprises of three (4) bedrooms, bathrooms, built in robes, formal kitchen and dining areas with front and rear balconies.

### Roof Level

- Roof terrace of approximately 14.9 sqm in area is proposed at the centre of the dwelling with perimeter glazed balustrade and a covered metal roof structure over stair to the roof terrace.

The proposed development is notably contemporary in design.

## 2. ASSESSMENT

The following matters are to be considered in the assessment of this development application under section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act).

### 2.1 Planning Instruments and Development Control Plans

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning polices (SEPPs), and development control plans.

#### 2.1.1 SEPP (Building Sustainability Index – BASIX) 2004

A BASIX Certificate has been submitted with the development application.

The BASIX Certificate lists measures to satisfy BASIX requirements which have been incorporated into the proposal. A standard condition is recommended ensuring the measures detailed in the BASIX Certificate are implemented.



### 2.1.2 SEPP 55 Remediation of Land

There is no known history of contamination applicable to the site. The subject site has historically been used for residential purposes. Accordingly, site land contamination is considered unlikely and no further investigation is necessary.

### 2.1.3 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposed development are outlined below:

**Table 1: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal is not inconsistent with regards to clause 1.2 aims of plan.
<b>Part 2 Permitted or prohibited development</b>		
Land Use Table R2 – Low Density Residential	Yes	The proposal is defined as a dwelling house, which is permitted with consent in the R2 zone.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>Max: 8.5m</li> </ul>	<b>No (to be conditioned)</b>	The proposed height of the new dwelling ranges between 6.9m to 8.5m as measured up to the roof top terrace balustrade, and therefore comply with the Waverley LEP maximum height requirement. However, the proposed access hood above the stairway increase the building height to 9.3m.  The height variation is discussed below within this report.
4.4 Floor space ratio and 4.4A Exceptions to floor space ratio <ul style="list-style-type: none"> <li>Max: 0.514:1 (276 sqm)</li> </ul>	<b>No (acceptable)</b>	The proposed FSR is 0.59:1 (316 sqm) is non-compliant and a clause 4.6 Exception to the development standards has been submitted with the application. The proposal exceeds the FSR by 14.5%.  This is FSR variation is discussed in the report below.
4.6 Exceptions to development standards	See discussion below	The application is accompanied by a written request pursuant to clause 4.6 of Waverley LEP 2012 to vary the Floor Space Ratio development standard.  A detailed discussion of the variation to the development standard is presented in the table below.

Provision	Compliance	Comment
<b>Part 5 Miscellaneous provisions</b>		
5.9 Preservation of trees or vegetation	Yes	Situated on the subject property are several trees proposed to be removed. The application has been referred to Council's tree officer, who raised no objection to the removal of trees on site.
<b>Part 6 Additional local provisions</b>		
6.2 Earthworks	Yes	Excavation is required for the lower ground floor and pool. The proposal has been assessed against Council's controls regarding excavation and is considered acceptable.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

### Exceptions to Development Standards

#### Clause 4.3 Height

The proposal has a total building height of 9.3m in order to accommodate for an enclosed stairway to the new roof terrace, which is over the maximum height control of 8.5m (exceeds by 9.4%) under the Waverley LEP 2012.

An "Exception to a Development Standard" under Clause 4.6 of the LEP was not submitted with the application to justify the variation proposed to the height control. The applicant asserts in the statement that, the proposal comply with the maximum 8.5m development height requirement of the LEP. It is argued that the enclosed area above the stair case for access to the roof top deck is in a recessed location which is off the main street-face of the building and the additional height proposed is kept as narrow as practical. The applicant also argues that there is an existing precedent in the surrounding area for this type of enclosed stair way.

The height arguments as presented by the applicant are not supported given that there are only one precedent nearby that do exist ( i.e. adjoining property to the rear at No. 5 Wallangra Road) for this type of enclosed stair way and this is not contiguous to the subject site. There are no roof top deck or enclosed stairway structure evident or visible on the immediate adjoining properties along the eastern side of Hardy Street (ie: same side of the street as the subject site). Having regard to the proposed three storey height of the building and that the proposal is not in accordance with the maximum height requirements under the Waverley LEP 2012, the variation to the height proposed is considered unacceptable.

It is also to be noted that the DCP contain controls for roof top terraces and access hoods, which aims to maintain reasonable level of acoustic privacy. In this instance, clause 1.8 – Visual and Acoustic privacy control (e) (v) under the Waverley DCP 2012 states as follows:

*"Any access must be provided within the envelope of the main building and there are to be no access hoods or lift overruns proposed above the main roof level. Operable skylights and hydraulic lifts are acceptable where they finish generally flush with the roof level."*

Concerns are raised regarding the proposed additional height which would contribute towards the bulk and scale of the building and the visual impact from the street (public domain) and surrounding

properties. The access to the roof top deck should be provided no higher than the height of the glass balustrade on the roof deck. The proposed additional height for the enclosed stair structure associated with the roof top deck is not considered acceptable. In this regard, should the application be approved it is recommended that the enclosed stair access roof structure shall be deleted and access to the roof top deck is to be via an operable skylight (or the like) and is to be no greater in height than the glass balustrade around the roof top deck, in order to better address Council's policy in relation to access hoods and height controls under the Waverley LEP and DCP 2012.

#### ***Clause 4.4 Floor space ratio***

The proposal has an overall floor space ratio of 0.59:1, which exceeds the floor space ratio development standard of 0.514:1 prescribed under clause 4.4 or 4.4A of Waverley LEP 2012 by 40 sqm in gross floor area. It is to be noted that the lower ground level contributes 36 sqm to the total amount. The dwelling presents as a compliant scheme to Hardy Street and is commensurate with the scale of recently approved buildings in close proximity to this site.

A written request pursuant to clause 4.6 of Waverley LEP 2012 has been made, seeking to vary the FSR development standard. The justification presented in the written request is summarised as follows:

- The non-compliance is in part the result of the site's topography.
- The proposal is below the height standard and complies with the majority of the key building controls prescribed in the DCP.
- The dwelling has been well articulated to minimise potential environmental amenity impacts on neighbouring dwellings.
- The proposal represents a similar bulk and density to the existing development and is in keeping with the objectives of Clause 4.6.

The objectives of this control is to ensure that new developments have an acceptable size and bulk in relation to the size and shape of the allotment and to minimise negative impacts upon adjoining sites, as well as being in character with surrounding development. The proposed building is typical of the emerging development in this area with regards to its bulk. A large portion of the non-compliance is contained within the basement level and does not unreasonably impact on the bulk and scale of the development, which is concealed from Hardy Street due to the natural topography and vegetation surrounding the site. The additional FSR is not considered to constitute an over development of the site as it does not result in unreasonable impacts on surrounding residential allotments and the built form is consistent with the surrounding developments in the vicinity of the site.

The arguments presented in the applicant's written request to vary the FSR of buildings development standard are concurred with. The proposed bulk and scale of the dwelling is not considered unreasonable in this particular case, and stringent compliance with the development standard is unnecessary. Accordingly, a departure from Council's controls is not considered unreasonable in this instance and the numerical variation in FSR is supported on merit.

#### **Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)**

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

**Table 2: Waverley DCP 2012 – Part B General Provisions Compliance Table**

Development Control	Compliance	Comment
1. Waste	Yes	The application is accompanied by a SWRMP and the proposal generally complies with all relevant objectives and controls relating to waste removal and management.
2. Energy and water conservation	Yes	The application is accompanied by a BASIX certificate. Accordingly, the application is consistent with all relevant energy and water conservation targets, including those specified in the WDCP 2012.
6. Stormwater	Yes (to be conditioned)	A standard condition is recommended requiring the stormwater drainage system to be designed in accordance with the Water Management Technical Guidelines prior to the release of a construction certificate.
8. Transport	Yes	The proposal generally complies with the relevant objectives and controls relating to transport and on-site car parking.

**Table 3: Waverley DCP 2012 – Part C1 Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development Compliance Table**

Development Control	Compliance	Comment
<b>1.1 Height</b>		
1.1.1 Flat roof dwelling house <ul style="list-style-type: none"> <li>Maximum overall building height of 7.5m for flat roof building</li> </ul>	<b>No (acceptable)</b>	<p>The proposed overall height ranges between 6.9m to 8.5m (to the rooftop terrace balustrades) and therefore exceeds the maximum wall height of 7.5m for flat roof building under the DCP controls. The flat roof height non-compliance is considered acceptable as the proposal relates to the street character and does not unreasonably impact on views and solar amenity of adjoining properties.</p> <p>This non-compliance is discussed below in the report.</p>
<b>1.2 Setbacks</b>		
1.2.1 Front and rear building lines <ul style="list-style-type: none"> <li>Predominant front building line</li> <li>Predominant rear building line at each floor level</li> </ul>	<b>No (to be conditioned)</b>	<p>The proposal adheres to the established front building lines on both levels. However, the rear setback at first floor breaches the established rear predominant building line.</p> <p>This non-compliance is discussed below in the report.</p>
1.2.2 Side setbacks <ul style="list-style-type: none"> <li>Two storeys minimum of 0.9m</li> </ul>	Partial	The proposal has a minimum side setback of 0.9m to 1.6m and thereby complying with the Council's setback requirements, with the

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <li>Three storeys minimum of 1.5m</li> </ul>		<p>exception of the front north-western corner of the building which is three storeys and has a side setback of 0.98m.</p> <p>See discussion below in the report.</p>
<b>1.3 Excavation</b>		
<ul style="list-style-type: none"> <li>Minimum setback of 0.9m from side boundaries</li> </ul>	Yes	Excavation with regards to the lower ground level of the dwelling and pool is at least 900mm setback from the side boundaries.
<b>1.4 Streetscape and visual impact</b>		
	Yes	The proposed dwelling is consistent with the emerging character of the area. The existing streetscape contains an eclectic mix of dwelling designs including contemporary and more traditional built forms. Thus, the proposal is consistent with the streetscape and visual impact objectives and controls in the WDCP 2012.
<b>1.7 Fences</b>		
<p><i>Front:</i></p> <ul style="list-style-type: none"> <li>Maximum height of 1.2m</li> </ul>	Yes	The front fence facing Hardy Street is proposed to be 1.2m in height and is considered acceptable.
<b>1.8 Visual and acoustic privacy</b>		
<p><i>Maximum size of balconies:</i></p> <ul style="list-style-type: none"> <li>10m<sup>2</sup> in area</li> <li>1.5m deep</li> </ul>	<b>No (acceptable)</b>	<p>Visual and acoustic privacy is considered acceptable between properties.</p> <p>The windows on the side elevations are modest in size and the windows on the rear elevation are considered satisfactory in this domestic setting.</p> <p>Balconies are characteristic of the locality and the privacy is considered acceptable as appropriate privacy mitigation measures are proposed.</p> <p>A roof top terrace of 14.9 sqm is proposed with an internal central stair access from the first floor level. The non-compliance with the roof top terrace control is discussed in detail below.</p>
<b>1.9 Solar access</b>		
<ul style="list-style-type: none"> <li>Minimum of three hours of sunlight to minimum of 50% of living areas and principal open space areas on 21 June</li> <li>Minimum of three hours of sunlight maintained to minimum of 50% of</li> </ul>	Yes	Due to the east-west orientation of the site, there will be some additional overshadowing to the southern adjoining dwelling. The additional overshadowing is mainly over the roof space of the adjoining property to the south between 9am and 12 noon, with the additional shadows being at its highest at 3pm mid-winter to the private open space of the southern adjoining



Development Control	Compliance	Comment
living areas and principal open space areas of adjoining properties on 21 June		dwelling. The majority of the shadow impacts to the southern adjoining dwelling is existing and cast from existing structure on the subject site.  The shadow diagrams indicate that surrounding residential buildings and open space will receive the minimum solar access requirements specified in clause 1.9 Solar access of the WDCP 2012. Accordingly, the proposal has an acceptable impact with regard to solar access and overshadowing.
<b>1.10 Views</b>		
	Yes	No submission has been received from the adjoining owners raising concerns relating to loss of views.
<b>1.11 Car parking</b>		
1.11.1 Parking rates <i>Maximum rates:</i> <ul style="list-style-type: none"> <li>• 2 spaces for 3 or more bedrooms</li> </ul>	Yes	The proposal will accommodate a double garage at the same location as existing single garage.
1.11.2 Location <ul style="list-style-type: none"> <li>• Behind front building line for new dwellings</li> <li>• Consistent with hierarchy of preferred car parking locations</li> </ul>	Yes	The proposed garage has been incorporated with the design of the dwelling and given the lot configuration the location and setback of the garage is considered acceptable.
<b>1.12 Landscaping and open space</b>		
<ul style="list-style-type: none"> <li>• Overall open space: 40% of site area</li> <li>• Overall landscaped area: 15% of site area</li> <li>• Minimum area of 25m<sup>2</sup> for private open space</li> <li>• Front open space: 50% of front building setback area</li> <li>• Front landscaped area: 50% of front open space provided</li> </ul>	Yes	53% open space  29% landscape area  129 m <sup>2</sup> of private open space at the rear  52% front open space  74% front landscape area
<b>1.13 Swimming pools and spa pools</b>		
<ul style="list-style-type: none"> <li>• Located at the rear</li> </ul>	Yes	An in-ground concrete pool is proposed at the rear, measuring approximately 4m in width and 8.5m in length adjoining to the southern side boundary. The proposed swimming pool is supported.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley DCP 2012.

## **Height**

The proposed height of the new dwelling ranges between 6.9m to 8.5m (as measured up to the roof terrace balustrade) and therefore exceeds the maximum wall height control of 7.5m for a flat roof building under the Waverley DCP. The non-compliance in height in relation to the DCP control is due to the sloping topography and results in the front portion of the dwelling at the western (street) elevation exceeding the height control of 7.5m. It is considered that there is no detrimental impact on the amenity of the adjoining properties or the streetscape by way of visual bulk, overlooking or overshadowing as a result of the height variation as described above. It is to be noted however that the proposal would comply with the maximum height standard of 8.5m (except for the roof terrace structure), as prescribed under clause 4.3 of Waverley LEP 2012 which is a higher order control in the hierarchy of documents.

A variation to the height development standards can be considered where it can be demonstrated that the relevant control is unnecessary because of the unusual site characteristics, sloping site, characteristics of the area and surrounding development. The immediately adjoining properties to the east, west, north and south have similar height non compliances, therefore the proposal is commensurate with the surrounding development in response to the topography of the land. The proposed non-compliance with the building height standard is therefore considered acceptable and supported having regard to the topography of the site and the circumstance of the case.

## **Side setback**

The DCP side setback control is 900mm and 1500mm for two and three storeys, respectively. At the rear, the proposal is two storeys and therefore complies with the Council's side setback control. However, at the front the proposal is three storeys with a side setback of 1604mm on the southern side boundary and 998mm on the northern side boundary. Accordingly, the northern side setback at the front portion does not comply with Council's side setback control of a minimum 1500mm.

Regardless of the minor numerical non-compliance, the proposal is generally consistent with the relevant objectives regarding the DCP side boundary setbacks of 900mm. The proposed minor variation in side setback is considered acceptable given that it will not result in unreasonable solar, privacy or amenity impacts upon surrounding properties.

## **Rear setback**

Control (b) in section 1.2.1 of Part C1 of WDACP 2012 states that the predominant rear building line is determined separately for each floor level. Control (a) states that new buildings are to extend no further than the front and rear predominant building lines.

The rear building line proposed for the ground floor is 19.499m from the rear boundary. This is considered acceptable having regard to what is currently existing on site. The proposed rear building line of 16.79m for the first floor however, contravenes the rear predominant building line requirement as per the policy given under the Waverley DCP 2012. To comply at first floor level, the addition would need to be setback a further 2.7m, giving a total of 19.49m rear setback which is consistent with the proposed ground floor building line.

The adjoining two storey detached dwelling to the south at 91 Hardy Street has a rear setback to the first floor of 20.81m and the adjoining two storey dwelling to the north at 95 Hardy Street has a rear setback of approximately 22.3m.

Should the application be approved, it is considered that a condition be imposed that the area of the proposed first floor is to be reduced by increasing the rear setback to be in line with the proposed eastern external wall of the living area at ground level (approximately 19.499m), in order to better address Council's rear building setback, maximum FSR requirements and bulk related impacts on the adjoining properties. In this regard, the proposed rear balcony at first floor is also to be deleted and a non-trafficable roof is permitted above the terrace area at ground floor, so as to reduce privacy and overlooking impacts on adjoining properties.

### Roof top terraces

Control (e) in Section 1.8 Visual and Acoustic Privacy states that rooftops are to be non-trafficable and not being capable of being used as roof terraces or as entertainment areas except in the following circumstances:-

- (i) Developments contiguous to the subject site include a roof terrace;
- (ii) They will not result in unreasonable amenity impacts such as overlooking and loss of privacy and acceptable noise;
- (iii) They are not to exceed 15m<sup>2</sup> in area;
- (iv) They are provided for casual and infrequent activity and not as an extension of private open space or entertaining areas; and
- (v) Any access must be provided within the main building and there are no access hoods or lift overruns proposed above the main roof level. Operable skylights are acceptable where they finish generally flush with the roof level.

The subject site is not located adjacent to sites with roof terraces, therefore developments contiguous to the subject site does not include a roof terrace. However, there are dwellings within the immediate vicinity at the rear of the subject site with roof terraces including nos. 3 and 5 Wallangra Road (see figure 5 below). A survey of surrounding rooftop terraces also revealed that roof top terraces are a predominant residential character in the vicinity of the site and thus can be supported. In addition, it is to be noted that Council has recently approved a roof top terrace at no. 79 Hardy Street (under DA 424/2014) on 8 December 2014 where there is no roof top terrace developments contiguous to the subject site (see figure 6 below).

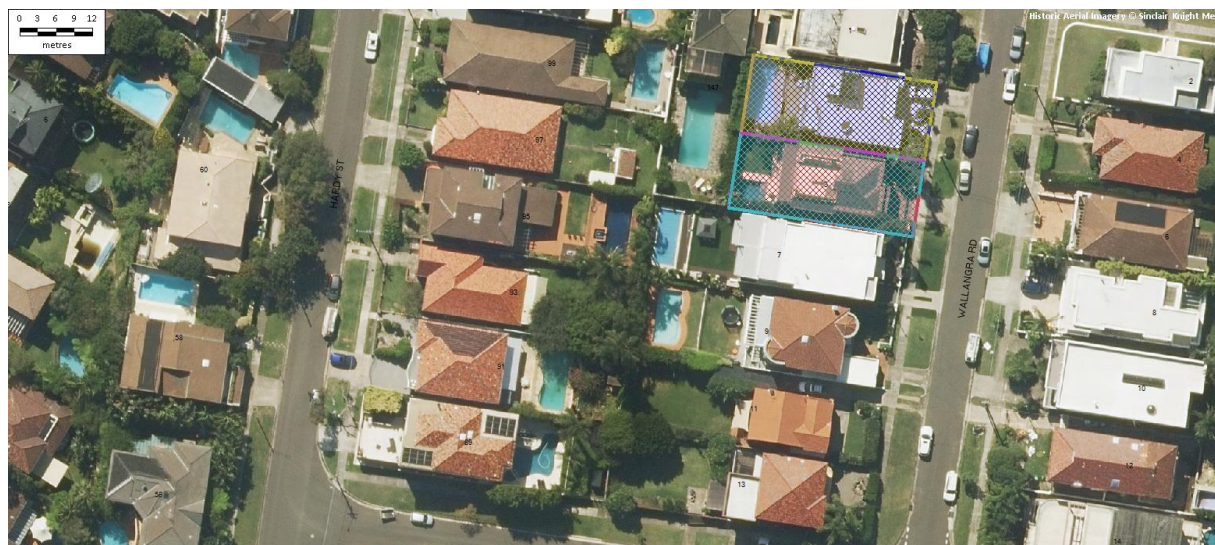


Figure 5: Aerial photo indicating existing roof terraces at nos. 3 and 5 Wallangra Road (rear properties to subject site)



Figure 6: Survey of existing roof top terraces (blue) in the vicinity of the subject site and recently approved roof top terrace at no. 79 Hardy Street (red) under Development Application no. 424/2014.

The proposed terrace will be 14.9sqm in area and is mainly oriented to take advantage of the harbour and city views. The proposed roof top terrace and stair are centrally located with a setback of a minimum of 4m from both side boundaries, and thus will reduce overlooking and any adverse privacy impacts to adjoining neighbours. Given the compliant size of the roof terrace and extensive private open space provided on the ground floor, it is considered that the roof terrace is acceptable and will be for ancillary infrequent use only. No submissions were received in respect of the privacy impacts of the roof terrace and given the precedence, compliance with the maximum roof top terrace area and the suitable location proposed, the rooftop terrace can be supported subject to the deletion of the proposed roof stair structure (via condition of consent as discussed previously above in the report).

## 2.2 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

## 2.3 Suitability of the Site for the Development

The site is considered to be suitable for the proposed development.

## 2.4 Any Submissions

The application was notified for 14 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

Two (2) submissions were received. The issues raised in the submissions are summarised and discussed below.



**Table 4: Summary of property addresses that lodged a submission**

91 Hardy Street
95 Hardy Street

***Issue: Privacy loss from first floor windows on the north elevation***

**Response:** Some of the first floor windows on the northern elevation are proposed to be provided with obscure glazing and therefore will not have any impact on privacy of the adjoining property. However, should the application be approved a condition is to be imposed that, the proposed window on the first floor northern elevation for bedroom 2 is to be provided with external fixed privacy louvres / screens so as to reduce privacy and overlooking impacts towards No. 95 Hardy Street, Dover Heights.

***Issue: Rear setback***

**Response:** This issue have been discussed in details above in the report.

***Issue: Pool water run off to backyard of adjoining property***

**Response:** The application has been referred to Council's stormwater engineer as discussed below in the report. A condition is recommended to be imposed for an amended or updated stormwater plans, should the application be approved.

**2.5 Public Interest**

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

**3. REFERRALS**

**Creating Waverley**

**Stormwater**

The application was referred internally to Council's Creating Waverley Department who advised that the proposed stormwater management details are not satisfactory. Standard conditions are recommended and will be attached for the proposal to comply with the Waverley Development Control Plan 2012 in regard to stormwater, should the application be approved.

**Driveways**

The application was referred internally to Council's Creating Waverley division for comments on the proposed vehicle parking and access. No objections were raised subject to the imposition of appropriate conditions of consent.

**4. SUMMARY**

The application involves the demolition of existing building and the construction of a part two, part three storey dwelling with roof top terrace and swimming pool.

The main issues in the assessment of the application are in relation to non-compliance with the maximum FSR and height standards under Waverley LEP 2012, setbacks and roof top terrace and privacy impacts.



In regard to the variation proposed to Floor Space Ratio, the departure is accepted given that a large portion of the non-compliance is contained within the basement level and does not unreasonably impact on the bulk and scale of the development. The basement level is largely concealed from Hardy Street, due to the excavation proposed below the natural ground level. The proposed development has an acceptable bulk and scale within the context and generally complements the character of the adjoining developments.

The application also exceeds the 8.5 maximum height allowable for the site due to the small enclosed area above the access stairs to the proposed roof top terrace. The variation to the height proposed is considered unacceptable having regard to the proposed height of the building being three storeys at the streetscape and the proposal not in accordance with the maximum height requirements under the Waverley LEP 2012. In this regard, a condition is to be imposed for the enclosed stair structure to be deleted and instead access to the roof be via an operable skylight (or the like) to be no higher than the balustrade level.

The proposed rear setback at first floor is considered unsatisfactory, given that it will protrude beyond the rear predominant building line of adjoining properties. The applicant has not provided adequate evidence indicating that the proposed rear setback at first floor will be acceptable in this location, with no impact on surrounding properties. A condition is therefore recommended to increase the proposed rear setback at first floor to be consistent with the proposed setback at ground floor of the dwelling.

The application attracted two submissions and the matters raised have been addressed in the report. The application is assessed as acceptable with regard to the matters for consideration under the *Environmental Planning and Assessment Act 1979*, and is accordingly recommended for approval, subject to conditions of consent.

## 5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL

That the Development Application be **APPROVED** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A:

**Report prepared by:**

**Application reviewed and agreed on behalf of  
the Development and Building Unit by:**

Idaly Yap  
**Senior Development Assessment Planner**

Arif Faruqi  
**Manager, Development Assessment (North)**

**Date: 19 March 2017**

**Date: 4 April 2017**

**Reason for referral:**

3 Departure from any development standard in an EPI by more than 10%

## **APPENDIX A – CONDITIONS OF CONSENT**

### **A. APPROVED DEVELOPMENT**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Architectural drawings Job No. 1610025, Sheet Nos DA02 to A11, tables and documentation prepared by Quinn Building Design, dated 28.08.17, and received by Council on 17 October 2017;
- (b) Landscape Plan No. 2017.0710DA1 and documentation prepared by TGS Landscape Architects and received by Council on 17 October 2017;
- (c) BASIX Certificate;
- (d) The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part B, Waverley DCP 2012.

Except where amended by the following conditions of consent.

#### **2. GENERAL MODIFICATIONS**

The proposal shall be amended as follows:

- (a) The enclosed access stair roof structure shall be deleted and access to the roof top deck is to be provided via an operable skylight (or the like) and is to be no greater in height than the glass balustrade around the roof top deck, in order to better address Council's policy in relation to access hoods and height controls under the Waverley LEP and DCP 2012.
- (b) The proposed window on the first floor northern elevation for bedroom 2 is to be provided with external fixed privacy louvres / screens, so as to reduce privacy and overlooking impact towards No. 95 Hardy Street, Dover Heights.
- (c) The area of the proposed first floor is to be reduced by increasing the rear setback to be in line with the proposed eastern external wall of the living area at ground level (approximately 19.499m) in order to better address Council's rear building setback, maximum FSR requirements and bulk related impacts on the adjoining properties. In this regard, the proposed rear balcony at first floor is also to be deleted and a non-trafficable roof is permitted above the terrace area at ground floor, so as to reduce privacy and overlooking impacts on adjoining properties.
- (d) The overall length of the layback at the proposed driveway is not to exceed 3.9m.

The amendments are to be approved by Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

#### **3. 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.
- (f) 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).

#### **4. USE OF DWELLING**

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

#### **5. SWIMMING POOLS**

The following requirements apply to the use and operation of the approved pool:

- (a) The pool water being treated by an approved water treatment and filtration unit.
- (b) The pool is to be fitted with a cover, that shall be fitted when the pool is not in use to minimise evaporation and conserve water.
- (c) To prevent noise nuisance to surrounding properties, the pool filtration motor and pump unit is to be housed within a ventilated soundproof enclosure.

#### **6. DOMESTIC HEATERS**

The provision of solid fuel heating is prohibited.

#### **7. INTRUDER ALARM**

Intruder alarm/s associated with the development must operate only in accordance with the requirements of Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2008* under the *Protection of the Environment Operations Act, 1997*.

#### **8. 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**

### **9. 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/](http://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.

### **10. SECURITY DEPOSIT**

A deposit or guarantee satisfactory to Council for the amount of **\$25,000** 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.

#### **11. 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.

#### **12. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

The building work, or demolition work, 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.

#### **13. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT**

Prior to the issue of a Construction Certificate, the applicant is to submit a "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) for the approval of the Executive Manager, Creating Waverley

The CVPPM shall:

- a. Show the size and number of trucks to be used during the various stages of the development. NOTE: Trucks will not be permitted to reverse to the site from Wallangra Road or from the site to Wallangra Road.
- b. Show the route to be taken by trucks in (a) above within the Waverley Council area when gaining access to and from the site. Note, 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 in the vicinity of the site, the trucks may not be approved for use.
- c. Show the location and length of any proposed Works/Construction Zones.  
Note:
  - (i) Such zones require the approval of the Waverley Traffic Committee and Council prior to installation.



- (ii) It is illegal to park a truck exceeding 4.5tonnes on a roadway for more than one (1) hour unless signs are installed allowing such and illegal to barricade/ reserve a section of roadway without the prior approval of Council.
- d. Indicate the number of and where it is proposed to park light vehicles associated with staff/employees/contractors working on the site.

**14. SERVICE AUTHORITIES**

The applicant is to seek approval from Telstra and Sydney Water regarding any possible modification to the service authorities infrastructure prior to the issue of a Construction Certificate.

**15. HOARDING REQUIRED**

A standard A-Class or 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.

**16. 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.

**17. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION**

A report shall be prepared by a suitably qualified and practising Structural Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.

**18. 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 Waverley DCP 2012 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 docket 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.

#### **19. 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.

#### **20. STORMWATER MANAGEMENT**

The plans prepared by Loka Consulting Engineers Pty Ltd, Job No. 17NL201, drawing No. D00 to D04 dated 7 August 2017 are not considered satisfactory with respect to the storm water details.

The drawings do not comply with the Waverley Development Control Plan 2012 in reference to Waverley Council's Water Management Technical Manual.

- The information supplied in the drawings and on the checklist do not match. Orifice plate diameter, water head height, OSD volume is not consistent. The plans and checklist will need to be updated and submitted to Council before an assessment can be made.
- An updated Stormwater Management Plan including On-site Stormwater Detention (OSD) and its details along with completed mandatory checklist as set out in page 22 of Waverley Council's Water Management Technical Manual is required.

Amended details addressing the above are to be submitted and approved by Council's Executive Manager, Creating Waverley demonstrating compliance, prior to issue of a Construction Certificate.

#### **21. 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.

#### **22. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and can not be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.

**23. USE OF RENEWABLE TIMBERS**

Council requires, wherever possible, the use of renewable timbers and/or plantation timbers such as Radiata Pine or Oregon as an alternative to the use of non-renewable rainforest timber products in buildings so as to help protect the existing areas of rainforest. In this regard, a schedule of proposed timber products to be used in the building is to be submitted for approval by the Principle Certifying Authority prior to the issue of the Construction Certificate. Where the applicant is to use timbers not recommended in Council's Policy, reasons are to be given why the alternative timbers recommended cannot be used.

**24. REFILLING/"TOP-UP" OF SWIMMING POOL**

Future water requirements for refilling and 'top-up' to the swimming pool are to be obtained from rainwater provided from an on-site rainwater tank or equivalent. In this regard, full details of the proposed location and size of the rainwater tank are to be provided to Council prior to issue of the Construction Certificate.

**C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION**

**25. 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.

**26. 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.

**27. 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.

**28. 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.

**29. 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.

**30. TOILET FACILITIES**

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

**31. NO USE OF ORGANOCHLORIN PESTICIDES**

The use of organochlorin pesticides as termite barriers in new development is prohibited pursuant to Council Policy. Only physical barriers are to be used for termite control. The building shall comply with Australian Standard 3660: Protection of building from subterranean termites - prevention, detection and treatment of infestation.

**32. 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.

### **33. DILAPIDATION REPORTS**

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) **91 & 95 Hardy Street, Dover Heights**, 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (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. DEMOLITION & SITE PREPARATION**

Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements NSW WorkCover Authority and the NSW Environment Protection Authority (EPA), and with the provisions of:

- (a) Work Health & Safety Act 2011;
- (b) Work Health & Safety Regulation 2011;
- (c) Protection of the Environment Operations Act 1997 (NSW) and
- (d) NSW EPA Waste Classification Guidelines 2009.

**36. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS**

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

**37. 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.

**38. 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.

**39. 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.

**40. 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.

**41. TEMPORARY DIVERSION OF ROOF WATERS**

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame will not occur until this is completed.

**42. 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.

**43. 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; and
- (b) Sundays and public holidays

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

**44. 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.

**45. BUILDING CODE OF AUSTRALIA**

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

**46. BUILDING LEGISLATION AMENDMENT (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) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls); and
- (g) 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.

#### **47. CERTIFICATE OF SURVEY - LEVELS**

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

#### **48. 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.

#### **49. IN-SINK WASTE DISPOSAL SYSTEMS**

The installation of in-sink waste disposal systems is prohibited.

#### **50. 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.

#### **51. 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.

## **52. ASBESTOS REMOVAL**

- (a) All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.
- (b) All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.
- (c) No asbestos products are to be reused on site.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.
- (e) No asbestos laden skips or bins are to be left in any public place without the approval of Council.

## **53. TREE PROTECTION**

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

## **54. NEW VEHICLE CROSSING**

The existing vehicle crossing is to be demolished and a crossing constructed to provide access to the proposed garage. A separate application is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council.

## **55. VEHICULAR ACCESS - FINISHED LEVEL**

The finished level at the property boundary on both sides of the vehicle crossing is to be **30mm above** the existing concrete footpath.

## **56. EXCAVATION TO BE MANAGED BY STRUCTURAL ENGINEER**

Bulk excavation is to be managed by a practising structural engineer, in accordance with the specification for shoring and support, as detailed in the approved Construction Certificate.

**57. 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.

**58. 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) 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 AS 1926.1-2012 Swimming pool safety - Safety barriers for swimming pools. This fencing is to be erected and inspected by the Principal Certifying Authority prior to the pool being filled with water; and
- (d) 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. 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.

**D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION**

**60. OCCUPATION CERTIFICATE**

The Principal Certifying Authority prior to occupation or use of the development must issue an 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.

**61. STORMWATER MANAGEMENT**

Prior to issuance of occupation certificate, certification is to be provided from a suitably qualified hydraulics engineer, that the storm water system has been constructed in accordance with the approved storm water management plans and to best engineering practice.



**62. LANDSCAPE PLAN**

The site is to be landscaped and turfed in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

**63. 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.

**64. 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.

**65. 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.

**66. LIGHTING**

- (a) 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.
- (b) All external lighting fixtures should be vandal resistant.
- (c) Lighting should be carefully considered in areas covered by CCTV to allow for optimum viewing.
- (d) Lighting should be free of obstructions, such as tree branches, pipes, etc.
- (e) Transition lighting should also be used throughout the site to reduce vision impairment, i.e. impairment caused by walking from dark to light places and light to dark places.

**67. 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.





PHOTOMONTAGE

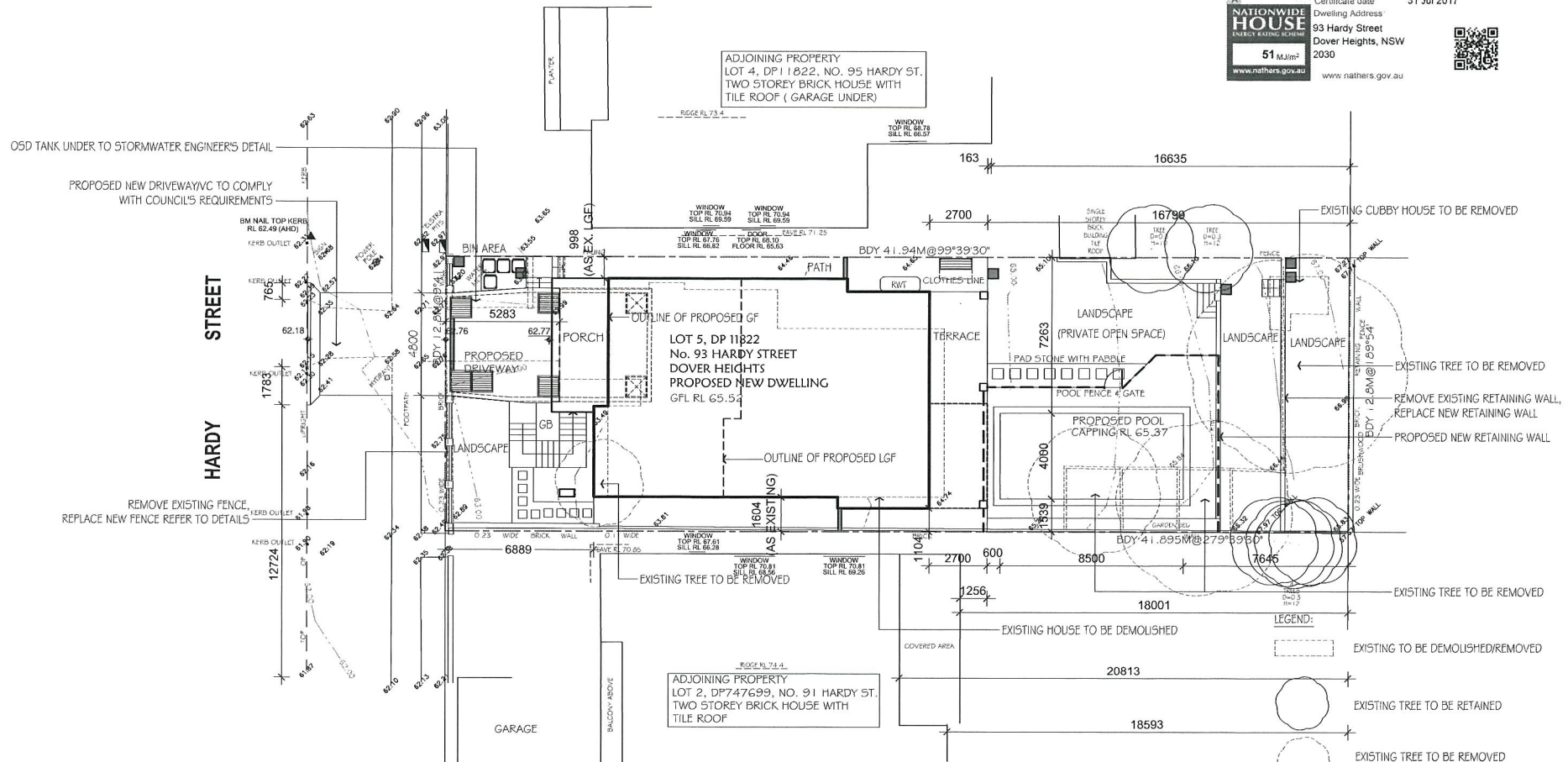
DO NOT SCALE - ASK IF IN DOUBT			CLIENT:		MR. WILSON WU		QUINN BUILDING DESIGN	
DATE	ISSUE	DESCRIPTION	PROJECT:		PROPOSED NEW DWELLING		ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE	
10/2016	A	FOR DA						
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO WORK COMMENCEMENT. ALL DIMENSIONS SHOWN TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.			TITLE:		PHOTOMONTAGE		DRAWN	HB
HILLBRIDGE DESIGNERS AND ENGINEERS SHALL RETAIN THE COPYRIGHT OF THESE DRAWINGS, WHEREVER APPLICABLE.			DATE		03.10.17		CHECKED	CQ
SCALE:		NTS					SHEET No.	1610025
JOB No:		1610025		274		THIS PLOT WAS GENERATED ON 03-Oct-17, IN A3 SIZE		

ABN: 43 078 223 284  
 Phone: (02) 9836 3899  
 Fax: (02) 9836 3599  
 Email: hillbridge@gmail.com



SURVEY PLAN PROVIDED BY "Chadwickcheng Consulting Surveyors" JOB REFERENCE: 36047/D, DATED 05/09/2016.

Certificate no. 0001750249  
 Assessor Name Ian Fry  
 Accreditation no. VIC/BDAV/12/1441  
 Certificate date 31 Jul 2017  
**5.9**  
**NATIONWIDE HOUSE**  
 ENERGY RATING SCHEME  
 51 Mj/m<sup>2</sup>  
 www.nathers.gov.au www.nathers.gov.au

**AREA CALCULATION:**

SITE AREA:	536.6m <sup>2</sup>
LOWER GROUND FLOOR:	36.2m <sup>2</sup>
GROUND FLOOR:	134.8m <sup>2</sup>
FIRST FLOOR :	145.5m <sup>2</sup>
GFA:	316.5m <sup>2</sup>
FSR:	316.5/536.6=0.59:1
PROPOSED POOL:	34m <sup>2</sup> (42.0KL)
OPEN SPACE:	287.5m <sup>2</sup> (287.5/536.6=53.6% > 40%)
LANDSCAPE AREA:	157.1m <sup>2</sup> (157.1/536.6=29.3% > 15%)
PRIVATE OPEN SPACE:	249.3m <sup>2</sup> > 25m <sup>2</sup>
FRONT AREA:	74.0m <sup>2</sup>
FRONT OPEN SPACE:	38.5m <sup>2</sup> (38.5/74.0=52.0% > 50%)
FRONT LANDSCAPE:	28.5m <sup>2</sup> (28.5/38.5=74.0% > 50%)

**SITE PLAN 1:200**  
LANDSCAPE AREA REFER TO LANDSCAPE ARCHITECT'S DETAILS



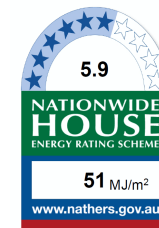
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07/2016	B	TOWN PLANNER'S COMMENT
08/2016	C	FOR DA
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CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	SITE PLAN

NOMINATED ARCHITECT:	DON MASON
REGISTRATION:	4607
<b>QUINN BUILDING DESIGN</b>	
ABN: 43 078 223 284	
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE	
313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153	
Phone: (02) 9836 3899	
Fax: (02) 9836 3599	
Email: hillbridge@gmail.com	

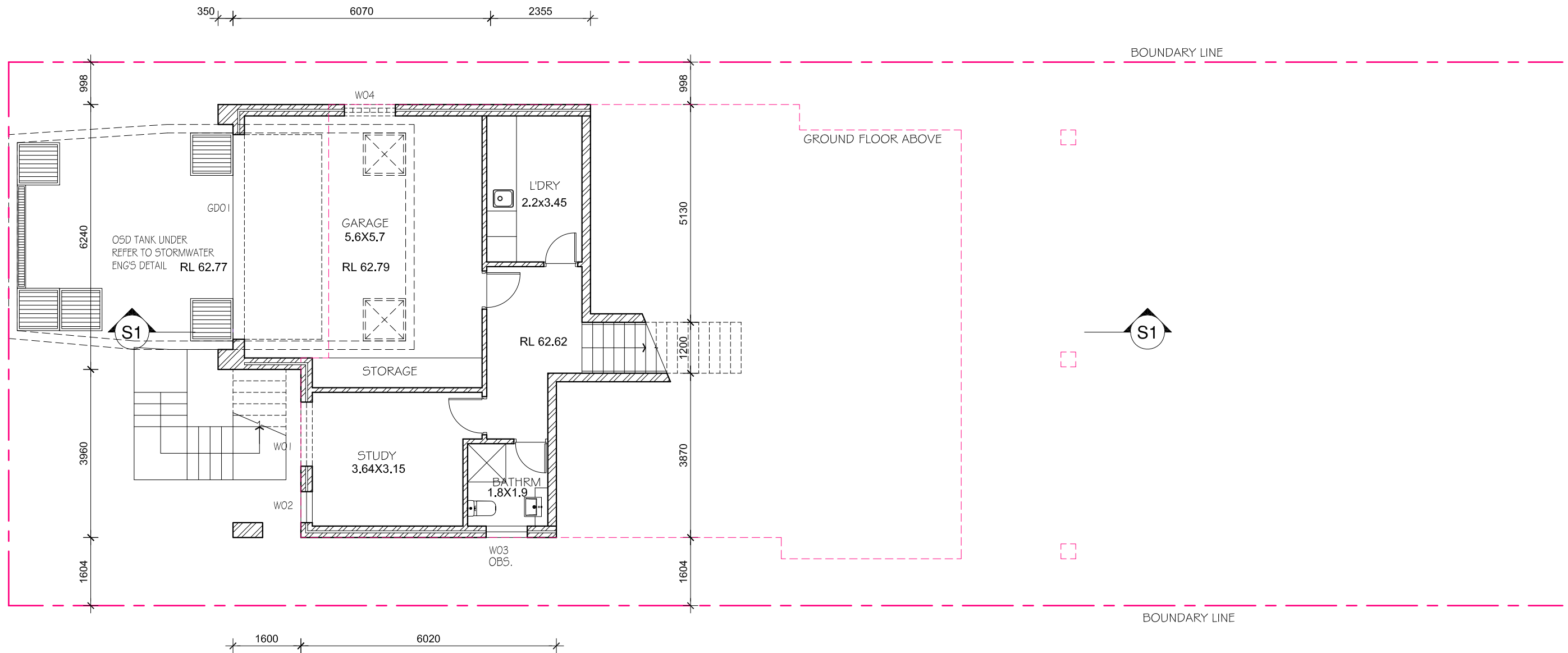
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DATE	28.08.17		



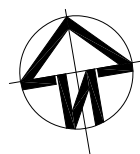
Certificate no.: 0001750249  
 Assessor Name: Ian Fry  
 Accreditation no.: VIC/BDAV/12/1441  
 Certificate date: 31 Jul 2017

Dwelling Address:  
 93 Hardy Street  
 Dover Heights, NSW  
 2030

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LOWER GROUND FLOOR PLAN 1:100



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CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	LOWER GROUND FLOOR PLAN

NOMINATED ARCHITECT: DON MASON REGISTRATION: 4607			
QUINN BUILDING DESIGN ABN: 43 078 223 284			
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE 313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153 Phone: (02) 9836 3899 Fax: (02) 9836 3599 Email: hillbridge@gmail.com			
DRAWN	HB	SCALE: 1:100	SHEET No.
CHECKED	CQ	JOB No: 1610025	276
DATE	28.08.17		

**NOTE OF PROPOSED SWIMMING POOL:**

**1. SWIMMING POOL :**

COPPING RL 65.37; TOP OF WATER RL 67.27; DEEP: 1.00m~1.50m  
TOTAL VOLUME: MAX. 42.5 KL

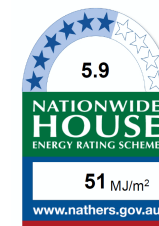
- 1200mm HIGH CHILD PROOF SAFETY FENCE AND SELF LOCKING GATE TO AS 1926, BCA 3.9.3 AND COUNCIL'S REQUIREMENT.
- PROVIDE FILTER WITH MATCHED PUMP AND PLUMBING TO MANUFACTURERS RECOMMENDATIONS.
- THE POOL FENCE & GATE REFER TO A03 - GROUND FLOOR PLAN FOR DIMENSIONS.

**REQUIREMENT FOR POOL CHILD-RESISTANT SAFETY BARRIER (POOL FENCE):**

- POOL FENCING MUST COMPLY WITH AS 1926.1-2012, BCA 3.9.3 AND COUNCIL'S REQUIREMENT
- MINIMUM HEIGHT OF 1.2 METRES.
- MAXIMUM SPACES BETWEEN VERTICAL MEMBERS OF 100mm.
- MAXIMUM SPACE UNDER A FENCE OF 100mm.

**REQUIREMENTS FOR POOL GATES OPENING :**

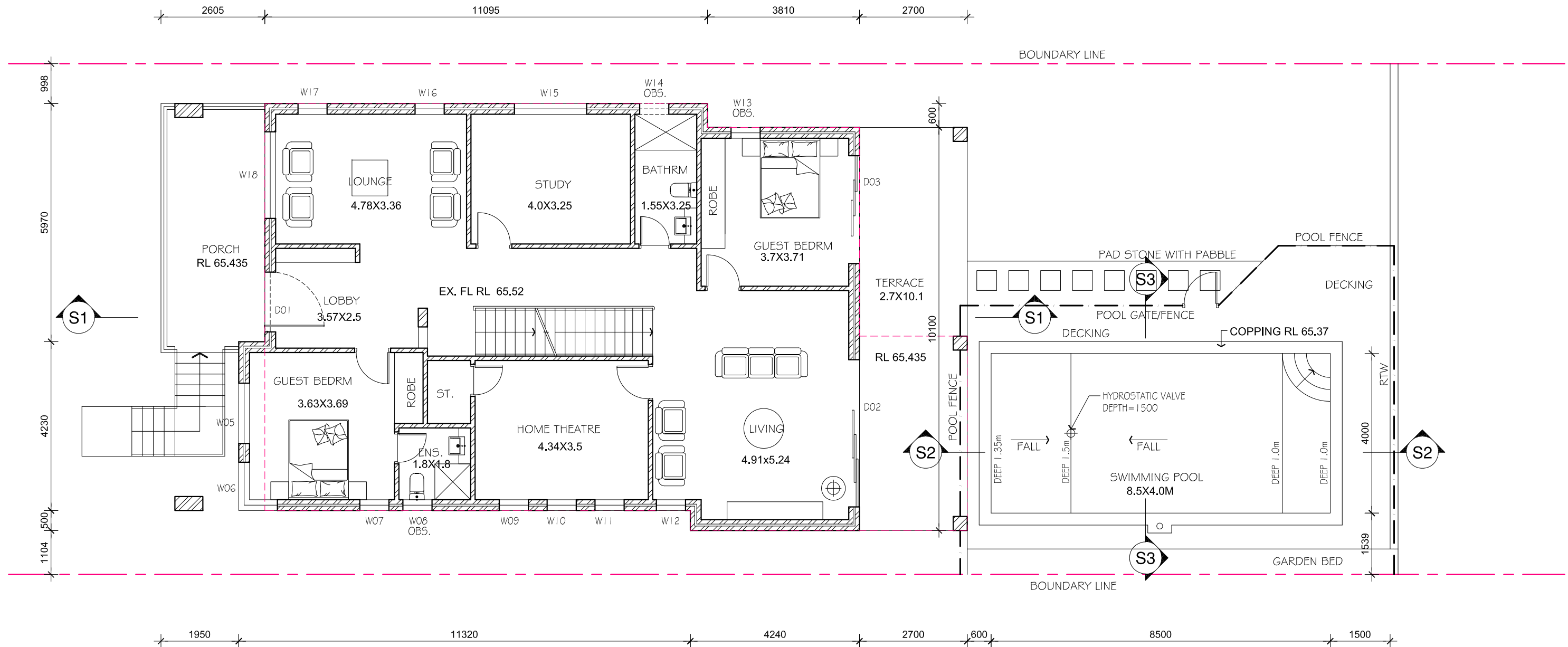
- THE GATES SWING OUTWARDS ONLY, AWAY FROM THE POOL AREA;
- THE GATES ARE CLEAR OF ANY OBSTRUCTION THAT COULD HOLD THE GATE OPEN;
- WHEN LIFTED UPWARD OR PULLED DOWNWARD, MOVEMENT OF THE GATE DOES NOT RELEASE THE LATCHING DEVICE, UNHINGE THE GATE, OR PROVIDE A GROUND CLEARANCE GREATER THAN 100 mm.
- GATES ARE TO BE OF MINIMAL WIDTH FOR PEDESTRIAN ACCESS ONLY TO ENSURE A REASONABLE LIFE EXPECTANCY TO THE SELF LATCHING MECHANISM. WIDE OR HEAVY GATES ARE MORE LIKELY TO DROP AND FAIL TO SELF LATCH.
- THE GATES SHALL BE FITTED WITH A DEVICE THAT WILL AUTOMATICALLY RETURN THE GATE TO THE CLOSED POSITION AND OPERATE THE LATCHING DEVICE.
- POOL CONSTRUCTION SHALL BE ACCORDANCE WITH AS2820 & AS1926.



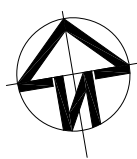
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Dover Heights, NSW  
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**GROUND FLOOR PLAN 1:100**



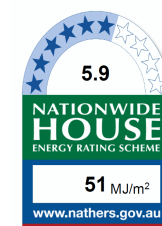
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07/2016	B	TOWN PLANNER'S COMMENT
08/2016	C	FOR DA
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CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	GROUND FLOOR PLAN

NOMINATED ARCHITECT: DON MASON REGISTRATION: 4607			
QUINN BUILDING DESIGN ABN: 43 078 223 284			
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE 313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153 Phone: (02) 9836 3899 Fax: (02) 9836 3599 Email: hillbridge@gmail.com			
DRAWN	HB	SCALE:	1:100
CHECKED	CQ	JOB No:	1610025
DATE	28.08.17		277



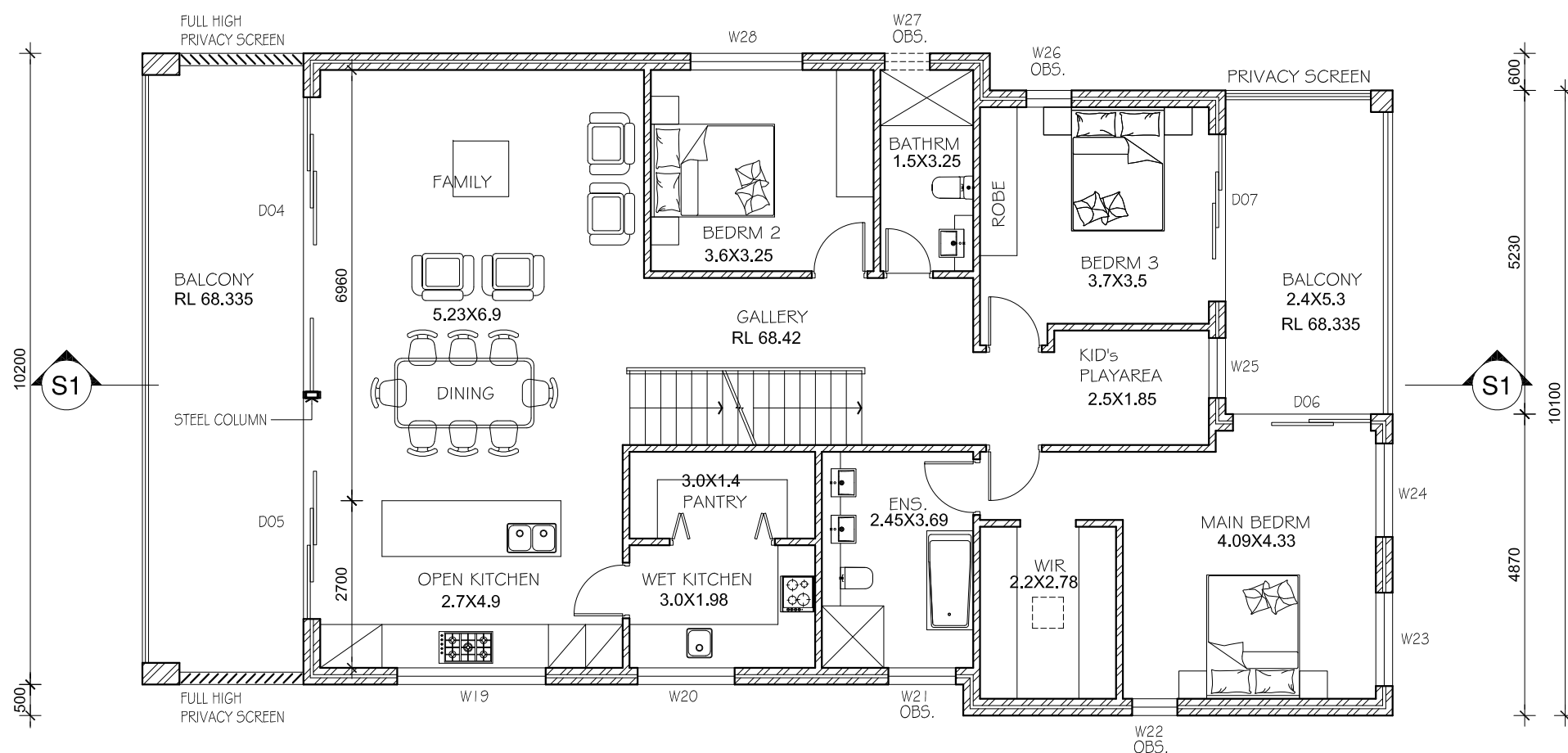


Certificate no.: 0001750249  
 Assessor Name: Ian Fry  
 Accreditation no.: VIC/BDAV/12/1441  
 Certificate date: 31 Jul 2017  
 Dwelling Address:  
 93 Hardy Street  
 Dover Heights, NSW  
 2030  
 www.nathers.gov.au



2605 11095 3810 2700

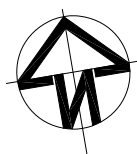
BOUNDARY LINE



BOUNDARY LINE

2605 10665 6940

FIRST FLOOR PLAN 1:100



FOR DA ONLY, NOT FOR CONSTRUCTION

DO NOT SCALE - ASK IF IN DOUBT		
DATE	ISSUE	DESCRIPTION
07/2016	A	FOR REVIEW
07/2016	B	TOWN PLANNER'S COMMENT
08/2016	C	FOR DA

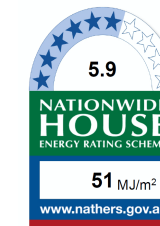
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CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	FIRST FLOOR PLAN

NOMINATED ARCHITECT: DON MASON			
REGISTRATION: 4607			
QUINN BUILDING DESIGN			
ABN: 43 078 223 284			
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE			
313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153			
Phone: (02) 9836 3899			
Fax: (02) 9836 3599			
Email: hillbridge@gmail.com			
DRAWN	HB	SCALE:	1:100
CHECKED	CQ	JOB No:	1610025
DATE	28.08.17		278

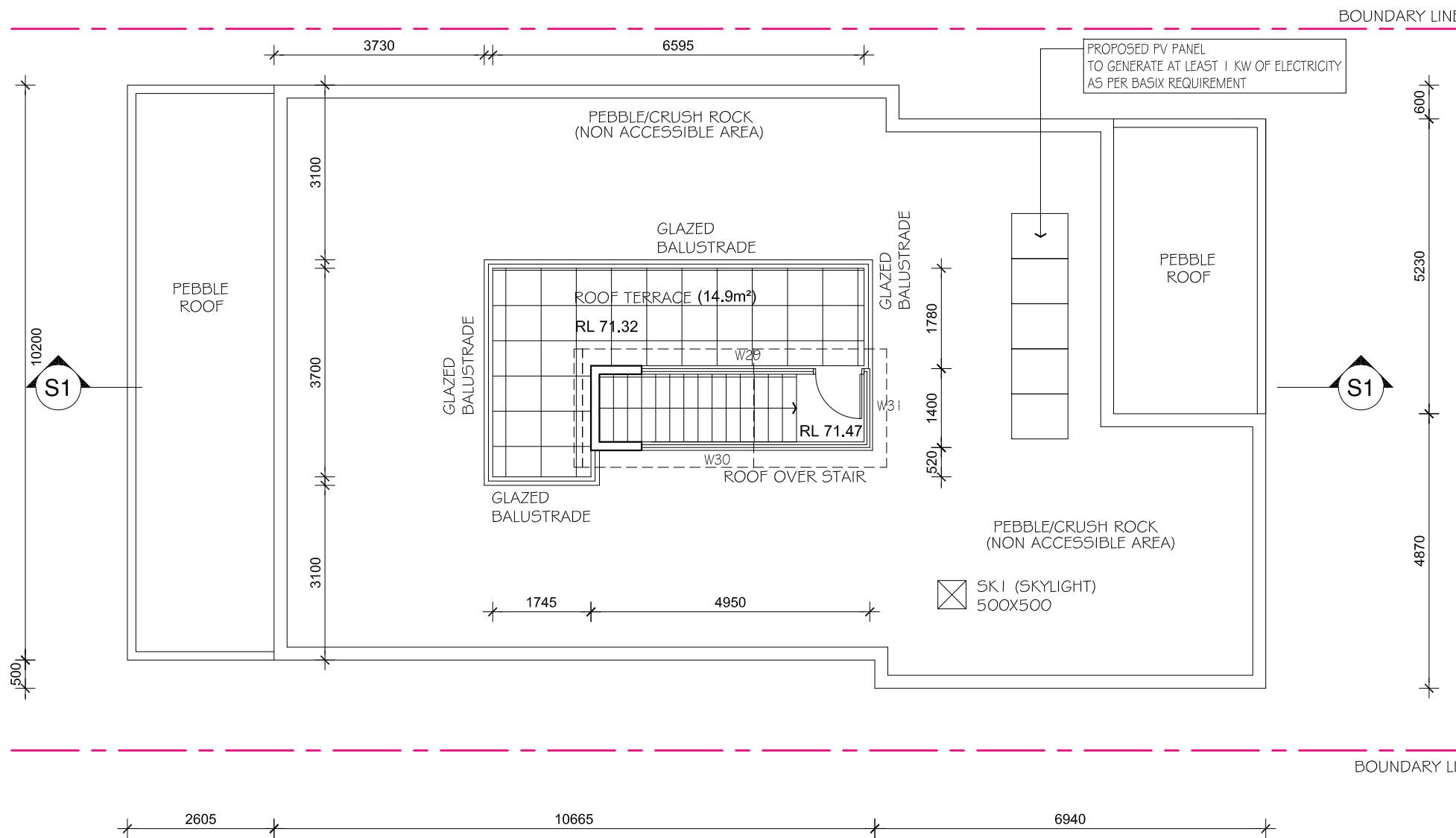
THIS PLOT WAS GENERATED ON 28-Aug-17, IN A3 SIZE



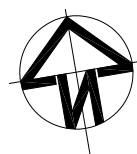
Certificate no.: 0001750249  
 Assessor Name: Ian Fry  
 Accreditation no.: VIC/BDAY/12/1441  
 Certificate date: 31 Jul 2017  
 Dwelling Address:  
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 2030  
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ROOF PLAN 1:100



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DATE	ISSUE	DESCRIPTION
07/2016	A	FOR REVIEW
07/2016	B	TOWN PLANNER'S COMMENT
08/2016	C	FOR DA

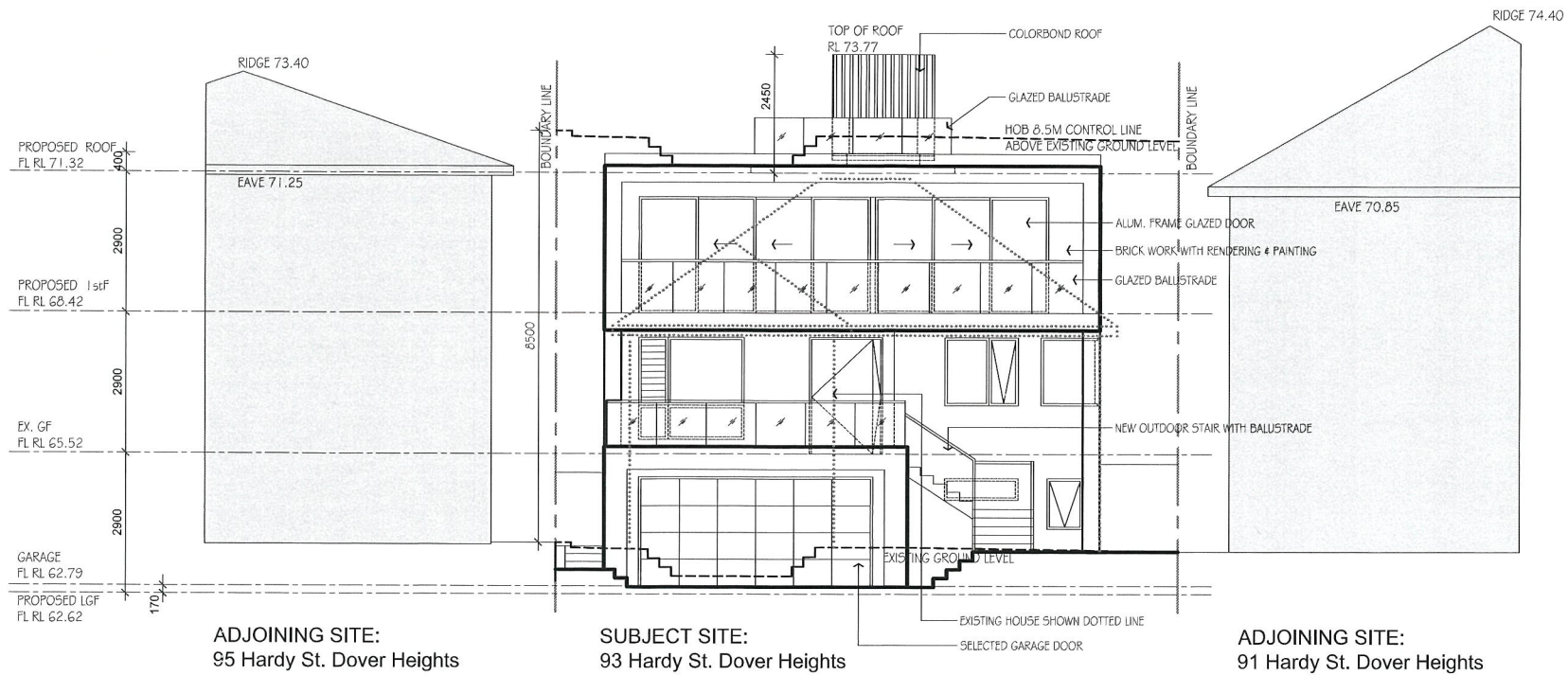
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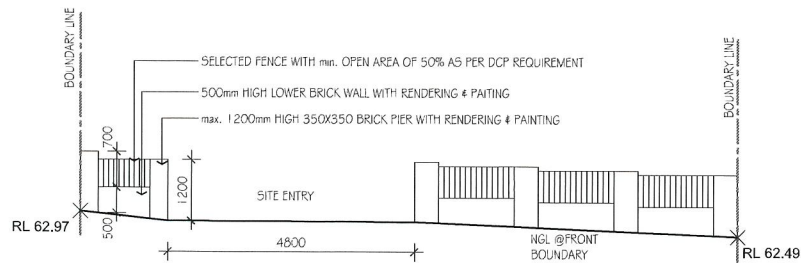
CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	ROOF LEVEL PLAN

NOMINATED ARCHITECT: DON MASON			
REGISTRATION: 4607			
QUINN BUILDING DESIGN			
ABN: 43 078 223 284			
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE			
313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153			
Phone: (02) 9836 3899			
Fax: (02) 9836 3599			
Email: hillbridge@gmail.com			
DRAWN	HB	SCALE: 1:100	SHEET No.
CHECKED	CQ	JOB No:	1610025
DATE	28.08.17		279

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WEST ELEVATION (FRONT ELEVATION) 1 : 100



FRONT FENCE ELEVATION 1 : 100

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Certificate no. 0001750249  
 Assessor Name Ian Fry  
 Accreditation no. VIC/BDV/12/1441  
 Certificate date 31 Jul 2017  
 Dwelling Address:  
 93 Hardy Street  
 Dover Heights, NSW  
 2030

**5.9**  
**NATIONWIDE HOUSE**  
 ENERGY RATING SCHEME  
 51 MJ/m<sup>2</sup>  
 www.nathers.gov.au

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DO NOT SCALE - ASK IF IN DOUBT		
DATE	ISSUE	DESCRIPTION
07/2016	A	FOR REVIEW
07/2016	B	TOWN PLANNER'S COMMENT
08/2016	C	FOR DA

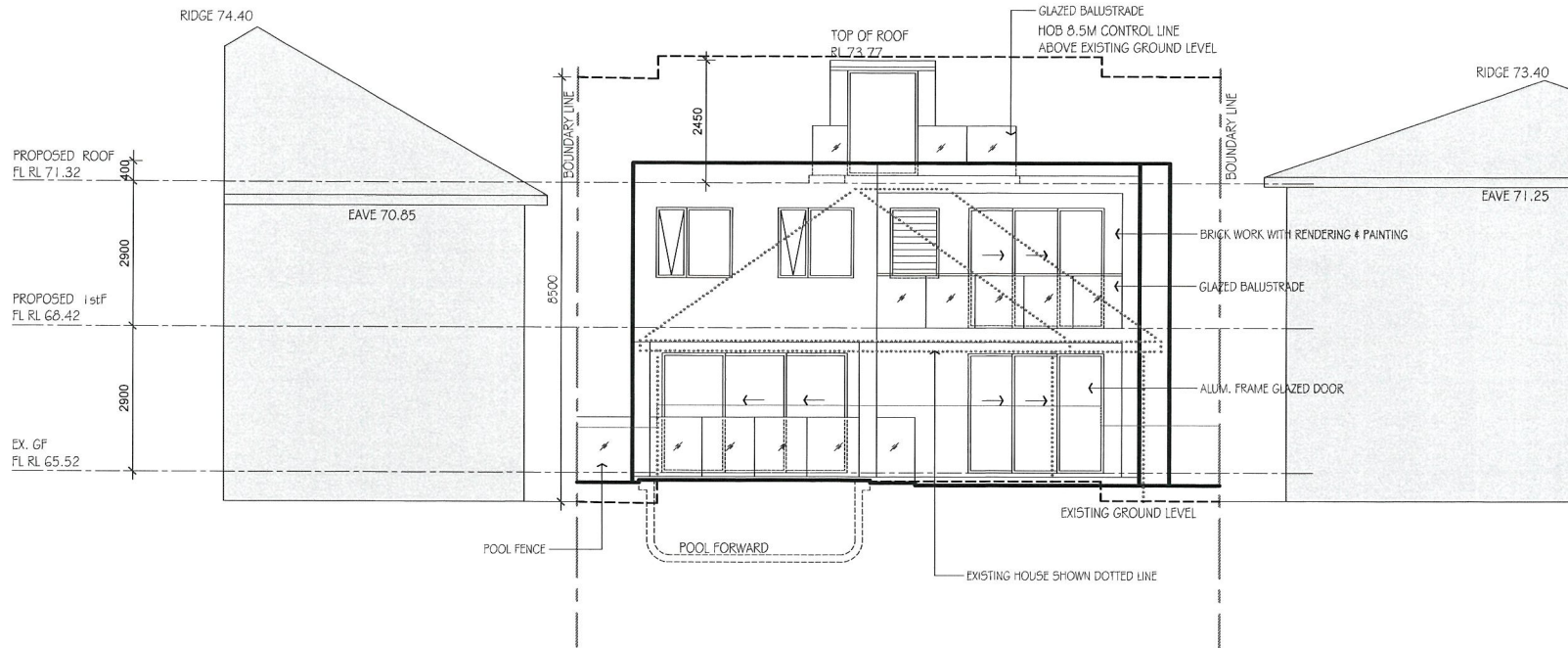
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CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	WEST ELEVATION & FRONT FENCE ELEVATION

NOMINATED ARCHITECT: DON MASON			
REGISTRATION: 4607			
QUINN BUILDING DESIGN			
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE			
313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153			
Phone: (02) 9836 3899			
Fax: (02) 9836 3599			
Email: hillbridge@gmail.com			
DRAWN	HD	SCALE:	1:100
CHECKED	CO	JOB No:	1610025
DATE	28-08-17		

THIS PLOT WAS GENERATED ON 28-Aug-17, IN A4 SIZE



ADJOINING SITE:  
91 Hardy St. Dover Heights

SUBJECT SITE:  
93 Hardy St. Dover Heights

ADJOINING SITE:  
95 Hardy St. Dover Heights

EAST ELEVATION (REAR ELEVATION) 1:100

Certificate no. 0001750249  
 Assessor Name Ian Fry  
 Accreditation no. VIC/BDIV/12/1441  
 Certificate date 31 Jul 2017  
 Dwelling Address:  
 93 Hardy Street  
 Dover Heights, NSW  
 2030  
 www.nathers.gov.au

**5.9**  
**NATIONWIDE HOUSE**  
 PROJECT REVIEW SCHEME  
 51 M<sup>2</sup>  
 www.nathers.gov.au

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DO NOT SCALE - ASK IF IN DOUBT		
DATE	ISSUE	DESCRIPTION
07/2016	A	FOR REVIEW
07/2016	B	TOWN PLANNER'S COMMENT
08/2016	C	FOR DA

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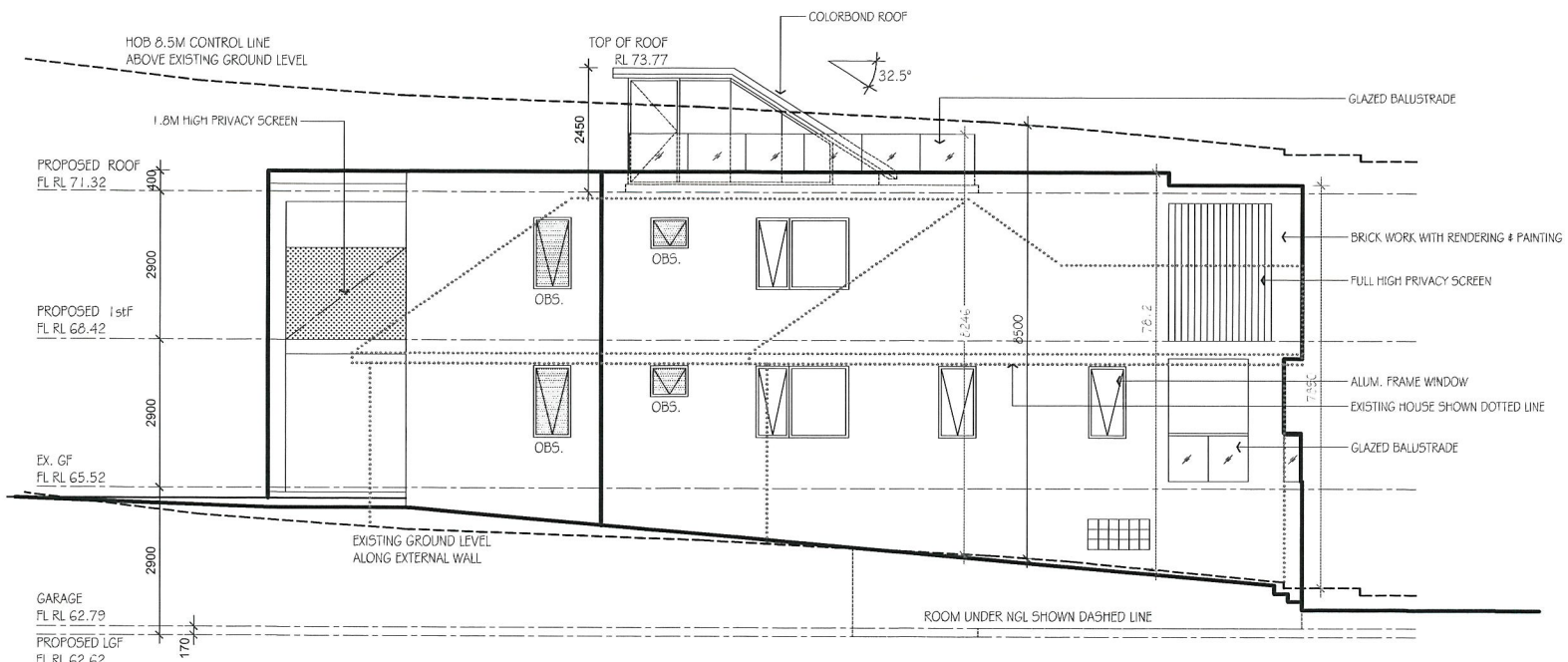
CLIENT:	MR. WILSON WU
PROJECT:	PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030
TITLE:	EAST ELEVATION

NOMINATED ARCHITECT: DON MASON					
REGISTRATION: 4607					
QUINN BUILDING DESIGN					
ABN: 43 078 223 284					
ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE					
313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153					
Phone: (02) 9836 3899					
Fax: (02) 9836 3599					
Email: hillbridge@gmail.com					
DRAWN	I1B	SCALE:	1:100	SHEET No.	
CHECKED	CQ	JOB No:	1610025		
DATE	25.08.17				

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281





NORTH ELEVATION (LEFT ELEVATION) 1:100

Certificate no: 0001750249  
 Assessor Name: Ian Fry  
 Accreditation no: VIC/BD/AV/12/1441  
 Certificate date: 31 Jul 2017  
 Dwelling Address:  
 93 Hardy Street  
 Dover Heights, NSW  
 2030  
 www.nathens.gov.au

**5.9**  
**NATIONWIDE HOUSE**  
 ENERGY RATING SCHEME  
 51 MJ/m<sup>2</sup>  
 www.nathens.gov.au

NOMINATED ARCHITECT: DON MASON  
 REGISTRATION: 4607  
**QUINN BUILDING DESIGN**  
 ABN: 43 078 223 284  
 ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE  
 313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153  
 Phone: (02) 9836 3899  
 Fax: (02) 9836 3599  
 Email: hillbridge@gmail.com

DRAWN	HB	SCALE:	1:100	SHEET No.
CHECKED	CQ	JOB No:	1610025	108
DATE	25.08.17			

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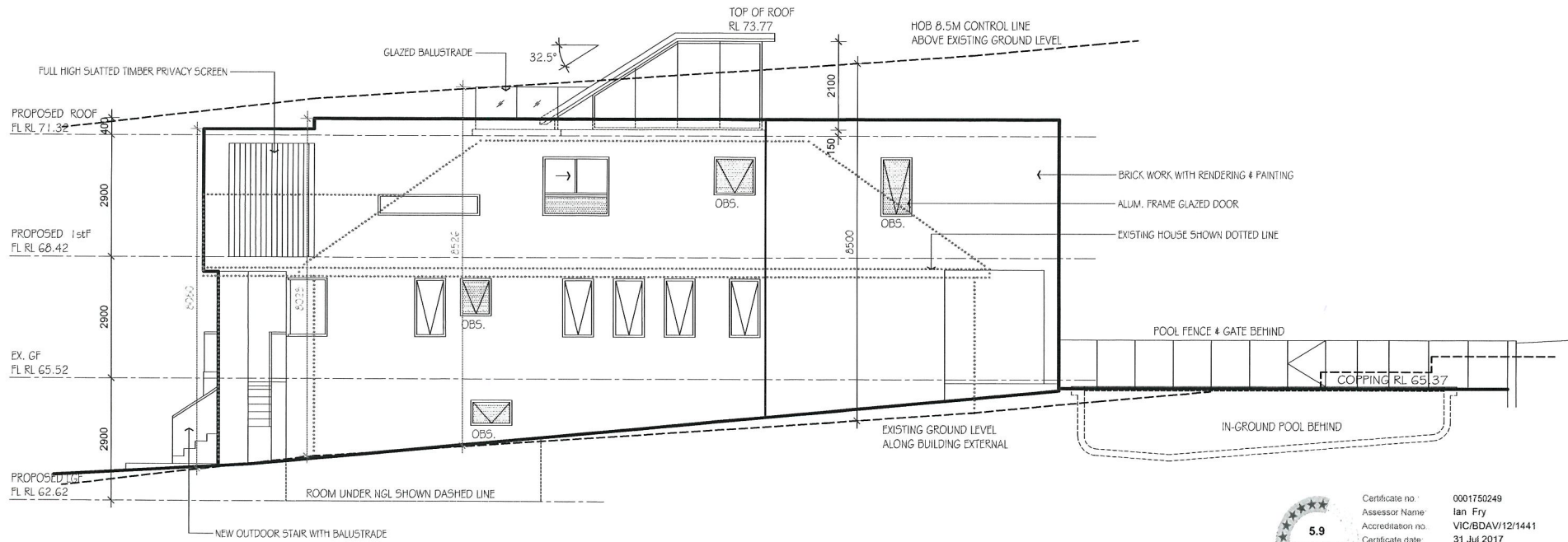
DATE	ISSUE	DESCRIPTION
07/2016	A	FOR REVIEW
07/2016	B	TOWN PLANNERS COMMENT
08/2016	C	FOR DA

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CLIENT: MR. WILSON WU  
 PROJECT: PROPOSED NEW DWELLING  
 AT LOT 5, DP 11822, No. 93 HARDY STREET,  
 DOVER HEIGHTS NSW 2030  
 TITLE: NORTH ELEVATION

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SOUTH ELEVATION (RIGHT ELEVATION) 1:100


 Certificate no: 0001750249  
 Assessor Name: Ian Fry  
 Accreditation no: VIC/BDAV/12/1441  
 Certificate date: 31 Jul 2017  
 Dwelling Address:  
 93 Hardy Street  
 Dover Heights, NSW  
 2030  
 51 MJ/m<sup>2</sup>  
 www.nathsa.gov.au  
 www.nathsa.gov.au



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DATE	ISSUE	DESCRIPTION
07/2016	A	FOR REVIEW
07/2016	B	TOWN PLANNERS COMMENT
08/2016	C	FOR DA

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CLIENT: MR. WILSON WU  
 PROJECT: PROPOSED NEW DWELLING  
 AT LOT 5, DP 11822, No. 93 HARDY STREET,  
 DOVER HEIGHTS NSW 2030

TITLE: SOUTH ELEVATION  
 DRAWN: HB  
 CHECKED: CO  
 DATE: 28.08.17

NOMINATED ARCHITECT: DON MASON  
 REGISTRATION: 4607

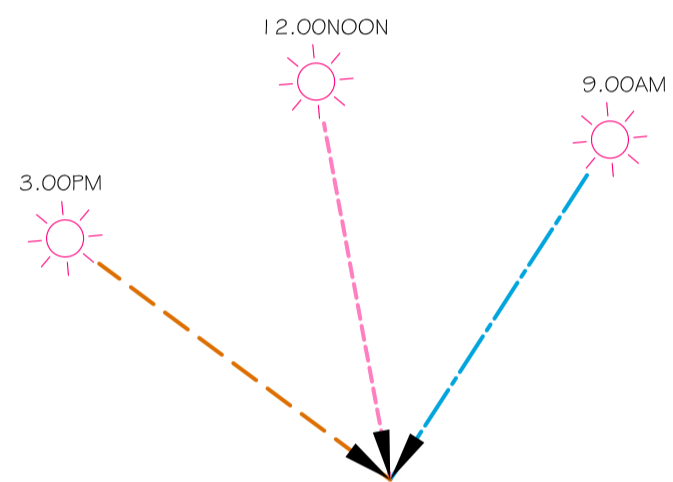
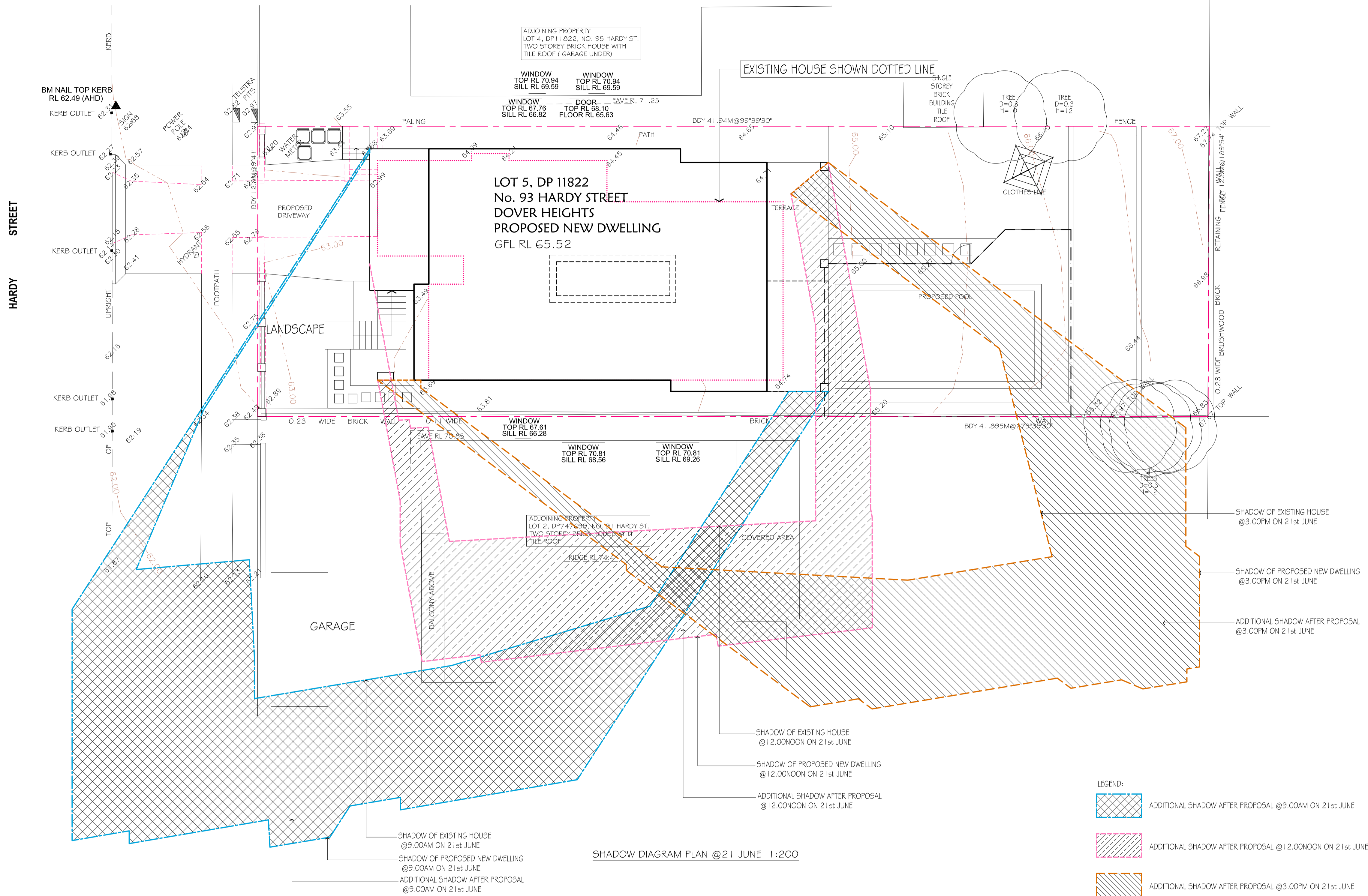
QUINN BUILDING DESIGN  
 ABN: 43 078 223 284

ARCHITECTURAL SOLUTION WITH TECHNICAL CONFIDENCE  
 313/5 CELEBRATION DRIVE, BELLA VISTA, NSW, 2153  
 Phone: (02) 9836 3899  
 Fax: (02) 9836 3599  
 Email: hillbridge@gmail.com

SCALE: 1:100  
 JOB No: 1610025  
 SHEET No. 283

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SUN SHADOW ANGLES @21st, JUNE (WINTER SOLSTICE)

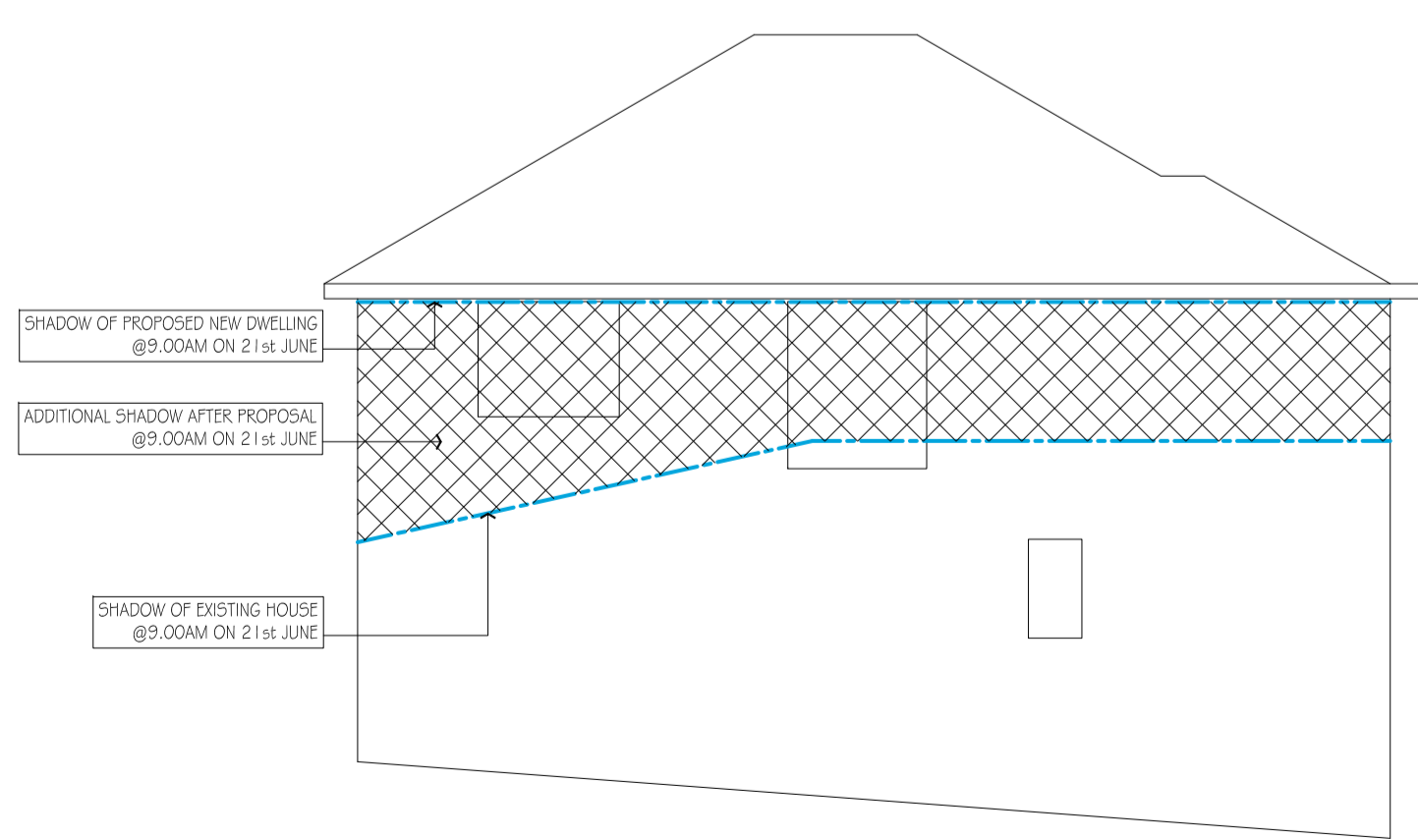
TIME	AZIMUTH	ALTITUDE
9.00AM	42°32'10"	18°59'35"
12.00NOON	359°06'49"	32°42'54"
3.00PM	316°13'41"	18°04'20"

NOTES:  
 1. This information is from Australian Government - Geoscience Australia.  
 2. Time zone: AEST(Australian Eastern Standard Time)

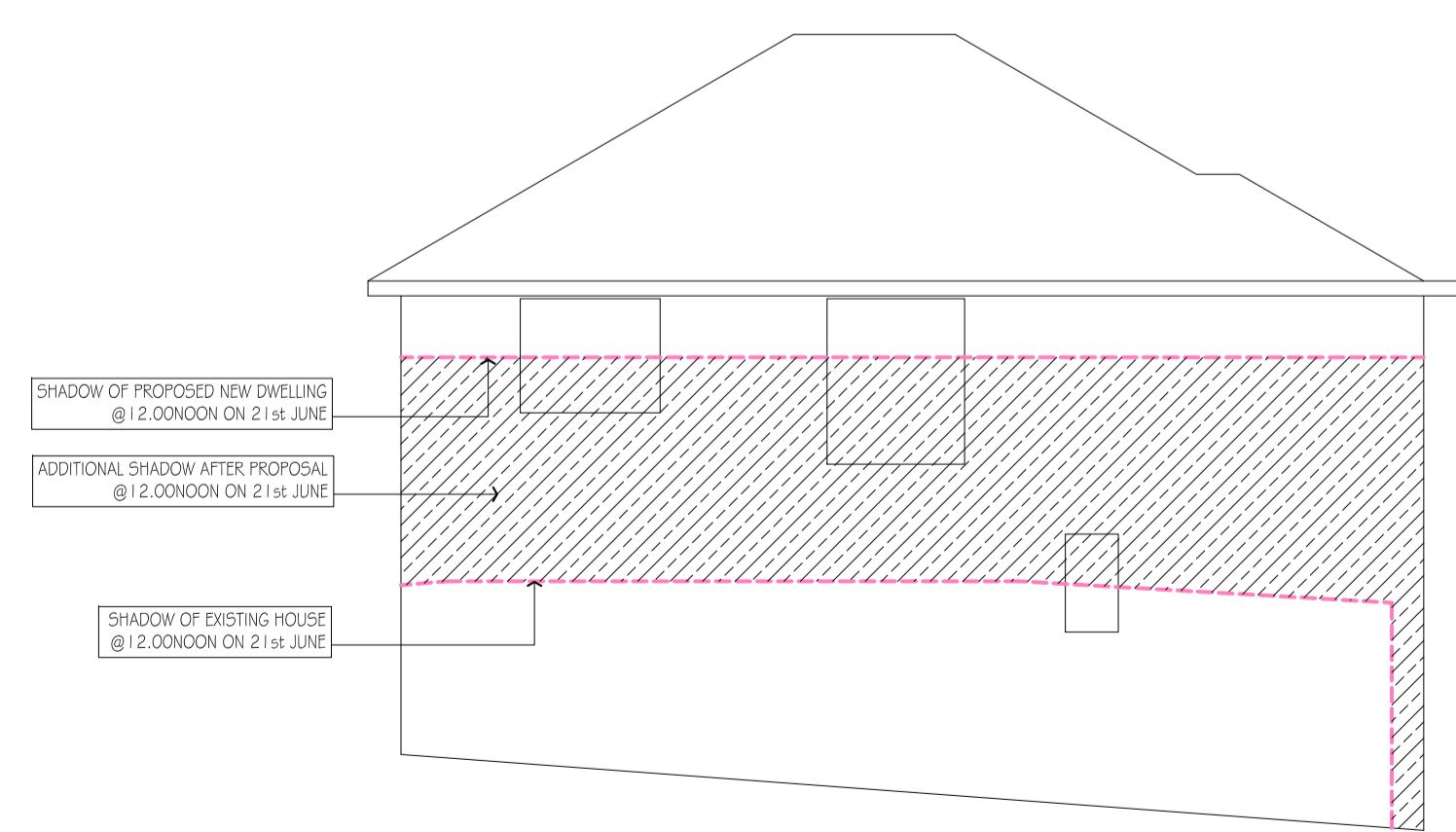
SHADOW DIAGRAM PLAN @21 JUNE 1:200

LEGEND:

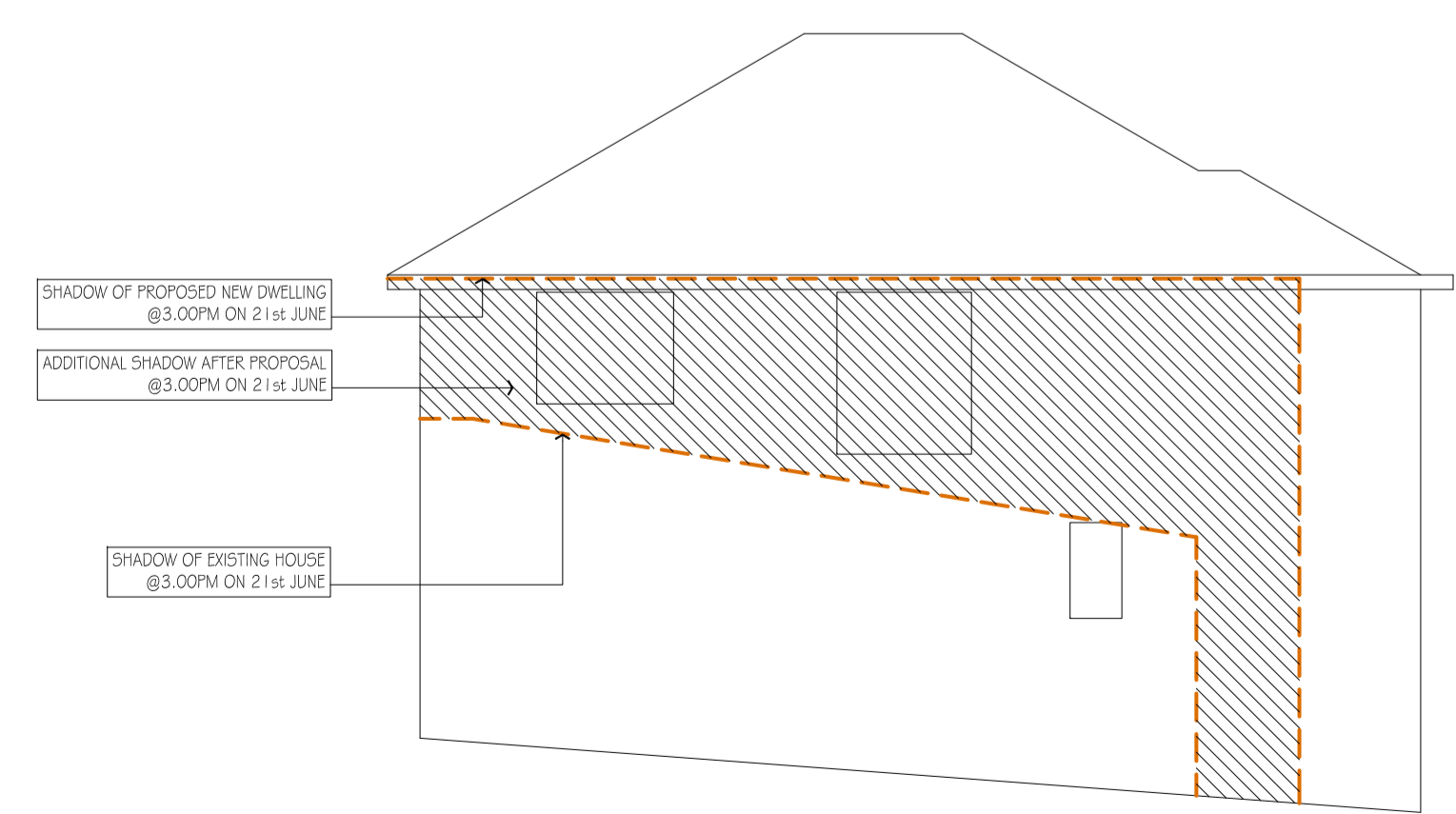
- ADDITIONAL SHADOW AFTER PROPOSAL @9.00AM ON 21st JUNE
- ADDITIONAL SHADOW AFTER PROPOSAL @12.00NOON ON 21st JUNE
- ADDITIONAL SHADOW AFTER PROPOSAL @3.00PM ON 21st JUNE



SHADOW DIAGRAM ELEVATION @ 9.00AM ON 21 JUNE 1:200 TO 91 HARDY ST.



SHADOW DIAGRAM ELEVATION @ 12.00NOON ON 21 JUNE 1:200 TO 91 HARDY ST.



SHADOW DIAGRAM ELEVATION @ 3.00PM ON 21 JUNE 1:200 TO 91 HARDY ST.

DO NOT SCALE - ASK IF IN DOUBT		CLIENT: MR. WILSON WU		NOMINATED ARCHITECT: DON MASON REGISTRATION: 4607	
DATE: 08/2016	ISSUE: A	DESCRIPTION: FOR DA	PROJECT: PROPOSED NEW DWELLING AT LOT 5, DP 11822, No. 93 HARDY STREET, DOVER HEIGHTS NSW 2030		
ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO WORK COMMENCEMENT. ALL DIMENSIONS SHOWN TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS.		TITLE: SHADOW DIAGRAM @ 21 JUNE (WINTER SOLSTICE)		DRAWN: HSD	SCALE: 1:100 @A1/1:200 @A3
THE ARCHITECT, ENGINEER AND ENGINEERING CONSULTANTS SHALL RETAIN THE COPYRIGHT OF THESE DRAWINGS UNLESS OTHERWISE SPECIFIED.		CHECKED: CG	JOB No: 1610025	DATE: 22.08.17	SHEET No: 5001

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PO BOX 457  
BEECROFT NSW 2119  
ph. (02) 9980 1010  
fax. (02) 9484 8071  
email. info@tgslandscape.com.au

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Project:

**PROPOSED  
NEW RESIDENCE**

93 Hardy Street  
**DOVER HEIGHTS**

Title:

**LANDSCAPE PLAN**

Client:

Mr Wilson Wu

Drawn by:

JB

Checked by:

JB

Amendments

Date:

17th August, 2017

Drawing number:

2017.0710DA1

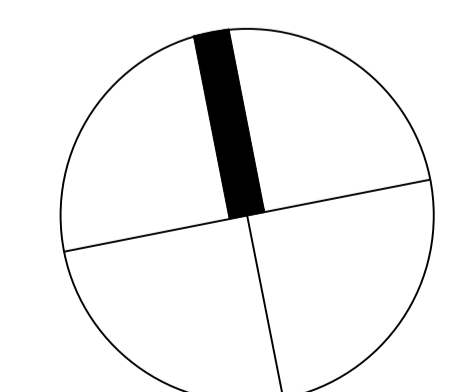
Scale:

1 : 100@A1  
1 : 200@A3

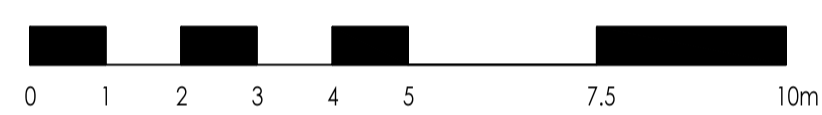
Issue:

A

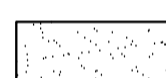
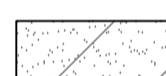
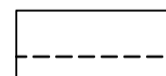




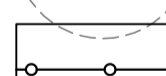
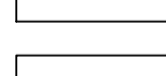
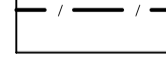
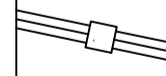
North:



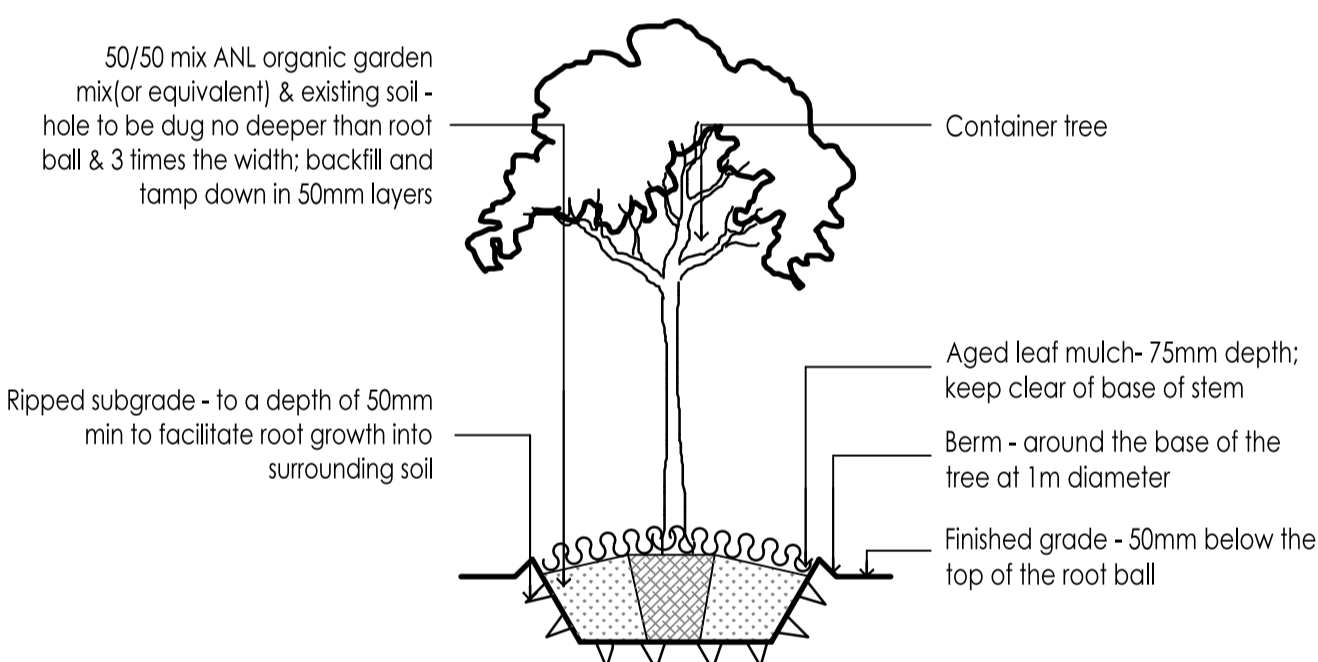
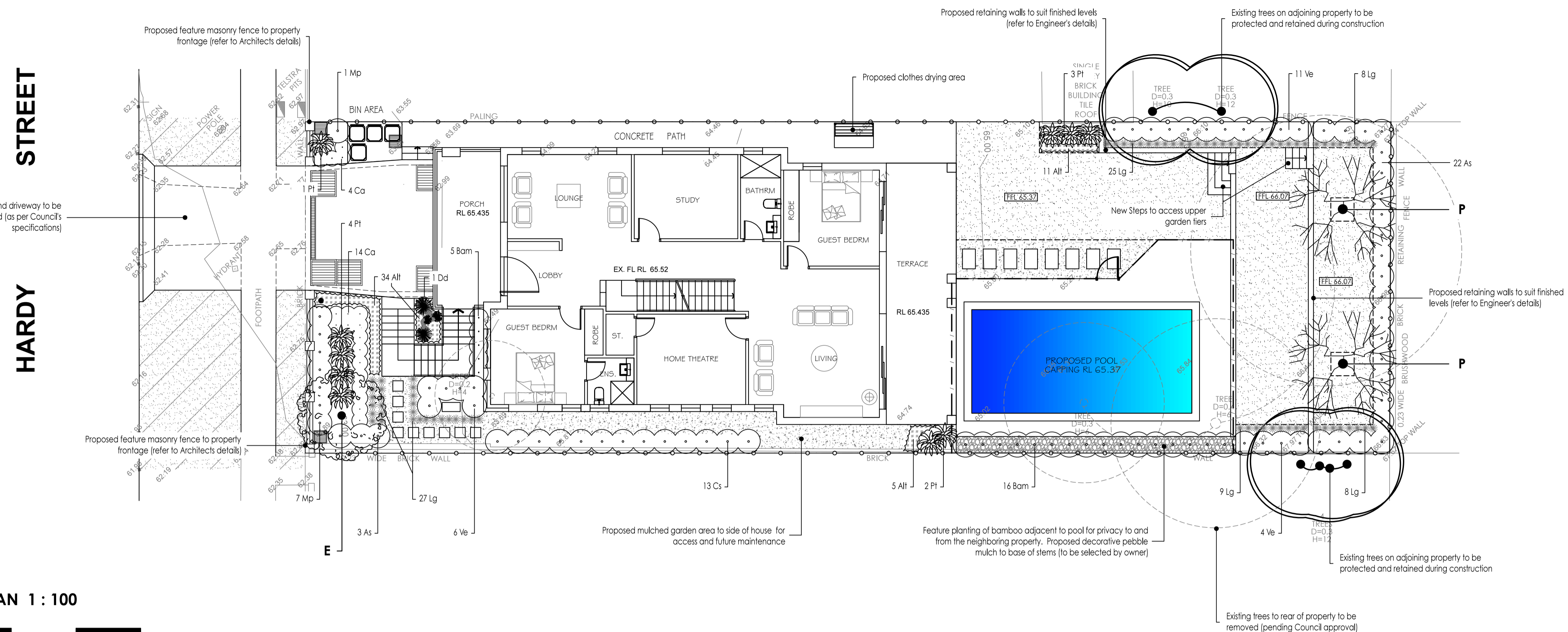
**LANDSCAPE PLAN 1 : 100**



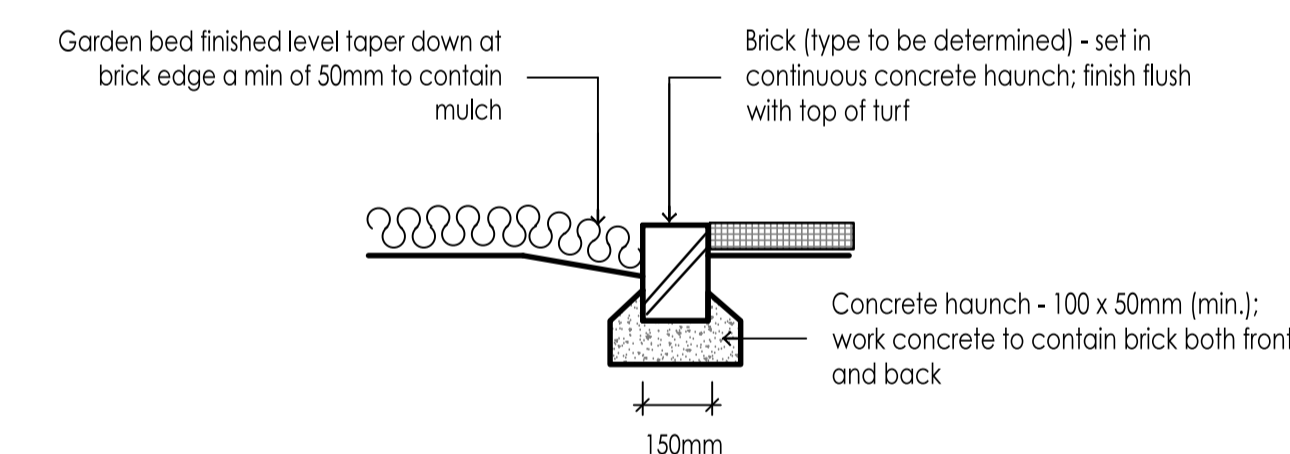
**LEGEND**

-  New turf  
Excavate / grade all areas to be turfed to 120mm below required finished levels. Do not excavate within 150mm of the trunk of any existing tree to be retained. Ensure that all surface water runoff is directed towards the intel gis, kerbs etc., and away from buildings. Ensure that no pooling or ponding will occur. Further rip the subgrade to 150mm. Install 100mm depth of imported turf underlay. Just prior to spreading the turf, spread 'Shirley's No.17 lawn fertilizer' over the underlay at the recommended rate. Lay 'Sir Walter Buffalo' turf rolls closely butted. Fill any small gaps with topsoil. Water thoroughly.
-  Existing landscaped Council verge area to be protected and retained during construction
-  Brick garden edging (refer to detail)  
Lay a single course of paving bricks in a mortar haunch (200mm wide and 100mm deep). The edges are to be laid in even curves and straight lines as shown on the plan. Edge is to finish flush with the adjacent turf and garden levels.
-  Proposed clothes drying line
-  Existing trees or shrubs to be protected and retained during construction
-  Existing trees or shrubs to be removed (pending Council approval)
-  Existing boundary fencing to be retained or replaced where required
-  Proposed pool fencing to be installed as per Swimming Pool Act 1992 and AS 1926.1
-  Proposed feature masonry fence and gate to property frontage (refer to Architects detail)
-  Proposed pre-cast concrete stepping pads in mulched garden area (to be selected by owner)
-  Landscaped areas  
Excavate all Planting Areas to a depth of 150mm below finished levels. Cultivate subgrade a further 150mm. Supply & Install 100mm of soil mix that consists of 50% Site Top Soil (if suitable) with 50% ANL Organic Garden mix (or equivalent). Install 75mm depth of selected mulch.

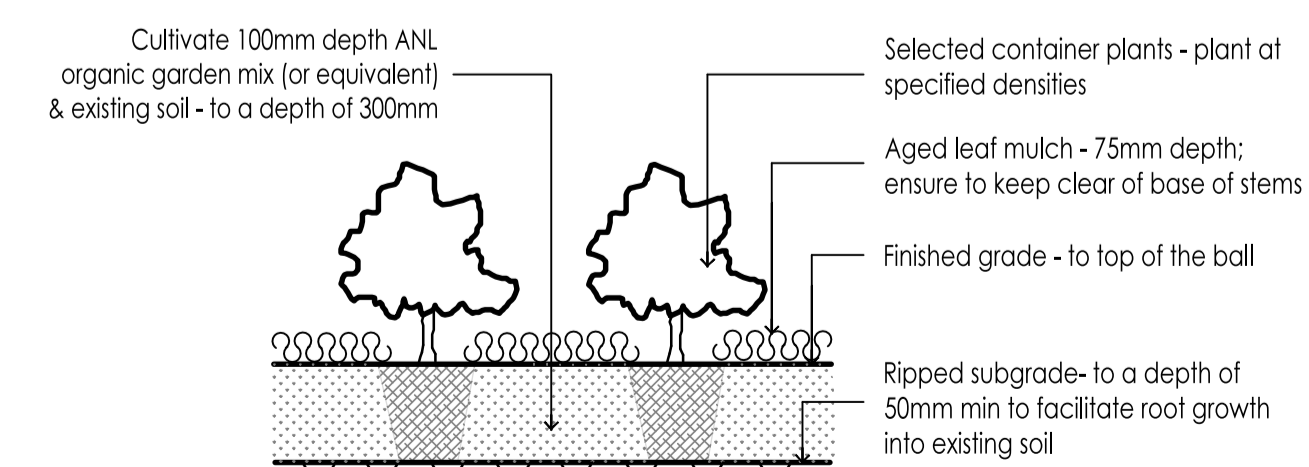
Note:  
Maintenance:  
All landscape works are to be maintained for a period of twelve months from the date of practical completion. This includes all watering, weeding, spraying and re-mulching necessary to achieve vigorous growth. Any defects which arise during this period are to be rectified immediately. Any plants or areas of turf which fail during this period are to be replaced at no additional cost.



**1 Tree Planting Detail Section**  
NTS @ A1 (Not to Scale)



**2 Brick Edge Detail Section**  
NTS @ A1 (Not to Scale)



**3 Garden Bed Planting Detail Section**  
NTS @ A1 (Not to Scale)

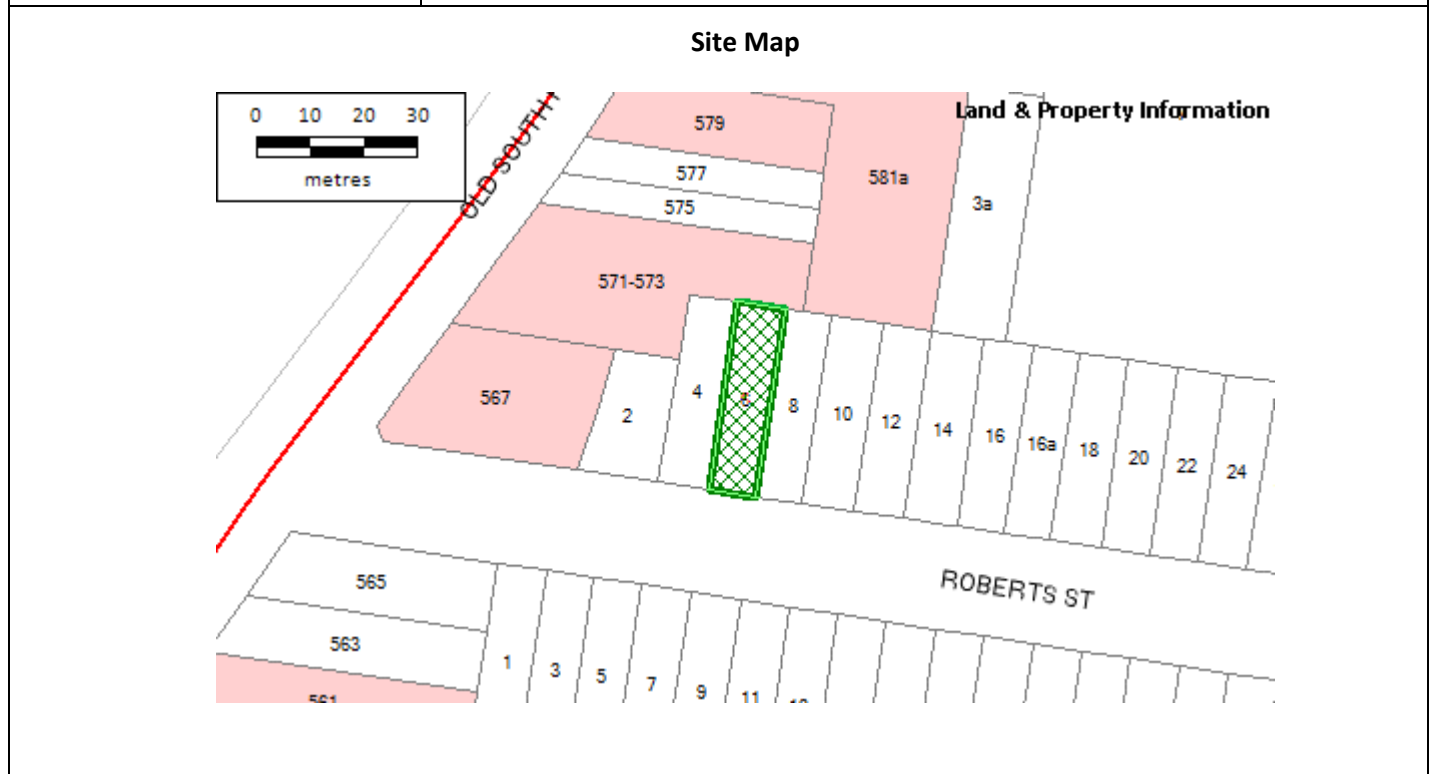
**PLANT SCHEDULE**

Code	Latin Name (Common Name - Mature Height)	Qty	Size	Stake
<b>Trees</b>				
E	Elaeocarpus reticulatus (Bluberry Ash - 8m)	1	45 litre	yes
P	Pyrus ussuriensis (Manchurian Pear - 8m)	2	45 litre	yes
<b>Shrubs</b>				
As	Acmena smithii minor (Lilly pilli - 3m)	25	200mm	-
Bam	Bambusa multiplex 'Stripstem Fernleaf' (Clumping Bamboo - 4m)	21	300mm	-
Cs	Cornelia sasanqua (Cornelia - 2m)	13	300mm	-
Ca	Correa alba 'Australian Beauty' (Correa - 1m)	18	200mm	-
Mp	Murraya paniculata (Orange Jessamine - 3m)	8	200mm	-
Pl	Phormium tenax 'Moari Maiden' (NZ Flax - 0.9m)	10	300mm	-
Ve	Viburnum odoratissimum 'Emerald Lustre' (Viburnum - 3m)	21	200mm	-
<b>Groundcovers</b>				
All	Alternanthera dentata (Ruby Leaf Alternanthera - 0.3m)	77	150mm pot	
Lg	Litope muscari 'Evergreen Giant' (Giant Litope - 0.6m)	50	150mm pot	



Report to the Waverley Development Assessment Panel

<b>Application number</b>	DA-481/2017/A
<b>Site address</b>	6 Roberts St, Rose Bay
<b>Proposal</b>	Modification to delete condition 2(a) of the consent relating to the height of the approved front fence.
<b>Approved development description</b>	Construction of a front fence
<b>Date of lodgement</b>	5 January 2018
<b>Owner</b>	Mrs S Stoch
<b>Applicant</b>	Mrs S Stoch
<b>Submissions</b>	Nil
<b>Issues</b>	WDCP compliance
<b>Recommendation</b>	That the application be <b>REFUSED</b>





**1. PREAMBLE**

**1.1 Site and Surrounding Locality**

The site was inspected on 20 March 2018.

The site is identified as Lot 8 DP 975146, known as 6 Roberts St, Rose bay. The site is rectangular in shape and is located on the northern side of Roberts St, sited between the intersections of OSH Rd and Gilbert St.

The site is occupied by a newly constructed two storey detached dwelling. There is an existing off street car parking, comprising of a garage within the envelope of the dwelling, accessed from Roberts Street.

The site is not a listed heritage item and is not located within a Conservation area.



**Figure 1:** Subject site. (Fence structure built contrary to condition 2 (a) of DA-181/2017)



**Figure 2:** 4 Roberts St with front fence at 1.2m



**Figure 3:** Sites to the east of the subject site with low front fencing.



## 1.2 Details of Approved Development

CD-209/2016 for a New Two Storey Dwelling.

### DA-481/2017

The approved development is for the construction of a front boundary fence. The application was approved by delegated authority on 12 December 2017 subject to inter alia and the following condition;

## 2. GENERAL MODIFICATIONS

*The proposal shall be amended as follows:*

*(a) The front boundary fence is to be reduced to 1.2m above the level of council's footpath, so as to comply with the Waverley Development Control Plan 2012 and the streetscape within this section of the northern side of Roberts Street;*

*(b) The pedestrian and vehicular access gates are not to open over council's property.*

*The amendments are to be approved by Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.*

By way of comment the adjoining premises at 4 Roberts Street also submitted an application (DA-495/17) for a 1.8 m high front fence at the same time which was also conditioned to be reduced to 1.2m in height.

## 1.3 Proposal

The application has been lodged as a section 4.55 (2) application and seeks to delete condition 2 (a) of the development consent, which is extracted as follows:

The subject application requests that the condition be modified to read as follows;

## 2. GENERAL MODIFICATIONS

*The proposal shall be amended as follows:*

~~*(a) The front boundary fence is to be reduced to 1.2m above the level of council's footpath, so as to comply with the Waverley Development Control Plan 2012 and the streetscape within this section of the northern side of Roberts Street;*~~

~~*(b) The pedestrian and vehicular access gates are not to open over council's property.*~~

~~*The amendments are to be approved by Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.*~~

The applicant proposes to maintain the 1.8m high front boundary fence, as proposed in DA-181/2017, which is also partly built and retrospective approval is sought in this regard.

## 2. ASSESSMENT

The following matters are to be considered in the assessment of this modification application under sections 4.15 and 4.55 of the *Environmental Planning and Assessment Act 1979* (the Act).

### 2.1 Section 4.55 Considerations

The proposed modification is considered to have an unacceptable material environmental impact on the amenity of adjoining properties with respect its bulk and scale. The application has been compared to the essential nature of the development as originally approved and it is considered to be *substantially the same development*.

### 2.2 Section 4.15 (1)(a) Planning Instruments and Development Control Plans

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning polices (SEPPs), and development control plans.

#### 2.2.1 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposal are outlined below:

**Table 1: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal is considered to be consistent with the aims of the plan.
<b>Part 2 Permitted or prohibited development</b>		
Land Use Table Zone R2 Low Density Residential	Yes	The works are proposed to a single dwelling which is permitted within the zone.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>8.5m</li> </ul>	No Change	The proposal does not seek consent to increase the existing maximum building height.
4.4 Floor space ratio <ul style="list-style-type: none"> <li>0.5</li> </ul>	No Change	The proposal does not seek consent to increase the existing FSR of the site.
4.6 Exceptions to development standards	N/A	

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

No discussion required as the proposal is compliant with the Waverley LEP 2012.

#### 2.2.2 Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)

The relevant matters to be considered under the Waverley DCP 2012 for the proposed development are outlined below:

Development Control	Compliance	Comment
<b>1.4 Streetscape and visual impact</b>		
1.1 Streetscape & visual impact	Yes (acceptable by condition)	The proposed fencing is considered acceptable and will not result in an adverse impact upon the appearance of the streetscape subject to the fence being limited to 1.2m in height.
<b>1.7 Fences</b>		
<i>Front:</i> <ul style="list-style-type: none"> <li>Maximum height of 1.2m</li> </ul>	<b>No</b>	<b>The proposal provides to construct 1.8m fencing to the front boundary within the front yard area.</b>
<b>1.8 Visual and acoustic privacy</b>		
1.5 Visual and acoustic privacy	Yes	The proposal is not expected to result in an adverse impact upon neighbouring premises with respect to visual or acoustic privacy.

## Issues

### Fence Height

Waverley DCP 2012 sets out that front boundary fencing should generally not exceed 1.2 metres in height.

The proposal provides for a fence height of 1.8m on the front boundary.

This section of Roberts Street, being the northern side, is characterised by front fencing incorporating predominately low front fence heights (1.0 to 1.2m, see Figures 1, 2 & 3). There is no planning justification to permit a front fence higher than the DCP standard (1.2m) in this part of Roberts Street.

In this regard it is considered that the subject application, to delete condition 2(a), is unacceptable. The front fence should be a maximum height of 1.2m in accordance with the provisions of the Waverley DCP 2012. A 1.2m high front fence will be in context with the streetscape and is considered reasonable and in keeping with the visual character of the street. In this regard the condition to lower the height of the front fence is recommended to be retained.

### 2.3 Section 4.15(1)(b) – Other Impacts of the Development

The proposed development is capable of complying with the BCA. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to the condition being reaffirmed.

### 2.4 Section 4.15(1)(c) – Suitability of the Site for the Development

The site remains suitable for the approved development.

## 2.5 Section 4.15(1)(d) – Any Submissions

The modification application was notified in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development* and no objections were received.

## 2.6 Section 4.15(1)(e) – Public Interest

It is considered that the proposal will have no detrimental effect on the public interest, subject to maintaining all the conditions that were imposed as part of development application DA-481/2017.

## 3. REFERRALS

Nil requested.

## 4. SUMMARY

The proposal provides for the construction of a new 1.8m front boundary fencing within the front yard area. The fence is not supported at 1.8m as this will be contrary to the policy given in the Waverley DCP 2012 in relation to boundary fencing controls. It is considered that the front fence should comply with the Waverley DCP 2012 controls, which provide that front fencing be limited to 1.2m.

No submissions were received to the proposed modification.

The proposal to delete condition 2(a) by maintaining a 1.8m high front fence will result in undesirable streetscape impacts and is therefore not supported.

The application has been assessed under the provisions of Sections 4.15 of the Environmental Planning and Assessment Act 1979 and is considered unacceptable. It is therefore recommended for refusal.

## 5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL

That the Section 4.55 Modification Application be **REFUSED** by the Waverley Development Assessment Panel for the following reasons contained in Appendix A:

**Report prepared by:**

**Application reviewed and agreed on behalf of  
the Development and Building Unit by:**

Paul Yachmennikov  
**Senior Development Assessment Officer**

Arif Faruqi  
**Manager, Development Assessment (North)**

**Date:** 27 March 2018

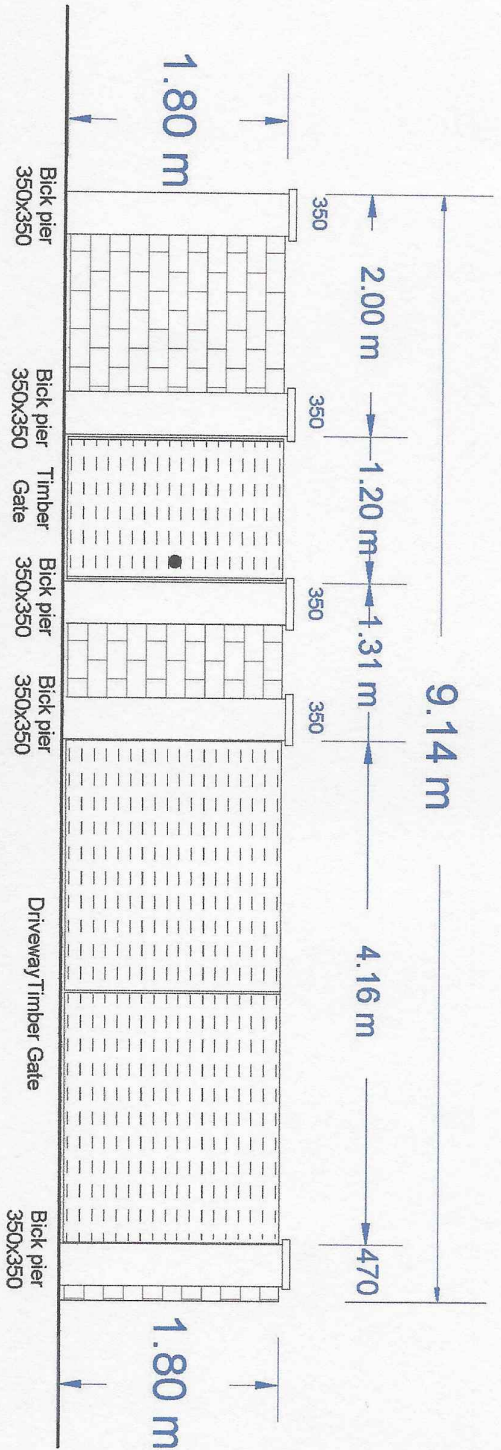
**Date:** 6 April 2018

## **APPENDIX A – REASONS FOR REFUSAL**

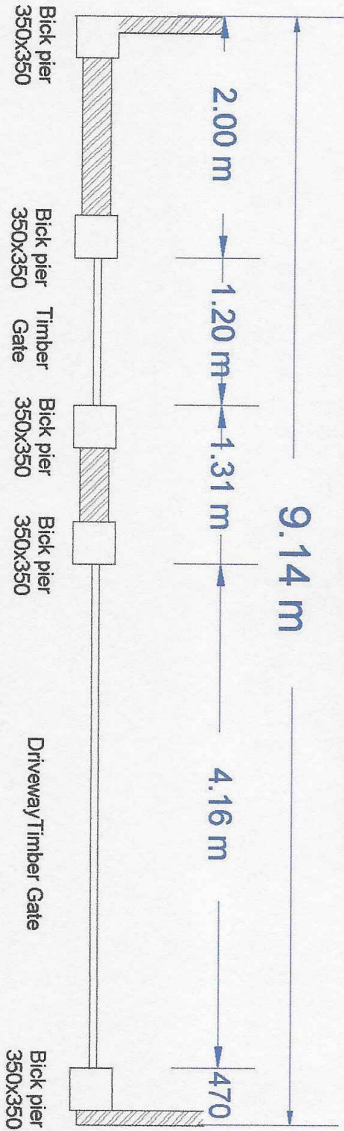
Having regard to section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act), the application is refused for the following reasons:

1. The proposed development does not satisfy section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, as the proposal will have an adverse environmental impact in the locality as it represents an overdevelopment of the subject site, is excessive in terms of bulk and scale, and would adversely impact upon the amenity of the locality and surrounding built environment.
2. The proposed development is contrary to Waverley Development Control Plan 2012 in respect to the following provisions:
  - a. Part C1 – Dwelling house, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development.
    - i. The proposal is contrary to Clause 1.7 objectives (a), (b), (c) and (d) with respect to bulk and scale, height and streetscape.
3. The proposal is contrary to 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, as the proposed front fence height of 1.8m is excessive and is therefore considered unsuitable for the site.
4. The proposal is not considered to be in the public interest for the reasons outlined above, contrary to Section 4.15(1)(e) of the Environmental Planning and Assessment Act, 1979.





**Front Fence Details (Elevation)**



**Front Fence Details (Plan)**

**AKKO**  
 Engineering and Building Certifiers Pty Ltd  
 490 Trunton St, Rosewood NSW 2270  
 Phone: (02) 8334 4388 Fax: (02) 8334 4389  
 Web: www.akkocert.com.au



Subject: Front Fence Details  
 Design By: Rafik Ghobrial  
 Scale: 1:200 on A1 / 1:400 on A3  
 Date: 06/10/2017  
 SCALE: METRES

Regulator: Rafik Ghobrial  
 Civil / Structural Engineer  
 NSW Civil / Structural Engineer  
 Building Inspector (A-18739202)  
 B.P.B 0602

This drawing and any associated information is the property of AKKO Engineering and should not be reproduced without the written consent of AKKO Engineering.

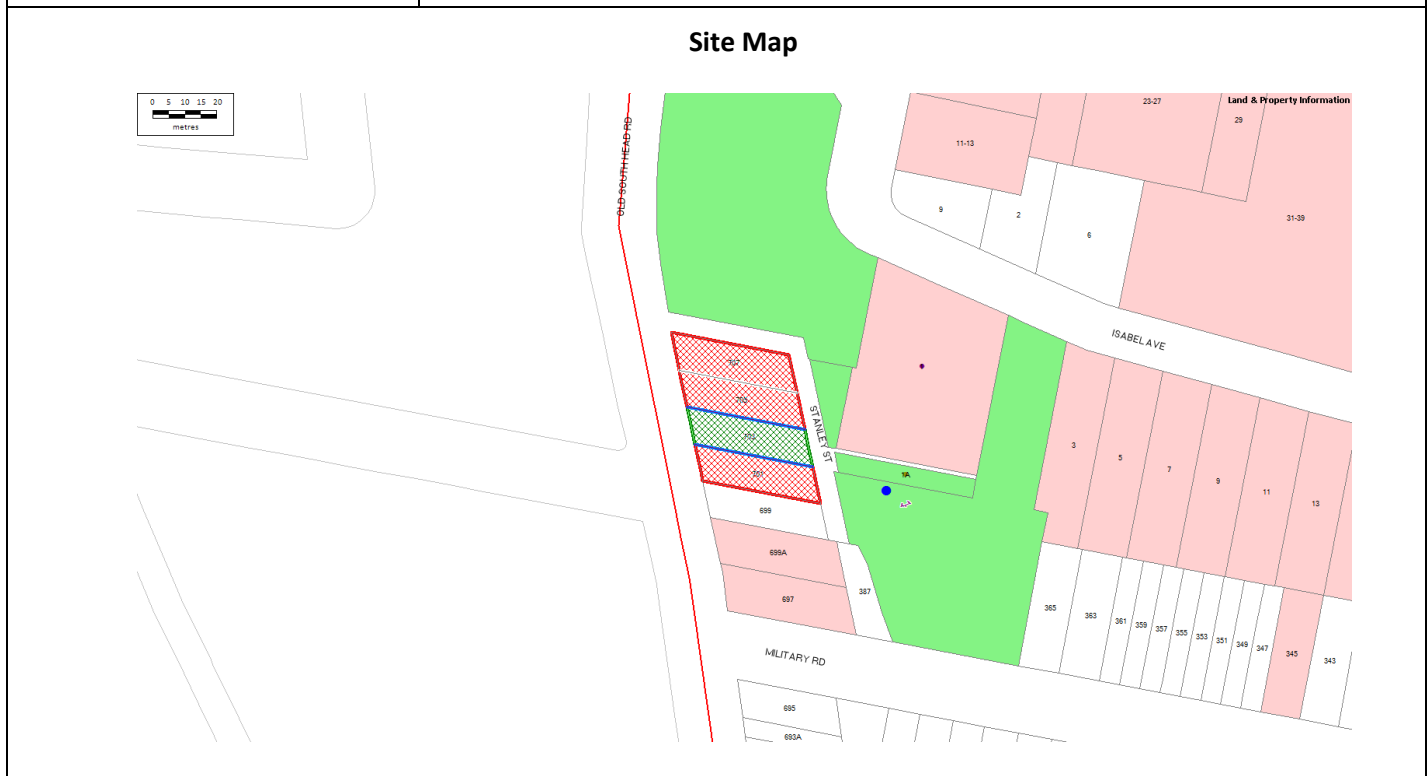
Project Address Client  
 Proposed Front Fence  
 6 Robert Street, Ros Bay, NSW

Drawing No. 171006/BL/G1/1



## Report to the Waverley Development Assessment Panel

<b>Application number</b>	DA-482/2016/A
<b>Site address</b>	701-707 Old South Head Road, Vaucluse
<b>Proposal</b>	Section 96 Modification including 3 additional units, extending approved units and addition of 6 car parking spaces
<b>Approved development description</b>	Demolition of four dwellings, construction of a new three level residential flat building with 17 units, associated basement parking, landscape works and strata subdivision
<b>Date of lodgement</b>	11 September 2017
<b>Owner</b>	Lamar 18 Pty Ltd
<b>Applicant</b>	MHNDU Pty Ltd
<b>Submissions</b>	Two submissions received
<b>Issues</b>	Apartment Design Guide consistency; non-compliance with floor space ratio development standard; and view impact.
<b>Recommendation</b>	That the application be <b>APPROVED</b> .





## 1. PREAMBLE

### 1.1 Site and Surrounding Locality

The site is identified as Lot 1 to 3 in DP 223349 and Lot A DP 316890, known as 701 - 707 Old South Head Road, VAUCLUSE. It is located on the eastern side of Old South Head Road between Stanley Street and Diamond Bay Bowling Club to the north and Military Rd to the south.

The sites are a parallelogram in shape and collectively have a northern and southern boundary measuring 36.98m, and an eastern and western boundary measuring 46.68m. The sites have a total area of 1,591m<sup>2</sup> and the site falls from the north-western corner of Stanley St and Old South Head Rd towards the east by approximately 4.74m.

The sites are occupied by one and two storey detached dwellings with vehicular access provided from the rear lane (Stanley Street).

The subject site is adjoined by a single storey dwelling and two and three storey residential flat buildings to the south. The locality is characterised by a variety of residential development, including semi-detached and detached dwellings and residential flat buildings.



Figure 1: Subject site frontage (Old South Head (OSH) Rd)





**Figure 2:** Site viewed from the rear (Stanley St)



**Figure 3:** Site viewed from the rear (Stanley St)

## 1.2 Details of Approved Development

The original application, known as DA-482/2016 for demolition of four dwellings, construction of a new three level residential flat building with 17 units, associated basement parking, landscape works and strata subdivision, was approved on 26 July 2017 by the Waverley Development Assessment Panel (WDAP). The specifics of the proposal are as follows:

### Demolition

- Demolition of all existing structures on the site including existing dwellings, retaining walls, concrete paths etc.
- Removal of trees on site.

### Construction

#### Basement:

- Carpark entry from the south-east from Stanley Street.
- Two lifts and lift lobbies. Stair access is also available to upper levels.
- Bulky goods store room and garbage room with bin washing.
- Separate bicycle locker.
- Parking for 24 residential spaces, 3 visitor spaces, 17 storage area including space for bicycles, 6 motorcycle spaces.

#### Ground level:

- Eastern plant room encompassing electrical, hot water, gas, air-conditioning units and solar inverter plant.
- 2 x 3 bedroom units with an ensuite, bathroom, laundry, open kitchen/living/dining area with pantry and an east facing balcony. The north-eastern unit has an additional ensuite and is an adaptable unit.
- 1 x 2 bedroom unit with ensuite, bathroom, laundry, open kitchen/living/dining area with access to a north-east facing balcony

#### Level 1 and 2:

- 5 x 2 bedroom units with ensuite, bathroom, laundry, open kitchen/living/dining area. Four of these have access to east facing balconies and one has a north-east facing balcony. A further three have secondary south-west facing balconies.
- 2 x 1 bedroom units with a bathroom, laundry space and open kitchen/living/dining area. One has an east facing balcony and the other has a south-west facing balcony.

When the WDAP gave consent to the application, they amended condition 2 as recommended by Council's Development and Building Unit as follows:

### 2. GENERAL MODIFICATIONS

*The proposal shall be amended as follows:*

- (a) The height of all of the clerestory windows at the leading edge is to be reduced by 300mm.*



*(e) The western doors from both lift lobbies on level 2 shall be deleted and be replaced by windows.*

### 1.3 Proposal

The application has been lodged as a section 4.55(2) application {formerly known as section 96(2)} and provides for the following modifications to the approved development:

- addition of three apartments to the overall development, specifically;
  - one x 2 bedroom apartment within area reserved for plant equipment on ground floor level
  - one x 1 bedroom apartment and one x 3 bedroom apartment on an additional floor level of the development, known as Level 3
- minor change of apartment mix of the approved development (see apartment mix breakdown in **Table 1** below)
- changes to finished floor levels while achieving a minimum ceiling height of 2.7m on each habitable floor level of the development
- infill of the southern 'roof slot' or building break of the roof level of the development to incorporate a lift lobby and common circulation space providing access the two additional apartments on Level 3 of the development
- increase of the depth of excavation to accommodate changes to the finished floor levels of the development
- addition of six off-street car parking spaces and modifications to the configuration of the basement car park, including installation of seven dual car stackers.

The proposal seeks to maintain the clerestory window form of the uppermost floor level of the development, however has not adhere to the requirement of condition 2(a) of the consent that requires the height of the clerestory windows to be reduced by 300mm. In this regard, the application seeks to challenge and/or review this requirement that was imposed by the WDAP when they determined the original development application.

The proposed modifications change the development statistics of the approved development as shown in **Table 1** below.

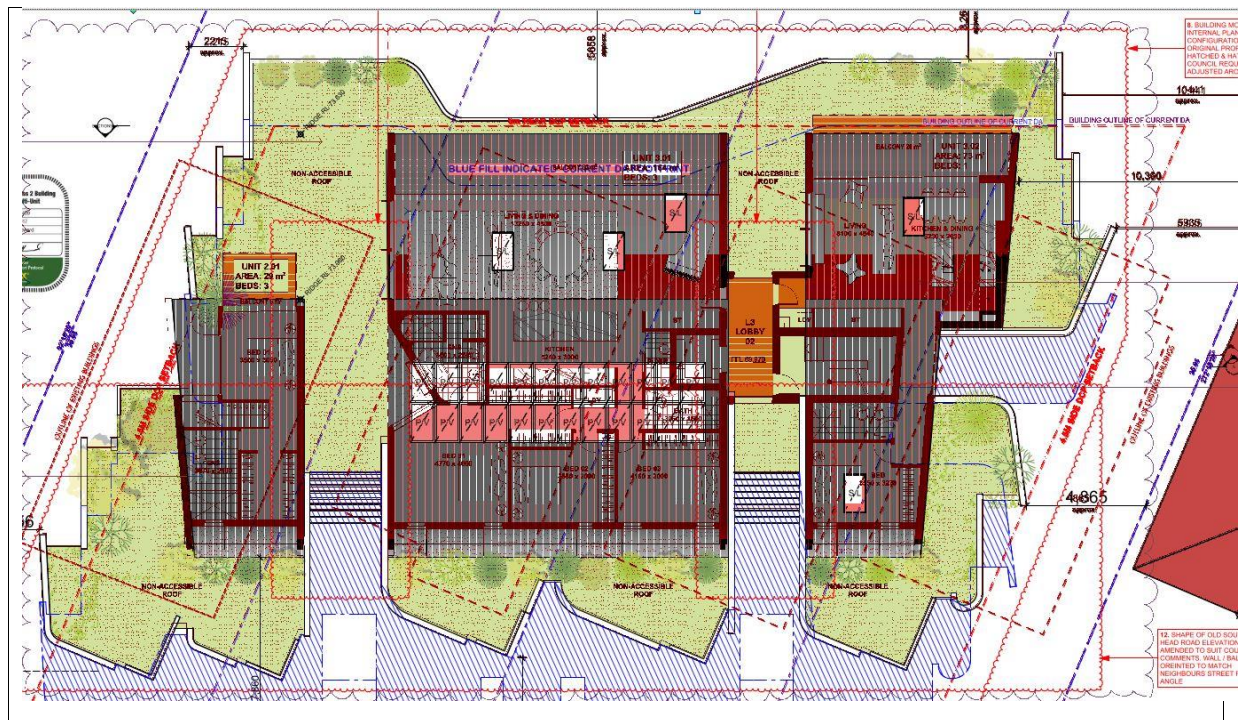
**Table 1: Development statistics between approved and proposed development schemes**

Element	Approved (DA-482/2016)	Proposed (DA-482/2016/A)
Number of apartments	17 in total with unit mix of: <ul style="list-style-type: none"> <li>• 4x 1 bedroom</li> <li>• 11 x 2 bedroom</li> <li>• 2 x 3 bedroom</li> </ul>	20 in total with unit mix of: <ul style="list-style-type: none"> <li>• 5 x 1 bedroom (+1)</li> <li>• 10 x 2 bedroom (-1)</li> <li>• 5 x 3 bedroom (+3)</li> </ul>
Overall building height	12.18m RL73.980	12.18m RL73.980
Floor space ratio	1.019:1 1,621.23m <sup>2</sup> of GFA	1.23:1 1,957m <sup>2</sup> of GFA +335.77m <sup>2</sup> of GFA
Car parking	27 spaces in total (including 3 visitor spaces)	33 spaces in total (including 3 visitor spaces)
Finished floor levels:	-	-
Basement	RL58.170	RL56.770-57.770
Ground floor level	RL61.470	RL60.670 (-0.8m)
First floor level	RL64.870	RL63.770 (-1.1m)
Second floor level	RL68.270	RL66.870 (-1.4m)
Third floor level	RL71.620 (roof level)	RL69.970 (-1.65m)

Changes to the footprint and building envelope of the approved development, as proposed to be modified, are visualised in **Figures 4 and 5**.



**Figure 4:** Extract of west elevation drawing showing the approved building envelope of the development (reduction of massing identified in light blue) against the amended building envelope of the development (Source: MHNDU)



**Figure 5:** Comparison between the footprint of the clearstory window form of the roof of the approved development and the proposed uppermost floor level of the development (Source: MHNDU)

The applicant wishes to enter into a planning agreement for the additional gross floor area. The applicant and Council’s Shaping Waverley sub-program negotiated terms of a draft planning agreement simultaneously during the course of the assessment of the subject application. The agreed-upon development contribution for the Draft Planning Agreement is in the sum of **\$973,687**.

The dedications of the contribution for the material public benefit of the Agreement are yet to be determined; however the current version of Council’s *Planning Agreement Policy 2014* envisages that 10% of the contribution be dedicated to Waverley’s Affordable Housing Program with the remaining amount being dedicated to public domain improvements. This will be formalised prior to the Draft Planning Agreement being publicly exhibited and endorsed by the elected Council.

## 2. ASSESSMENT

The following matters are to be considered in the assessment of this modification application under sections 4.15 and 4.55 of the *Environmental Planning and Assessment Act 1979* (the Act).

### 2.1 Section 4.55 Considerations

The application is submitted under section 4.55(2) of the Act.

The development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all) for the following reasons:

- the land uses of the approved development remain unchanged as the proposed modifications involves adding three residential apartments to the approved development and does not

substantially alter the apartment mix of the remaining apartments of the approved development

- the perceived building bulk and scale of the approved development, as proposed to be modified, will not discernibly change when viewed from the street and other public domain areas and adjoining properties
- the additional environmental and amenity impacts arising from the approved development, as proposed to be modified, are deemed reasonable and acceptable as explained in the body of this assessment report.

Public submissions received in relation to this application have been considered in the assessment of this application and addressed in the body of this report.

## 2.2 Planning Instruments and Development Control Plans

The following is an assessment against relevant legislation, environmental planning instruments, including State environmental planning policies (SEPPs), and development control plans.

### 2.2.1 SEPP (Building Sustainability Index – BASIX) 2004

An amended BASIX Certificate has been submitted with application, which reflects the proposed modifications to the approved development.

### 2.2.2 SEPP 65 Design Quality of Residential Flat Development

The application was not required to be referred to the Waverley Design Excellence Panel as the modifications are not considered to constitute significant changes to the approved built form of the development. The approved development, as proposed to be modified, is assessed against the nine design quality principles of the SEPP, which is set out in **Table 2** below.

**Table 2: Assessment against the Nine Design Quality Principles under SEPP 65**

Principle	Planning Comment
1. Context and Neighbourhood	The proposal effectively maintains the building envelope of the approved development. Therefore, the contextual relationship of the development remains unchanged.
2. Built form and Scale	Despite the proposal exceeding the floor space ratio development standards, the proposal is consistent with the desired future character of the locality, particularly with regard to development. The proposal does not affect the overall building alignments, articulation and modulation of the approved development.
3. Density	The proposed three additional residential apartments are afforded with a reasonable level of amenity given that two out of three of the apartments are on the uppermost floor levels take advantage of views and direct sunlight. Existing infrastructure, public transport and access to jobs within the locality are expected to cater for the net increase of three apartments in the approved development, as proposed to be modified.

Principle	Planning Comment
4.Sustainability	The approved development, as proposed to be modified, remains consistent with the sustainability design quality principle in that the development affords adequate solar access and natural cross ventilation that minimises reliance on artificial heating and cooling. The application is accompanied by an amended BASIX certificate, which demonstrates the approved development, as proposed to be modified, meets the energy, water and thermal comfort targets set by SEPP BASIX.
5. Landscape	The proposal does not affect the landscaping scheme of the approved development.
6. Amenity	The proposed additional apartments are afforded reasonable amenity through room dimensions and layout; access to sunlight and natural ventilation, outlook and views; and visual and acoustic privacy.
7. Safety	The proposal does not affect the safety and security of the approved development.
8. Housing Diversity and Social Interaction	The proposal maintains an appropriate apartment mix and the additional apartments meet the minimum size and area for one, two and three bedroom apartments outlined in the Apartment Design Guide. The approved development, as proposed to be modified, therefore responds well to the living needs and household budgets of the immediate locality.
9. Aesthetics	The proposal maintains the overall aesthetics of the approved development in terms of materiality, building articulation and modulation.

### Apartment Design Guide

Amendment No 3 to SEPP 65 requires the proposed development to consider Parts 3 and 4 of the Apartment Design Guide (ADG). The application is accompanied by a detailed assessment against the Parts 3 and 4 of the ADG. Further, clause 6A of SEPP 65 requires that development control plans (DCPs) cannot be inconsistent with the ADG in respect of the following:

- (a) visual privacy
- (b) solar and daylight access
- (c) common circulation and spaces
- (d) apartment size and layout
- (e) ceiling heights
- (f) private open space and balconies
- (g) natural ventilation
- (h) storage.





Design Criteria	Compliance	Comment
<ul style="list-style-type: none"> <li>– At least 60% of units naturally ventilated</li> </ul>		doors, windows and adequate ceiling heights to achieve appropriate cross ventilation within the building.
<b>4C Ceiling heights</b>		
<ul style="list-style-type: none"> <li>• Habitable rooms – 2.7m</li> <li>• Non-habitable rooms – 2.4m</li> </ul>	Yes	The ceiling heights (measured above finished floor levels to the underside of indicative bulkheads) are a minimum of 2.7m for all habitable rooms of the development, with the slight exception of areas for kitchens that have a reduced ceiling height of 2.4m due to deeper bulkheads. This is deemed acceptable as reduced ceiling heights for kitchen areas of apartments are not expected to compromise the overall amenity afforded to apartments of the development.
<b>4D Apartment size and layout</b>		
<p>The following minimum internal areas apply:</p> <ul style="list-style-type: none"> <li>• 1 Bed = 50 m<sup>2</sup></li> <li>• 2 Bed = 70 m<sup>2</sup></li> <li>• 3 Bed = 90 m<sup>2</sup></li> </ul>	Yes	All of the additional apartments have minimum internal areas that either meet or are in excess of the minimum ADG requirements. In this regard, the sizes and layout of the additional apartments are acceptable.
<b>4E Private open space and balconies</b>		
<p>All apartments provide primary balcony as follows:</p> <ul style="list-style-type: none"> <li>• 1-bed – 8m<sup>2</sup> &amp; 2m depth</li> <li>• 2-bed – 10m<sup>2</sup> &amp; 2m depth</li> <li>• 3-bed – 12m<sup>2</sup> &amp; 2.4m depth</li> <li>• Ground level, min 15m<sup>2</sup> &amp; 3m depth</li> </ul>	Yes	All of the additional apartments are provided with balconies or courtyards accessed from the main living areas that meets the minimum requirements of the ADG in terms of area and depth.
<b>4F Common circulation and spaces</b>		
<ul style="list-style-type: none"> <li>• Max of 8 units accessed off a circulation core on a single level</li> <li>• &gt;10 storeys, max 40 units for 1 lift</li> </ul>	Yes	A maximum of four apartments are accessed from each circulation core on each floor level of the approved development, as proposed to be modified.
<b>4G Storage</b>		
<p>In addition to kitchens, bathrooms and bedrooms, the following is provided:</p> <ul style="list-style-type: none"> <li>• 1-bed – 6m<sup>3</sup></li> <li>• 2-bed – 8m<sup>3</sup></li> <li>• 3-bed – 10m<sup>3</sup></li> </ul> <p>At least 50% of storage is within units</p>	Yes (by condition)	Condition 2 (d) of the consent ensures that adequate storage is provided to all apartments. The architectural plans do not satisfactorily demonstrate whether all of the apartments, including the additional apartments, provide the required minimum volume of storage. Satisfaction of this condition will ensure adequate storage is provided to each apartment.

The proposal is considered to be consistent with SEPP 65 and the ADG and is supported.

### 2.2.3 SEPP (Infrastructure) 2007

Clause 101 of the SEPP applies to the proposal as the site has a frontage to Old South Head Road, which is a Classified Road. Whilst Old South Head Road is a classified road, RMS traffic counts indicate that the traffic volume does not exceed 40,000 vehicles for annual average daily traffic volume and thus it is not considered the development will be adversely affected by noise and vibration. Furthermore, vehicular access to the proposed development is via the eastern side from Stanley Street, and is not directly from any classified roads. A 3m splay has been provided to the north-west corner to improve sightlines at the T-junction of Stanley Street and OSH Rd (classified road). This satisfies clause 101(1)(a) which aims to ensure that new development does not compromise the effective and ongoing operation and function of classified roads.

### 2.2.4 Waverley Local Environmental Plan 2012 (Waverley LEP 2012)

The relevant matters to be considered under the Waverley LEP 2012 for the proposal are outlined below:

**Table 3: Waverley LEP 2012 Compliance Table**

Provision	Compliance	Comment
<b>Part 1 Preliminary</b>		
1.2 Aims of plan	Yes	The proposal meets the relevant aims of Waverley LEP 2012.
<b>Part 2 Permitted or prohibited development</b>		
Land Use Table R3 Medium Density Residential Zone	Yes	The proposal is defined as a residential flat building, which is permitted with consent in the R3 zone.
<b>Part 4 Principal development standards</b>		
4.3 Height of buildings <ul style="list-style-type: none"> <li>12.5m</li> </ul>	Yes	<ul style="list-style-type: none"> <li>The approved development has an overall building height of 11.8m.</li> <li>The approved development, as proposed to be modified, does not change the overall building height of 11.8m.</li> </ul>
4.4 Floor space ratio <ul style="list-style-type: none"> <li>0.9:1</li> <li>Max GFA – 1,431.9m<sup>2</sup></li> </ul>	No	<ul style="list-style-type: none"> <li>The approved development has a floor space ratio (FSR) of 1.019:1.</li> <li>The approved development, as proposed to be modified, has a total of 1,957m<sup>2</sup> of gross floor area (GFA), which achieves a FSR of 1.23:1. The development, as a whole, exceeds the FSR development standard by 36% over or 525.1m<sup>2</sup> of GFA.</li> </ul>
4.6 Exceptions to development standards	See discussion	The non-compliance of the approved development, as proposed to be modified, with the height of buildings and FSR development standards does not require to be considered under clause 4.6 of Waverley LEP 2012. Notwithstanding, the non-compliance is considered under section 4.55(2) of the Act with regard to whether the approved development, as proposed to be

Provision	Compliance	Comment
		modified, is substantially the same as the development for which the consent was originally granted. This discussion along with an assessment against the objectives of clauses 4.3 and 4.4 of Waverley LEP 2012 in relation to building height and FSR is set out below this table.
<b>Part 6 Additional local provisions</b>		
6.2 Earthworks	Yes	The proposal, specifically the lowering of the basement floor level of the development, results in additional excavation. Conditions currently exist in the consent that provide safeguards for excavation during site works.

The following is a detailed discussion of the issues identified in the compliance table above in relation to the Waverley LEP 2012.

### Floor Space Ratio

The approved development, as proposed to be modified, increases the overall gross floor area of the development to 1,957m<sup>2</sup>, which achieves a floor space ratio of 1.23:1. The extent of the variation is 36% or 525.1m<sup>2</sup> of gross floor area. The proposed additional gross floor area, being 355.77m<sup>2</sup>, accounts for approximately 68% of the total extent of the variation of the FSR development standard encountered by the approved development, as proposed to be modified.

The variation of the FSR development standard is considered against the objectives of the FSR development standard expressed by clause 4.4(1) of Waverley LEP 2012 to guide the merit assessment. The relevant objectives are extracted as follows:

- (b) to provide an appropriate correlation between maximum building heights and density controls,*
- (c) to ensure that buildings are compatible with the bulk, scale, streetscape and existing character of the locality,*
- (d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

The additional gross floor area is contained within the profile and footprint of the clearstorey windows element and the ground floor level area comprising plant and storage of the development. The additional gross floor area is inconsequential to the overall building bulk and scale impacts of the development given that the building envelope is effectively maintained. It will not discernibly increase the extent of overshadowing and view loss impact caused by the approved development, nor overly accentuate the perceived building bulk and scale of the development when viewed from adjoining residential properties. Further, the perceived building bulk and scale of the development when viewed from the public domain will remain unchanged given that the additional gross floor area is concealed within the perceived building envelope of the approved development. In the absence of any additional planning impacts on the amenity of surrounding residential properties and the public domain, the additional gross floor area is considered acceptable. The approved development, as proposed to be modified, continues to be consistent with the relevant objectives of the FSR development standard and its overall building envelope is substantially the same as that of the originally approved development.



The applicant has offered to enter into a separate planning agreement for the additional gross floor area sought by this application, that being for 355.77m<sup>2</sup>. An existing Planning Agreement has been executed for gross floor area sought by the original development application that exceeded the FSR development standard and that remains unchanged by this modification application.

The separate planning agreement will be made in accordance with the *Waverley Council Planning Agreement Policy 2014* (the Policy). The Policy provides a mechanism to address the public benefit offset of additional reasonable impacts from developments exceeding development standards. The offer to enter into a planning agreement addresses the public benefit aspect of maintaining the FSR development standard when Council considers a variation with the standard by way of assessing and determining an application. The fundamental principle of the Policy is that any benefit that arises from agreement to vary development standards is shared between developer and the community and must be acceptable on environmental impact grounds. The reasonableness of impacts associated with the additional floor space of the proposed development has been considered against the likely public interest (i.e. public domain improvements in the area), which has been found to be acceptable in this instance. The reasonableness relates to the merits of this case only as discussed in the body of this assessment report.

On the basis of the above analysis, the additional gross floor area is considered acceptable. A suitable public purpose or benefit is considered to be provided in the form of a separate planning agreement for the additional gross floor area sought by this modification application, which would contribute to public works or a similar public benefit within the catchment of the site. A condition of consent is recommended to be added to the consent that specifies the agreed-upon development contribution of the Planning Agreement in order to give effect to the Planning Agreement when it is executed.

#### 2.2.5 Waverley Development Control Plan 2012 - Amendment No 5 (Waverley DCP 2012)

The relevant matters to be considered under the Waverley DCP 2012 for the proposal are outlined below:

**Table 4: Waverley DCP 2012 – Part B General Provisions Compliance Table**

Development Control	Compliance	Comment
1. Waste	Yes (by condition)	The additional apartments generates demand for additional garbage, paper/cardboard and other recyclables bins (one each). Condition 111 of the consent (relating to the provision of waste bins) is recommended to be updated to reflect the additional demand for bins.
2. Energy and water conservation	Yes	The application includes a revised BASIX certificate to reflect the proposed modifications of the development.
6. Stormwater	N/A	No change.
7. Accessibility and adaptability	Yes	<ul style="list-style-type: none"> <li>The proposal maintains two adaptable apartments in the development, which meets the minimum requirement set out in section B7 of Waverley DCP 2012.</li> <li>The additional apartments are accessible by lift servicing the common circulation areas of the building (i.e. foyers).</li> </ul>

Development Control	Compliance	Comment
<p>8. Transport</p> <p>1 bedroom: 1 space per unit 2 bedroom: 1.5 space per unit 3 bedroom: 2 spaces per unit Visitor parking: 1 space per 5 units</p> <p>Bicycle parking: 1 bicycle space per unit and 1 space for visitors per 10 units</p> <p>Motorcycle parking: 3 spaces for every 15 car parking spaces (7 spaces)</p>	<p>Partial compliance</p> <p>Partial compliance</p> <p>Yes</p>	<ul style="list-style-type: none"> <li>The additional units and change to apartment mix generates the following additional demand: <ul style="list-style-type: none"> <li>6 resident space</li> <li>1 visitor space</li> </ul> </li> <li>The proposal provides for six additional resident spaces and NO additional visitor space. The proposal meets the additional demand for resident spaces, however it does not meet the demand for visitor spaces. Given that the site has good access to public bus services operating along Old South Head Road, the shortfall of one visitor space is considered reasonable.</li> <li>Storage areas in the basement for each apartment accommodates space for bicycle parking. Plans show that each storage space in the basement can accommodate ample space for bicycle parking. No visitor bicycle parking spaces are provided, however this is deemed reasonable.</li> <li>The approved development, as proposed to be modified, provides for seven motorcycle spaces.</li> </ul>
10. Safety	Yes	Satisfactory.

**Table 5: Waverley DCP 2012 – Part C2 Multi Unit and Multi Dwelling Housing Compliance Table**

Development Control	Compliance	Comment
<b>2.3 Height</b>		
<ul style="list-style-type: none"> <li>Maximum external wall height: 9.5m</li> </ul>	<p>No (acceptable on merit)</p>	<p>The overall external wall height of the approved development, as proposed to be modified, is 11.1m (excluding the profile of the clearstorey windows). The cross fall of the site towards the south-east primarily accounts for the non-compliance with the external wall height control. The non-compliance is acceptable given that the overall building height of the development complies with the height of buildings development standard and the development is set back sufficiently from the southern boundary of the site where the non-compliance with the external wall height control occurs. Further, the perceived overall wall heights of the development (indicated by the top of the walls on the second floor level) have been reduced by 1.4m given the lowering of finished floor levels of the development. Therefore, the proposal</p>

Development Control	Compliance	Comment
		slightly reduces the overall bulk and scale of the development when viewed from the public domain.
<b>2.5 Setbacks</b>		
2.5.1 Street setbacks <ul style="list-style-type: none"> <li>Consistent street setback</li> </ul>	N/A	No change to the overall street building setbacks of the approved development. The east-facing balconies of the proposed new uppermost floor level slightly extends eastward outside of the footprint and profile of the clearstory windows element of the approved development, however they do not encroach within the eastern setbacks of floor levels below of the development.
2.5.2 Side and rear setbacks <ul style="list-style-type: none"> <li>Minimum side setback: 4.5m</li> <li>Minimum rear setback: 6m or predominant rear building line, whichever is the greater setback</li> <li>Deep soil alongside boundary min 2m wide</li> </ul>	N/A	No change to the overall side and rear building setbacks of the approved development.
<b>2.6 Length and depth of buildings</b>		
	N/A	No change to the length and depth of the approved development.
<b>2.8 Building design and streetscape</b>		
<ul style="list-style-type: none"> <li>Respond to streetscape</li> <li>Sympathetic external finishes</li> </ul>	Yes	<ul style="list-style-type: none"> <li>The perceived overall building bulk and scale of the development remain unchanged.</li> <li>No change to the overall materiality of the development.</li> </ul>
<b>2.10 Fences and walls</b>		
	N/A	No change.
<b>2.11 Vehicular access and parking</b>		
	N/A	No change.
<b>2.12 Pedestrian access and entry</b>		
	N/A	No change.
<b>2.13 Landscaping</b>		
<ul style="list-style-type: none"> <li>Minimum of 30% of site area landscaped: 477.3m<sup>2</sup></li> <li>50% of the above is to be deep soil: 238.65m<sup>2</sup></li> </ul>	Yes  Yes	<ul style="list-style-type: none"> <li>The proposal reduces the overall landscaped area of the site from 722m<sup>2</sup> to 625m<sup>2</sup>. The reduced amount of landscaped area equates to 39% of the site area.</li> <li>The proposal does not change the extent of deep soil planting, which remains as 275m<sup>2</sup>.</li> </ul>
<b>2.14 Communal open space</b>		
<ul style="list-style-type: none"> <li>Minimum 15% communal (R3 zone): 238.65m<sup>2</sup></li> <li>Minimum dimensions: 6m x 6m</li> </ul>	Yes	The proposal reduces the overall communal open space from 403m <sup>2</sup> to 308m <sup>2</sup> . The reduced amount of communal open space equates to 19% of the site area. The original assessment

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <li>Minimum of 30% of communal area must receive three hours of sunlight</li> <li>Accessible</li> </ul>		<p>found the non-compliance with the minimum solar access requirement acceptable due to the orientation of the site and that the southern setback is the most appropriate location for the communal space given that the units are oriented to the street where the setbacks are utilised as private open space for greater amenity.</p>
<b>2.15 Private open space – superseded by the ADG</b>		
<b>2.16 Solar access and overshadowing</b>		
<ul style="list-style-type: none"> <li>Minimum of three hours of sunlight to a minimum of 70% of units during winter solstice</li> <li>Adjoining properties to retain minimum of three hours of sunlight during winter solstice</li> </ul>	<p>Superseded by the ADG</p> <p>Yes</p>	<p>Shadow diagrams submitted with the application demonstrate that the reduction of the wall height of the third storey (i.e. Level 2) as part of the proposed modifications to the development reduces the overall extent of overshadowing of adjoining properties to the south and south-east of the site caused by the originally approved development between 9am and 3pm during the winter solstice. The proposal represents a slight improvement on the overshadowing impacts of the approved development, particularly for the north-facing windows of the adjoining dwelling house and its rear private open space area to the south of the site at 699 Old South Head Road.</p>
<b>2.17 Views and view sharing</b>		
<ul style="list-style-type: none"> <li>Minimise view loss</li> </ul>	Yes	See discussion below this table.
<b>2.18 Visual privacy and security</b>		
	Yes	<ul style="list-style-type: none"> <li>The uppermost floor level (i.e. Level 3) is indented from the building edge of the floor levels below of the development. Therefore, it is unlikely to overlook and affect the visual privacy of apartments on floor levels below Level 3 of the development.</li> <li>The apartments on Level 3 orientates their active areas (i.e. living and outdoor areas) towards the east and west (addressing Old South Head Road and Stanley Street). Window openings across the northern and southern elevations serve bedrooms and hallways, and are therefore unlikely to result in sustained overlooking of adjoining properties. The proposal is expected to result in minimal and reasonable additional privacy impacts upon adjoining residential properties.</li> </ul>
<b>2.19 Apartment size and layout – superseded by the ADG</b>		
<b>2.20 Ceiling heights – superseded by the ADG</b>		
<b>2.21 Storage – superseded by the ADG</b>		
<b>2.22 Acoustic privacy</b>		

Development Control	Compliance	Comment
<ul style="list-style-type: none"> <li>Internal amenity by locating noisy areas away from quiet areas</li> </ul>	Yes (by condition)	Standard noise attenuation exists in the consent to ensure adequate acoustic privacy is afforded to each apartment of the development.
<b>2.23 Natural ventilation - superseded by the ADG</b>		
<b>2.24 Building services</b>		
	Yes	The plant room in the south-western corner of the ground floor level of the development has been expanded. This plant room will remain invisible when viewed from the street.

The following is a detailed discussion of the issues identified in the compliance tables above in relation to the Waverley DCP 2012.

### Views

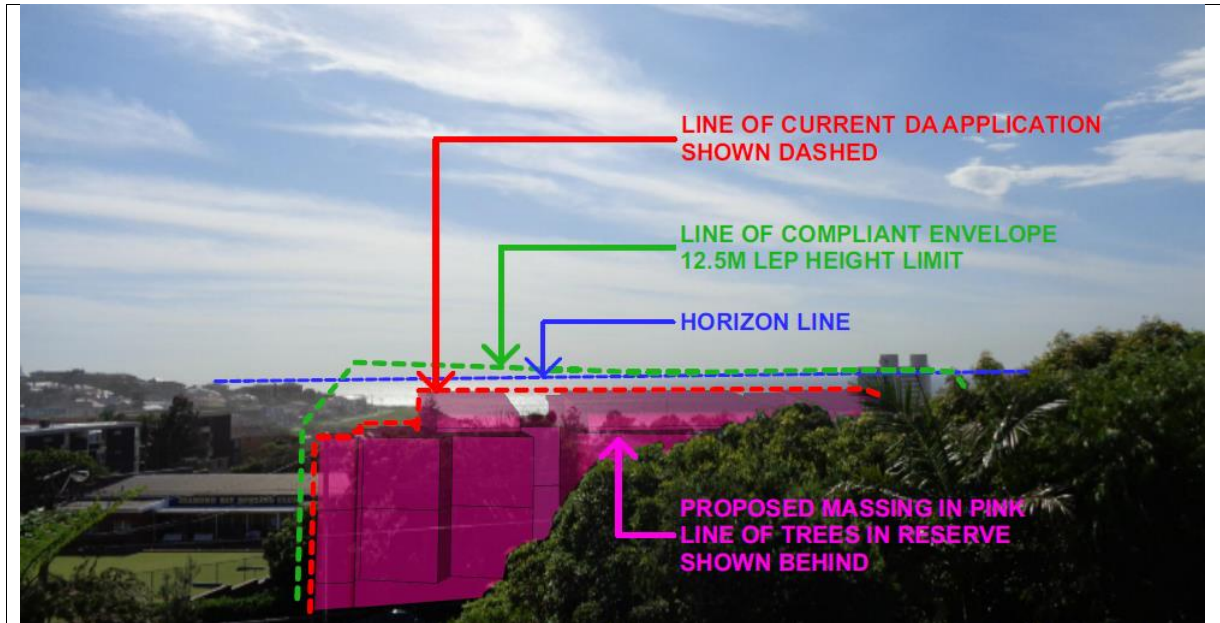
The submission received on behalf of the owners of 22 Clarendon Street, Vaucluse claims the proposal will further affect views enjoyed from this property. The assessment of the original development application involved an inspection of the dwelling house at 22 Clarendon Street, including photographs being taken to record the observation of views enjoyed from this property. The applicant prepared a photomontage as an analysis of the impact on views caused by the approved development (see **Figure 6** below). The assessment found the view impact of the approved development reasonable in terms of the NSW Land and Environment Court planning principle relating to view sharing. The roof form of the approved development was skilfully designed to incorporate 'slots' or breaks to minimise view loss of the ocean over the centre of the subject site. The northern-most slot was found to be the most effective in terms of maintaining ocean views, whereas the southern-most slot was not. The assessment of the view impact was accepted by the Waverley Development Assessment Panel (WDAP) when the original application was determined subject to a condition of consent {i.e. condition 2(a)} requiring the height of the clearstorey windows being reduced by 300mm.

The applicant has prepared a separate photomontage to analyse the view impact of the approved development, as proposed to be modified (see **Figure 7** below). As demonstrated in the view impact analysis, the proposed in-filling of the southern-most 'slot' or break has no consequence on ocean views from 22 Clarendon Street. Overall, the reduction of the wall height measured to the top of the external walls of the third storey (i.e. Level 2) of the development has slightly reduced the view loss impact of the approved development. Given there are no further alterations to the building envelope of the development, the view analysis demonstrates that the approved development, as proposed to be modified, will not result in additional view loss impact experienced by 22 Clarendon Street.

Condition 2(a) of the consent imposed by the WDAP intends to reduce the overall view loss impact by lowering the height of the clearstorey windows by 300mm to further add to a skilful design of the uppermost part of the development. This application does not address the condition as the plans submitted with the application do not indicate compliance with the condition. The condition remains valid and is recommended to be maintained in the consent. The satisfaction of this condition will not render the ceiling heights of the additional apartments on the uppermost floor level (i.e. Level 3) of the development inadequate and consequently compromise the amenity of these apartments as the apartments have ceiling heights greater than 2.7m.



Given that the approved development, as proposed to be modified, results in no additional view loss impacts, but rather lesser view loss impacts, the proposal is supported.



**Figure 6:** Photomontage of view analysis from a standing position on the front balcony of the existing dwelling house at 22 Clarendon Street, showing building massing of the **approved development** in pink (Source: MHNDU)



**Figure 5:** Photomontage of view analysis from a standing position on the front balcony of the existing dwelling house at 22 Clarendon Street, showing building massing of the **approved development, as proposed to be modified**, in pink (Source: MHNDU)

### 2.3 Other Impacts of the Development

The proposed development is capable of complying with the BCA.

It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

### 2.4 Suitability of the Site for the Development

The site is considered to be suitable for the approved development, as proposed to be modified.

## 2.5 Any Submissions

The modification application was notified for 21 days and a site notice erected on the site, in accordance with *Waverley Development Control Plan 2012, Part A – Advertised and Notified Development*.

Two submissions were received from and on behalf of the following properties in Vacluse:

- 2/669A Old South Head Road
- 22 Clarendon Street.

The following issues raised in the submissions have been addressed in the body of this report:

- further exceedance of the FSR development standard and the public benefit/interest
- substantially the same development test
- view impacts and compliance with the condition 2(a) of the consent to reduce the view loss impact of the approved development
- amenity of the apartments of the development itself in terms of ceiling heights and solar access
- car parking.

All other issues raised in the submissions are summarised and discussed below.

**Issue:** *Concern of presence of ground asbestos*

**Response:** Noted. A condition exists in the consent that addresses management of asbestos if encountered during site works.

**Issue:** *A planning agreement for the additional gross floor area has not been exhibited*

**Response:** Planning Agreements are exhibited after development consent is granted when the detail of the agreement is known.

**Issue:** *The construction impacts of the development will affect the value of surrounding properties*

**Response:** Construction impacts are temporary. The perceived impacts of construction of the development on property values are not a matter for consideration under the terms of section 4.15 of the Act and cannot be used as a reason to refuse development consent to the application. Standard conditions exist in the consent to minimise disturbance on the amenity of adjoining residential properties during site works.

**Issue:** *Not all of the documentation was available on Council's online DA tracker system while the application was on notification,*

**Response:** Noted. Not all documentation is available on the DA tracker, such as floor plans, as this information is unable to be placed on the Internet for privacy and copyright reasons. Notification plans, showing the elevations, roof plan and site plan of the development together with the Statement of Environmental Effects that, are considered sufficient to impart the proposed modifications to the public.

## **2.6 Public Interest**

It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed.

## **3. REFERRALS**

### **3.1 Digital Waverley– Land Information**

Council's GIS Officer recommended changes to the apartment numbering of the development given the increase of apartments to the development. Condition 114 of the consent relating to street numbering is recommended to be modified to reflect the proposed modifications.

The applicant has a desire for the site address to be known as No.1 Stanley Street. The *NSW Addressing User Manual* published by the Geographical Names Board of New South Wales requires the site to be known as No. 2 Stanley Street given it is on the right hand side of Stanley Street when entering the street from Old South Head Road. Therefore, the condition requiring the primary street number of the site to be No. 2 Stanley Street remains unchanged.

### **3.2 Creating Waverley - Stormwater**

Council's Manager, Design in the Creating Waverley department maintained their previous comment on the original development application. The stormwater system of the approved development is not expected to be significantly affected by the proposed modifications.

## **4. SUMMARY**

The application seeks to modify the approved development at the site known as 701-707 Old South Head Road, Vaucluse by increasing the number of apartment to a total of 20 (net increase of three apartments) and adding six car parking spaces. The proposal also increase the gross floor area of the approved development by including an additional floor level within the profile and footprint of the roof form of the approved development and area on ground floor level that is currently approved for plant room. The application is accompanied by an offer to enter into a separate planning agreement for the additional gross floor area to the development sought by the application.

The main issues in the assessment of this application are:

- consistency with the Apartment Design Guide
- non-compliance with floor space ratio development standard
- view impact.

The assessment finds these issues acceptable on planning merit. The application attracted two submissions and the issues raised in the submissions have been addressed in the body of the report.

The application is referred to the Waverley Development Assessment Panel (WDAP) for determination given that it seeks to challenge condition 2(a) of the consent requiring the height of the clearstorey windows to be reduced by 300mm, which was imposed by the WDAP. It is recommended that the WDAP maintains this condition in order to reduce the view loss impact of the development. The application is also referred to the WDAP as it is associated with a planning agreement.

The application has been assessed against the relevant matters for consideration under sections 4.15 and 4.55(2) of the Act, and is recommended for approval.

**5. RECOMMENDATION TO WAVERLEY DEVELOPMENT ASSESSMENT PANEL**

That the Section 4.55 Modification Application be **APPROVED** by the Waverley Development Assessment Panel subject to the Conditions in Appendix A:

**Report prepared by:**

**Application reviewed and agreed on behalf of  
the Development and Building Unit by:**

Ben Magistrale  
**Senior Development Assessment Planner**

Arif Faruqi  
**Manager, Development Assessment (North)**

**Date:** 4 April 2018

**Date:** 6 April 2018

**Reason for referral:**

- 4 Applications for review of decisions or conditions made by the Panel (in accordance with the WDAP Charter)

Sensitive development involving a planning agreement



## **APPENDIX A – CONDITIONS OF CONSENT TO BE MODIFIED**

### **A. Amended/Deleted Conditions**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Architectural Plan Nos DA10 to DA14, DA20 to DA25, DA32, DA34, DA36 and DA37, issue C, dated 22/05/2017, prepared by MHNDUnion, and received by Council on 22 May 2017,  
*(i) As amended by DA03, DA10 (Revision E), DA11 (Revision E), DA12 (Revision E), DA13 (Revision E), DA14 (Revision A), DA15 (Revision E), DA20 (Revision E), DA21 (Revision E), DA22 (Revision E), DA23 (Revision E), DA24 (Revision E), DA25 (Revision E), DA32(Revision E), DA34 (Revision E), DA36 (Revision E), DA37 (Revision E), dated 29 August 2017, prepared by MHNDUnion and received by Council on 11 September 2017.*  
**(MODIFIED BY DA-482/2016/A)**
- (b) Landscape Plan drawing no. 6141-01 and 6141-02, issue C, prepared by Peter Glass & Associates, dated 20/05/2017, and received by Council on 22 May 2017;  
*(i) As amended by Landscape Plan Drawing No. 6141-01 (Issue D) prepared by Peter Glass and Associates, dated 4 September 2017 and received by Council on 11 September 2017.*  
**(MODIFIED BY DA-482/2016/A)**
- (c) Arboricultural Impact Assessment ref 1866, dated 27 October 2016, prepared by REDGUM Horticultural, and received by Council on 16 November 2016;
- (d) BASIX Certificate No. 769205M\_02, dated 24 May 2017, and received by Council on 2 June 2017;  
*(i) As amended by BASIX Certificate No. 769205M\_03 dated 8 September 2017 and received by Council on 11 September 2017.*  
**(MODIFIED BY DA-482/2016/A)**
- (e) Stormwater Details drawing no H-DA-01 and H-DA-03, revision B, prepared by itm design, dated 17.05.17, and received by Council on 22 May 2017;
- (f) Draft SP Strata Plans sheets 1 to 5 of 5, ref 3052 DSP, issue B, dated 18-5-17, prepared by Eric Scerri, received by Council on 22 May 2017.  
*(i) As amended by Draft Strata Plans Sheets 1 to 6 of 6 (Issue C), dated 5 September 2017, prepared by Eric Scerri and received by Council on 11 September 2017.*  
**(MODIFIED BY DA-482/2016/A)**

except where amended by the following conditions of consent.

## 2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) The height of all of the clerestory windows at the leading edge is to be reduced by 300mm.
- (b) Ceiling fans are to be provided to all habitable rooms.
- (c) Privacy screening provided to fully separate adjoining balconies is to have a minimum height of 1.8m from the finished floor level and a maximum of 25% openings.
- (d) Compliant internal storage is to be provided within each unit as required in section 4G of the Apartment Design Guide.
- (e) The western doors from both lift lobbies on level 2 shall be deleted and be replaced by windows.

The amendments are to be approved by ~~the Principal Certifying Authority~~ **Council** prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

**(MODIFIED BY DA-482/2016/A)**

### 111. WASTE AND RECYCLING STORAGE AND COLLECTION

- (a) The proposal must have a bin storage point for a minimum;
  - **Residential**
    - ~~6~~ **7** Mobile garbage bins (MGBs) for general waste
    - ~~2~~ **3** MGBs for container recycling
    - ~~2~~ **3** MGBs for paper and cardboard recycling
    - 2 MGBs for garden organics
    - Extra MGBs – 1 MGB for excess waste
- (b) All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B, Section 1.2.1, Section 1.2.3 and Section 1.2.4 of Waverley Council Development Control Plan 2012.
- (c) The proposal must have a system for the convenient transportation of waste and recyclables to the communal waste and recycling storage area (i.e. chute systems or a service lift dedicated for the transportation of waste).
- (d) Developments that are more than 3 habitable storeys must provide a waste and recycling compartment/area on each floor with sufficient capacity to store a minimum of 1 day volume of waste and recycling likely to be generated on that floor.
- (e) The development must have rooms or caged areas with a minimum volume 4m<sup>3</sup> available for the storage of discarded residential bulky waste, such as old furniture, awaiting Council pick up.

- (f) Waste and recycling receptacles must be stored at all times within the boundary of the site and screened from the public and commercial domains.
- (g) Composting facilities which meet all design requirements set in Annexure B1-5 of the Waverley Council Development Control Plan must be provided at this development.
- (h) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of waste receptacles, cleaning of storage areas and booking and transporting bulky waste for Council pick up must be outlined in contracts with the building manager, cleaners and tenants.
- (i) Clear and easy signs identifying the different MGB and where the MGBs should be stored in the storage area(s) must be displayed.
- (j) All waste and recycling receptacles are to be presented for collection no earlier than the previous night before collection and must be removed from the kerb-side as soon as possible on the same day as the collection. The storage and/or presentation of bins on the kerbside on public land and kerbside are not permitted at any time.

The above matters are to be detailed and submitted to the satisfaction of the Principal Certifying Authority prior to the occupation of the development.

*(MODIFIED BY DA-482/2016/A)*

#### **114. ALLOCATION OF STREET NUMBER**

The redevelopment of the property has led to the following allocation of primary and sub-premises numbering for a strata subdivision with multiple street frontages:

- No. 2 - primary address number
- Stanley Street - primary address location.
- Pedestrian entry point via Old South Head Road
- Vehicle entry point Stanley Street

Premises with multiple street frontages and access points shall display the 'primary address number' on the site boundary of the primary address location and display both the primary address number and primary address location at alternative street address entry points to the building.

The primary premises numbering for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary and clearly visible from Stanley Street and Old South Head Road.

As the redevelopment has multi-level sub-addressing the following sub-addressing will apply:

- Nos. G01, G02, G03 **and G04** for the sub-addresses within the building correlating with Nos. 1-~~3-4~~ on the floor plans for the building,
- Nos. 101-107 for the sub-addresses within the building correlating with Nos. ~~4-10~~ **5-11** on the floor plans for the building.
- Nos. 201-207 for the sub-addresses within the building correlating with Nos. ~~11-17~~ **12-18** on the floor plans for the building.
- **Nos. 301-302 for the sub-addresses within the building correlating with Nos. 19-20 on the floor plans for the building**

The address number for a sub-address site shall consist of the sub-address followed by the number of the primary address site.

The address number for a sub-address site shall not consist of the primary address number on its own.

Sub-address numbers shall be applied in a logical sequence and within a primary address site shall be unique regardless of the type of the address.

The primary and sub-address numbers are to be positioned on the site prior to the issue of the Subdivision /Occupation Certificate.

Any variation to the above premises numbering requires a new application to be lodged with Council.

***(MODIFIED BY DA-482/2016/A)***

**B. New Conditions**

**18A. ADDITIONAL PLANNING AGREEMENT RELATING TO DA-482/2016/A**

(a) The owner/ applicant to:

- (i) Enter into an Agreement in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate for the development that relates to works contained in DA-482/2016/A.
- (ii) Pay a monetary contribution amount of **\$973,687** prior to the issue of any Occupation certificate for the Development relating to any portion of the building and that relates to works contained in DA-482/2016/A.
- (iii) A Planning Agreement will be entered into under section 7.4 of the Environment Planning and Assessment Act 1979 between the owner of the land the subject of the Development, the applicant and Council.

(b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:

- (i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate for the Development.
- (ii) The owner/ applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:
  - In a form acceptable to Council and from an institution acceptable to Council
  - Irrevocable
  - Unconditional
  - With no end date

The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development, and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014.

***(ADDED BY DA-482/2016/A)***



## **APPENDIX B – FULL SET OF CONDITIONS**

### **A. APPROVED DEVELOPMENT**

#### **1. APPROVED DEVELOPMENT**

The development must be in accordance with:

- (a) Architectural Plan Nos DA10 to DA14, DA20 to DA25, DA32, DA34, DA36 and DA37, issue C, dated 22/05/2017, prepared by MHNDUnion, and received by Council on 22 May 2017,  
(i) As amended by DA03, DA10 (Revision E), DA11 (Revision E), DA12 (Revision E), DA13 (Revision E), DA14 (Revision A), DA15 (Revision E), DA20 (Revision E), DA21 (Revision E), DA22 (Revision E), DA23 (Revision E), DA24 (Revision E), DA25 (Revision E), DA32(Revision E), DA34 (Revision E), DA36 (Revision E), DA37 (Revision E), dated 29 August 2017, prepared by MHNDUnion and received by Council on 11 September 2017.  
**(MODIFIED BY DA-482/2016/A)**
- (b) Landscape Plan drawing no. 6141-01 and 6141-02, issue C, prepared by Peter Glass & Associates, dated 20/05/2017, and received by Council on 22 May 2017;  
(i) As amended by Landscape Plan Drawing No. 6141-01 (Issue D) prepared by Peter Glass and Associates, dated 4 September 2017 and received by Council on 11 September 2017.  
**(MODIFIED BY DA-482/2016/A)**
- (c) Arboricultural Impact Assessment ref 1866, dated 27 October 2016, prepared by REDGUM Horticultural, and received by Council on 16 November 2016;
- (d) BASIX Certificate No. 769205M\_02, dated 24 May 2017, and received by Council on 2 June 2017;  
(i) As amended by BASIX Certificate No. 769205M\_03 dated 8 September 2017 and received by Council on 11 September 2017.  
**(MODIFIED BY DA-482/2016/A)**
- (e) Stormwater Details drawing no H-DA-01 and H-DA-03, revision B, prepared by itm design, dated 17.05.17, and received by Council on 22 May 2017;
- (f) Draft SP Strata Plans sheets 1 to 5 of 5, ref 3052 DSP, issue B, dated 18-5-17, prepared by Eric Scerri, received by Council on 22 May 2017.  
(i) As amended by Draft Strata Plans Sheets 1 to 6 of 6 (Issue C), dated 5 September 2017, prepared by Eric Scerri and received by Council on 11 September 2017.  
**(MODIFIED BY DA-482/2016/A)**

except where amended by the following conditions of consent.

## 2. GENERAL MODIFICATIONS

The proposal shall be amended as follows:

- (a) The height of all of the clerestory windows at the leading edge is to be reduced by 300mm.
- (b) Ceiling fans are to be provided to all habitable rooms.
- (c) Privacy screening provided to fully separate adjoining balconies is to have a minimum height of 1.8m from the finished floor level and a maximum of 25% openings.
- (d) Compliant internal storage is to be provided within each unit as required in section 4G of the Apartment Design Guide.
- (e) The western doors from both lift lobbies on level 2 shall be deleted and be replaced by windows.

The amendments are to be approved by Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

*(MODIFIED BY DA-482/2016/A)*

## 3. APPROVED DESIGN - RESIDENTIAL FLAT DEVELOPMENT

The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the internal layout or external appearance of the building, without the approval of Council.

## 4. ARCHITECT TO SUPERVISE DESIGN

The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of a **qualified designer** in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Flats.

## 5. DOMESTIC HEATERS

The provision of solid fuel heating/cooking appliances is prohibited.

## 6. NOISE - MECHANICAL PLANT

Noise associated with mechanical plant shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (b) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the use. The source noise level must be assessed as a LAeq, 15 minute.

- (c) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential premises between the hours of 12.00 midnight and 7.00am.
- (d) A Certificate is to be submitted at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment complies with the terms of approval in relation to noise.

## **7. MECHANICAL PLANT**

Mechanical plant is to be installed within the building in an acoustically treated plant room. In this regard, adequate provision is to be made within the confines of the building for any plant and equipment associated with the use of the building.

## **8. AIR EMISSIONS**

The use of the premises shall not give rise to air impurities in contravention of the Protection of the Environment Operations Act, 1997. No injury being caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particulate matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.

## **9. 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.

**10. NOISE FROM BUILDING WORKS - RESTRICTED ACTIVITIES**

Where there is a strong community reaction to noise associated with demolition, excavation and/or construction, Council may require respite periods by restricting the hours that the specific noisy activity can occur.

**Notes:** If this is imposed, Council will take into account:

1. Times identified by the community when they are less sensitive to noise
2. If the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.

**11. TELECOMMUNICATION FACILITIES ON MULTI-UNIT DWELLINGS**

Telecommunication facilities on new multi-unit dwellings are opposed. The Owners' Corporation is prohibited from entering into leasing agreements with telecommunication companies to erect or install any commercial telecommunication device (other than for the explicit use of the occupants) on the building.

**12. 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.

**13. USE OF COMMON PROPERTY**

No exclusive use of common property (other than for approved storage) shall occur without the prior consent of Council.

## B. COMPLIANCE PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

### 14. 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/](http://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.

### 15. SECURITY DEPOSIT

A deposit or guarantee satisfactory to Council for the amount of **\$200,000** 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.



**16. ADDITIONAL DA FEE REQUIRED**

Council considers the estimated cost of the proposed building work to be **\$10,847,209.00** in lieu of **\$5,011,650.00** as indicated on the development application form. In this regard, an additional development application fee of **\$12,737.76** is to be paid, prior to the issue of the Construction Certificate.

**17. 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.

**18. PLANNING AGREEMENT**

1. The applicant to:
  - (i) Enter into an Agreement in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate for the development that relates to works contained in DA-482/2016; and
  - (ii) Pay a monetary contribution amount of **\$517,537.00** prior to the issue of any Occupation certificate for the Development.
  - (iii) A Planning Agreement will be entered into under Section 93F of the Environment Planning and Assessment Act 1979 between the owner of the land the subject of the Development, the applicant and Council.
2. In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:
  - (i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate for the Development
  - (ii) The owner/ applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:
    - In a form acceptable to Council and from an institution acceptable to Council
    - Irrevocable
    - Unconditional
    - With no end date
3. The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development, and is to be applied towards a

public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014. (specific work can be included here if relevant).

**18A. ADDITIONAL PLANNING AGREEMENT RELATING TO DA-482/2016/A**

(a) The owner/ applicant to:

- (i) Enter into an Agreement in accordance with Waverley's Planning Agreement Policy 2014 prior to the issue of any Construction Certificate for the development that relates to works contained in DA-482/2016/A.
- (ii) Pay a monetary contribution amount of **\$973,687** prior to the issue of any Occupation certificate for the Development relating to any portion of the building and that relates to works contained in DA-482/2016/A.
- (iii) A Planning Agreement will be entered into under section 7.4 of the Environment Planning and Assessment Act 1979 between the owner of the land the subject of the Development, the applicant and Council.

(b) In accordance with the said offer, the Planning Agreement shall make provision in respect to the following:

- (i) The Planning Agreement shall be registered upon the title to the land the subject of the Development prior to the issue of any Construction Certificate for the Development.
- (ii) The owner/ applicant shall provide Council with a Bank Guarantee to secure the payment of the Monetary Contribution prior to the issue of any Construction Certificate for the Development which is:
  - In a form acceptable to Council and from an institution acceptable to Council
  - Irrevocable
  - Unconditional
  - With no end date

The payment of the Monetary Contribution to Council is to be made prior to the issue of any Occupation Certificate for the Development, and is to be applied towards a public purpose in accordance with the Agreement and Council's Planning Agreement Policy 2014.

***(ADDED BY DA-482/2016/A)***

**19. NO BUILDING OR DEMOLITION WORKS PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

The building work, or demolition work, 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 the appointment in accordance with Section 81(A)(2)(b) of the Environmental Planning & 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.

## **20. ESSENTIAL SERVICES - NEW BUILDING**

Details of the proposed essential fire safety measures/services shall be submitted to Council with the application for a Construction Certificate or be attached to the Construction Certificate, including a certificate, prepared by a person competent to do so, setting out the:

- (a) basis of design;
- (b) standard to which the system is to be installed; and
- (c) all relevant documentation, including all drawings such as wiring diagrams, duct layouts, hydraulic schematics etc and calculations shall be submitted for Council's records.

At the completion of the installation, certification containing the following information shall be attached to the application for an Occupation Certificate or to the Occupation Certificate:

- (a) inspection, testing and commissioning details;
- (b) date of inspection, testing and commissioning;
- (c) the name and address of the individual who carried out the test; and
- (d) a statement that the service has been designed, installed and is capable of operating to the above standard.

## **21. NOISE ATTENUATION IN RESIDENTIAL FLAT BUILDINGS**

Noise attenuation is to be achieved in all residential units within the building by a minimum of the following standards:

- (a) A wall shall have a Field Sound Transmission Class (FSTC) of not less than 50 if it separates sole occupancy units or a sole occupancy unit from a stairway, public corridor, hallway or the like;
- (b) A wall separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have a FSTC of not less than 55;
- (c) A wall or floor shall have a FSTC of not less than 55 if it separates a sole occupancy unit from a plant room;
- (d) A floor separating sole occupancy units must not have a FSTC of less than 50; and

- (e) A floor separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have an Impact Isolation Class of not less than 55.

Details are to be provided on the plans to the satisfaction of the Principal Certifying Authority prior to the issue of the Construction Certificate.

## **22. SERVICE AUTHORITIES**

The applicant is to seek approval from relevant authorities regarding any possible modification to the service authorities' infrastructure prior to the issue of a Construction Certificate.

## **23. ARCHITECT TO SUPERVISE DESIGN - CONSTRUCTION CERTIFICATE DOCUMENTATION**

The preparation of the Construction Certificate plans shall be supervised and be to the satisfaction of a qualified designer in accordance with the requirements of State Environmental Planning Policy No. 65 - Design Quality of Residential Flats.

In accordance with clause 143a of the Environmental Planning and Assessment Regulations 2000, the Principal Certifying Authority must not issue a construction certificate unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the plans and specifications achieve or improve the design quality of the development for which development consent was granted.

## **24. WAVERLEY DIGITAL MODEL**

Prior to the issue of an Occupation Certificate an accurate 'as built' digital model of the building must be submitted to Council's Planning and Environmental Services Department for use in the Waverley Digital Model.

- (a) A digital model of the building must be generated at a scale of 1:1 with units of measurement in metres and include the following:
- (i) a building envelope which includes all elements affecting shadow analysis;
  - (ii) accurate placement of glazing, balconies, roof pitches, terraces, roof services and any other prominent external design features;
  - (iii) a ground level terrain showing accurate RLs extending to site boundaries.
- (b) All models must be generated in accordance with Council's Guidelines: Submitting Digital 3D Models. Further information and technical requirements can be obtained from Council's E-Planning (3D Modelling) Officer, Planning and Environmental Services Department.

### **Notes:**

- This model will update previous version/s submitted at Development Application stage.
- Any future modifications (under Section 96 of the Environmental Planning and Assessment Act) that affect the external configuration of the building (from the ground level and up), will require the submitted model to be amended.

**25. HOARDING REQUIRED**

If required, a standard A/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.

**26. 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.

**27. DETAILS OF BULK EXCAVATION, SHORING OR PILE CONSTRUCTION**

A report shall be prepared by a suitably qualified and practising Structural Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works. The Report shall be submitted to the Principal Certifying Authority, Council and the owners of adjoining properties prior to the issue of a Construction Certificate.

Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.

**28. 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 Waverley DCP 2012 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 docket 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.

**29. 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.

### **30. CONSTRUCTION VEHICLE AND PEDESTRIAN PLAN OF MANAGEMENT**

A "Construction Vehicle and Pedestrian Plan of Management" (CVPPM) is to be submitted to Council for the approval of the Executive Manager, Creating Waverley prior to the issue of a Construction Certificate.

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.

### **31. LONG SECTION OF DRIVEWAY**

Long sections drawn along both edges of the driveway shall be submitted to Council for the approval of the Executive Manager, Creating Waverley prior to issue of the Construction Certificate.

The long section drawings shall:

1. Be drawn at a scale of 1:25
2. Include reduced levels (RL's) of the Stanley Street carriageway, the kerb and gutter, footpath and paving within the property and the basement garage floor.
3. Include existing and design levels.
4. Include ground clearance of the B85 design vehicle using the ground clearance template contained in Appendix C of AS 2890.1: 2004 Off Street Car Parking.

### **32. VEHICULAR ACCESS CONTROL SYSTEM**

An electronically operated vehicular access control system shall be provided on the access ramp in order to minimise the incidence of more than one vehicle being on the ramp at any one time and to give priority to those entering the car park. Details are to be shown on the plans prior to the issue of the Construction Certificate.

### **33. STORMWATER MANAGEMENT**

The approved stormwater system details are to be amended to reflect the following:

- Provide connection details to Council's stormwater pit located in Stanley Lane.
- Provide a one-way valve to be located at the outlet of silt arrestor pit located within property boundary.

Amended stormwater plans reflecting the above changes are to be submitted to Council's Creating Waverley Stormwater Engineers for approval prior to the issue of a Construction Certificate.

### **34. STAMPING OF DEVELOPMENT APPLICATION PLANS BY SYDNEY WATER**

The approved development application plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details – see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building Developing and Plumbing then Building and Renovating

or telephone 13 20 92.

**Note:**

The consent authority or accredited certifier must either:

- ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate; or
- if there is a combined Development/Construction Certificate application, ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans prior to works commencing on site.

**35. 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.

**36. FENCE NOT TO ENCROACH BEYOND BOUNDARIES**

No portion of the proposed fence/wall/planter boxes, 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.

**37. ACCESS**

Details of access and facilities for people with disabilities in accordance with AS1428.1-2009 Design for Access and Mobility Part 1: General Requirements for Access are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

**38. ACCESSIBLE SIGNAGE**

Appropriate signage and tactile information indicating accessible facilities shall be provided at the main entrance directory or wherever directional signage or information is provided in the building. Such signage shall have regard to the provisions of AS1428.1.

**39. ADAPTABLE HOUSING**

Access in accordance with AS4299 - Adaptable Housing shall be provided to the adaptable units within the development. Details are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

**40. 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.

**41. BASEMENT STORAGE**

The basement level general storage area is to provide storage areas, allocated to each unit in the development. Storage is to be allocated to individual units in accordance with the following requirements:

- a) 1 bedroom and studio units 6m<sup>3</sup> of storage; and

- b) 2 bedroom unit 8m<sup>3</sup> of storage.
- c) 3+ bedroom unit 10m<sup>3</sup> of storage.

This is to be shown on plans to be submitted to the Principal Certifying Authority with the plans for the Construction Certificate.

#### **42. BASIX**

The undertakings provided in the BASIX Certificate shall be provided for in the Construction Certificate plans and documentation prior to the issue of the Construction Certificate. If required, a modified BASIX Certificate shall be provided that reflects the development as approved (eg addressing any modification required via conditions of consent). Any significant works (ie any works not able to be considered as Exempt and Complying Development) that result from changes to the BASIX Certificate or conflict with conditions of consent require Council's consent.

The Principal Certifying Authority shall be responsible for ensuring that all the undertakings are satisfied prior to the issue of an Occupation Certificate.

The above condition is a prescribed condition under the Environmental Planning and Assessment Act Regulations clause 97A and the above BASIX commitments are mandatory and cannot be modified under Section 96 of the *Environmental Planning and Assessment Act 1979*.

#### **43. SOLAR ELECTRIC PANELS**

The development is to utilise solar electric panels for hot water and common property lighting (with any excess being integrated back into the Electricity Grid) wherever reasonably possible. Details are to be indicated on the plans prior to the issue of the Construction Certificate.

#### **44. LANDSCAPED SLABS**

Details shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate indicating the proposed method of water-proofing and drainage of the concrete slabs over which landscaping is proposed.

#### **45. TREE WORKS/PRUNING ON ADJOINING PROPERTIES**

Any works/pruning of trees on adjoining properties required for the erection of scaffolding and/or the construction of the building will require consent under a separate Tree Preservation Order (TPO) application for works to the trees and appropriate consent sought for these works from the owner(s) of the land on which the tree(s) is/are situated. No works can occur to these trees without a valid TPO.

The TPO application shall be supported by an Arborist report prepared by an Arborist with AQF level 5 qualification or above, certifying that the affected trees will be maintained in a healthy manner after the pruning works, to the satisfaction of Council's Tree Management Officer.

A valid TPO for the works to the above listed trees is to be presented to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate and prior to any pruning of trees.



## **C. COMPLIANCE PRIOR TO AND DURING CONSTRUCTION**

### **46. 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.

### **47. 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.

### **48. 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.

### **49. 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.

### **50. 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.

## 51. 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.

## 52. AUSGRID CONDITIONS

- (a) **Method of electricity connection** – the method of connection will be in line with Ausgrid’s Electrical Standard (ES)1 – ‘Premise Connection Requirements’.
- (b) **Supply of electricity** – It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not the existing network can support the expected electrical load of the development. A substation may be required on site, either a pad mount kiosk or chamber depending on site conditions or other issues. Please direct the developer to Ausgrid’s website, [www.ausgrid.com.au](http://www.ausgrid.com.au) about how to connect to Ausgrid’s network.
- (c) **Conduit installation** – the need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid’s Design Information, used to prepare the connection project design.
- (d) **Proximity to Existing Network Assets (Underground Cables)** – There are existing underground electricity network assets in Old South Head Road. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice and Ausgrid’s Network Standard NS156 outlines the minimum requirements for working around Ausgrid’s underground cables.

### **53. TOILET FACILITIES**

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

### **54. DILAPIDATION REPORTS**

A Dilapidation report should be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken. This action is designed to assist all parties should damage occur and is not a preventative action. The dilapidation reports should be completed and submitted to the relevant owner of the affected property, Council and the Principal Certifying Authority prior to undertaking any works that may cause damage

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 is not a condition of consent and cannot be used to prevent the commencement of works or prevent neighbouring buildings being damaged by the carrying out of the development.
- (c) Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that 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 builder, owner, developer, its contractors and the owners of neighbouring buildings.

### **55. 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 AS 2601-2001, Demolition of Structure and a Hazardous Materials Assessment prepared 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 on how to safely remove asbestos published by WorkCover NSW (catalogue WC03561)
- (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.

**56. DEMOLITION & SITE PREPARATION**

Hazardous or intractable wastes arising from the demolition process being removed and disposed of in accordance with the requirements NSW WorkCover Authority and the NSW Environment Protection Authority (EPA), and with the provisions of:

- (a) Work Health & Safety Act 2011;
- (b) Work Health & Safety Regulation 2011;
- (c) Protection of the Environment Operations Act 1997 (NSW) and
- (d) NSW EPA Waste Classification Guidelines 2009.

**57. COMPLIANCE WITH WORKCOVER NSW REQUIREMENTS**

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

**58. 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.

**59. FOOTPATH PROTECTION**

The footpath and driveway must have a protective cover e.g. duckboards or plates to ensure these are not damaged during the course of demolition and/or construction. The protective measure is to be installed prior to the commencement of any works on the site.

**60. CLASSIFICATION OF WASTE/ DISPOSAL OF EXCAVATED SOILS**

That prior to the exportation of waste (including fill or soil) from the site the material must be classified in accordance with the provisions of the Protection of the Environment Operations Act, 1997 and the NSW EPA Waste classification guidelines 2009. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the NSW EPA.

**61. ASBESTOS REMOVAL**

- (a) All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561) and Waverley's Asbestos Policy.

- (b) All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and email address.
- (c) No asbestos products are to be reused on site.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400m x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.
- (e) No asbestos laden skips or bins are to be left in any public place without the approval of Council.

## **62. DEMOLITION AND CONSTRUCTION WASTE MANAGEMENT**

The applicant must ensure that the waste generated during the demolition and construction phase complies with the following;

- (a) Separate collection bins or areas for the storage of waste is to be provided (giving consideration to slope, drainage, vegetation, access and handling requirements including:
  - (i) Landfill waste;
  - (ii) Recyclable waste;
  - (iii) Materials to be re-used on-site; and / or
  - (iv) Excavation materials.
 See Annexure B1-1 of the Waverley DCP for common building materials re-use and recycling potential.
- (b) A 100% re-use of sandstone is required.
- (c) All storage areas/ containers are to be located within the property boundary and indicated on the site plans / drawings as part of the SWRMP.
- (d) Where space on a development is limited, approval may be granted by Council to place a skip on a footpath or other public area in line with Part B of Waverley DCP 2012.
- (e) Waste and recycling containers/skips may only be provided by persons/companies holding a current permit granted by Council.
- (f) Asbestos and other hazardous material is to be managed under the Protection of the Environment Operations Act. For further information go to Councils Asbestos Policy 2005 and [www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro) and [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).
- (g) Materials that cannot be reused or recycled should be disposed of at an 'approved' landfill and specified in the SWRMP.
- (h) Records are to be retained on-site demonstrating lawful disposal of waste.
- (i) Easy vehicular access to waste and recycling material storage areas must be provided.



- (j) Construction materials are to be stored away from waste and recycling materials to enable easy access for waste collectors.
- (k) All waste and recycling is to be stored to prevent damage by the elements, odour, health risks and windborne litter.

**63. 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.

**64. 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.

**65. TEMPORARY DIVERSION OF ROOF WATERS**

Stormwater from roof areas shall be linked via a temporary downpipe to Council's stormwater system immediately after completion of the roof area. Inspection of the building frame will not occur until this is completed.

**66. 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.

**67. 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; and
- (b) Sundays and public holidays

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

**68. 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.

**69. BUILDING CODE OF AUSTRALIA**

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

**70. BUILDING LEGISLATION AMENDMENT (QUALITY OF CONSTRUCTION) ACT - INSPECTIONS (RESIDENTIAL FLAT DEVELOPMENT AND OTHER RESIDENTIAL CLASS 2, 3 AND 4)**

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 Certification.

**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 2, 3 and 4 building:

- (a) at the commencement of the building work;
- (b) prior to covering of waterproofing in any wet area for a minimum of 10% of rooms with wet area within a building;
- (c) prior to covering any stormwater drainage connections; and
- (d) 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, where relevant:

- (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) prior to installation of fire resisting construction systems (ie fire rated ceilings and walls).

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.

**71. CERTIFICATE OF SURVEY - LEVELS**

All construction works shall be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans. Certification from a Registered Surveyor certifying ground, upper floor/s and finished ridge levels is to be submitted to the Principal Certifying Authority during construction and prior to continuing to a higher level of the building.

**72. 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.

**73. IN-SINK WASTE DISPOSAL SYSTEMS**

The installation of in-sink waste disposal systems is prohibited.

**74. ENCROACH BEYOND THE BOUNDARIES**

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

**75. 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.

**76. 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.

**77. 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.

**78. RESIDENTIAL FLAT BUILDINGS - BALCONIES NOT TO BE ENCLOSED**

The private open balconies attached to the proposed building are not to be enclosed at any future time, in accordance with the provisions of Council's General Policy. In this regard, the door openings within the external walls adjoining the private open balconies to be constructed so as to prevent the penetration of rain or other waters to the inner part of the building.

**79. EXCAVATION TO BE MANAGED BY STRUCTURAL ENGINEER**

Bulk excavation is to be managed by a practising structural engineer, in accordance with the specification for shoring and support, as detailed in the approved Construction Certificate.

## 80. 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.

## 81. TREATMENT OF BOUNDARY WALLS

Any exposed walls on the boundary are to be finished to a minimum standard, that being face brickwork and all mortar joints ironed (no dags).

## 82. TREE PRESERVATION

A tree preservation order exists in the Waverley Local Government Area for any tree not approved to be removed under this consent. Before any site can be developed, an application must be made in writing to Council prior to removal of tree/trees. Should permission be granted, the applicant will receive a permit to proceed.

### Tree to be removed

Tree No.	Species	Location	Action
3	Cotoneaster franchetti	On site	Remove as per Arborist report.
5	Ficus benjamina	On site	Remove as per Arborist report
6	Harpephyllum caffrum	On site	Remove as per Arborist report
7	Archontophoenix cunninghamiana	On site	Remove as per Arborist report
8	Archontophoenix cunninghamiana	On site	Remove as per Arborist report
9	Callistemon viminalis 'Captain Cook'	On site	Remove as per Arborist report

### Trees to be retained and protected

Tree No.	Species	Location	Action
1	Melaleuca quinquinervia	Nature strip	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan – Road reserve specimen
2	Callistemon rigidus	Nature strip	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan – Road reserve specimen
4/2	Banksia marginata x5	Nature strip	Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan – Road reserve specimen
10	Plumeria rubrum		Retain and protect within a Tree Protection Zone (TPZ) as per the Tree Protection Plan.

## 83. STREET TREES

No existing street trees shall be removed without Council approval, (other than those shown for approval in this consent, where relevant). A 1.8m high chain link wire fence or the like shall be erected around the existing street trees to protect them from damage during

construction. Where approval is granted for the removal of a street tree the applicant is to pay for its replacement with a super advanced tree of a species nominated by Council.

#### **84. TREE PROTECTION**

Precautions shall be taken when working near trees to ensure their retention, including the following:

- (a) Do not store harmful or bulk materials or spoil under or near trees;
- (b) Prevent damage to bark and root system;
- (c) Do not use mechanical methods to excavate within root zones;
- (d) Do not add or remove topsoil from under the drip line;
- (e) Do not compact ground under the drip line;
- (f) Do not mix or dispose of liquids within the drip line of the tree; and
- (g) All trees marked for retention must have a protective fence/guard placed around a nominated perimeter.

TPZ – A 1.8m chain link wire fence or the like shall be erected around the above trees to be retained to protect them from damage during construction. Fencing is not to be removed until all building work has been completed. Fencing to be installed to the dimensions outlined in the table above.

Soil levels are not to be changed around any trees.

To prevent compaction within the root zone, excavation undertaken within the specified radius of the trunks of the following trees must be hand dug. Beyond this radius, mechanical excavation is permitted, when root pruning by hand along the perimeter line of such works is completed. Any hand excavation must be carried out in the presence of experienced Arborist/Horticulturist (with a minimum of the Horticulture Certificate or Tree Surgery Certificate).

If any tree roots are exposed during any approved works then roots smaller than 30mm are to be pruned as per the specifications below. Any roots greater than 30mm are to be assessed by a qualified arborist before any pruning is undertaken.

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

It is the arborist's responsibility to determine if such root pruning is suitable. If there are any concerns regarding this process then Waverley Council's Tree Management Officer is to be contacted to make final determination.

If any trees on neighbouring properties require pruning then permission must be gained from the owner of the tree(s) and an Application to Prune or Remove Trees on Private Property is then to be presented to Council for processing.

#### **85. RESIDENT AND VISITOR PARKING SPACES**

The resident, visitor and disabled parking spaces shall be clearly delineated and numbered.



**86. DISABLED CARPARKING**

All disabled persons carparking spaces and shared bays are to be designed, constructed and marked in accordance with Australian Standards AS2890.6:2009 Off-Street Parking for People with Disabilities.

**87. TANDEM CARPARKING SPACES**

Each of the tandem car parking spaces shall be nominated to the same unit.

**88. NEW VEHICLE CROSSING**

The existing vehicle crossing is to be demolished and a new crossing constructed to access the proposed **basement garage**. A separate application is required for the vehicle crossing, with all work to be carried out with the approval of and in accordance with the requirements of Council.

**89. FINISHED LEVELS – OLD SOUTH HEAD RD**

Paving within the site at the Old South Head Road boundary shall be finished 30mm higher than the Council's footpath at each of the pedestrian entry/exit points.

**90. FINISHED LEVELS – STANLEY ST (NORTHERN BOUNDARY)**

Paving within the site at the Stanley Street (northern boundary) shall be finished to match the level of Council's footpath all the way along the property boundary.

**91. FINISHED LEVELS – STANLEY ST (EASTERN BOUNDARY)**

Paving within the site at the Stanley Street (eastern boundary) shall be finished 20mm higher than the top of Council's kerb at all points along boundary other than across the driveway opening.

**92. REMOVAL OF REDUNDANT GATE LEADS**

All redundant gate leads on the Old South Head Road frontage are to be removed and replaced with turf.

**93. 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.

**94. GREEN ROOF**

The green roof shall comprise plants selected from the 'Grasses/Sedges' and 'Climbers/Groundcovers' tables in the Planting List in Annexure B2-1 of Part B of Waverley Development Control Plan 2012. The plants shall have a maximum maturity height of 200mm above the roof level.

The green roof is a non-trafficable area and must be irrigated and generally maintainable without requiring frequent access. The irrigation system/process is to be nominated on a landscape plan as part of the Construction Certificate documentation. A balustrade at the perimeter is not, and will not be, permitted to address any safety or other implications from accessing the area for infrequent maintenance purposes.

Direct access to the area (eg a gate or door from the same level, or a fixed stair from the level below) must not be incorporated into the design in order to discourage frequent use.

**95. CONVEX MIRRORS**

Convex mirrors being placed inside the site at the vehicular access ramp for drivers when exiting the site to view pedestrians and vehicles approaching from either direction along the adjacent roadway/footpath.

**96. PARKING SPACES**

The resident car parking spaces in the basement are to be clearly delineated and signposted.

## **D. COMPLIANCE PRIOR TO OCCUPATION OR DURING OCCUPATION**

### **97. SYDNEY WATER**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. **Application must be made through an authorised Water Servicing Coordinator, for details see the Sydney Water website [www.sydneywater.com.au/customer/urban/index](http://www.sydneywater.com.au/customer/urban/index) or telephone 13 20 92.**

Following application a "Notice of Requirements" will be forwarded detailing water and sewer extensions to be built and charges to be paid. Please make early contact **with the Coordinator**, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to release of the subdivision plan/occupation of the development.

### **98. NOISE ATTENUATION CERTIFICATE**

On completion of any building containing residential units and prior to the issue of the Occupation Certificate the applicant shall:

- (a) Engage and an Australian Association Acoustic Consultant to conduct a test for noise attenuation to classify the buildings performance on the National Star Rating Table and to confirm compliance with 'Noise Attenuation in Residential Flat Buildings' condition.
- (b) Lodge with Council for public record, the noise attenuation star rating results.

### **99. NOISE – PLANT AND EQUIPMENT**

A Certificate is to be submitted to Council at the completion of all work and prior to the issue of an Occupation Certificate, from a suitably qualified Acoustic Engineer. The Certificate is to certify all plant and equipment including mechanical supply and exhaust ventilation systems (including the car park) and lift motors comply with the terms of approval in relation to noise.

### **100. SPLAYED CORNER/ROAD DEDICATION**

The splayed area of land at the northeast corner of the property shall be dedicated as road reserve prior to the granting of the occupation certificate. All costs associated with the dedication shall be borne by the applicant.

### **101. CONSOLIDATION OF LOTS**

The individual lots are to be consolidated into a single parcel. Written evidence of registration of consolidation by the Land and Property Information Office is to be submitted to Council prior to the granting of the occupation certificate.

### **102. SUBDIVISION**

A Subdivision Certificate must be obtained from Council in accordance with Section 109C(d) of the Environmental Planning and Assessment Act, 1979 prior to the registration of the subdivision plans.

**103. OCCUPATION CERTIFICATE**

The Principal Certifying Authority prior to occupation or use of the development must issue an 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.

**104. ARCHITECT TO SUPERVISE DESIGN - OCCUPATION CERTIFICATE DOCUMENTATION**

In accordance with clause 154A of the Environmental Planning and Assessment Regulations 2000, the Principal Certifying Authority must not issue an occupation certificate to authorise a person to commence occupation or use of the development unless it has received a design verification from a qualified designer, being a statement in which the qualified designer verifies that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued.

**105. STORMWATER MANAGEMENT**

Prior to issuance of occupation certificate, certification is to be provided from a suitably qualified hydraulics engineer, that the stormwater system has been constructed in accordance with the approved stormwater management plans including any required amendments and to best engineering practice.

**106. LANDSCAPE PLAN**

The site is to be landscaped and turfed in accordance with the approved landscaped plan with the landscape works completed prior to the issue of the Occupation Certificate.

**107. LIGHTING**

- (a) 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.
- (b) All external lighting fixtures should be vandal resistant.
- (c) Lighting should be carefully considered in areas covered by CCTV to allow for optimum viewing.
- (d) Lighting should be free of obstructions, such as tree branches, pipes, etc.
- (e) Transition lighting should also be used throughout the site to reduce vision impairment, i.e. impairment caused by walking from dark to light places and light to dark places.

- (f) All external area lights and car parks to multi-unit dwellings shall be on sensor switches to save energy and reduce light spill to the sky; low voltage solar powered lights to front entry footpaths are acceptable for continuously illuminated lighting.

**108. TACTILE NUMBER IN LIFT**

The applicant is advised that with regard to the provision of the lift in the building, it will be necessary for tactile numbers to be placed on each level of the building and within the lift to assist visually impaired people.

**109. SLIP TESTS OF COMMON AREAS**

Common area tiles should not have slippery finishes. Slip tests should be undertaken in wet conditions.

**110. COMPOSTING**

The development shall accommodate the provision of a composting service for residents and the scheme shall be under the responsibility of the Body Corporate and provided prior to issuing of the Occupation Certificate.

**111. WASTE AND RECYCLING STORAGE AND COLLECTION**

- (a) The proposal must have a bin storage point for a minimum;
- **Residential**
    - 7 Mobile garbage bins (MGBs) for general waste
    - 3 MGBs for container recycling
    - 3 MGBs for paper and cardboard recycling
    - 2 MGBs for garden organics
    - Extra MGBs – 1 MGB for excess waste
- (b) All waste and recycling storage rooms must be built to meet all appropriate design requirements set in Part B, Section 1.2.1, Section 1.2.3 and Section 1.2.4 of Waverley Council Development Control Plan 2012.
- (c) The proposal must have a system for the convenient transportation of waste and recyclables to the communal waste and recycling storage area (i.e. chute systems or a service lift dedicated for the transportation of waste).
- (d) Developments that are more than 3 habitable storeys must provide a waste and recycling compartment/area on each floor with sufficient capacity to store a minimum of 1 day volume of waste and recycling likely to be generated on that floor.
- (e) The development must have rooms or caged areas with a minimum volume 4m<sup>3</sup> available for the storage of discarded residential bulky waste, such as old furniture, awaiting Council pick up.
- (f) Waste and recycling receptacles must be stored at all times within the boundary of the site and screened from the public and commercial domains.



- (g) Composting facilities which meet all design requirements set in Annexure B1-5 of the Waverley Council Development Control Plan must be provided at this development.
- (h) Responsibilities for transporting bins from the storage points to the nominated collection area, cleaning of waste receptacles, cleaning of storage areas and booking and transporting bulky waste for Council pick up must be outlined in contracts with the building manager, cleaners and tenants.
- (i) Clear and easy signs identifying the different MGB and where the MGBs should be stored in the storage area(s) must be displayed.
- (j) All waste and recycling receptacles are to be presented for collection no earlier than the previous night before collection and must be removed from the kerb-side as soon as possible on the same day as the collection. The storage and/or presentation of bins on the kerbside on public land and kerbside are not permitted at any time.

The above matters are to be detailed and submitted to the satisfaction of the Principal Certifying Authority prior to the occupation of the development.

*(MODIFIED BY DA-482/2016/A)*

#### **112. VEHICULAR ACCESS**

All vehicles entering and exiting the basement garage shall do so in a forward direction at all times.

#### **113. PARKING**

- (a) Ownership of car park lot spaces within the basement shall be limited to parties owning a residential unit within the buildings on-site.
- (b) A minimum of one car space and a maximum of two car spaces shall be allocated to any residential unit/dwelling to ensure equitable allocation overall.
- (c) Car parking spaces shall not be independent lots, but rather part lots attached to units in any Subdivision Plans.

#### **114. ALLOCATION OF STREET NUMBER**

The redevelopment of the property has led to the following allocation of primary and sub-premises numbering for a strata subdivision with multiple street frontages:

- No. 2 - primary address number
- Stanley Street - primary address location.
- Pedestrian entry point via Old South Head Road
- Vehicle entry point Stanley Street

Premises with multiple street frontages and access points shall display the 'primary address number' on the site boundary of the primary address location and display both the primary address number and primary address location at alternative street address entry points to the building.

The primary premises numbering for the property shall be a minimum of 75mm high and shall be positioned 600mm-1500mm above ground level on the site boundary and clearly visible from Stanley Street and Old South Head Road.

As the redevelopment has multi-level sub-addressing the following sub-addressing will apply:

- Nos. G01, G02, G03 and G04 for the sub-addresses within the building correlating with Nos. 1-4 on the floor plans for the building.
- Nos. 101-107 for the sub-addresses within the building correlating with Nos. 5-11 on the floor plans for the building.
- Nos. 201-207 for the sub-addresses within the building correlating with Nos. 12-18 on the floor plans for the building.
- Nos. 301-302 for the sub-addresses within the building correlating with Nos. 19-20 on the floor plans for the building.

The address number for a sub-address site shall consist of the sub-address followed by the number of the primary address site.

The address number for a sub-address site shall not consist of the primary address number on its own.

Sub-address numbers shall be applied in a logical sequence and within a primary address site shall be unique regardless of the type of the address.

The primary and sub-address numbers are to be positioned on the site prior to the issue of the Subdivision /Occupation Certificate.

Any variation to the above premises numbering requires a new application to be lodged with Council.

***(MODIFIED BY DA-482/2016/A)***



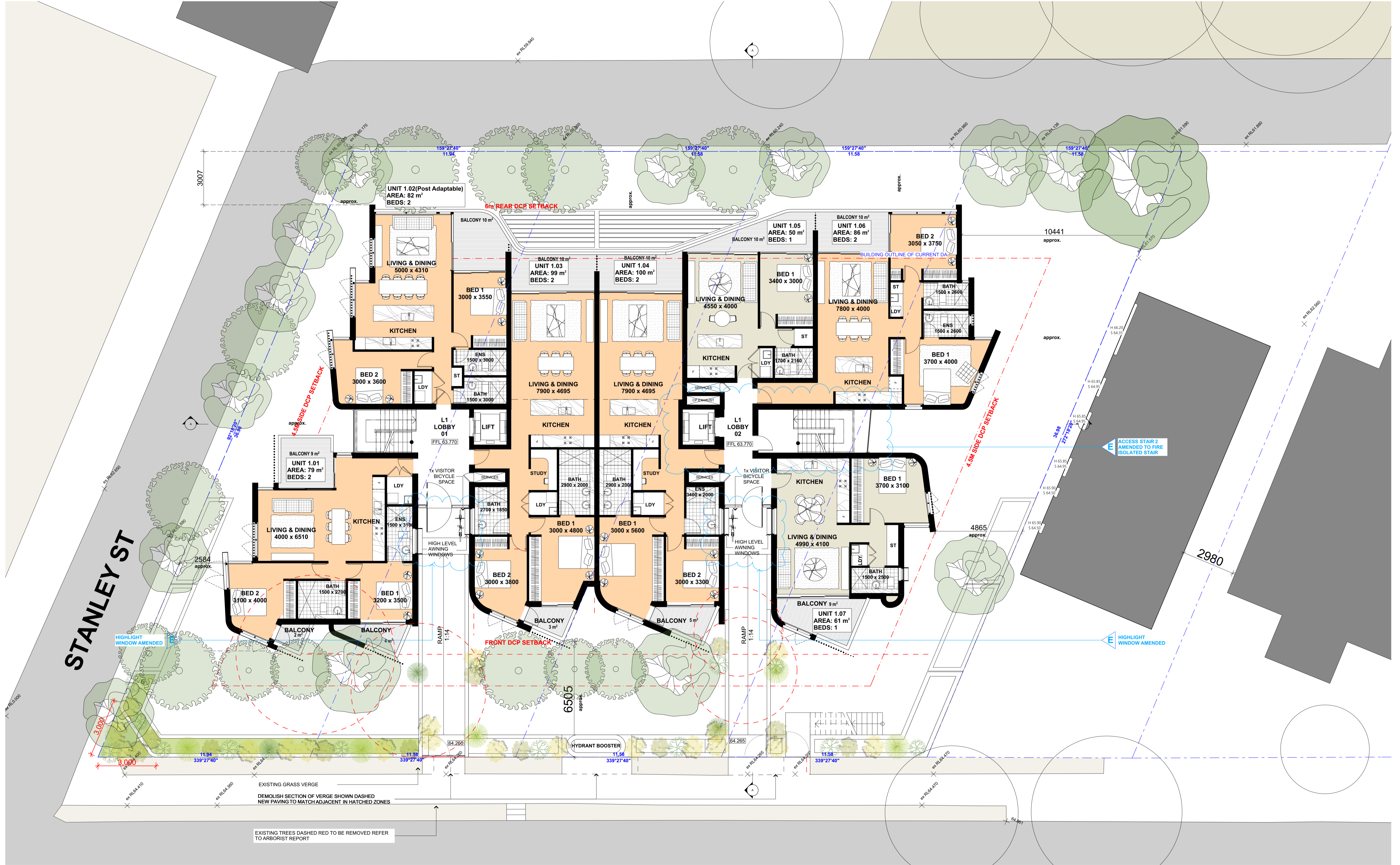












REVISIONS	
A	SUBMISSION FOR DA 02 / 11 / 2016
B	SUBMISSION FOR S96 05 / 05 / 2017
C	REVISED FOR COUNCIL 22 / 05 / 2017
D	REVISED FOR COUNCIL 29 / 06 / 2017
E	SUBMISSION FOR S96 29 / 08 / 2017

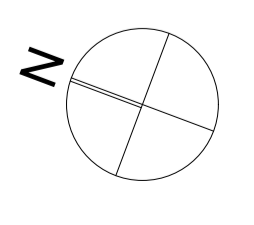
PLOTTED: 10/09/2017  
 GENERAL NOTES  
 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS LOCAL AUTHORITY REGULATIONS  
 2. CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. MHNDU IS TO BE NOTIFIED OF ANY DISCREPANCIES IN THE DIMENSION AND SETTING OUT OF THE WORK. COPYRIGHT OF DESIGN SHOWN HEREON IS RETAINED BY MHNDU. AUTHORITY IS REQUIRED FOR ANY REPRODUCTION.  
 3. CONTRACTOR TO NOTIFY ANY OR ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION FROM TO MANUFACTURERS  
 4. MEANS TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION  
 5. CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM LOCAL AUTHORITY PRIOR TO COMMENCING WORK  
 6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE  
 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE

ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS  
 CLAUSE B 1.4 - MATERIALS & FORMS CONSTRUCTIONS  
 SPEC C1.1 - FIRE RESISTING CONSTRUCTION  
 SPEC C1.10 - FIRE HAZARD PROPERTIES  
 CLAUSE C2 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALLS  
 CLAUSE C3 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)  
 CLAUSE C3.1 - ELECTRICAL SUPPLY SYSTEMS  
 CLAUSE C3.1.1 - DISCONNECT FROM EXITS  
 CLAUSE C3.1.2 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C3.1.3 - DISCONNECT FROM EXITS  
 CLAUSE C3.1.4 - LANDINGS  
 CLAUSE C3.1.5 - THRESHOLDS  
 CLAUSE C3.1.6 - TREADS  
 CLAUSE C3.1.7 - HANDRAILS  
 CLAUSE C3.1.8 - OPERATION OF LATCH  
 CLAUSE C3.1.9 - SOUND INSULATION OF FLOORS  
 CLAUSE C3.1.10 - SOUND INSULATION OF PARTITIONS  
 CLAUSE C3.1.11 - SOUND INSULATION OF SERVICES  
 CLAUSE C3.1.12 - SOUND INSULATION OF PUMPS  
 CLAUSE C3.1.13 - SOUND INSULATION OF SERVICES  
 CLAUSE C3.1.14 - SOUND INSULATION OF PUMPS

SPECIFICATIONS (refer to specification attachment)  
 ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 & AS 1580  
 BALCONY FLOORING: TO COMPLY WITH BCA CLAUSE D2.15  
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2  
 ENERGY EFFICIENT LIGHTING: TO COMPLY WITH BCA CLAUSE D2.15  
 FIRE SERVICES: TO COMPLY WITH SECTION 9 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 4 OF BCA  
 MECHANICAL MICROCLIMATE: TO COMPLY WITH PART 4 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4200  
 SMOKE ALARMS: TO COMPLY WITH BCA PART 4 & SPEC D2.2 & AS/NZS  
 PENETRATIONS: THROUGH FIRE RESISTING CONSTRUCTION FOR MECHANICAL EXHAUST VENTILATION TO COMPLY WITH BCA CLAUSE D2.15  
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS/NZS

BASIC COMMITMENTS  
 ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLAN  
 WATER OPTIONS  
 SHOWERHEADS: 3 STAR  
 TOILETS: 3 STAR  
 CLOTHES WASHERS: 3 STAR  
 KITCHEN TAPS: 3 STAR  
 BATHROOM TAPS: 3 STAR  
 DISHWASHERS: 3 STAR  
 ENERGY EFFICIENT LIGHTING  
 COOL TONE: 3 STAR  
 REFRIGERATOR SPACE: 3 STAR  
 Single phase, EER 2.5-3.0 zoned  
 Single phase, EER 2.5-3.0 zoned  
 Kitchen: Individual fan, not ducted, manual switch control  
 Bathroom/Laundry: Individual fan into central duct + VSD, connected to laundry  
 Laundry: Individual fan into central duct + VSD, connected to light  
 LED  
 Gas cooktop, Electric oven  
 Heat exchanger triple space

THERMAL COMFORT OPTIONS  
 R10 INSULATION TO: External Walls (Medium Colour) Structural Concrete Slab (above basement areas) Upr 1.7 for hot, then SHQC + 0.7 (in 10%) External Ceiling Roof, with Reflective Airgap  
 75mm BULK INSULATION TO:



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 www.mhndu.com  
 MHN Design Pty Ltd. AEN 04 003 717 682

PROJECT:  
 1 Stanley Street  
 1 STANLEY STREET VAUCLEUSE  
 NSW 2030 AUSTRALIA  
 DRAWING:  
 LEVEL 1 PLAN

PROJECT NO: 16-027  
 DRAWN BY: MHNDU  
 TO SCALE: 1:200/3A  
 DRAWING NO: REV:  
**DA12 (E)**





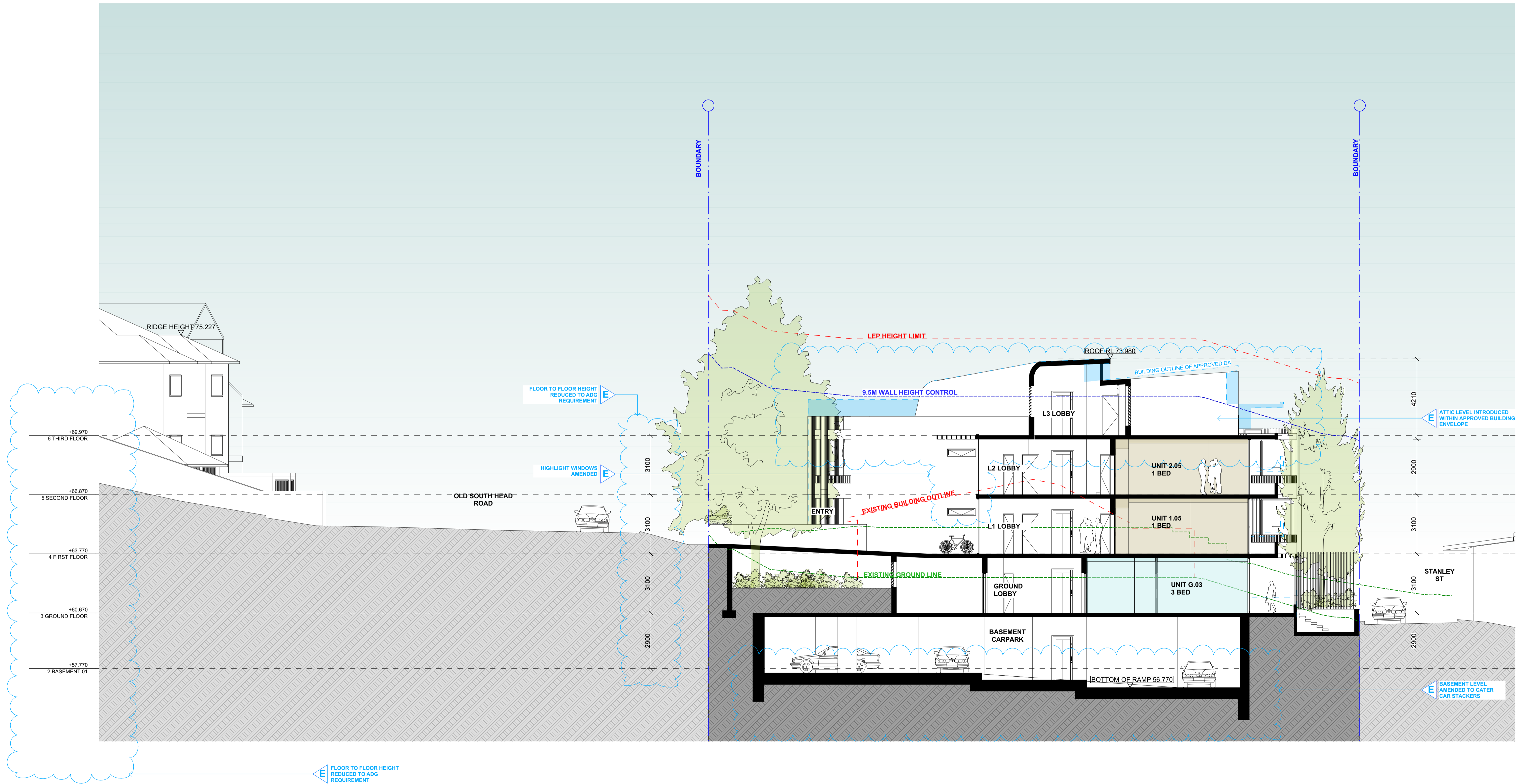












REVISIONS	DATE	DESCRIPTION
A	02 / 11 / 2016	SUBMISSION FOR DA
B	05 / 05 / 2017	REVISED FOR S96
C	22 / 05 / 2017	REVISED FOR COUNCIL
D	29 / 06 / 2017	REVISED FOR COUNCIL
E	29 / 08 / 2017	SUBMISSION FOR S96

**GENERAL NOTES**  
 1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY RCG.  
 2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MANDATORY.  
 3. CONTRACTOR TO NOTIFY ANY OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.  
 4. MEIN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS/ SETTING OUT PRIOR TO CONSTRUCTION.  
 5. CONTRACTOR TO LABEL WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/ DATA/ COMMUNICATION REQUIREMENTS ARE ACCURATE.  
 6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.  
 7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**  
 CLAUSE B1.4 - MATERIAL & FORMS CONSTRUCTIONS  
 SPEC C1.1 - FIRE RESISTING CONSTRUCTION  
 SPEC C1.10 - FIRE HAZARD PROPERTIES  
 SPEC C1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C2.8 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C2.9 - SEPARATION OF EQUIPMENT  
 CLAUSE C2.10 - ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C2.11 - DISBURSE FROM EXITS  
 CLAUSE C2.12 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C2.14 - LANDINGS  
 CLAUSE C2.15 - THRESHOLDS  
 CLAUSE C2.16 - BALUSTRADES  
 CLAUSE D2.17 - HANDRAILS  
 CLAUSE D2.21 - OPERATION OF LATCH  
 CLAUSE D2.22 - SIGNS ON DOORS  
 CLAUSE D2.23 - GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D2.24 - PARTS OF BUILDINGS TO BE ACCESSIBLE  
 CLAUSE D2.25 - IDENTIFICATION OF ACCESSIBLE FACILITIES/ FEATURES  
 CLAUSE D2.26 - WATERPROOFING OF WET AREAS  
 CLAUSE D2.27 - DAMP PROOFING  
 CLAUSE D2.28 - CONSTRUCTION OF SANITARY COMPARTMENTS  
 CLAUSE D2.29 - SOUND INSULATION OF FLOORS  
 CLAUSE D2.30 - SOUND INSULATION OF WALLS  
 CLAUSE D2.31 - SOUND INSULATION OF SERVICES  
 CLAUSE D2.32 - SOUND INSULATION OF PUMPS

**SPECIFICATIONS (refer to specification attachment)**  
 ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4 & AS 1680  
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
 DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS/NZS 3500 3.2  
 ENERGY EFFICIENT GLAZING: TO COMPLY WITH 2.2 OF BCA  
 FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
 MECHANICAL VENTILATION: TO COMPLY WITH PART 2.1 OF BCA  
 MECHANICAL MICRODRAINAGE: TO COMPLY WITH PART 2.1 OF BCA  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS/NZS 4368 & AS/NZS 4369  
 MECHANICAL ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC D2.2 & AS/NZS 4368  
 PENETRATION: THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL/ ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C2.14 & AS/NZS 4368  
 SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
 STAIR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS/NZS 4550

**BASIS COMMITMENTS**  
 (ALL OTHER BASIS COMMITMENTS AS PER BASIS CERTIFICATE AND STAMPED PLANS)  
**WATER OPTIONS**  
 SHOWERHEADS: 3 STAR  
 TOILETS: 3 STAR  
 CLOTHES WASHERS: 3 STAR  
 BATHROOM TAPS: 3 STAR  
 DISHWASHERS: 3 STAR  
**ENERGY OPTIONS**  
 COOLING: Single phase, EER 2.5-3.0 zoned  
 HEATING: Single phase, EER 2.5-3.0 zoned  
 VENTILATION: Ballroom/Lobby: Individual fan, not ducted, manual switch control  
 Bathrooms/Lobby: Individual fan into central duct + VSD, mechanical in Country  
 Kitchen: Individual fan, not ducted, manual switch control  
 Laundry: Individual fan into central duct + VSD, mechanical in Country  
**WATER HEATING:** Gas combi, Electric oven  
**ENERGY EFFICIENT LIGHTING:** LED  
**COOL TOPI:** Gas combi, Electric oven  
**REFRIGERATOR SPACE:** 75mm bulk insulation to: Airgap

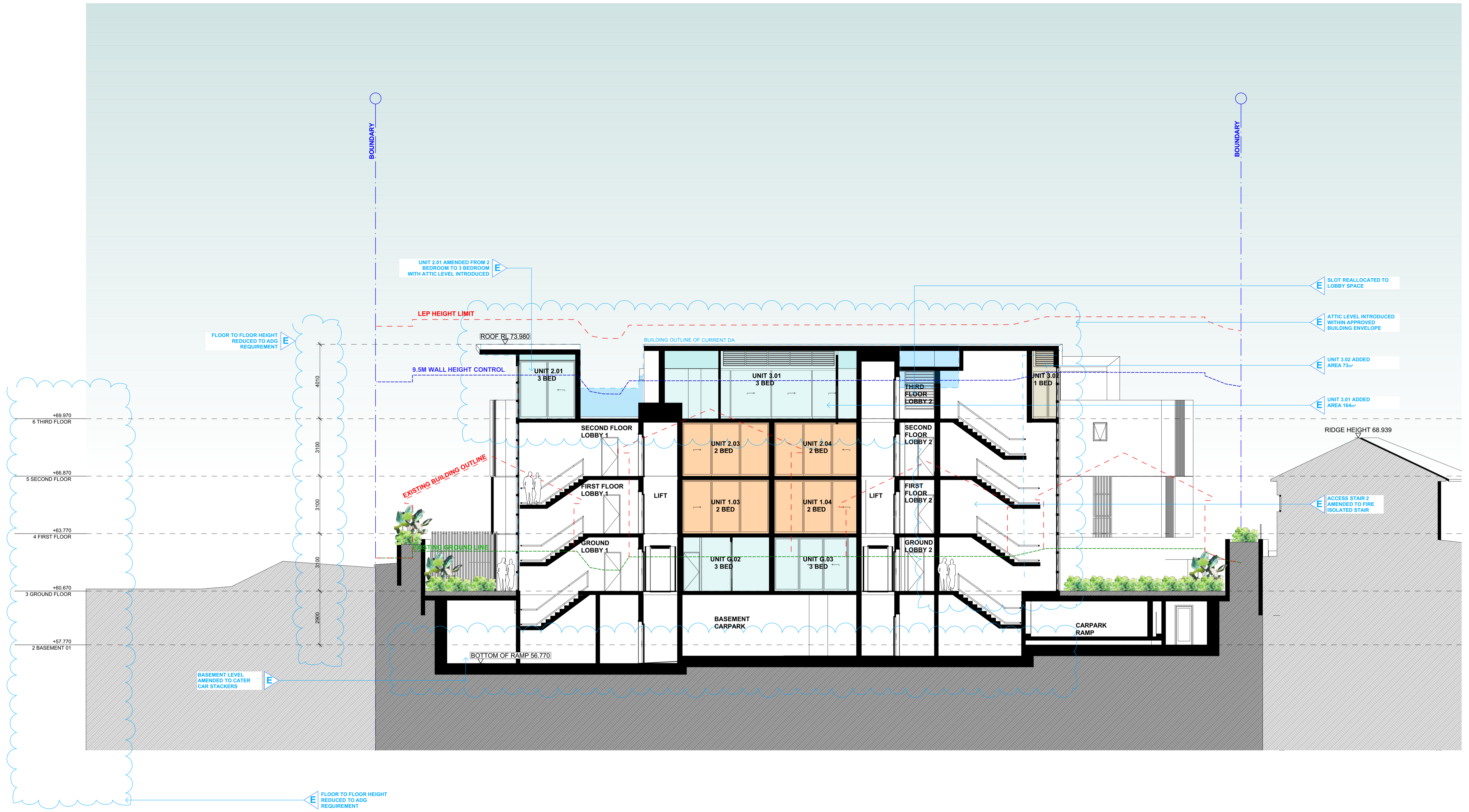
**THERMAL COMFORT OPTIONS**  
 R10 INSULATION TO: External Walls (Medium Colour)  
 GLAZING SPEC: Translucent Concrete Slab above basement streets  
 External Ceiling Roof with Reflective Airgap  
 75mm BULK INSULATION TO: Airgap

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MHN Design Union Pty Ltd. ABN 94 003 717 682

**PROJECT:**  
 1 Stanley Street  
**1 STANLEY STREET VAUCLEUSE NSW 2030 AUSTRALIA**  
**DRAWING:**  
 SECTION A

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:200@A3  
**DRAWING NO:** REV:  
**DA20 (E)**





REVISIONS	PLOTTED: 10/09/2017	GENERAL NOTES
A SUBMISSION FOR DA	02 / 11 / 2016	1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REGS.
B SUBMISSION FOR S96	05 / 05 / 2017	2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MANDATORY.
C REVISED FOR COUNCIL	22 / 05 / 2017	3. CONTRACTOR TO NOTIFY ANY OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
D REVISED FOR COUNCIL	29 / 06 / 2017	4. MEIN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
E SUBMISSION FOR S96	29 / 08 / 2017	5. CONTRACTOR TO Liaise WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/COM/COMMUNICATION REQUIREMENTS ARE ACCOMMODATED.
		6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.
		7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**GENERAL NOTES**

1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REGS.

2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MANDATORY.

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7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B1.4 - MATERIAL & FORMS CONSTRUCTIONS  
SPEC C1.1 - FIRE RESISTING CONSTRUCTION  
SPEC C1.30 - FIRE HAZARD PROPERTIES  
SPEC C1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC C2.1 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
SPEC C2.2 - SEPARATION OF EQUIPMENT  
SPEC C2.3 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)  
SPEC C2.4 - DISCHARGE FROM EXITS  
SPEC C2.5 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
SPEC C2.6 - FLOOR AND RISERS  
SPEC C2.7 - LANDINGS  
SPEC C2.8 - TIREWELLS  
SPEC C2.9 - BALUSTRADES

CLAUSE D2.17 - HANDRAILS  
CLAUSE D2.21 - OPERATION OF LATCH  
CLAUSE D2.25 - SOUND ALARMS  
CLAUSE D2.27 - GENERAL BUILDING ACCESS REQUIREMENTS  
CLAUSE D2.3 - PARTS OF BUILDINGS TO BE ACCESSIBLE  
CLAUSE D2.9 - RENT / OF ACCESSIBLE FACILITIES/FEATURES  
CLAUSE D2.9 - TACTILE INDICATORS  
CLAUSE D2.10 - WATERPROOFING OF WET AREAS  
CLAUSE D2.11 - LIGHTING AND VENTILATION  
CLAUSE D2.12 - DAMP PROOFING  
CLAUSE D2.13 - CONSTRUCTION OF SANITARY COMPARTMENTS  
CLAUSE D2.14 - CONSTRUCTION OF SERVICE INSTALLATIONS  
CLAUSE D2.15 - SOUND INSULATION OF FLOORS  
CLAUSE D2.16 - SOUND INSULATION OF WALLS  
CLAUSE D2.17 - SOUND INSULATION OF SERVICES  
CLAUSE D2.18 - TIREWELLS  
CLAUSE D2.19 - BALUSTRADES

**SPECIFICATIONS (refer to specification attachment)**

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART 4.4 & AS1680  
BALUSTRADES: TO COMPLY WITH BCA CLAUSE D2.19  
DRAINAGE GUTTERS & DOWNPIPES: TO COMPLY WITH AS2539 2000 3.2  
ENERGY EFFICIENT GLAZING: TO COMPLY WITH BCA CLAUSE D2.13  
HOT WATER SYSTEMS: TO COMPLY WITH PART 4.7 OF BCA  
MECHANICAL VENTILATION: TO COMPLY WITH PART 4.7 OF BCA  
MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS1968 & AS882  
SMoke ALARMS: TO COMPLY WITH BCA PART CLAUSE & SPEC D2.2 & AS3786  
PENETRATIONS: THROUGH FIRE RESISTING CONSTRUCTION FOR MECHANICAL/VENTILATION: PENETRATIONS TO COMPLY WITH BCA CLAUSE D2.13 & AS1968  
SOUND TRANSMISSION: TO COMPLY WITH PARTS OF BCA  
STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
WATERPROOFING OF WET AREAS: TO COMPLY WITH AS2539

**BASIC COMMITMENTS**

(ALL OTHER BASIC COMMITMENTS AS PER BASIC CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS  
SHOWERHEADS: 3 STAR  
TOILETS: 3 STAR  
CLOTHES WASHERS: 3 STAR  
KITCHEN TAPS: 3 STAR  
BATHROOM TAPS: 3 STAR  
DISHWASHERS: 3 STAR

ENERGY OPTIONS  
COOLING: Single phase, EER 2.5-3.0 zoned  
HEATING: Single phase, EER 2.5-3.0 zoned  
VENTILATION: Kitchen: Individual fan, not ducted, manual switch control.  
Bathroom/Laundry: Individual fan into outside duct + VSD, mechanical to Country.  
Laundry: Individual fan into outside duct + VSD, mechanical to light.  
LED: Gas cooktop, Electric oven  
Heat resistant triple glaze

**THERMAL COMFORT OPTIONS**

R10 INSULATION TO: External Walls (Medium Colours)  
Glazing SPEC: Structural Concrete Slab above basement (where SHQC + 0.7 (+/- 10%))  
External Ceiling Roof, with Reflective Airgap

**WATER HEATING**  
ENERGY EFFICIENT LIGHTING  
COOK TOPS  
REFRIGERATOR SPACE

**MHNDUNION**  
29 HUTCHINSON STREET  
SURRY HILLS SYDNEY NSW 2010  
T +61 2 9101 1111  
F +61 2 9101 1100  
www.mhndu.com

**PROJECT:**  
1 Stanley Street  
**1 STANLEY STREET VAUCLEUSE NSW 2030 AUSTRALIA**  
**DRAWING:**  
SECTION B

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:200@A3  
**DRAWING NO:** REV:  
**DA21 (E)**





**MATERIAL LEGEND**

- BAL 1** STEEL FRAMED PALISADE HANDRAIL, COLOUR: DARK CHARCOAL
- CONC** OFF FORM CONCRETE, CLASS 1 FINISH
- CT1** COMPOSITE PANEL CLADDING, COLOUR: TIMBER VENEER
- CT2** COMPOSITE PANEL CLADDING, COLOUR: DARK CHARCOAL
- CT3** COMPOSITE PANEL CLADDING, COLOUR: WHITE
- GT1** GLASS TYPE 1 (CLEAR) TO SUIT BASIX REQUIREMENTS
- MRC** STANDING SEAM METAL ROOF CLADDING, COLOUR: CHARCOAL
- SC1** VERTICAL ALUMINIUM LOUVRE FIXED TO PIVOTING STEEL FRAME COLOUR: TO MATCH CT1
- SC2** HORIZONTAL ALUMINIUM LOUVRE, COLOUR: TO MATCH CT2

**REVISIONS**

NO.	REVISION	DATE
A	SUBMISSION FOR DA	02 / 11 / 2016
B	SUBMISSION FOR S96	05 / 05 / 2017
C	REVISED FOR COUNCIL	22 / 05 / 2017
D	REVISED FOR COUNCIL	29 / 06 / 2017
E	SUBMISSION FOR S96	29 / 08 / 2017

**GENERAL NOTES**

- ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY RECS.
- CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
- CONTRACTOR TO NOTIFY MAIN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
- MINI TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.
- CONTRACTOR TO COORDINATE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE MET.
- ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.
- ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY WITH MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B1.4 - MATERIAL & FORMS CONSTRUCTIONS  
SPEC. C1.1 - FIRE RESISTING CONSTRUCTION  
SPEC. C1.3 - FIRE HAZARD PROPERTIES  
SPEC. C1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC. C2.1 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
SPEC. C3.1 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC. C3.2 - GENERAL BUILDING ACCESS REQUIREMENTS  
SPEC. C3.3 - PARTS OF BUILDINGS TO BE ACCESSIBLE  
SPEC. C3.4 - IDENTIFICATION OF ACCESSIBLE FACILITIES/FEATURES  
SPEC. C3.5 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)  
SPEC. C3.6 - ELECTRICAL SUPPLY SYSTEMS  
SPEC. C3.7 - OPENINGS FOR SERVICE INSTALLATIONS  
SPEC. C3.8 - DISBURSE FROM EXITS  
SPEC. C3.9 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
SPEC. C3.10 - LANDINGS  
SPEC. C3.11 - THRESHOLDS

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART 4.4 & AS1680  
**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2.15  
**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS2625 2000 3.2  
**ENERGY EFFICIENT GLAZING:** TO COMPLY WITH 2.2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 8 OF BCA  
**HOT WATER SYSTEMS:** TO COMPLY WITH PART 27 OF BCA  
**Mechanical/Refrigeration:** TO COMPLY WITH PART 2.6 OF BCA  
**Mechanical/Refrigeration:** BCA CLAUSE D2.15 & AS1552.4-2009  
**Mechanical/Refrigeration:** TO COMPLY WITH PART 2.6 OF BCA  
**Mechanical/Refrigeration:** TO COMPLY WITH AS1686 & AS368  
**SMoke ALARMS:** TO COMPLY WITH BCA PART CLAUSE & SPEC D2.2 & AS3786  
**Penetrations:** THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL/ELECTRICAL PENETRATIONS TO COMPLY WITH BCA CLAUSE C1.4 & AS1562.4-2009  
**SOUND TRANSMISSION:** TO COMPLY WITH PARTS OF BCA  
**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS3540

**BASIX COMMITMENTS**  
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS

WATER OPTIONS	ENERGY OPTIONS	WATER HEATING
SHOWERHEADS: 3 STAR	COOLING: Single phase, EER 2.5-3.0 zoned	Individual fan, not ducted, manual bath/shower
TOILETS: 3 STAR	HEATING: Single phase, EER 2.5-3.0 zoned	Individual fan into central duct + VSD, mechanical to
CLOTHES WASHERS: 3 STAR	VENTILATION: Kitchen, Laundry, Individual fan into central duct + VSD, mechanical to	Individual fan into central duct + VSD, mechanical to light
KITCHEN TAPS: 3 STAR		Gas cooktop, Electric oven
BATHROOM TAPS: 3 STAR		Heat vented triple glaze
DISHWASHERS: 3 STAR		

**THERMAL COMFORT OPTIONS**

R10 INSULATION TO: External Walls (Medium Colour)  
Supermarket Concrete Slab above basement ground level  
Use 18.7 for H&A, then SHQC + 0.7 (C1, 10%)  
External Ceiling Roof, with Reflective Airgap

GLAZING SPEC: 75mm BULK INSULATION TO:

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MHND Design Union Pty Ltd. ABRN 94 003 717 682

**PROJECT:**  
1 Stanley Street  
1 STANLEY STREET VAUCLUSE  
NSW 2030 AUSTRALIA  
**DRAWING:**  
WEST ELEVATION

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:100/0A1  
**DRAWING NO:** REV: 1:200/0A3  
**DA22 (E)**





- MATERIAL LEGEND**
- BAL 1** STEEL FRAMED PALISADE HANDRAIL, COLOUR: DARK CHARCOAL
  - CONC** OFF FORM CONCRETE, CLASS 1 FINISH
  - CT1** COMPOSITE PANEL CLADDING, COLOUR: TIMBER VENEER
  - CT2** COMPOSITE PANEL CLADDING, COLOUR: DARK CHARCOAL
  - CT3** COMPOSITE PANEL CLADDING, COLOUR: WHITE
  - GT1** GLASS TYPE 1 (CLEAR) TO SUIT BASIX REQUIREMENTS
  - MRC** STANDING SEAM METAL ROOF CLADDING, COLOUR: CHARCOAL
  - SC1** VERTICAL ALUMINIUM LOUVRE FIXED TO PIVOTING STEEL FRAME COLOUR: TO MATCH CT1
  - SC2** HORIZONTAL ALUMINIUM LOUVRE, COLOUR: TO MATCH CT2

**REVISIONS**

NO.	DESCRIPTION	DATE
A	SUBMISSION FOR DA	02 / 11 / 2016
B	SUBMISSION FOR S96	05 / 05 / 2017
C	REVISED FOR COUNCIL	22 / 05 / 2017
D	REVISED FOR COUNCIL	29 / 06 / 2017
E	SUBMISSION FOR S96	29 / 08 / 2017

**GENERAL NOTES**

- ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY RECS.
- CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
- CONTRACTOR TO NOTIFY ANY OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
- MINI TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTINGS PRIOR TO CONSTRUCTION.
- CONTRACTOR TO COORDINATE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/COM/COMMUNICATION REQUIREMENTS ARE MET.
- ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.
- ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS**

**CLAUSE 1.4 - MATERIAL & FORMS CONSTRUCTIONS**  
SPEC C1.1 - FIRE RESISTING CONSTRUCTION  
SPEC C1.2 - FIRE HAZARD PROPERTIES  
SPEC C1.3 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC C1.4 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
SPEC C1.5 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE

**CLAUSE 2.1 - OPERATION OF LATCH**  
CLAUSE 2.2 - SOUND INSULATION OF FLOORS  
CLAUSE 2.3 - SOUND INSULATION OF WALLS  
CLAUSE 2.4 - SOUND INSULATION OF ROOFS  
CLAUSE 2.5 - SOUND INSULATION OF PARTITIONS  
CLAUSE 2.6 - SOUND INSULATION OF STAIRS  
CLAUSE 2.7 - SOUND INSULATION OF SERVICES

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART 4.4 & AS1680  
**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE 02.15  
**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS/NZS 3500 3.2  
**ENERGY EFFICIENT GLAZING:** TO COMPLY WITH 2.2.2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 6 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 6 OF BCA  
**Mechanical Ventilation:** TO COMPLY WITH PART 2.6 OF BCA  
**Mechanical Microdrafting:** TO COMPLY WITH PART 2.6 OF BCA  
**Mechanical Exhaust Ventilation:** TO COMPLY WITH AS1686 & AS368  
**Smoke Alarms:** TO COMPLY WITH BCA PART CLAUSE 4 & SPEC 02.2 & AS3786  
**Sound Transmission:** TO COMPLY WITH PARTS OF BCA  
**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE 02.13  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS3540

**BASIX COMMITMENTS**  
ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS

**WATER OPTIONS**  
SHOWERHEADS: 3 STAR  
TOILETS: 3 STAR  
CLOTHES WASHERS: 3 STAR  
KITCHEN TAPS: 3 STAR  
BATHROOM TAPS: 3 STAR  
DISHWASHERS: 3 STAR

**ENERGY OPTIONS**  
COOLING: Single phase, EER 2.5-3.0 zoned  
HEATING: Single phase, EER 2.5-3.0 zoned  
VENTILATION: Kitchen: Individual fan, not ducted, manual switch control  
Bathroom/Laundry: Individual fan into central duct + VSD, mechanical to  
Laundry: Individual fan into central duct + VSD, mechanical to light  
LED: 3.5 STAR  
Gas cooktop: Electric oven  
Heat vented triple glaze

**THERMAL COMFORT OPTIONS**  
R10 INSULATION TO: External Walls (Medium Colour)  
Glazing SPEC: Structural Concrete Slab above basement areas  
75mm BULK INSULATION TO: External Ceiling Roof with Reflective Airgap

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**PROJECT:**  
1 Stanley Street

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:100@A1  
**DRAWING NO:** REV:  
**DRAWING:**  
EAST ELEVATION

**DA23 (E)**





- MATERIAL LEGEND**
- BAL 1** STEEL FRAMED PALISADE HANDRAIL, COLOUR: DARK CHARCOAL
  - CONC** OFF FORM CONCRETE, CLASS 1 FINISH
  - CT1** COMPOSITE PANEL CLADDING, COLOUR: TIMBER VENEER
  - CT2** COMPOSITE PANEL CLADDING, COLOUR: DARK CHARCOAL
  - CT3** COMPOSITE PANEL CLADDING, COLOUR: WHITE
  - GT1** GLASS TYPE 1 (CLEAR) TO SUIT BASIX REQUIREMENTS
  - MRC** STANDING SEAM METAL ROOF CLADDING, COLOUR: CHARCOAL
  - SC1** VERTICAL ALUMINIUM LOUVRE FIXED TO PIVOTING STEEL FRAME COLOUR: TO MATCH CT1
  - SC2** HORIZONTAL ALUMINIUM LOUVRE, COLOUR: TO MATCH CT2

**REVISIONS**

NO.	DESCRIPTION	DATE
A	SUBMISSION FOR DA	02 / 11 / 2016
B	SUBMISSION FOR S96	05 / 05 / 2017
C	REVISED FOR COUNCIL	22 / 05 / 2017
D	REVISED FOR COUNCIL	29 / 06 / 2017
E	SUBMISSION FOR S96	29 / 08 / 2017

**GENERAL NOTES**

- ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY RECS.
- CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
- CONTRACTOR TO NOTIFY ANY OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
- MEANS TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS/SETTLED PRIOR TO CONSTRUCTION.
- CONTRACTOR TO COORDINATE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/COM/COMMUNICATION REQUIREMENTS ARE ACCOMMODATED.
- ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.
- ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS**

**CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS**  
**SPEC. C1.10 - FIRE HAZARD PROPERTIES**  
**SPEC. C1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE**  
**CLAUSE C2.4 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL**  
**CLAUSE C2.5 - SEPARATION OF EQUIPMENT**  
**CLAUSE C2.6 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)**  
**CLAUSE C2.7 - ELECTRICAL SUPPLY SYSTEMS**  
**CLAUSE C2.8 - OPENINGS FOR SERVICE INSTALLATIONS**  
**CLAUSE C2.9 - DISBURSE FROM EXITS**  
**CLAUSE C2.10 - DISBURSE FROM RISERS**  
**CLAUSE C2.11 - LANDINGS**  
**CLAUSE C2.12 - TYPEDRADES**

**CLAUSE D2.17 - HANDRAILS**  
**CLAUSE D2.21 - OPERATION OF LATCH**  
**CLAUSE D2.22 - SOUNDING ALARMS**  
**CLAUSE D2.23 - GENERAL BUILDING ACCESS REQUIREMENTS**  
**CLAUSE D2.24 - PARTS OF BUILDINGS TO BE ACCESSIBLE**  
**CLAUSE D2.25 - 90% OF ACCESSIBLE FACILITIES/FEATURES**  
**CLAUSE D2.26 - WATERPROOFING OF WET AREAS**  
**CLAUSE D2.27 - DAMP PROOFING**  
**CLAUSE D2.28 - CONSTRUCTION OF SANITARY COMPARTMENTS**  
**CLAUSE F1.9 - LIGHTING AND VENTILATION**  
**CLAUSE F1.4 - SOUND INSULATION OF FLOORS**  
**CLAUSE F1.5 - SOUND INSULATION OF WALLS**  
**CLAUSE F1.6 - SOUND INSULATION OF SERVICES**  
**CLAUSE F1.7 - SOUND INSULATION OF PUMPS**

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSE 4 & AS 1580  
**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2.16  
**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS/NZS 2069 & 2  
**ENERGY EFFICIENT GLAZING:** TO COMPLY WITH 2.2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 4 OF BCA  
**HOT WATER SYSTEMS:** TO COMPLY WITH PART 4 OF BCA  
**Mechanical/Electrical/Plumbing:** TO COMPLY WITH PART 4.6 OF BCA  
**Mechanical/Electrical/Plumbing:** TO COMPLY WITH PART 4.6 OF BCA  
**Mechanical Exhaust Ventilation:** TO COMPLY WITH AS/NZS 4368 & AS/NZS 4369  
**SMoke ALARMS:** TO COMPLY WITH BCA PART CLAUSE 4 & SPEC. C2.2 & AS/NZS 3786  
**VENTILATION:** THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL EXHAUST PENETRATIONS TO COMPLY WITH BCA CLAUSE C2.4 & AS/NZS 4368  
**SOUND TRANSMISSION:** TO COMPLY WITH PARTS OF BCA  
**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS/NZS 4509

**BASIX COMMITMENTS**  
 (ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

WATER OPTIONS	ENERGY OPTIONS	OTHER OPTIONS
SHOWERHEADS: 3 STAR	COOLING: Single phase, EER 2.5-3.0 zoned	INTERNAL WALLS (Medium Colour): External Walls (Medium Colour)
TOILETS: 3 STAR	HEATING: Single phase, EER 2.5-3.0 zoned	Stairwell Concrete Slab (above basement area): 100mm
CLOTHES WASHERS: 3 STAR	VENTILATION: Kitchen: Individual fan, not ducted, manual backdraft	Up to 1.7m high (max SHQC + 0.7 (N-10%))
KITCHEN TAPS: 3 STAR	VENTILATION: Bathroom/Laundry: Individual fan into central duct + VSD, connected to laundry	External Ceiling Roof, with Reflective Arnpac
BATHROOM TAPS: 3 STAR	VENTILATION: Laundry: Individual fan into central duct + VSD, connected to light	
DISHWASHERS: 3 STAR	VENTILATION: Gas cooktop: Electric oven	
	VENTILATION: LED	
	VENTILATION: Gas cooktop: Electric oven	
	VENTILATION: LED	
	VENTILATION: Gas cooktop: Electric oven	
	VENTILATION: LED	
	VENTILATION: Gas cooktop: Electric oven	
	VENTILATION: LED	

**THERMAL COMFORT OPTIONS**

**R10 INSULATION TO:** External Walls (Medium Colour)  
**GLAZING SPEC:** Stairwell Concrete Slab (above basement area)  
**75mm BULK INSULATION TO:** Up to 1.7m high (max SHQC + 0.7 (N-10%))  
**External Ceiling Roof, with Reflective Arnpac**

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 MHN Design Union Pty Ltd. ABRN 94 003 717 682

**PROJECT:**  
 1 Stanley Street  
**1 STANLEY STREET VAUCLEUSE NSW 2030 AUSTRALIA**  
**DRAWING:**  
 NORTH ELEVATION

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:200 @ A3  
**DRAWING NO:** REV:  
**DA24 (E)**









REVISIONS	PLOTTED: 10/09/2017	GENERAL NOTES
A SUBMISSION FOR DA	02 / 11 / 2016	<p>ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.</p> <p>CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED</p> <p>CONTRACTOR TO NOTIFY MAIN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING</p> <p>MINI TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION</p> <p>CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DAT/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE</p> <p>ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE</p> <p>ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE</p>
B /	/	
C REVISED FOR COUNCIL	22 / 05 / 2017	
D REVISED FOR COUNCIL	29 / 06 / 2017	
E SUBMISSION FOR S96	29 / 08 / 2017	

701-707-C09H-170822\_S96\_amended\_roof.pln  
CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING WORK. MHNDU IS TO BE NOTIFIED OF ANY DISCREPANCIES IN THE DIMENSION AND SETTING OUT OF THE WORK. COPYRIGHT OF DESIGNS SHOWN HEREON IS RETAINED BY MHNDU. AUTHORITY IS REQUIRED FOR ANY REPRODUCTION.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS	CLAUSE D0 17 - HANDRAILS
SPEC C1 1.9 - FIRE RESISTING CONSTRUCTION	CLAUSE D0 21 - OPERATION OF LATCH
CLAUSE C1 10 - FIRE HAZARD PROPERTIES	CLAUSE D0 23 - SIGNS ON DOORS
SPEC C2 1.9 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE	CLAUSE D0 24 - GENERAL BUILDING ACCESS REQUIREMENTS
CLAUSE C2 8 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL	CLAUSE D0 25 - PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE C2 12 - SEPARATION OF EQUIPMENT FROM PROTECTION (OF OPENINGS)	CLAUSE D0 26 - IDENT. OF ACCESSIBLE FACILITIES/FEATURES
CLAUSE C2 13 - ELECTRICITY SUPPLY BY SYSTEM	CLAUSE D0 27 - TACTILE INDICATORS
CLAUSE C2 14 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)	CLAUSE D0 28 - WATERPROOFING OF WET AREAS
CLAUSE C2 15 - OPENING IN FIRE ISOLATED EXITS	CLAUSE D0 29 - DAMP PROOFING
CLAUSE C2 16 - DISCHARGE FROM EXITS	CLAUSE D0 30 - LIGHTING AND VENTILATION
CLAUSE C2 17 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL	CLAUSE F5.4 - SOUND INSULATION OF FLOORS
CLAUSE C2 18 - GORGES AND RISERS	CLAUSE F5.5 - SOUND INSULATION OF WALLS
CLAUSE D2 14 - LANDINGS	CLAUSE F5.6 - SOUND INSULATION OF SERVICES
CLAUSE D2 15 - THRESHOLDS	CLAUSE F5.7 - SOUND INSULATION OF PUMPS
CLAUSE D2 16 - BALUSTRADES	

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 6 & 8 & AS1689

**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D0 16

**DRAINAGE SYSTEMS & DOWNPIPES:** TO COMPLY WITH AS2603.2

**ENERGY EFFICIENT GLAZING:** TO COMPLY WITH J2 OF BCA

**FIRE SERVICES:** TO COMPLY WITH SECTION 4 OF BCA

**HOT WATER SYSTEMS:** TO COMPLY WITH PART J7 OF BCA

**MANKYPI:** TO COMPLY WITH AS2200

**MECHANICAL/HYDRAULIC:** BCA CLAUSE C3 16 & AS1530.4:2005

**MECHANICAL AIRCONDITIONING:** TO COMPLY WITH PART J6 OF BCA

**MECHANICAL EXHAUST VENTILATION:** TO COMPLY WITH AS1989 & AS88.2

**MICHELLECHRONALIC PENETRATIONS:** TO COMPLY WITH BCA CLAUSE C3 13 & AS1530.4:2005

**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D0 13

**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS2740

**BASIX COMMITMENTS**  
FULL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS)

<b>WATER OPTIONS</b>	<b>ENERGY OPTIONS</b>
SHOWERHEADS: 3 STAR	COOLING: Single phase, EER 2.5-3.0 zoned
TOILETS: 3 STAR	HEATING: Single phase, EER 2.5-3.0 zoned
CLOTHES WASHERS: 3.5 STAR	VENTILATION: Kitchen: Individual fan, not ducted, manual switch control
KITCHEN TAPS: 3 STAR	Bathroom/Laundry: Individual fan into central duct + VSD, interlocked to light
BATHROOM TAPS: 3.5 STAR	Laundry: Individual fan into central duct + VSD, interlocked to light
DISHWASHERS: 3.5 STAR	LED: Glass cooktop, Electric oven
	REFRIGERATOR SPACE: Well ventilated fridge space

**THERMAL COMFORT OPTIONS**

R1.0 INSULATION TO: External Walls (Medium Colour)  
Suspended Concrete Slab (above basement areas)  
Use = R 5.7 (for Area Slab) SHDC = 0.7 (+/- 10%)  
External Ceiling Roof, with Reflective Airgap

GLAZING SPEC: 75mm BULK INSULATION TO:

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PROJECT:  
1 Stanley Street  
1 STANLEY STREET  
VAUCLUSE NSW 2030  
AUSTRALIA

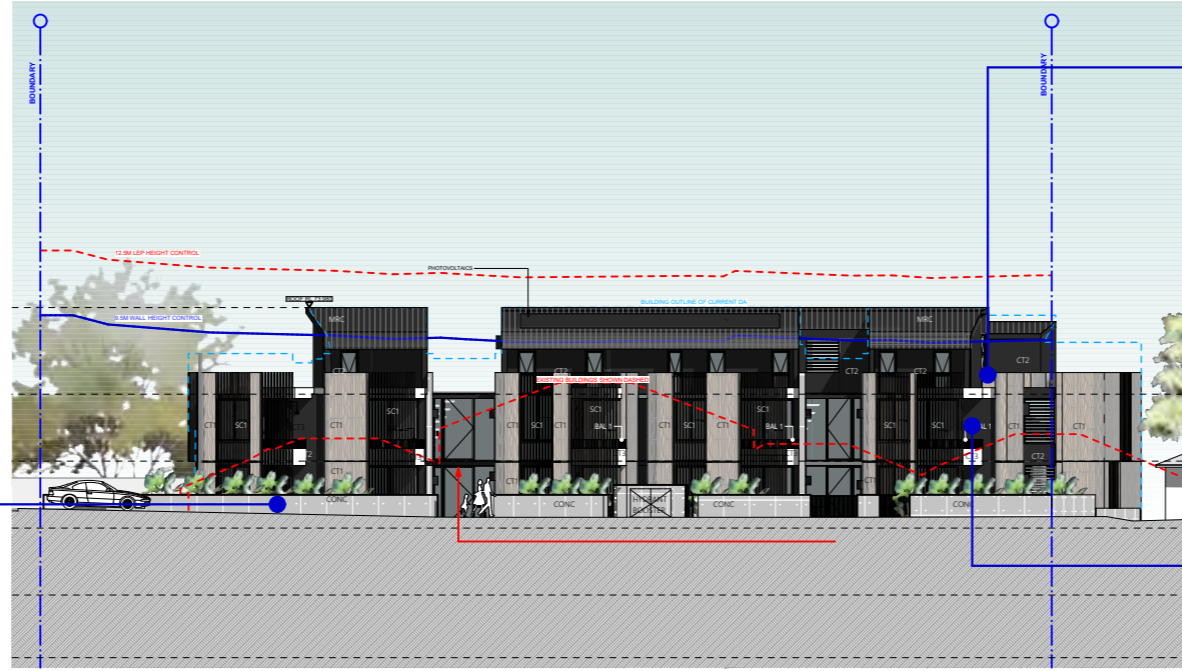
DRAWING:  
PHOTOMONTAGE

PROJECT NO: 16-027  
DRAWN BY: MHNDU  
TO SCALE: NTS @A3  
DRAWING NO: REV:  
DA35  
368





CONC - OFF FORM CONCRETE



WEST MATERIAL BOARD



CT2 - BLACK COMPOSITE PANEL CLADDING

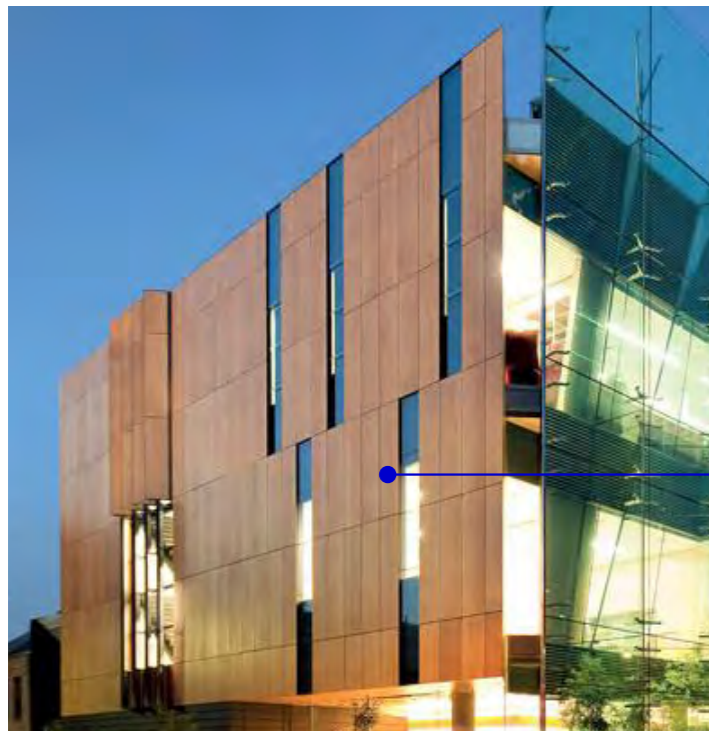


CT3 - WHITE COMPOSITE PANEL CLADDING

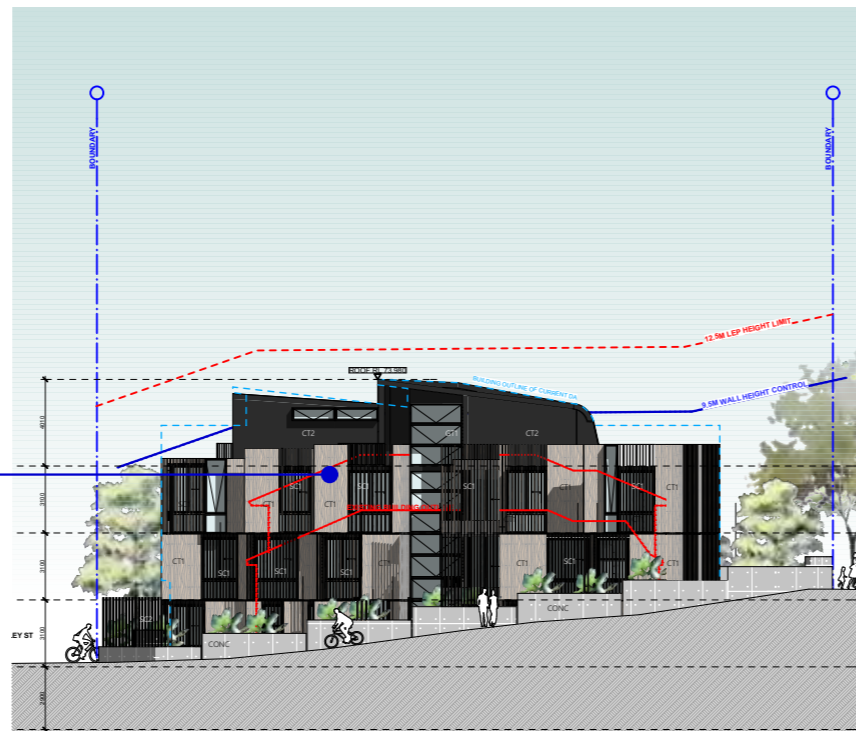


BAL 1 - STEEL PALASADE BALCONY

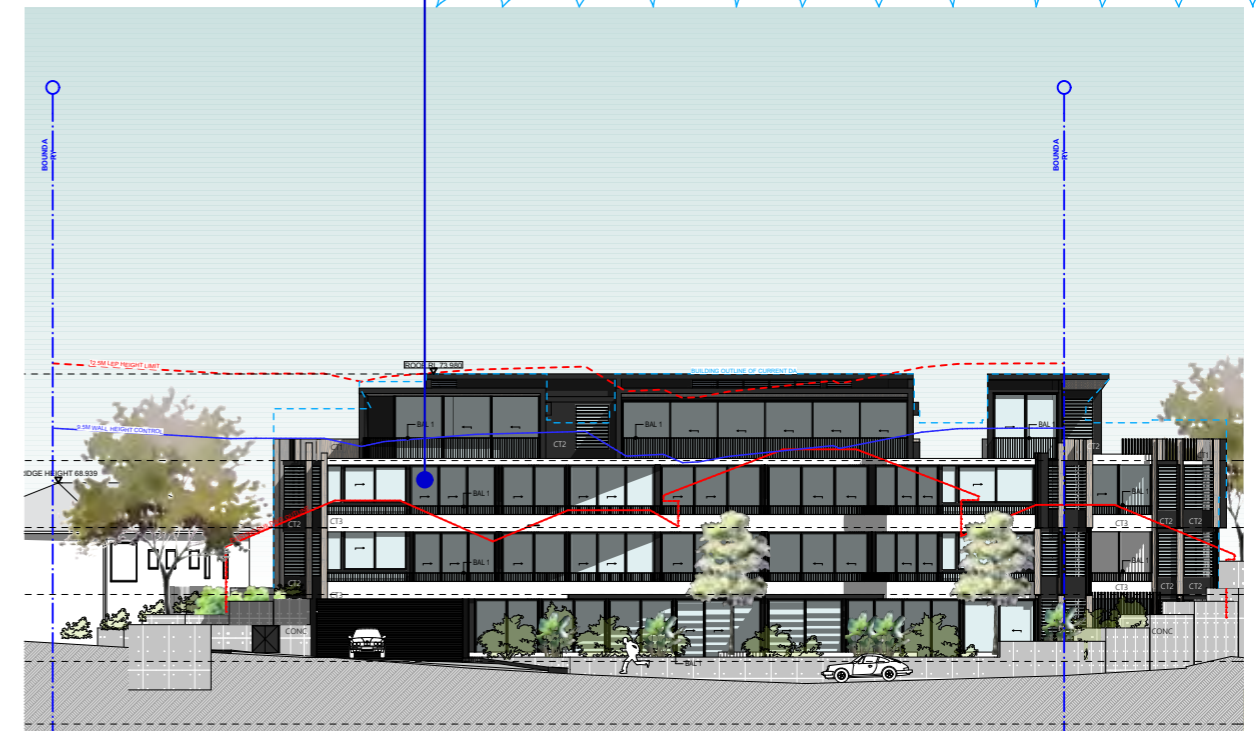
ELEVATIONS  
UPDATED



CT1 - TIMBER VENEER COMPOSITE PANEL



NORTH MATERIAL BOARD



EAST MATERIAL BOARD

REVISIONS	PLOTTED: 10/09/2017	GENERAL NOTES
A	SUBMISSION FOR DA	02 / 11 / 2016
B	REVISED FOR COUNCIL	22 / 05 / 2017
C	REVISED FOR COUNCIL	29 / 06 / 2017
D	SUBMISSION FOR S96	29 / 08 / 2017

ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS
<p>CLAUSE B 1.4 - MATERIAL &amp; FORMS CONSTRUCTIONS</p> <p>SPEC C 1.1 - FIRE RESISTING CONSTRUCTION</p> <p>SPEC C 1.10 - FIRE HAZARD PROPERTIES</p> <p>SPEC C 1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE</p> <p>CLAUSE C 2.1 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL</p> <p>CLAUSE C 2.12 - IDENTIFICATION OF EQUIPMENT PROTECTION (OF OPENINGS)</p> <p>CLAUSE C 2.13 - ELECTRICITY SUPPLY SYSTEM</p> <p>CLAUSE C 2.14 - IDENTIFICATION OF PROTECTION (OF OPENINGS)</p> <p>CLAUSE C 2.15 - OPENING IN FIRE ISOLATED EXITS</p> <p>CLAUSE C 2.16 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL</p> <p>CLAUSE C 2.17 - DISCHARGE FROM EXITS</p> <p>CLAUSE C 2.18 - LANSINGS</p> <p>CLAUSE C 2.19 - THRESHOLDS</p> <p>CLAUSE C 2.20 - BALUSTRADES</p>

SPECIFICATIONS (refer to specification attachment)	BASIX COMMITMENTS	ENERGY OPTIONS	THERMAL COMFORT OPTIONS
<p>ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSES 8 &amp; 8.1-8.108</p> <p>BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16</p> <p>ENERGY EFFICIENT GLAZING: TO COMPLY WITH AS 1553.2</p> <p>SHRINKAGE JOINTS &amp; COMPENSATION: TO COMPLY WITH 2.0 OF BCA</p> <p>FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA</p> <p>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH PART 2.0 OF BCA</p> <p>MECHANICAL AIR CONDITIONING: TO COMPLY WITH PART 2.0 OF BCA</p> <p>MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH AS 1969 &amp; AS 882</p> <p>SOUND TRANSMISSION: TO COMPLY WITH BCA CLAUSE D2.13</p> <p>STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13</p> <p>WATERPROOFING OF WET AREAS: TO COMPLY WITH AS 2740</p>	<p>WATER OPTIONS</p> <p>SHOWERHEADS: 3 STAR</p> <p>TOWELS: 3.5 STAR</p> <p>CLOTHES WASHERS: 3.5 STAR</p> <p>KITCHEN TAPS: 3.5 STAR</p> <p>BATHROOM TAPS: 3.5 STAR</p> <p>DISHWASHERS: 3.5 STAR</p>	<p>COOLING: Single phase, EER 2.5-3.0 zoned</p> <p>HEATING: Single phase, EER 2.5-3.0 zoned</p> <p>VENTILATION: Kitchen: Individual fan, not ducted, manual switch control. Bathroom/Laundry: Individual fan into central duct + VSD, interlocked to light. Laundry: Individual fan into central duct + VSD, interlocked to light. LED. Gas cooktop, Electric oven. Cook tops. Well ventilated fridge space.</p>	<p>R1.0 INSULATION TO: External Walls (Medium Colour) Suspended Concrete Slab (above basement areas) Use = R 2.7 (for less than) SHDC = 0.7 (+/- 10%) External Ceiling/Roof, with Reflective Airgap</p> <p>GLAZING SPEC: 75mm BULK INSULATION TO:</p>

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PROJECT:  
1 Stanley Street  
1 STANLEY STREET  
VAUCLUSE NSW 2030  
AUSTRALIA

DRAWING:  
EXTERNAL FINISHES

PROJECT NO: 16-027  
DRAWN BY: MHNDU  
TO SCALE: 1:350@A3  
DRAWING NO: REV:  
DA33 (F)  
369





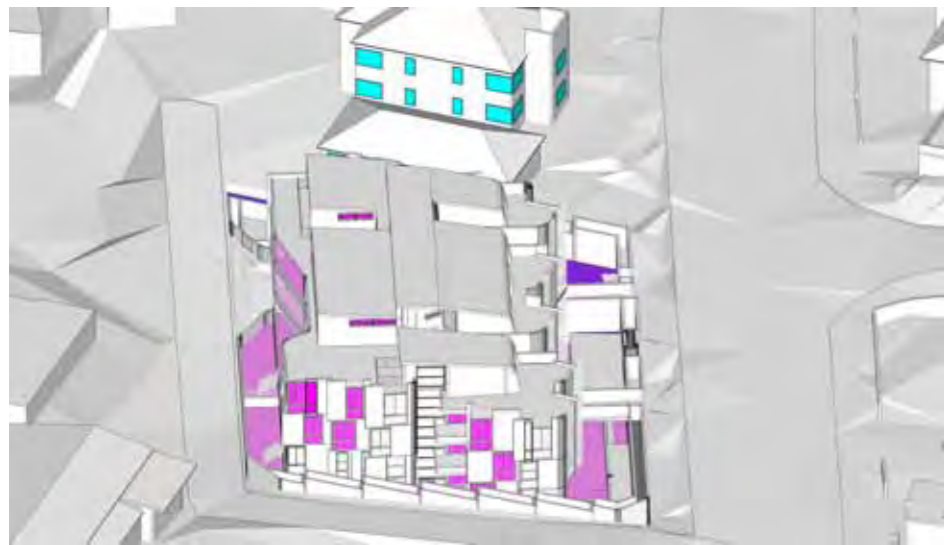
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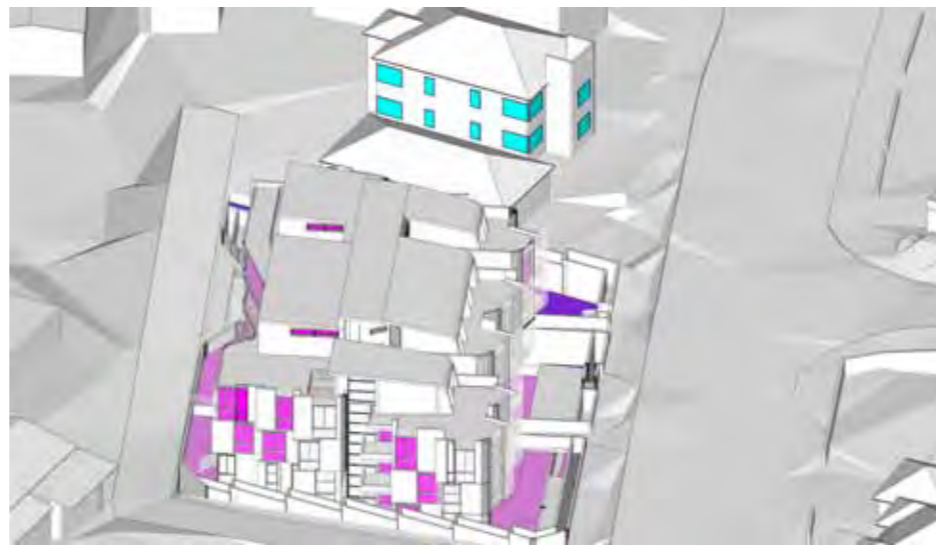
10am



11am



12pm



1pm



2pm



3pm

← E VIEWS FROM SUN UPDATED

REVISIONS	PLOTTED: 10/09/2017	GENERAL NOTES
A	SUBMISSION FOR DA	02 / 11 / 2016
B	REVISED FOR COUNCIL	22 / 05 / 2017
C	REVISED FOR COUNCIL	29 / 06 / 2017
D	SUBMISSION FOR S96	29 / 08 / 2017

ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.  
 CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.  
 CONTRACTOR TO NOTIFY MAIN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.  
 MAIN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING PRIOR TO CONSTRUCTION.  
 CONTRACTOR TO LASER WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.  
 ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.  
 ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS  
 SPEC C1.1 - FIRE RESISTANT CONSTRUCTION  
 SPEC C1.10 - FIRE HAZARD PROPERTIES  
 SPEC C1.19 - FIRE HAZARD PROPERTIES  
 CLAUSE C2.1 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C2.8 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C2.12 - SEPARATION OF EQUIPMENT  
 CLAUSE C2.13 - ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C2.14 - ACCEPTABLE METHODS OF PROTECTION OF OPENINGS  
 CLAUSE C2.15 - SETTING PRIOR TO CONSTRUCTION  
 CLAUSE C3.1 - OPENING IN FIRE ISOLATED EXITS  
 CLAUSE C3.2 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C3.3 - SOUND INSULATION OF WALLS  
 CLAUSE C3.4 - SOUND INSULATION OF FLOORS  
 CLAUSE C3.5 - SOUND INSULATION OF WALLS  
 CLAUSE C3.6 - SOUND INSULATION OF SERVICES  
 CLAUSE C3.7 - SOUND INSULATION OF PUMPS  
 CLAUSE C3.8 - BALUSTRADES

CLAUSE D2.17 - HANDRAILS  
 CLAUSE D2.21 - OPERATION OF LATCH  
 CLAUSE D2.23 - SIGNS ON DOORS  
 CLAUSE D2.24 - GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D2.25 - PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D2.26 - IDENT. OF ACCESSIBLE FACILITIES/FEATURES  
 CLAUSE D2.27 - WATERPROOFING OF WET AREAS  
 CLAUSE D2.28 - CONSTRUCTION OF SANITARY COMPARTMENTS  
 CLAUSE D2.29 - DAMP PROOFING  
 CLAUSE D2.30 - LIGHTING AND VENTILATION  
 CLAUSE D2.31 - SOUND INSULATION OF FLOORS  
 CLAUSE D2.32 - SOUND INSULATION OF WALLS  
 CLAUSE D2.33 - SOUND INSULATION OF SERVICES  
 CLAUSE D2.34 - SOUND INSULATION OF PUMPS

**SPECIFICATIONS (refer to specification attachment)**

ARTIFICIAL LIGHTING: TO COMPLY WITH BCA PART CLAUSE 8 & AS 1589  
 BALUSTRADE HEIGHTS: TO COMPLY WITH BCA CLAUSE D2.16  
 DRAINAGE SYSTEMS & PUMPS: TO COMPLY WITH AS/NZS 3500.3.2  
 ENERGY EFFICIENT GLAZING: TO COMPLY WITH J2 OF BCA  
 FIRE SERVICES: TO COMPLY WITH SECTION 4 OF BCA  
 HOT WATER SYSTEMS: TO COMPLY WITH PART 27 OF BCA  
 MECHANICAL: TO COMPLY WITH AS200  
 MECHANICAL/HYDRAULIC: BCA CLAUSE C3.11 & AS 1530.4.2005  
 MECHANICAL AIR CONDITIONING: TO COMPLY WITH AS1989 & AS82  
 MECHANICAL EXHAUST VENTILATION: TO COMPLY WITH BCA CLAUSE C3.11 & AS1530.4.2005  
 MECHANICAL PENETRATIONS: TO COMPLY WITH BCA CLAUSE C3.11 & AS1530.4.2005  
 STAR CONSTRUCTION: TO COMPLY WITH BCA CLAUSE D2.13  
 WATERPROOFING OF WET AREAS: TO COMPLY WITH AS2740

**BASIX COMMITMENTS**  
 ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS

**WATER OPTIONS**  
 SHOWERHEADS: 3 STAR  
 TOILETS: 3.5 STAR  
 CLOTHES WASHERS: 3.5 STAR  
 BATHROOM TAPS: 3.5 STAR  
 DISHWASHERS: 3.5 STAR

**ENERGY OPTIONS**  
 COOLING: Single phase, EER 2.5-3.0 zoned  
 HEATING: Single phase, EER 2.5-3.0 zoned  
 VENTILATION: Kitchen: Individual fan, not ducted, manual switch control  
 Bathroom/Laundry: Individual fan into central duct + VSD, interlocked to light  
 Laundry: Individual fan into central duct + VSD, interlocked to light  
 3.5 STAR LED  
 Gas cooktop, Electric oven  
 Well ventilated fridge space

**THERMAL COMFORT OPTIONS**  
 R1.0 INSULATION TO:  
 External Walls (Medium Colour)  
 Suspended Concrete Slab (above basement areas)  
 U<sub>air</sub> = 0.7 (for less than) SHDC = 0.7 (+/- 10%)  
 External Ceiling/Roof, with Reflective Airgap

**GLAZING SPEC:**  
 75mm BULK INSULATION TO:

**WATER HEATING:**  
 ENERGY EFFICIENT LIGHTING:  
 REFRIGERATOR SPACE:

**MHNDUNION**  
 29 HUTCHINSON STREET  
 SURRY HILLS SYDNEY NSW 2030  
 T +61 2 9101 1111  
 F +61 2 9101 1100  
 www.mhndu.com  
 MHNDU Design Union Pty Ltd. ABN 94 003 717 682

**PROJECT:**  
 1 Stanley Street  
 1 STANLEY STREET  
 VAUCLUSE NSW 2030  
 AUSTRALIA

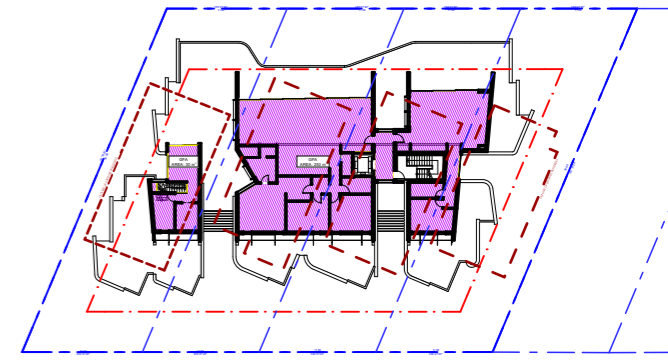
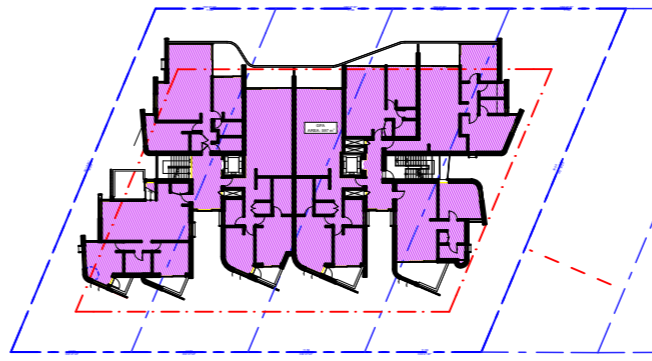
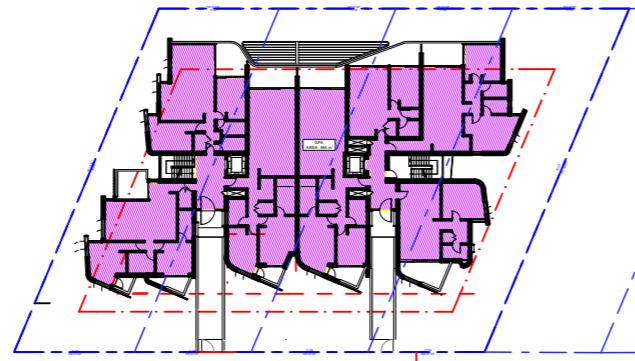
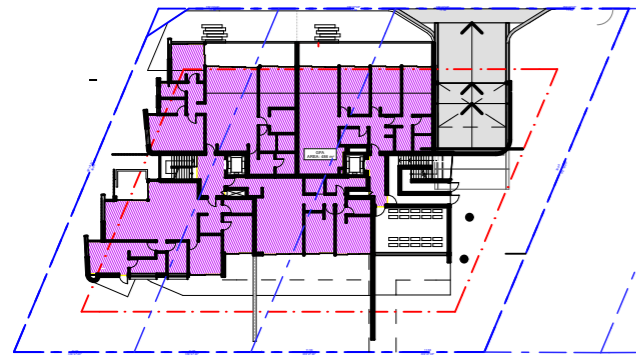
**DRAWING:**  
 SEPP 65-VIEWS FROM SUN

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** NTS @A3  
**DRAWING NO:** REV:  
**DA36 (E)**  
**370**





**E** GFA DIAGRAM UPDATED



1 GROUND FLOOR 1:750

2 FIRST FLOOR 1:750

3 SECOND FLOOR 1:750

5 THIRD FLOOR 1:750

**GFA SCHEDULE**

	CONTROL	DA SUBMITTED	SECTION 96
SITE AREA:	1591 m <sup>2</sup>	1591 m <sup>2</sup>	1591 m <sup>2</sup>
TOTAL GFA:	1431.9 m <sup>2</sup>	1594 m <sup>2</sup>	1957 m <sup>2</sup>
FSR:	0.9:1	1.001:1	1.23:1
<b>DA SUBMITTED SECTION 96</b>			
GROUND FLOOR:		412 m <sup>2</sup>	486 m <sup>2</sup>
FIRST FLOOR:		591 m <sup>2</sup>	594 m <sup>2</sup>
SECOND FLOOR:		591 m <sup>2</sup>	597 m <sup>2</sup>
THIRD FLOOR:			280 m <sup>2</sup>
<b>TOTAL:</b>		<b>1594 m<sup>2</sup></b>	<b>1957 m<sup>2</sup></b>

**PARKING SCHEDULE**  
TAKEN FROM WAVERLEY DEVELOPMENT CONTROL PLAN 2012

Land Use	Parking Zone 1	Parking Zone 2
<b>Medium density residential flat building (less than 20 dwellings)</b>		
Studio	0.5	0.5
1 bedroom	1 space per unit <b>plus</b>	1.0
2 bedroom	1 space per (5 x 2 bedroom unit) <b>plus</b>	1.5
3 bedroom +	1 space per (2 x 3 bedroom unit) or part thereof	2.0
Visitor	1 space per 5 units	1 space per 5 units
<b>High density residential flat building</b>		
Studio	0.5	0.5
1 bedroom	0.6	1.0
2 bedroom	0.9	1.5
3 bedroom +	1.4	2.0
Visitor	1 space per 5 units	1 space per 5 units
<b>Business and office premises</b>	<b>Minimum</b> 0 <b>Maximum</b> 0.66/100m <sup>2</sup> GFA	<b>Minimum</b> 0 <b>Maximum</b> 1.0/100m <sup>2</sup> GFA
<b>Retail premises</b>	0 2.0/100m <sup>2</sup> GFA	0 3.3/100m <sup>2</sup> GFA

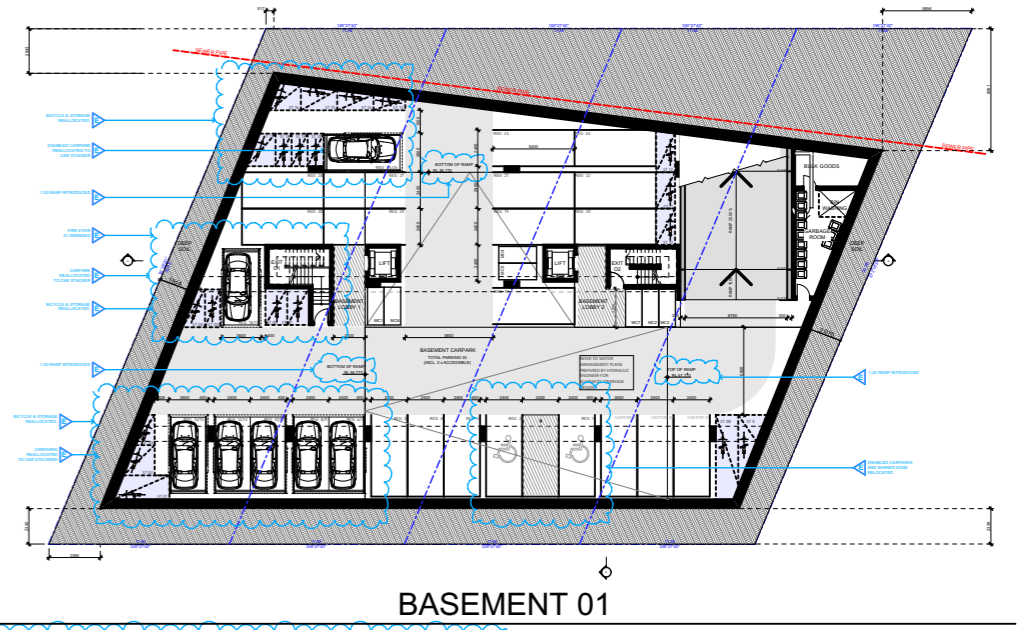
Table 2 Car Parking Rates

**UNIT MIX**

	1B	2B	3B
GROUND FLOOR		1	3
FIRST FLOOR	2	5	
SECOND FLOOR	2	4	1
THIRD FLOOR	1		1
<b>TOTAL FLOOR</b>	<b>5</b>	<b>10</b>	<b>5</b>
<b>GRAND TOTAL</b>	<b>20</b>		

**PARKING CALCULATION**

	1B	2B	3B	VISITOR	TOTAL
<b>MIN. CARS</b>	5	15	10	4	34
<b>PROVIDED CARS</b>	5	15	10	3	33



BASEMENT 01

**E** CAR PARK CALCULATION UPDATED

**E** GFA CALCULATION UPDATED

**E** APARTMENT NUMBER UPDATED

**Internal Unit Storage Volume**

Unit Number	Net Volume Per Unit (m3)
G.01	11.1
G.02	13.9
G.03	5.0
G.04	5.9
1.01	6.6
1.02	5.2
1.03	4.8
1.04	4.6
1.05	4.4
1.06	4.0
1.07	4.4
2.01	7.5
2.02	5.1
2.03	4.8
2.04	4.7
2.05	4.8
2.06	4.0
2.07	4.0
3.01	11.8
3.02	12.9

**E** INTERNAL UNIT STORAGE CALCULATION UPDATED

**REVISIONS**

NO.	DESCRIPTION	DATE
A	SUBMISSION FOR DA	02 / 11 / 2016
B	REVISED FOR COUNCIL	22 / 05 / 2017
C	REVISED FOR COUNCIL	29 / 06 / 2017
D	SUBMISSION FOR S96	29 / 08 / 2017

**GENERAL NOTES**

- ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA, AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.
- CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.
- CONTRACTOR TO NOTIFY MAIN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.
- MIN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTINGS OUT PRIOR TO CONSTRUCTION.
- CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.
- ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.
- ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.

**ALL CONSTRUCTION TO COMPLY AT MINIMUM WITH BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE	DESCRIPTION
CLAUSE B 1.4	MATERIAL & FORMS CONSTRUCTIONS
SPEC C1.1	FIRE RESISTING CONSTRUCTION
SPEC C1.10	FIRE HAZARD PROPERTIES
CLAUSE C2.1	PERFORMANCE OF EXTERNAL WALLS IN A FIRE
CLAUSE C2.8	VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL
CLAUSE C2.12	SEPARATION OF EQUIPMENT
CLAUSE C2.13	ELECTRICITY SUPPLY SYSTEM
CLAUSE C2.14	ACCESSIBLE METHODS OF PROTECTION (OF OPENINGS)
CLAUSE C3.8	OPENING IN FIRE ISOLATED EXITS
CLAUSE D1.10	DISCHARGE FROM EXITS
CLAUSE D2.7	INSTALLATIONS IN EXITS AND PATHS OF TRAVEL
CLAUSE D2.15	GORGES AND RISERS
CLAUSE D2.14	LANDINGS
CLAUSE D2.16	THRESHOLDS
CLAUSE D2.18	BALUSTRADES
CLAUSE D2.17	HANDRAILS
CLAUSE D2.21	OPERATION OF LATCH
CLAUSE D2.23	SIGNS ON DOORS
CLAUSE D3.3	PARTS OF BUILDING TO BE ACCESSIBLE
CLAUSE D3.8	GENERAL ACCESSIBLE FACILITIES/REQUIREMENTS
CLAUSE D3.9	TACTILE INDICATORS
CLAUSE D3.11	WATERPROOFING OF WET AREAS
CLAUSE D3.12	CONTROL OF SANITARY COMPARTMENTS
CLAUSE D3.13	DAMP PROOFING
CLAUSE D3.14	SOUND INSULATION OF FLOORS
CLAUSE D3.15	SOUND INSULATION OF WALLS
CLAUSE D3.16	SOUND INSULATION OF PUMPS

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 8 & 8.1 AS1689

**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2.18

**DRAINAGE GUTTERS & DOWNPIPES:** TO COMPLY WITH AS3602.2

**ENERGY EFFICIENT GLAZING:** TO COMPLY WITH 2 OF BCA

**FIRE SERVICES:** TO COMPLY WITH SECTION 7 OF BCA

**HOT WATER SYSTEMS:** TO COMPLY WITH PART 7 OF BCA

**MARBLE:** TO COMPLY WITH AS3740

**MECHANICAL/HYDRAULIC:** BCA CLAUSE C3.11 & AS1530.4.2005

**MECHANICAL/VENTILATION:** TO COMPLY WITH AS1989 & AS882.2

**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE 8 & SPEC D2.2 & AS3786

**PENETRATIONS:** THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.11 & AS1530.4.2005

**STAR CONSTRUCTION:** TO COMPLY WITH PARTS OF BCA

**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13

**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS2740

**WATER HEATING:** ENERGY EFFICIENT LIGHTING: COOK TOPS: REFRIGERATOR SPACE:

**ENERGY OPTIONS**

COOLING: Single phase, EER 2.5-3.0 zoned

HEATING: Single phase, EER 2.5-3.0 zoned

VENTILATION: Kitchen: Individual fan, not ducted, manual switch control. Bathroom/Laundry: Individual fan into central duct + VSD, interlocked to light. VSD, interlocked to light. 3.5 STAR LED. Gas cooktop, Electric oven. Wet ventilated fridge space.

**THERMAL COMFORT OPTIONS**

R1.0 INSULATION TO: External Walls (Medium Colour) Suspended Concrete Slab (above basement areas) Use = 0.7 (for less than) SHDC = 0.7 (+/- 10%) External Ceiling Roof, with Reflective Airgap

**GLAZING SPEC:**

75mm BULK INSULATION TO:

**MHNDUNION**

29 HUTCHINSON STREET  
SURRY HILLS SYDNEY NSW 2030  
T +61 2 9101 1111  
F +61 2 9101 1100  
www.mhndu.com

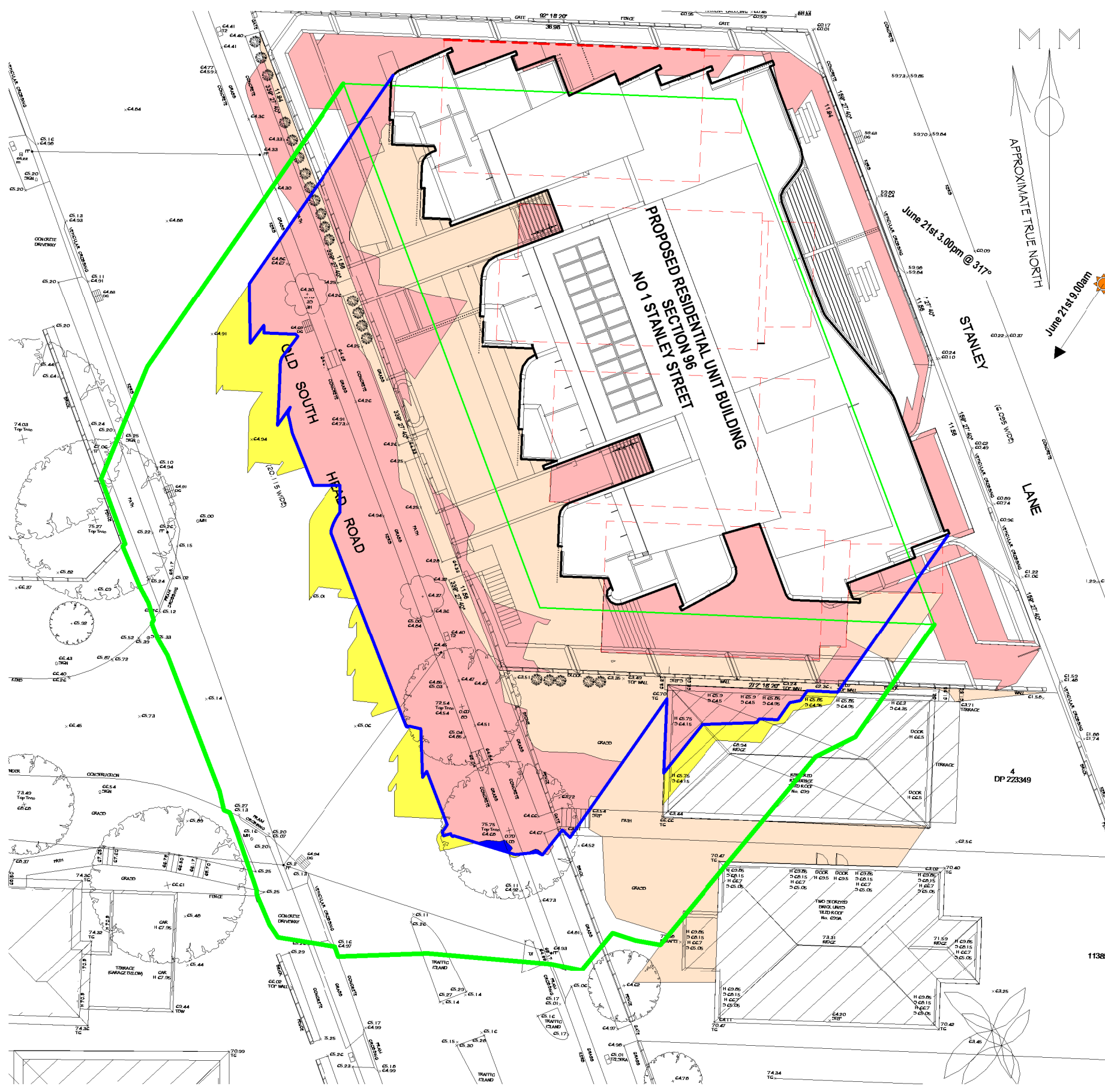
MHN Design Union Pty Ltd. ABN 94 003 717 682

**PROJECT:**  
1 Stanley Street  
1 STANLEY STREET  
VAUCLUSE NSW 2030  
AUSTRALIA

**DRAWING:**  
GFA + PARKING  
CALCULATIONS

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:500@A3  
**DRAWING NO:** REV:  
**DA46(E) 372**



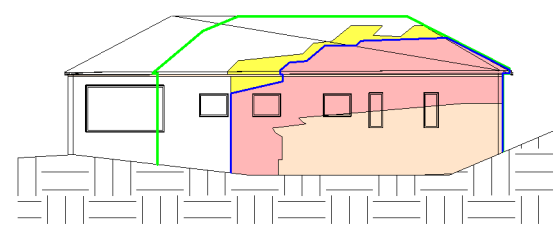


**LEGEND:**

- Denotes Outline of Existing Structures to be Demolished
- Denotes Area of Existing Building Shadow
- Denotes Area of Proposed S96 Shadow
- Denotes Outline of S96 Building Shadow
- Denotes Area of Improved S96 Building Shadow
- Denotes Outline of Compliant Envelope Shadow

**NOTE:**

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY ERIC SCERRI & ASSOC. REF 3052/16 DATED 1 JUNE 2016 AND ARCHITECTURAL MODELS BY MHNDU PROJECT NO 16-027 DATED 15-05-2017 + SECTION 96 MODEL 22-08-17



**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 9.00AM**

**SHADOWING JUNE 21ST  
9.00AM**

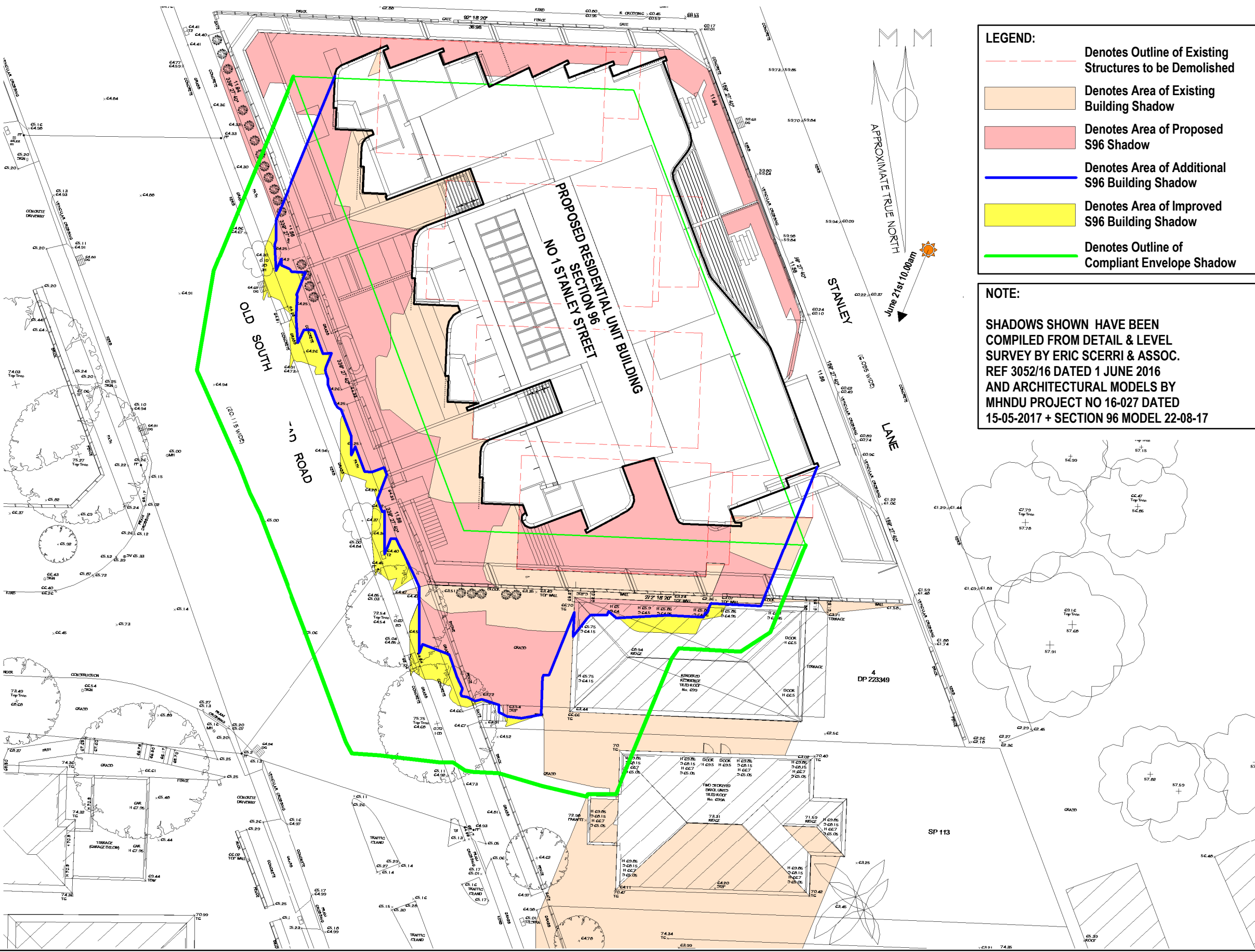
**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
 P.O BOX 446 GLADESVILLE 2111  
 PH: 9555 8545  
 info@caddraftnsw.com.au

No.	Description	Date

**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

**CLIENT: c/o MHNDU**

Shading June 21st 9.00am	
Project number	5802-16
Date	31-08-17
Drawn by	KP
Checked by	JD
A100	
Scale @ A3	
<b>373</b>	

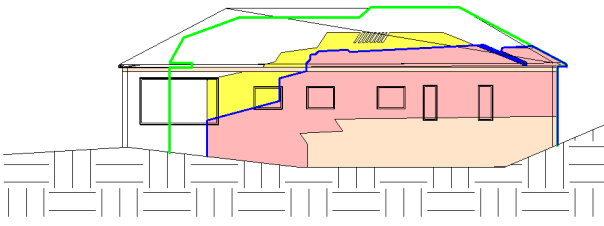


**LEGEND:**

- Denotes Outline of Existing Structures to be Demolished
- Denotes Area of Existing Building Shadow
- Denotes Area of Proposed S96 Shadow
- Denotes Area of Additional S96 Building Shadow
- Denotes Area of Improved S96 Building Shadow
- Denotes Outline of Compliant Envelope Shadow

**NOTE:**

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY ERIC SCERRI & ASSOC. REF 3052/16 DATED 1 JUNE 2016 AND ARCHITECTURAL MODELS BY MHNDU PROJECT NO 16-027 DATED 15-05-2017 + SECTION 96 MODEL 22-08-17



**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 10.00AM**

**SHADOWING JUNE 21ST  
10.00AM**

**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
 P.O BOX 446 GLADESVILLE 2111  
 PH: 9555 8545  
 info@caddraftnsw.com.au

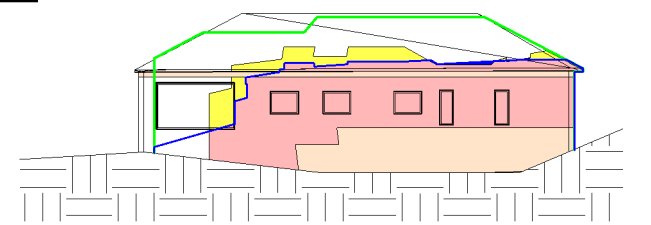
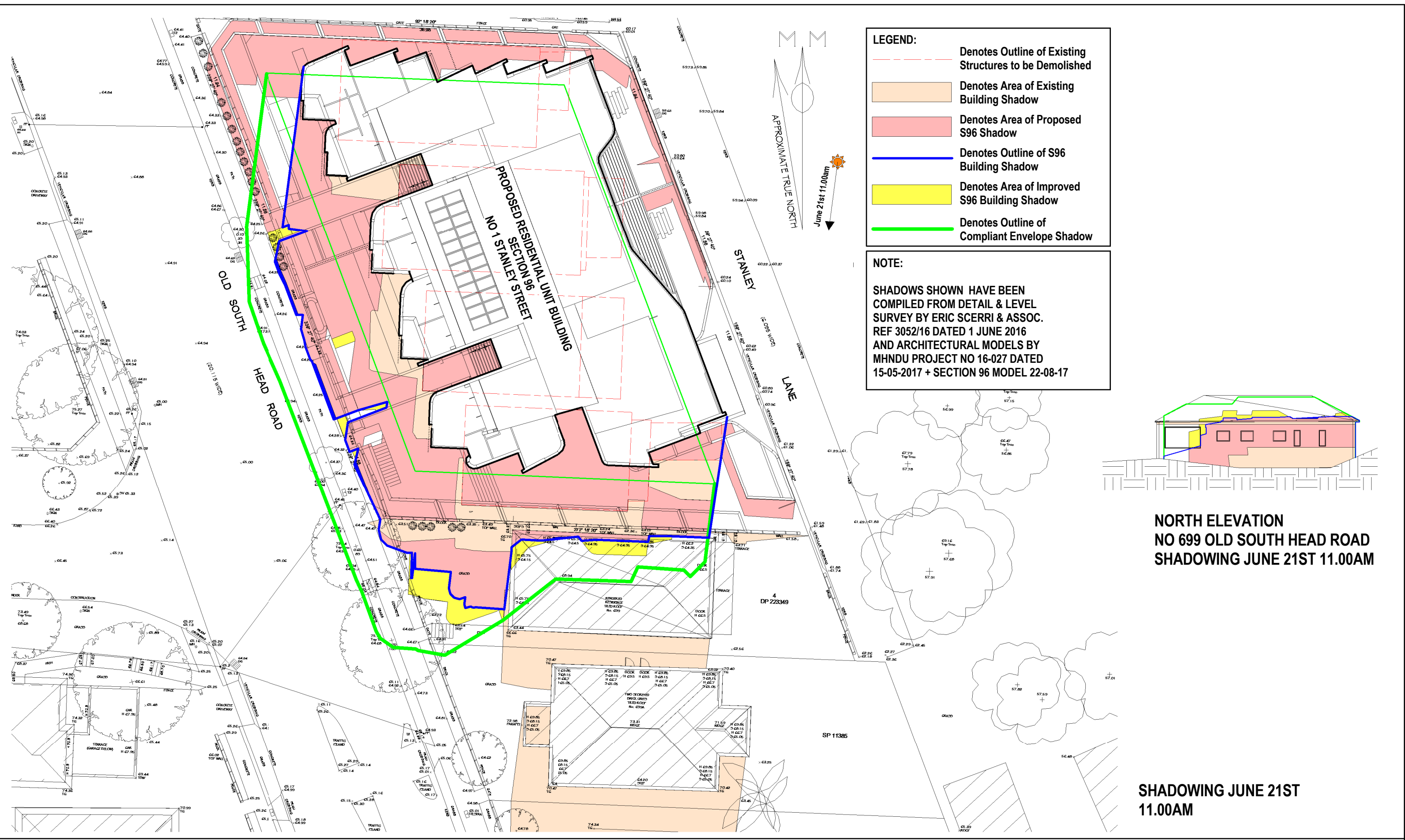
No.	Description	Date

**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

**CLIENT: c/o MHNDU**

Shading June 21st 10.00am	
Project number	5802-16
Date	31-08-17
Drawn by	KP
Checked by	JD
A101	
Scale @ A3	





**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 11.00AM**

**SHADOWING JUNE 21ST  
11.00AM**

**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
 P.O BOX 446 GLADESVILLE 2111  
 PH: 9555 8545  
 info@caddraftnsw.com.au

No.	Description	Date

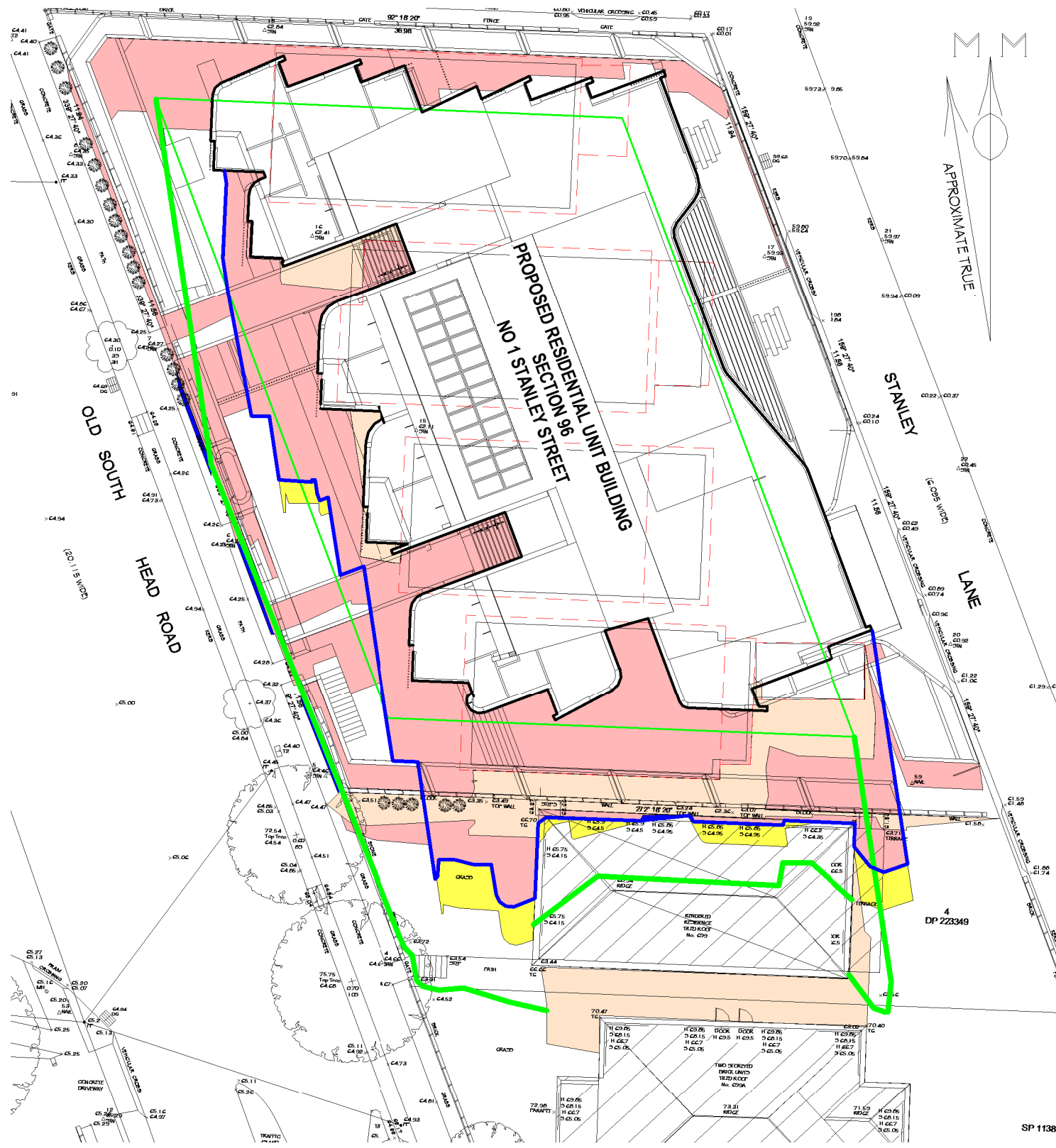
**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

**CLIENT: c/o MHNDU**

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Project number	5802-16
Date	31-08-17
Drawn by	KP
Checked by	JD
A102	
Scale @ A3	

**375**



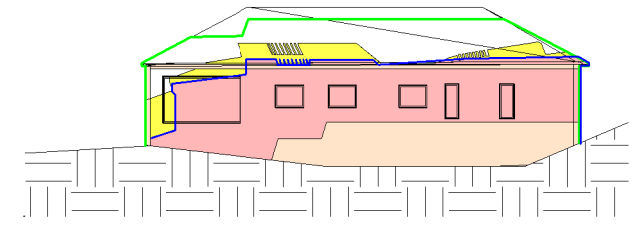


**LEGEND:**

- Denotes Outline of Existing Structures to be Demolished
- Denotes Area of Existing Building Shadow
- Denotes Area of Proposed S96 Shadow
- Denotes Outline of S96 Building Shadow
- Denotes Area of Improved S96 Building Shadow
- Denotes Outline of Compliant Envelope Shadow

**NOTE:**

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY ERIC SCERRI & ASSOC. REF 3052/16 DATED 1 JUNE 2016 AND ARCHITECTURAL MODELS BY MHNDU PROJECT NO 16-027 DATED 15-05-2017 + SECTION 96 MODEL 22-08-17



**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 12.00PM**

**SHADOWING JUNE 21ST  
12.00PM**

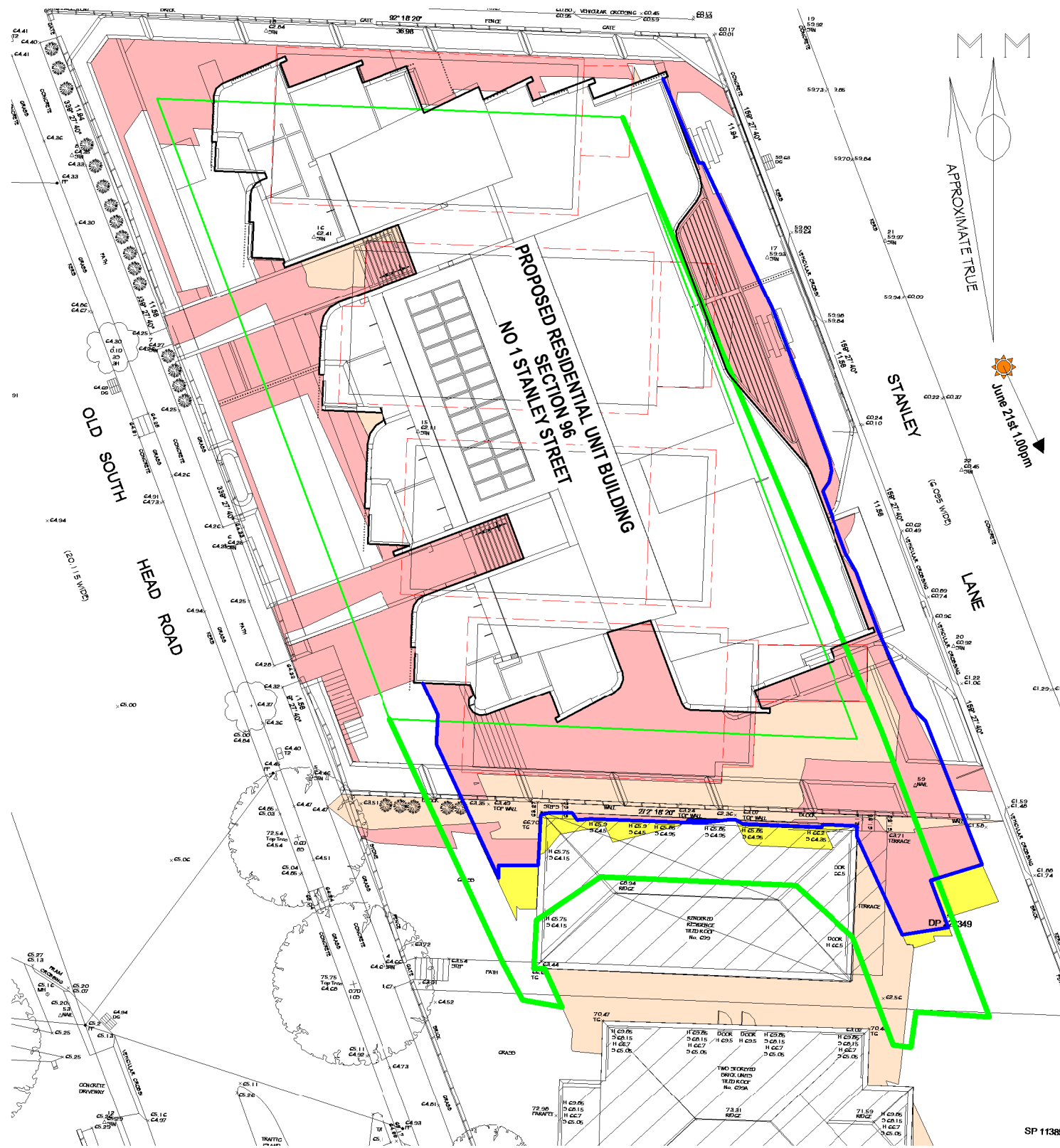
**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
 P.O BOX 446 GLADESVILLE 2111  
 PH: 9555 8545  
 info@caddraftnsw.com.au

No.	Description	Date

**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

**CLIENT: c/o MHNDU**

Shading June 21st 12.00pm		
Project number	5802-16	<b>A103</b>
Date	31-08-17	
Drawn by	KP	
Checked by	JD	
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		<b>376</b>

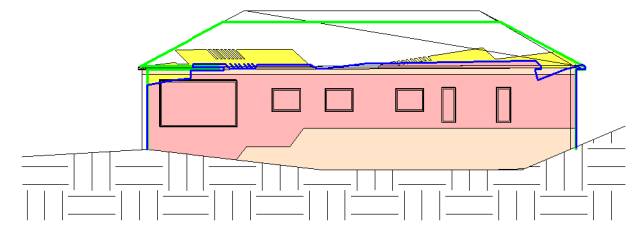


**LEGEND:**

- Denotes Outline of Existing Structures to be Demolished
- Denotes Area of Existing Building Shadow
- Denotes Area of Proposed S96 Shadow
- Denotes Outline of S96 Building Shadow
- Denotes Area of Improved S96 Building Shadow
- Denotes Outline of Compliant Envelope Shadow

**NOTE:**

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY ERIC SCERRI & ASSOC. REF 3052/16 DATED 1 JUNE 2016 AND ARCHITECTURAL MODELS BY MHNDU PROJECT NO 16-027 DATED 15-05-2017 + SECTION 96 MODEL 22-08-17



**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 1.00PM**

**SHADOWING JUNE 21ST  
1.00PM**

**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
 P.O BOX 446 GLADESVILLE 2111  
 PH: 9555 8545  
 info@caddraftnsw.com.au

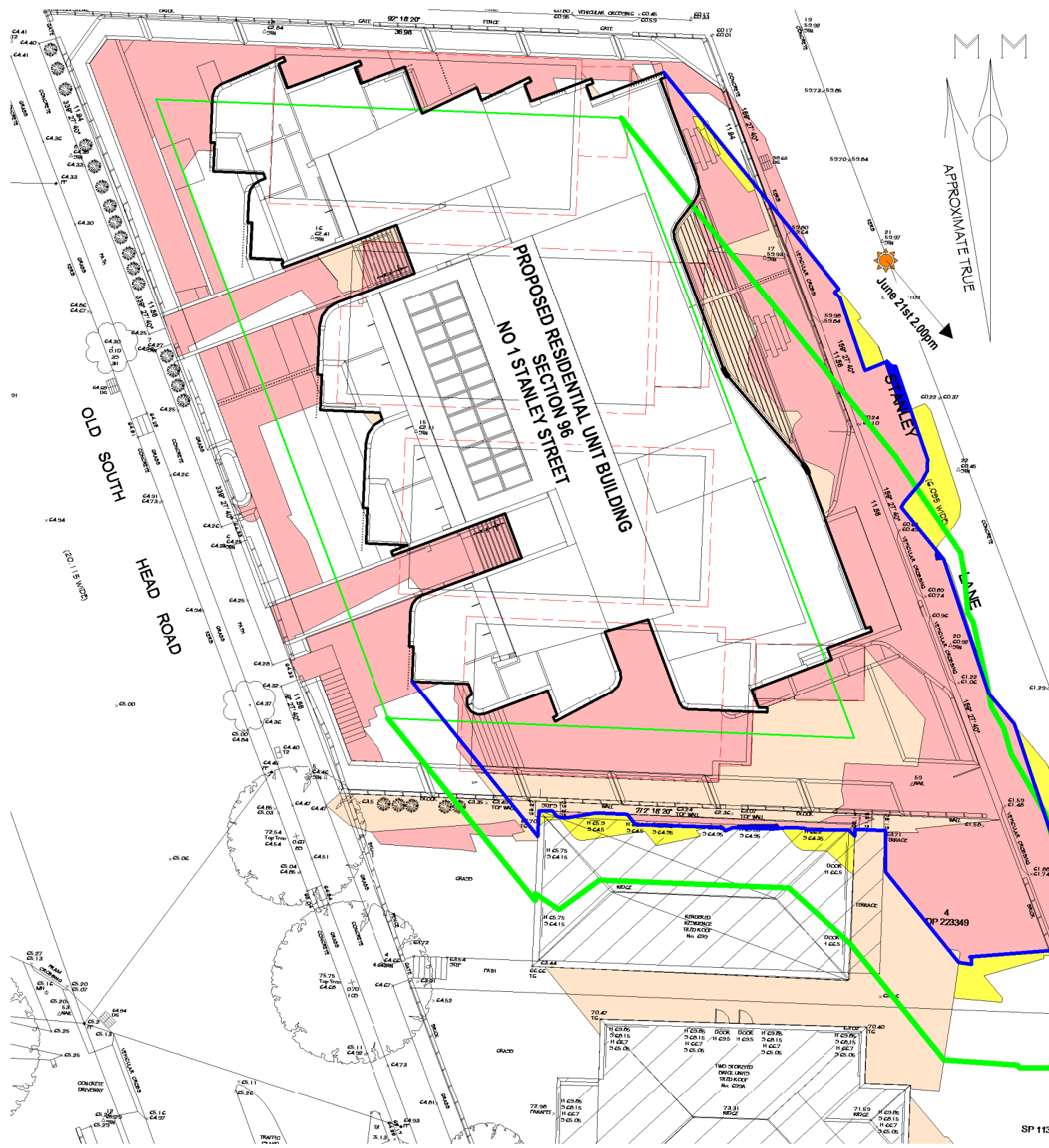
No.	Description	Date

**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

**CLIENT: c/o MHNDU**

Shading June 21st 1.00pm	
Project number	5802-16
Date	31-08-17
Drawn by	KP
Checked by	JD
A104	
Scale @ A3	



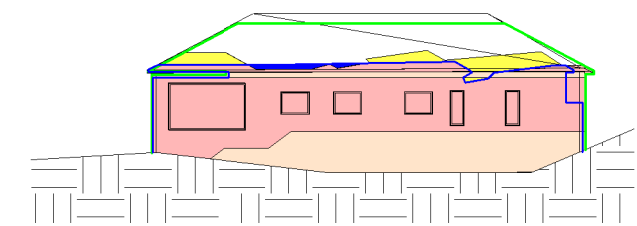


**LEGEND:**

- Denotes Outline of Existing Structures to be Demolished
- Denotes Area of Existing Building Shadow
- Denotes Area of Proposed S96 Shadow
- Denotes Outline of S96 Building Shadow
- Denotes Area of Improved S96 Building Shadow
- Denotes Outline of Compliant Envelope Shadow

**NOTE:**

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY ERIC SCERRI & ASSOC. REF 3052/16 DATED 1 JUNE 2016 AND ARCHITECTURAL MODELS BY MHNDU PROJECT NO 16-027 DATED 15-05-2017 + SECTION 96 MODEL 22-08-17



**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 2.00PM**

**SHADOWING JUNE 21ST  
2.00PM**

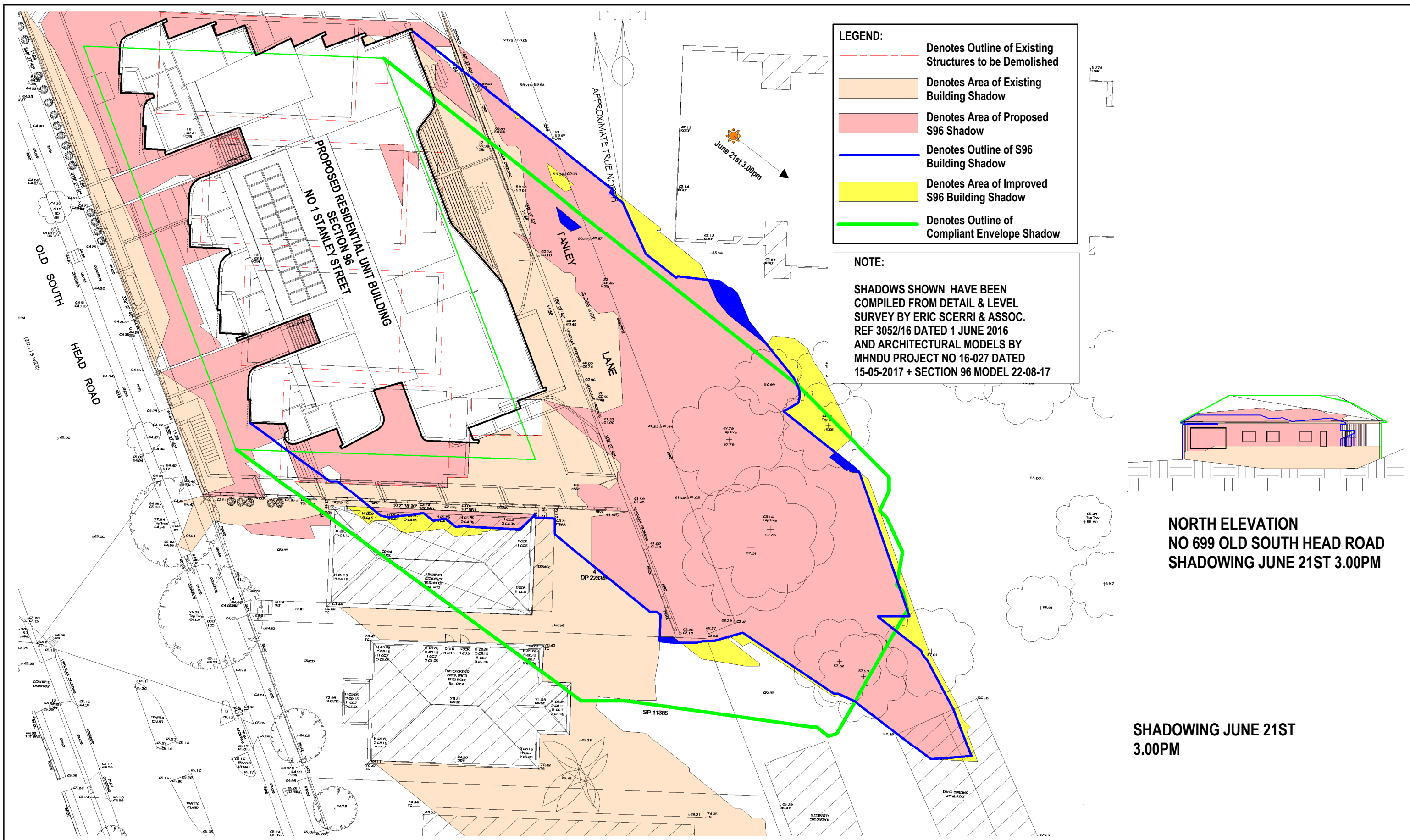
**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
 P.O BOX 446 GLADESVILLE 2111  
 PH: 9555 8545  
 info@caddraftnsw.com.au

No.	Description	Date

**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

**CLIENT: c/o MHNDU**

Shading June 21st 2.00pm		<b>A105</b>
Project number	5802-16	
Date	31-08-17	<b>378</b>
Drawn by	KP	
Checked by	JD	
		Scale @ A3

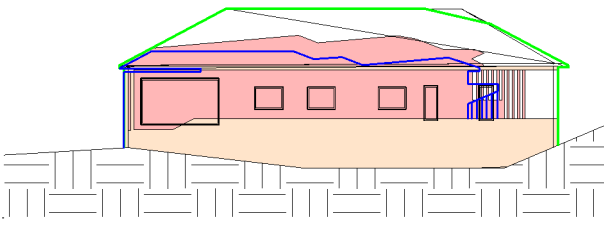


**LEGEND:**

- Denotes Outline of Existing Structures to be Demolished
- Denotes Area of Existing Building Shadow
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- Denotes Outline of S96 Building Shadow
- Denotes Area of Improved S96 Building Shadow
- Denotes Outline of Compliant Envelope Shadow

**NOTE:**

SHADOWS SHOWN HAVE BEEN COMPILED FROM DETAIL & LEVEL SURVEY BY ERIC SCERRI & ASSOC. REF 3052/16 DATED 1 JUNE 2016 AND ARCHITECTURAL MODELS BY MHNDU PROJECT NO 16-027 DATED 15-05-2017 + SECTION 96 MODEL 22-08-17



**NORTH ELEVATION  
NO 699 OLD SOUTH HEAD ROAD  
SHADOWING JUNE 21ST 3.00PM**

**SHADOWING JUNE 21ST  
3.00PM**

**Cad Draft P/L** SHADOW ANALYSIS CONSULTANTS  
 ABN 27 083 288 153  
 SUITE 4, 670 DARLING STREET, ROZELLE, NSW  
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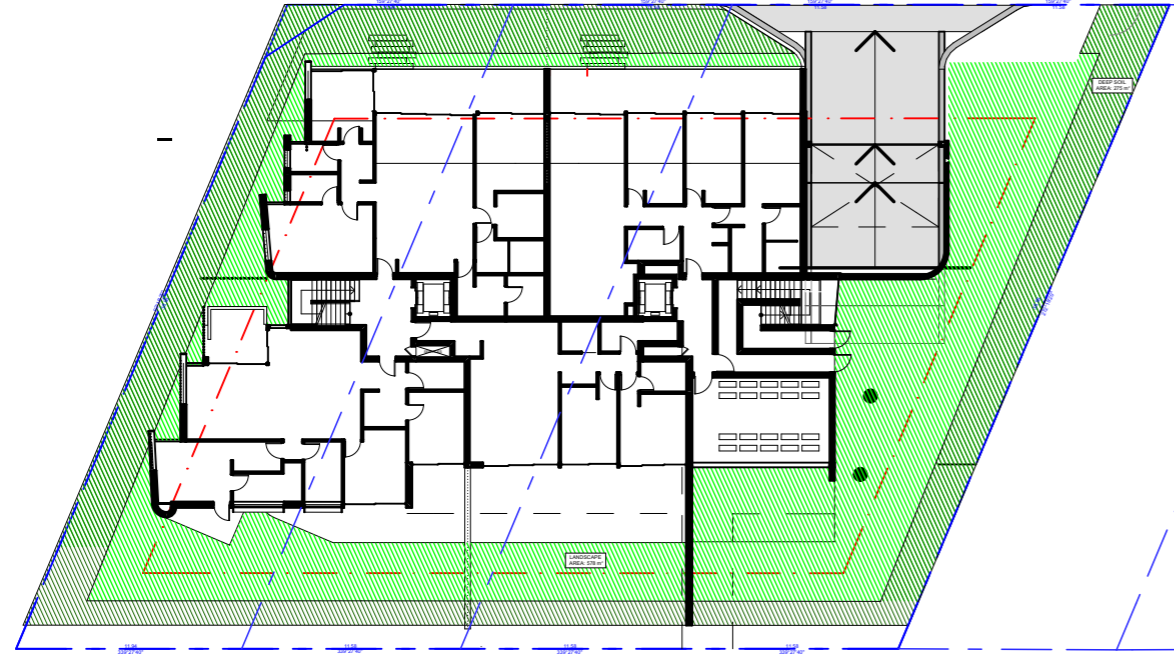
No.	Description	Date

**S96 SHADOW DIAGRAMS  
NO 1 STANLEY STREET,  
VAUCLUSE**

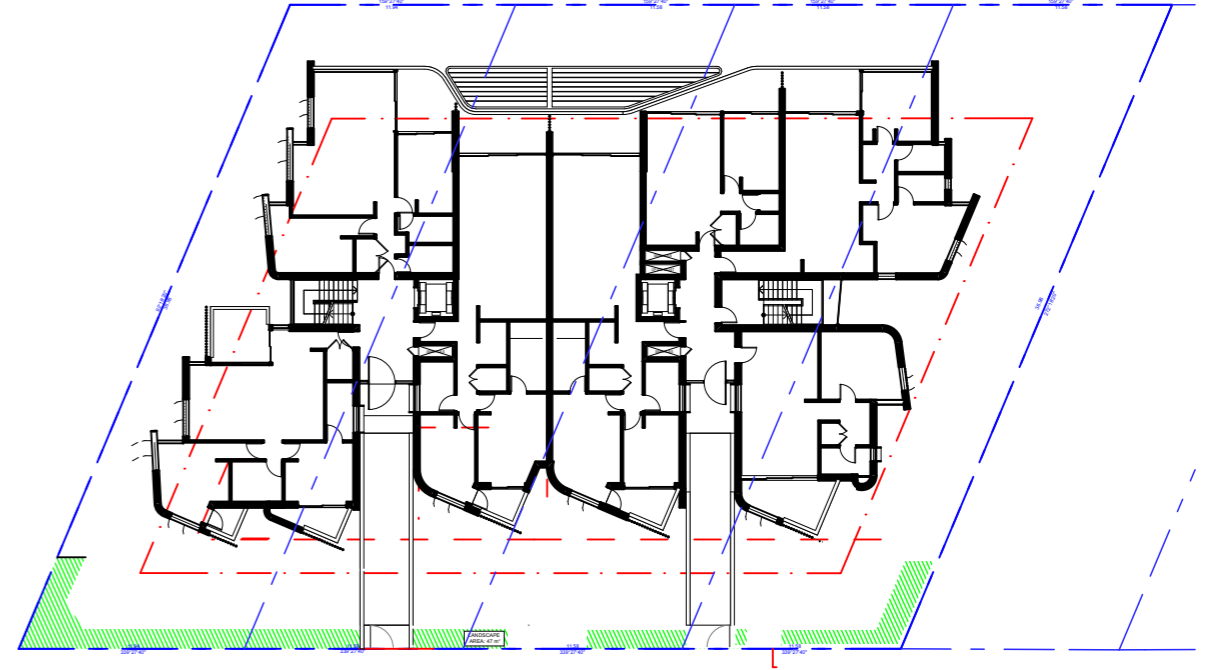
**CLIENT: c/o MHNDU**

Shading June 21st 3.00pm	
Project number	5802-16
Date	31-08-17
Drawn by	KP
Checked by	JD
Scale @ A3	
<b>379</b>	





1 GROUND FLOOR 1:400



2 FIRST FLOOR 1:400

**LANDSCAPING**

	CONTROL	DA SUBMITTED	SECTION 96
SITE AREA:	1591 m <sup>2</sup>		
LANDSCAPING:	30% OF SA (477.3 m <sup>2</sup> )	741 m <sup>2</sup> (excl. roof)	625 m <sup>2</sup>
DEEP SOIL:	50% OF LA (239 m <sup>2</sup> )	275 m <sup>2</sup>	275 m <sup>2</sup>
COMMUNAL OPEN SPACE:	25% OF SA (398 m <sup>2</sup> )	403 m <sup>2</sup>	308 m <sup>2</sup>

**E** LANDSCAPING, DEEP SOIL AND COMMUNAL OPEN SPACE UPDATED

REVISIONS	PLOTTED: 10/09/2017	GENERAL NOTES
A SUBMISSION FOR DA	02 / 11 / 2016	<p>1. ALL WORKS TO BE IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA/AUSTRALIAN STANDARDS STATUTORY REGULATIONS AND LOCAL AUTHORITY REQ.</p> <p>2. CONTRACTOR TO ENSURE CONSISTENCY BETWEEN MATERIALS IS MAINTAINED.</p> <p>3. CONTRACTOR TO NOTIFY MAIN OF ANY DISCREPANCIES, DIMENSIONAL INCONSISTENCIES OR THE NEED FOR CLARIFICATION PRIOR TO MANUFACTURING.</p> <p>4. MAIN TO REVIEW ALL CONTRACTORS DETAILED DRAWINGS / SETTING OUT PRIOR TO CONSTRUCTION.</p> <p>5. CONTRACTOR TO LIAISE WITH ELECTRICAL CONTRACTORS TO ENSURE ALL POWER/DATA/COMMUNICATION REQUIREMENTS ARE ACCESSIBLE.</p> <p>6. ALL DIMENSIONS TO BE VERIFIED ON SITE - DO NOT SCALE.</p> <p>7. ALL WORKS TO BE VERIFIED AGAINST DRAWINGS FOLLOWING CONSTRUCTION AND ARCHITECT TO BE NOTIFIED OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH NEXT TRADE.</p>
B /	/	
C REVISED FOR COUNCIL	22 / 05 / 2017	
D REVISED FOR COUNCIL	29 / 06 / 2017	
E SUBMISSION FOR S96	29 / 08 / 2017	

**ALL CONSTRUCTION TO COMPLY AT MINIMUM W/ BCA CLAUSES & AUSTRALIAN STANDARDS**

CLAUSE B 1.4 - MATERIAL & FORMS CONSTRUCTIONS  
 SPEC C1.1 - FIRE RESISTING CONSTRUCTION  
 SPEC C1.10 - FIRE HAZARD PROPERTIES  
 SPEC C1.11 - PERFORMANCE OF EXTERNAL WALLS IN A FIRE  
 CLAUSE C2.1 - VERTICAL SEPARATION OF OPENINGS IN EXTERNAL WALL  
 CLAUSE C2.12 - SEPARATION OF EQUIPMENT  
 CLAUSE C2.13 - ELECTRICITY SUPPLY SYSTEM  
 CLAUSE C2.14 - ACCEPTABLE METHODS OF PROTECTION (OF OPENINGS)  
 CLAUSE C3.1 - OPENING IN FIRE ISOLATED EXITS  
 CLAUSE C3.2 - DISCHARGE FROM EXITS  
 CLAUSE C3.7 - INSTALLATIONS IN EXITS AND PATHS OF TRAVEL  
 CLAUSE C2.13 - GORGES AND RISERS  
 CLAUSE C2.14 - LANDINGS  
 CLAUSE C2.15 - THRESHOLDS  
 CLAUSE C2.16 - BALUSTRADES

CLAUSE D2.17 - HANDRAILS  
 CLAUSE D2.21 - OPERATION OF LATCH  
 CLAUSE D2.23 - SIGNS ON DOORS  
 CLAUSE D2.3 - GENERAL BUILDING ACCESS REQUIREMENTS  
 CLAUSE D2.3 - PARTS OF BUILDING TO BE ACCESSIBLE  
 CLAUSE D2.8 - IDENT. OF ACCESSIBLE FACILITIES/FEATURES  
 CLAUSE D2.9 - TACTILE INDICATORS  
 CLAUSE D2.10 - DAMP PROOFING  
 CLAUSE D2.11 - CONSTRUCTION OF SANITARY COMPARTMENTS  
 PART 4 - LIGHTING AND VENTILATION  
 CLAUSE F4.4 - SOUND INSULATION OF FLOORS  
 CLAUSE F5.5 - SOUND INSULATION OF WALLS  
 CLAUSE F5.6 - SOUND INSULATION OF SERVICES  
 CLAUSE F5.7 - SOUND INSULATION OF PUMPS

**SPECIFICATIONS (refer to specification attachment)**

**ARTIFICIAL LIGHTING:** TO COMPLY WITH BCA PART CLAUSES 4 & 8 & AS1169  
**BALUSTRADE HEIGHTS:** TO COMPLY WITH BCA CLAUSE D2.16  
**SHOWERHEADS & DOWNPIPES:** TO COMPLY WITH AS3003.2  
**ENERGY EFFICIENT GLAZING:** TO COMPLY WITH J2 OF BCA  
**FIRE SERVICES:** TO COMPLY WITH SECTION 7 OF BCA  
**HOT WATER SYSTEMS:** TO COMPLY WITH PART J7 OF BCA  
**MECHANICAL AIR CONDITIONING:** TO COMPLY WITH PART J6 OF BCA  
**MECHANICAL EXHAUST VENTILATION:** TO COMPLY WITH AS1989 & AS882  
**SMOKE ALARMS:** TO COMPLY WITH BCA PART CLAUSE 8 & SPEC I2.2 & AS3786  
**PENETRATIONS:** THROUGH FIRE RATED CONSTRUCTION FOR MECHANICAL/HYDRAULIC PENETRATIONS TO COMPLY WITH BCA CLAUSE C3.11 & AS1530.4-2005  
**STAR CONSTRUCTION:** TO COMPLY WITH BCA CLAUSE D2.13  
**WATERPROOFING OF WET AREAS:** TO COMPLY WITH AS3740

**BASIX COMMITMENTS**  
 ALL OTHER BASIX COMMITMENTS AS PER BASIX CERTIFICATE AND STAMPED PLANS

**WATER OPTIONS**  
 SHOWERHEADS: 3 STAR  
 TOILETS: 3.5 STAR  
 CLOTHES WASHERS: 3.5 STAR  
 KITCHEN TAPS: 3 STAR  
 DISHWASHERS: 3.5 STAR

**ENERGY OPTIONS**  
 COOLING: Single phase, EER 2.5-3.0 zoned  
 HEATING: Single phase, EER 2.5-3.0 zoned  
 VENTILATION: Kitchen: Individual fan, not ducted, manual switch control  
 Bathroom/Laundry: Individual fan into central duct + VSD, interlocked to light  
 Laundry: Individual fan into central duct + VSD, interlocked to light  
 3.5 STAR LED  
 Gas cooktop, Electric oven  
 Water heated fridge space

**THERMAL COMFORT OPTIONS**  
 R1.0 INSULATION TO:  
 External Walls (Medium Colour)  
 Suspended Concrete Slab (above basement areas)  
 U<sub>min</sub> = 0.7 (for less than) SHGC = 0.7 (+/- 10%)  
 External Ceiling/Roof, with Reflective Airgap

**GLAZING SPEC:**  
 75mm BULK INSULATION TO:  
 External Walls (Medium Colour)  
 Suspended Concrete Slab (above basement areas)  
 U<sub>min</sub> = 0.7 (for less than) SHGC = 0.7 (+/- 10%)  
 External Ceiling/Roof, with Reflective Airgap

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 MHN Design Union Pty Ltd. ABN 94 003 717 682

**PROJECT:**  
 1 Stanley Street  
 1 STANLEY STREET  
 VAUCLUSE NSW 2030  
 AUSTRALIA

**DRAWING:**  
 LANDSCAPE  
 CALCULATIONS

**PROJECT NO:** 16-027  
**DRAWN BY:** MHNDU  
**TO SCALE:** 1:500@A3  
**DRAWING NO:** REV:  
**DA4 (E)**  
**380**





GROUND FLOOR & LEVEL 1 PLANS SCALE 1:200

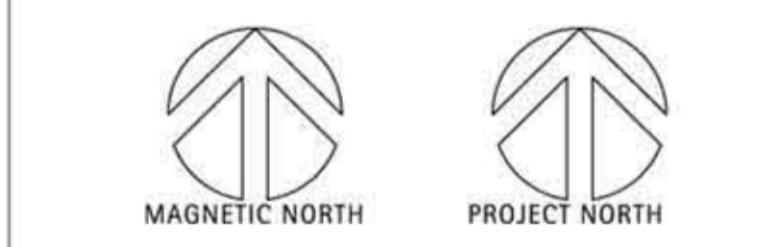
**NOTES**

1. A 40mm depth drainage layer of Draincell® shall be placed on base of all on-structure planted areas and covered with geotextile filtration layer as specified. The geotextile shall be protected by a 100mm layer of coarse sand as specified.
2. The Builder shall be responsible for subgrade excavation and preparation to allow for topsoil and mulch depths.
3. Imported topsoil as specified shall be spread to the site as follows:
  - on grade turf areas 200mm depth sandy topsoil as specified.
  - on grade planting beds 300mm depth of topsoil/compost planting mix as specified.
  - on structure planting beds & raised planters 400-700mm depth of planter box mix as specified.
  - vegetated root 300mm of planter box mix as specified.
4. All planting beds shall be mulched to a depth of 75mm with 15mm horticultural grade pinebark.
5. Refer to Architect's and Engineer's Site Plans for precise information regarding paving, finished levels, fences, lighting, structures and drainage details.
6. A fully automatic drip irrigation system shall be installed to all elevated planter boxes and planting beds. Irrigation shall conform to AS3500 and Sydney Water regulations.
7. PROPOSED PLANT SPECIES ARE OF INDIGENOUS ORIGIN OR REQUIRE LOW WATER USAGE AND COMPLY WITH BASIX REQUIREMENTS.
8. Refer to drawing 6141-02 for Third Floor vegetated roof details.

**NOTE:**  
 PLANTS ARE LIVING ORGANISMS. IF THEY ARE MAINTAINED IN A HEALTHY CONDITION THEY SHALL CONTINUE TO GROW. IF THEY THEREFORE BE NECESSARY TO REGULARLY MONITOR THE GROWTH OF THE PLANTS SO THAT THEY CAN BE PRUNED OR OTHERWISE ATTENDED TO SO THAT THEY DO NOT OVERTHROW THEIR ALLOTTED SPACE.  
 EXACT LOCATION OF SITE BOUNDARIES ARE TO BE CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORK.  
 WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED MEASUREMENTS. ALL DIMENSIONS AND LEVELS SHALL BE VERIFIED BY CONTRACTOR ON SITE. CONTRACTOR SHALL OBTAIN LANDSCAPE ARCHITECT'S WRITTEN APPROVAL OF INITIAL SETOUT PRIOR TO COMMENCEMENT OF WORK. IF IN DOUBT, CONTACT LANDSCAPE ARCHITECT.  
 ANY BATTER GREATER THAN 1 IN 3 SHALL BE STABILISED BY APPROVED GEOFABRIC OR OTHER EROSION CONTROL MEASURE, TO SATISFACTION OF LANDSCAPE ARCHITECT.  
 FINAL PLANT SIZES MAY BE ADJUSTED AS NECESSARY TO SUIT AVAILABILITY OF PLANT SPECIES AT TIME OF IMPLEMENTATION AND FINAL PROJECT BUDGET.  
 SHOULD PROPOSED TREE LOCATION HAVE THE POTENTIAL TO INTERFERE WITH EXISTING OR PROPOSED UTILITIES, CONTRACTOR SHALL ADVISE LANDSCAPE ARCHITECT AND AVOID INSTRUCTIONS PRIOR TO PROCEEDINGS.

**LEGEND**

- EXISTING TREE TO BE RETAINED, REFER TO ARBORIST REPORT.
- EXISTING TREE TO BE REMOVED, REFER TO ARBORIST REPORT.
- PROPOSED EVERGREEN TREES
- SOFT LEAF BUFFALO TURF
- PROPOSED SHRUB & GROUND COVER PLANTING REFER TO PLANT SCHEDULE
- STEEL GARDEN EDGE



ISSUE	DESCRIPTION	DATE
D	FOR S96 SUBMISSION	04/09/2017
C	FOR COUNCIL RESUBMISSION	20/05/2017
B	FOR DEVELOPMENT APPLICATION	13/10/16
A	FOR REVIEW AND DISCUSSION	05/10/16

**Peter Glass & Associates**  
 Landscape Architects  
 Environmental Planners  
 Pool Designers

69 Christie Street, St Leonards NSW 2065  
 Phone (02) 9906 2727 Fax (02) 9906 4470  
 Email: design@peterglass.com.au  
 Web: www.peterglass.com.au

CLIENT  
**MARINA BASSIN**

PROJECT  
**PROPOSED RESIDENTIAL APARTMENT BUILDING 1 STANLEY STREET VAUCLUSE**

DRAWING TITLE  
**LANDSCAPE PLAN FOR S96 SUBMISSION GROUND FLOOR**

SCALE 1:200 @ A1  
 DESIGNED/DRAWN PL/JL  
 CHECKED PL  
 DATE 04/09/2017  
 JOB NUMBER 6141

DRAWING NUMBER	ISSUE
6141-01	D

**TREES & SPECIMENS**



BANKSIA INTEGRIFOLIA COAST BANKSIA  
 TRISTANIOPSIS LAURINA 'LUSCIOUS' WATER GUM  
 CUPANIOPSIS ANACARDIODES TUCKEROO  
 SYZYGIUM 'RESILIENCE' COMPACT LILY PILY  
 BANKSIA MARGINATA SILVER BANKSIA  
 CYATHEA COOPERI SOFT TREE FERN  
 PLUMERIA OBTUSA EVERGREEN FRANGIPANI

**SMALL SHRUBS & GROUNDCOVERS**



ZAMIA FURFURACEA LOBSTER CLAW CYCAD  
 PITTOSPORUM 'MISS MUFFET' JAPANESE MOCK ORANGE  
 CRINUM PEDUNCULATUM STREAM LILLY  
 ALPINIA ZERUMBET SHELL GINGER  
 HELICONIA ROSTRATA HANGING LOBSTER CLAW  
 CHAMAEDOREA SEIFRIZII BAMBOO PALM  
 PANDANUS TECTORIUS SCREW PINE



ALCANTAREA IMPERIALIS IMPERIAL BROMELIAD  
 DIANELLA 'CASSA BLUE' BLUE FLAX LILY  
 GARDENIA RADICANS PROSTRATE GARDENIA  
 LIRIOPE MUSCARI LILLY TURF  
 VIOLA HEDERACEA CREEPING VIOLET  
 GAZANIA TOMENTOSA GAZANIA  
 CAROBROTUS 'AUSSIE RAMBLER' LARGE FLOWERED PIG FACE

**INDICATIVE PLANTING SCHEDULE (BOTH DRAWINGS)**

SYMBOL	BOTANIC NAME	COMMON NAME	ESTIMATED QTY	ESTIMATED CONTAINER SIZE	ESTIMATED MATURE HEIGHT
<b>TREES</b>					
BI	Banksia integrifolia	Coast Banksia	4	45 litre-Super Advanced	6.0 Metres
CA	Cupaniopsis anacardioides	Tuckeroo	4	75 litre-Super Advanced	4.0 Metres
ER	Elaeocarpus reticulatus	Blueberry Ash	6	75 litre-Specimen	4.0 Metres
TLL	Tristaniopsis 'Luscious'	Water Gum	8	75 litre-Specimen	5.0 Metres
MKP	Magnolia 'Kay Parris'	Compact Magnolia	8	75 litre-Super Advanced	5.0 Metres

SYMBOL	BOTANIC NAME	COMMON NAME	ESTIMATED QTY	ESTIMATED CONTAINER SIZE	ESTIMATED MATURE HEIGHT
<b>SPECIMENS AND PALMS</b>					
AA	Agave attenuata	Blue Agave	10	25 litre-Specimen	1.0 Metres
AI	Alcantarea imperialis	Imperial Bromeliad	15	25 litre-Specimen	800mm
AZV	Alpinia zerumbet	Shell Ginger	10	25 litre-Specimen	2.0 Metres
CSI	Chamaedorea seifrizii	Bamboo Palm	15	25 litre-Specimen	2.0 Metres
CCO	Cyathea cooperi	Soft Tree Fern	10	25 litre-Specimen	3.0 Metres
CR	Cycas revoluta	Japanese Cycas	10	45 litre-Specimen	1.5 Metres
DE	Doryanthes excelsa	Gymea Lily	15	25 litre-Specimen	2.0 Metres
HR	Heliconia rostrata	Hanging Lobster Claw	15	25 litre-Specimen	2.0 Metres
PO	Plumeria obtusa	Evergreen Frangipani	3	45 litre-Specimen	2.0 Metres
CS	Cordyline stricta	Palm Lily	20	25 litre-Specimen	2.0 Metres
ZF	Zamia furfuracea	Lobster Claw Cycad	30	25 litre-Specimen	600mm
PT	Pandanus tectorius	Screw Pine	2	75 litre-Specimen	3.0 Metres

SYMBOL	BOTANIC NAME	COMMON NAME	ESTIMATED QTY	ESTIMATED CONTAINER SIZE	ESTIMATED MATURE HEIGHT
<b>LARGE SHRUBS</b>					
BEGC	Banksia ericifolia 'Giant Candles'	Heath Banksia	10	25 litre-Super Adv	2.0 Metres
BM	Banksia marginata	Silver Banksia	6	25 litre-Super Adv	3.0 Metres
PTO	Pittosporum tobira	Japanese Mock Orange	13	25 litre-Super Adv	2.0 Metres
SR	Syzygium 'Resilience'	Compact Lily Pilly	29	25 litre-Super Adv	3.0 Metres

SYMBOL	BOTANIC NAME	COMMON NAME	ESTIMATED QTY	ESTIMATED CONTAINER SIZE	ESTIMATED MATURE HEIGHT
<b>SMALL TO MEDIUM SHRUBS</b>					
BS	Banksia spinulosa	Hairpin Banksia	10	200mm - Advanced	1000mm
CP	Crinum pedunculatum	Swamp Lily	25	300mm - Advanced	800mm
GF	Gardenia florida	White Gardenia	15	300mm - Advanced	800mm
PTMM	Pittosporum tobira 'Miss Muffet'	Dwarf Japanese Mock Orange	20	300mm - Advanced	800mm
PX	Philodendron 'Xanadu'	Dwarf Philodendron	20	300mm - Advanced	600mm
SBC	Syzygium 'Bush Christmas'	Dwarf Lily Pilly	21	300mm - Advanced	1000mm
WFM	Westringia fruticosa 'Mundi'	Dwarf Coastal Rosemary	10	200mm - Advanced	1000mm

SYMBOL	BOTANIC NAME	COMMON NAME	ESTIMATED QTY	ESTIMATED CONTAINER SIZE	ESTIMATED MATURE HEIGHT
<b>CLIMBERS AND GROUNDCOVERS</b>					
CCI	Casuarina 'Cousin It'	Prostrate Sheoak	40	200mm-Semi-Adv	600mm
DBC	Dianella 'Cassa Blue'	Blue Flax Lily	150	150mm-Semi-Adv	500mm
DLJ	Dianella 'Little Jess'	Green Flax Lily	120	150mm-Semi-Adv	600mm
DSS	Dianella 'Streetscape'	Flax Lily	80	150mm-Semi-Adv	600mm
GR	Gardenia 'Radicans'	Prostrate Gardenia	80	200mm-Semi-Adv	200mm
GT	Gazania tomentosa	Gazania	60	150mm-Semi-Adv	200mm
HL	Hymenocallis littoralis	Spider Lily	120	200mm-Semi-Adv	600mm
HS	Hibbertia scandens	Snake Vine	40	150mm-Semi-Adv	N/A
LJ	Liriope muscari	Lilyturf	180	150mm-Semi-Adv	500mm
LLT	Lomandra longifolia 'Tanika'	Dwarf Mat Rush	95	150mm-Semi-Adv	600mm
OJ	Ophiopogon japonicus	Mondo Grass	240	150mm-Semi-Adv	N/A
TJ	Trachelospermum jasminoides	Star Jasmine	30	100mm-Semi-Adv	N/A
VH	Viola hederacea	Native Violet	160	100mm-Semi-Adv	N/A

SYMBOL	BOTANIC NAME	COMMON NAME	ESTIMATED QTY	ESTIMATED CONTAINER SIZE	ESTIMATED MATURE HEIGHT
<b>VEGETATED ROOF GROUNDCOVERS</b>					
CAR	Carpobrotus 'Aussie Rambler'	Large Flowered Pig Face	140	150mm-Semi-Adv	N/A
DBC	Dianella 'Cassa Blue'	Blue Flax Lily	180	150mm-Semi-Adv	500mm
DLJ	Dianella 'Little Jess'	Green Flax Lily	160	150mm-Semi-Adv	600mm
GT	Gazania tomentosa	Gazania	80	150mm-Semi-Adv	200mm
SSBI	Senecio serpens 'Blue Ice'	Blue Chalk Sticks	120	100mm-Semi-Adv	N/A